

CITY OF RICHMOND ORDINANCE NO. 2009-04

AN ORDINANCE OF THE CITY OF RICHMOND, TEXAS ADOPTING THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS THE PROPERTY MAINTENANCE CODE FOR THE CITY OF RICHMOND, TEXAS 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 EXISTING STRUCTURES IN THE CITY OF RICHMOND, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; AND PROVIDING PENALTIES NOT TO EXCEED TWO THOUSAND DOLLARS AND; REPEALING ORDINANCE NO. 2002-04 OF THE CITY OF RICHMOND, TEXAS AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RICHMOND, TEXAS:

SECTION 1

A certain document filed in the office of the City Secretary of the City of Richmond, Texas, marked and designated as the International Property Maintenance Code, 2006 Edition, as published by the International Code Council, be and is hereby adopted as the **Property Maintenance Code of the City of Richmond**, 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 **Property Maintenance Code** filed in the office of the City Secretary of the City of Richmond, Texas are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, prescribed in Section 2 of this ordinance.

SECTION 2

The following sections are hereby revised:

101.1 Title. Insert in brackets:

“CITY OF RICHMOND, TEXAS”

102.3 Application of other codes is hereby deleted and replaced with the following:

“102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Fire Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code and the 2008 National Electrical Code® (NEC®) (NFPA 70-2008), as adopted and amended by the City Commission of the City of Richmond.”

102.6 Historic buildings is hereby deleted and replaced with the following:

“102.6 Historic buildings. The provisions of this code may not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.”

102.7 Referenced codes and standards is hereby amended by adding the following:

“Exceptions: All references to the IZC—06 International Zoning Code®, International Existing Building Code® and the ICC EC—06 ICC Electrical Code® shall be removed throughout this code.”

103.5. Fees is hereby deleted and replaced with the following:

“103.5. Fees. Fees shall be assessed in accordance with applicable city ordinance and/or code.”

106.4 Violation penalties is hereby deleted and replaced with the following:

“106.4 Violation penalties. “Persons who shall violate a provision of this ordinance or code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, conduct work without the required permit, or violate a stop work order, shall be guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed the amounts as allowed by state law pursuant to Texas Local Government Code Section 54.001. Therefore, a Violation is punishable by a fine not exceeding two thousand dollars (\$2,000.00) for violations of a rule, ordinance, or police regulation that governs fire safety, public safety, zoning, and public health and sanitation, including dumping of refuse. All other violations shall be punished by a fine not exceeding five hundred dollars (\$500.00), but no penalty shall be more or less than the penalty provided by state

law for the same offense. Furthermore, each day that a violation continues after due notice has been served shall be deemed a separate offense.”

111.2 Membership of board is hereby deleted and replaced with the following:

“111.2 Membership of board. The Board of Appeals shall consist of members appointed by the City Commission of the City of Richmond, Texas, serving as the Board of Appeals in accordance with the Building Code Ordinance, City of Richmond Ordinance No. 2008-13.”

302.4. Weeds. Insert in the brackets as follows:

“nine (9) inches”

304.14. Insect screens. The portion “*During the period from [DATE] to [DATE]*” is hereby removed and replaced with the following:

“At all times”

504.3 Plumbing system hazards is hereby amended by adding the following:

“504.3.1 Disconnection of service. If defects are not eliminated as required, the code official may have the water and/or sanitary sewer service disconnected. Service may not be restored until defects have been properly corrected and the public safety is assured.”

602.1 Facilities required is hereby amended by adding the following:

“602.1.1 Portable space heaters shall not be used to achieve compliance with the heating requirements for buildings and structures as set forth in the Building, Property Maintenance, and Residential Codes.”

602.3. Heat supply. The portion “*during the period from [DATE] to [DATE]*” is hereby removed and replaced with the following:

“at all times”

602.4. Occupiable work spaces. The portion “*during the period from [DATE] to [DATE]*” is hereby removed and replaced with the following:

“at all times”

[F] SECTION 704 FIRE PROTECTION SYSTEMS is hereby amended by adding the following:

“Carbon Monoxide Alarms or Detectors. In R-1, R-2, R-3, R-4, and I-1 occupancies, Carbon Monoxide Alarms or Detectors are required in new and existing occupancies as follows:

- A. Carbon Monoxide Alarms or Detectors. Each carbon monoxide alarm and detector shall be listed in compliance with ANSI/UL 2034, *Standard for Single and Multiple Station Carbon Monoxide Alarms* and installed in accordance with NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Warning Equipment in Dwelling Units*.
- B. A carbon monoxide alarm or detector shall be centrally located outside of each separate sleeping area in the immediate vicinity of the bedrooms. Each alarm or detector shall be located on the wall, ceiling, or other location as specified in the installation instructions that accompany the unit.
- C. Power source. In new construction, the required Carbon monoxide alarms or detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

Exception: Carbon monoxide alarms or detectors may be permitted to be battery operated, with a monitored battery primary (main) power source, when installed in buildings without commercial power or in buildings that undergo alterations, repairs or additions regulated by Section R313.2.1 of the Residential Code.”

SECTION 3

Ordinance No. 2002-04 of CITY OF RICHMOND, TEXAS, ENTITLED THE PROPERTY MAINTENANCE CODE OF THE CITY OF RICHMOND, TEXAS, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The CITY COMMISSION HEREBY declares that it would have passed this ordinance, 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.

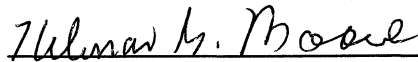
SECTION 5

Nothing in this ordinance or in the Property Maintenance 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 ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6

This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby, shall take effect and be in full force from and after the date of its final passage and adoption.

PASSED AND APPROVED this 20th day of January, 2009.



HILMAR G. MOORE, Mayor

ATTEST:



MONA MATAK, City Secretary

APPROVED AS TO FORM:



CHARLES R. SLONE, City Attorney