

ORDINANCE 05-23

AN ORDINANCE OF THE CITY OF COMMERCE, ADOPTING THE 2003 INTERNATIONAL BUILDING CODEE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND HEREBY DELCARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS:

SECTION 1.

The Code of Ordinances of the City of Commerce, Texas is hereby amended by adopting the 2003 International Building Code;

SECTION 2. All ordinances and parts of ordinances inconsistent with or in conflict with the provisions of this Ordinance shall be and the same are hereby expressly repealed.

SECTION 3. If any section, subsection, word, sentence, or phrase of this ordinance is declared to be invalid it shall not affect the validity of this ordinance.

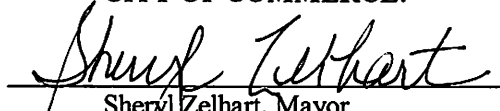
PASSED AND APPROVED this the 20th day of December 2005.

ATTEST:

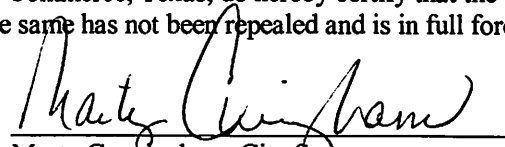

Marty Cunningham, City Secretary

(seal)

CITY OF COMMERCE:

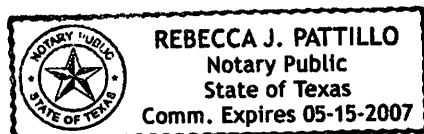

Sheryl Zelhart, Mayor

I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an ordinance, and that the same has not been repealed and is in full force and effect.

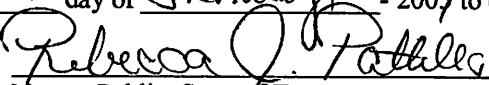

Marty Cunningham, City Secretary

(seal)

Sworn to and subscribed before me, on this the 3rd day of January - 200~~5~~⁶ to certify which witness my hand and seal of office.



(seal)


Notary Public, State of Texas

79R6196 PAM-D

By: Wentworth

S.B. No. 1458

A BILL TO BE ENTITLED

AN ACT

relating to the adoption of a uniform commercial building code for use in the state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 214.211, Local Government Code, is amended by adding Subdivisions (4) and (5) to read as follows:

(4) "International Building Code" means the International Building Code promulgated by the International Code Council.

(5) "Commercial" means a building for the use or occupation of people for:

(A) a public purpose or economic gain; or

(B) a residence if the building is a multifamily residence that is not defined as residential by this section.

SECTION 2. Subchapter G, Chapter 214, Local Government Code, is amended by adding Section 214.216 to read as follows:

Sec. 214.216. INTERNATIONAL BUILDING CODE. (a) To protect the public health, safety, and welfare, the International Building Code, as it existed on May 1, 2003, is adopted as a municipal commercial building code in this state.

(b) The International Building Code applies to all commercial buildings in a municipality for which construction begins on or after January 1, 2006, and to any alteration, remodeling, enlargement, or repair of those commercial buildings.

(c) A municipality may establish procedures:

(1) to adopt local amendments to the International Building Code; and

(2) for the administration and enforcement of the International Building Code.

(d) A local amendment adopted under Subsection (c) may not result in less stringent building requirements than the requirements prescribed by the International Building Code, as it existed on May 1, 2003.

(e) A municipality may review and consider amendments made by the International Code Council to the International Building Code after May 1, 2003. Subsection (d) does not apply to an amendment adopted by a municipality under this subsection.

SECTION 3. Chapter 233, Local Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. COMMERCIAL BUILDING CODE

Sec. 233.121. DEFINITIONS. In this subchapter:

(1) "Commercial" means a building for the use or occupation of people for:

(A) a public purpose or economic gain; or

(B) a residence if the building is a multifamily

residence that is not defined as residential by this section.

(2) "International Building Code" means the International Building Code promulgated by the International Code Council.

(3) "Residential" means having the character of a detached one-family or two-family dwelling or a multiple single-family dwelling that is not more than three stories high with separate means of egress, including the accessory structures of the dwelling, and that does not have the character of a facility used for the accommodation of transient guests or a structure in which medical, rehabilitative, or assisted living services are provided in connection with the occupancy of the structure.

Sec. 233.122. INTERNATIONAL BUILDING CODE. (a) To protect the public health, safety, and welfare, the International Building Code, as it existed on May 1, 2003, is adopted as a commercial building code in the unincorporated area of counties in this state.

(b) The International Building Code applies to all commercial buildings in the unincorporated area of a county for which construction begins on or after January 1, 2006, and to any alteration, remodeling, enlargement, or repair of those commercial buildings.

(c) The commissioners court of a county may establish procedures:

(1) to adopt local amendments to the International Building Code; and

(2) for the administration and enforcement of the International Building Code.

(d) A local amendment adopted under Subsection (c) may not result in less stringent building requirements than the requirements prescribed by the International Building Code, as it existed on May 1, 2003.

(e) The commissioners court may review and consider amendments made by the International Code Council to the International Building Code after May 1, 2003. Subsection (d) does not apply to an amendment adopted by a county under this subsection.

SECTION 4. Before January 1, 2006, rules shall be established and other actions taken as necessary:

(1) by municipalities to implement Section 214.216, Local Government Code, as added by this Act; and

(2) by counties to implement Subchapter E, Chapter 233, Local Government Code, as added by this Act.

SECTION 5. (a) Except as provided by Subsection (b) of this section, this Act takes effect January 1, 2006.

(b) This section and Section 4 of this Act take effect September 1, 2005.