

ORDINANCE NO. 11152017

AN ORDINANCE OF THE CITY OF THRALL, TEXAS ADOPTING THE 2009 INTERNATIONAL RESIDENTIAL CODE, THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 NATIONAL ELECTRIC CODE; 2009 EXISTING BUILDING CODE; 2009 INTERNATIONAL FIRE CODE; 2009 INTERNATIONAL MECHANICAL CODE; 2009 INTERNATIONAL PLUMBING CODE; 2009 INTERNATIONAL FUEL GAS CODE; 2009 PROPERTY MAINTENANCE CODE; 2009 ENERGY CONSERVATION CODE; 2009 INTERNATIONAL ELECTRICAL CODE; AMENDING THE 2009 INTERNATIONAL RESIDENTIAL CODE AND THE INTERNATIONAL PLUMBING CODE TO ADD THE PROVISIONS SET FORTH IN THIS ORDINANCE; ADOPTING A REPEALER CLAUSE; ADOPTING A SAVINGS CLAUSE; ADOPTING A PENALTY CLAUSE PROVIDING THAT ANY PERSON VIOLATING THE PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND, UPON CONVICTION IN THE MUNICIPAL COURT OF THE CITY OF THRALL, TEXAS, OR ANY OTHER COURT OF PROPER JURISDICTION, SHALL BE SUBJECT TO A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE THE PENALTY SHALL BE THAT FIXED BY STATE LAW, AND FOR ANY OFFENSE THAT GOVERNS FIRE, SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, INCLUDING DUMPING OF REFUSE, THE PENALTY SHALL BE A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2000.00) FOR EACH OFFENSE; AND REQUIRING PUBLICATION.

BE IT ORDAINED BY THE CITY OF THRALL:

SECTION 1.0 ADOPTION OF THE INTERNATIONAL CODES.

The City of Thrall, Texas hereby adopts the 2009 International Residential Code, the 2009 International Building Code, the 2009 National Electric Code, the 2009 International Existing Building Code, the 2009 International Fire Code, the 2009 International Mechanical Code, the 2009 International Plumbing Code, the 2009 International Fuel gas Code, the 2009

International Property Maintenance Code, the 2009 International Energy Conservation Code, and the 2009 ICC Electrical Code.

This adoption includes, but is not limited to, the provision regarding expiration of permits that every permit shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

SECTION 2.0 AMENDMENT TO THE INTERNATIONAL RESIDENTIAL CODE.

The International Residential Code adopted by this Ordinance is amended to include and to require the following:

In dwellings and dwelling units a smoke detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each group of rooms used for sleeping purposes and a smoke detector shall also be mounted in all rooms used for sleeping purposes. Where the dwelling unit contains more than one story, detectors are required on each story including basements, but not including unfinished attics, and shall be located in close proximity to the stairway leading to the floor above.

In dwelling, dwelling units, and sleeping rooms smoke detectors shall be hardwired into an AC electrical power source and shall be equipped with a monitored battery backup in all new construction. A monitored battery power source shall be permitted in existing construction.

SECTION 3.0 AMENDMENT TO THE INTERNATIONAL PLUMBING CODE.

The International Plumbing Code adopted by this Ordinance is amended to include and to require the following:

“Cross-Connection Control Program”

A. General.

1. No water service connection shall be made to any establishment where a potential or actual contamination hazard exists unless the water supply is protected in accordance with the Texas

Commission on Environmental Quality (TCEQ) Rules and Regulations for Public Water Systems and the provisions contained in this Ordinance. The water purveyor shall discontinue water service if a required backflow prevention assembly is not installed, maintained, and tested in accordance with the TCEQ Rules and this Ordinance.

**B. Backflow Prevention Assembly Installation, Testing and Maintenance.**

1. All backflow prevention assemblies shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specification at least annually by a recognized backflow prevention assembly tester.
2. All backflow prevention assemblies shall be installed and tested in accordance with the manufacturer's instructions, the American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual M14) or The University of Southern California Manual of Cross-Connection Control.
3. Assemblies shall be repaired, overhauled, or replaced at the expense of the customer whenever assemblies are found to be defective. Original forms of such test, repair, and overhaul shall be kept and submitted to the City of Thrall within five (5) working days of the test, repair, or overhaul of each backflow prevention assembly.
4. No backflow prevention assembly or device shall be removed from use, relocated, or other assembly or device substituted without the approval of the City of Thrall. Whenever the existing assembly or device is moved from the present location or cannot be repaired, the backflow assembly or device shall be replaced with a backflow prevention assembly or device that complies with this section, the American Water Works Association's Recommended Practice for Backflow Prevention

and Cross-Connection Control Manual (M14), current addition, the University of Southern California Manual of Cross-Connection Control, Current addition, or the current plumbing code of the City of Thrall, whichever is more stringent.

5. Test gauges used for backflow prevention assembly testing shall be calibrated at least annually in accordance with The American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual M14), current addition, or The University of Southern California's Manuel of Cross-Connection, current addition. The original calibration form must be submitted to the City of Thrall within five (5) working days after calibration.
6. A recognized backflow prevention assembly tester must hold a current endorsement from the Texas Commission on Environmental Quality.

#### SECTION 4.0 SAVINGS CLAUSE.

In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Thrall, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

#### SECTION 5.0 REPEALER CLAUSE.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

#### SECTION 6.0 PUBLICATION.

The City Secretary is hereby authorized and directed to publish the caption of this Ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

SECTION 7.0 PENALTY.

Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Thrall, Texas, or any other Court of proper jurisdiction, shall be subject to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.


PASSED, APPROVED and ADOPTED on this the \_\_\_ day of November, 2017.

  
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Troy Marx, Mayor  
Thrall City Council

ATTEST:

  
\_\_\_\_\_  
Ginger Gross, City Secretary

APPROVED AS TO FORM:

  
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Ted W. Hejl, City Attorney