

## **ORDINANCE NO. 15-2020**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARION, TEXAS, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF MARION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL OTHER ORDINANCES IN CONFLICT; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, TEXAS, THAT:**

### **Section 1. ENACTED**

That a certain document, three (3) copies of which are on file in the office of **THE CITY OF MARION**, being marked and designated as the *International Building Code*, 2015 edition, including Appendix (see *International Building Code* Section 101.2.1, 2015 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the **CITY OF MARION**, in the State of Texas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the **CITY OF MARION** are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

### **Section 2. REVISIONS**

The following sections are hereby revised:

Section 101.1. Title. These regulations shall be known as the International Building Code of the City of Marion hereinafter referred to as "this code."

Section 1612.3. Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Feder-

al Emergency Management Agency in their report dated 3/15/2012, as amended or revised, with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data including and all subsequent LOMARs along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Section 3412.2. Insert: 3/15/2012

### **Section 3. REPEAL OF CONFLICTING ORDINANCES**

Ordinance No. 14-2011 and all other ordinances or parts of ordinances and sections of any of the City Ordinances in conflict with this Ordinance are hereby repealed.

### **Section 4. FEES**

The fees are set by City Council.

### **Section 5. SEVERABILITY**

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

### **Section 6. EFFECT ON PENDING PROCEEDINGS**

That nothing in this legislation or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

### **Section 7. PUBLICATION**

The City Secretary is authorized and direct to publish the caption and penalty prescribed by this ordinance in accordance with State Law.

### **Section 8. ENFORCEMENT**

Any person, firm or individual who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one dollar (\$1.00) or more than two thousand dollars (\$2,000.00) in accordance with Tex. Local Government Code §54.001(b). Each and every day the violation continues shall constitute a separate and distinct offense.

### **Section 9. EFFECTIVE DATE**

This Ordinance shall be in force and effect from and after its publication.

CITY OF MARION



VICTOR CONTRERAS, MAYOR

ATTEST:



Maria Hernandez, City Secretary

