

CITY OF OAK RIDGE
KAUFMAN COUNTY, TEXAS

NEW OR EXISTING CONSTRUCTION
ORDINANCE 2-09 AMENDMENT A

AN ORDINANCE OF THE CITY OF OAK RIDGE, TEXAS, AMENDING ORDINANCE NO. 2-09 RELATIVE TO CONSTRUCTION STANDARDS; ESTABLISHING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE IMMEDIATE EFFECT.

WHEREAS, the City of Oak Ridge, Texas (“City”), is a Type B general-law municipality and the City Council of the City of Oak Ridge, Texas (“City Council”) has the authority to adopt regulations that the City Council considers proper for the governance of the City pursuant to Section 51.032 of the V.T.C.A., Local Government Code; and

WHEREAS, the City Council finds it necessary and proper to amend Ordinance No. 2-09 relative to construction standards for the good of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK RIDGE, TEXAS, THAT:

SECTION I.
FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION II.
AMENDMENT OF ORDINANCE NO. 2-09

1. Application.

The following regulations will apply to all construction and construction-related activities within the City limits of the City of Oak Ridge.

2. Construction Regulations.

Any construction or construction-related activities in the City of Oak Ridge, Texas on or after November 29, 2011, must comply with the following specifications:

- A. All construction must be in full compliance with the following 2003 International Building Codes:
 - 2003 International Residential Code
 - 2003 International Fire Code
 - 2003 International Plumbing Code
 - 2003 International Mechanical Code
 - 2003 International Energy Conservation Code
 - 2005 National Electrical Code
- B. All electrical wiring, outlets, and installations must conform to the National Electric Code.
- C. All contractors and builders must be fully licensed by the State of Texas and permitted by the City of Oak Ridge before construction can begin.
- D. Access to at least one sanitary facility, to include, without limitation, a port-a-potty or functioning bathroom, on the same property as the construction or construction-related activities are planned or occurring shall be provided.
- E. Waste water systems must be aerobic only, and in compliance with all applicable Kaufman County regulations.

3. Penalty Upon Failure to Comply

- A. Any person violating or failing to comply with any provision or requirement of this Ordinance, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00, such offenses being violations of the health and safety ordinance of the City. A separate offense shall be deemed committed upon each day during or on which a violation or failure to comply occurs or continues to occur.
- B. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance shall be deemed a public nuisance and may be abated by the city as provided by law. Any violation of any provision of this Ordinance which constitutes an immediate danger or threat to the health, safety and welfare of the public may be enjoined in a suit brought by the City for such purpose.

- C. Unless otherwise provided under state law, allegation and evidence of a culpable mental state are not required for the proof of an offense defined by this Ordinance.”

**SECTION III.
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION IV.
REPEALER CLAUSE**

Any provision of any prior ordinance of the City, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION V.
EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Oak Ridge, Texas, on this the 27th day of March, 2012

ATTEST:

Roy W. Perkins, Mayor

Jan Shedd, City Secretary

City of Oak Ridge

