

**ORDINANCE NO. 1221-2**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY, COOKE COUNTY, TEXAS AMENDING THE CODE OF ORDINANCES BY AMENDING TITLE XV: LAND USAGE, CHAPTER 150: BUILDING, PARTS: CODES ADOPTED BY REFERENCE, NATIONAL ELECTRIC CODE, INTERNATIONAL PLUMBING CODE, FIRE PREVENTION AND FIRE LIMITS, AND BUILDING CODE, BY ADOPTING THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION, WITH AMENDMENTS; INTERNATIONAL FUEL GAS CODE, 2018 EDITION, WITH AMENDMENTS; INTERNATIONAL MECHANICAL CODE, 2018 EDITION, WITH AMENDMENTS; INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, WITH AMENDMENTS; INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION, WITH AMENDMENTS; INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITION, WITH AMENDMENTS; AMENDMENTS TO THE NATIONAL ELECTRIC CODE, 2017 EDITION; INTERNATIONAL PLUMBING CODE, 2018 EDITION, WITH AMENDMENTS; INTERNATIONAL FIRE CODE, 2018 EDITION, WITH AMENDMENTS; INTERNATIONAL BUILDING CODE, 2018 EDITION, WITH AMENDMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000); AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the National Fire Protection Association (NFPA) has developed a national model electrical code;

**WHEREAS**, the City of Lindsay has been involved throughout the development process of the International Codes and the National Electrical Code through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2018 editions of the International Codes by the ICC and the 2017 edition of the National Electrical Code was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Lindsay has adopted for many years; and

**WHEREAS**, the International Codes and the National Electrical Code have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2018 editions of the International Codes and the 2017 edition of the National Electrical Code being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Lindsay has determined that it is in the best interest of the residents of the City of Lindsay, to adopt the 2018 editions of the International Building Code and the 2017 edition of the National Electrical Code, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINDSAY, COOKE COUNTY, TEXAS, THAT:**

**SECTION 1.** The Title XV: Land Usage, Chapter 150: Building, Code of the City of Lindsay, Texas, be amended by amending Part: Codes Adopted by Reference, Part: National Electric Code, Part: International Plumbing Code, Part: Fire Prevention and Fire Limits, and Part: Building Code to read as follows:

**“TITLE XV: LAND USAGE, CHAPTER 150: BUILDING,  
PART: CODES ADOPTED BY REFERENCE”**

**Sec. § 150.021 INTERNATIONAL ENERGY CONSERVATION CODE; revised in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Energy Conservation Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.
- (B) The City has adopted local amendments to the International Energy Conservation Code, and the local amendments are on file in City Hall.

**Sec. § 150.022 INTERNATIONAL FUEL GAS CODE; revised in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Fuel Gas Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.
- (B) The City has adopted local amendments to the International Fuel Gas Code, and the local amendments are on file in City Hall.

**Sec. § 150.023 INTERNATIONAL MECHANICAL CODE; revised in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Mechanical Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.
- (B) The City has adopted local amendments to the International Mechanical Code, and the local amendments are on file in City Hall.

**Sec. § 150.024 INTERNATIONAL RESIDENTIAL CODE; revised in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Residential Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.
- (B) The City has adopted local amendments to the International Residential Code, and the local amendments are on file in City Hall.

**Sec. § 150.025 INTERNATIONAL EXISTING BUILDING CODE; ADDED in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Existing Building Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.
- (B) The City has adopted local amendments to the International Existing Building Code, and the local amendments are on file in City Hall.

**Sec. § 150.026 INTERNATIONAL SWIMMING POOL AND SPA CODE; ADDED in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Swimming Pool and Spa Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.
- (B) The City has adopted local amendments to the International Swimming Pool and Spa Code, and the local amendments are on file in City Hall.

**“TITLE XV: LAND USAGE, CHAPTER 150: BUILDING,  
PART; NATIONAL ELECTRIC CODE”**

**Sec. § 150.040 ADOPTED; revised in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, The 2017 edition of the National Electrical Code, as published by the National Fire Protection Association,, except as it may be

in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.

- (B) The fees for all electrical permits for new construction shall be \$25 per unit for a residential permit and \$50 per unit for a commercial permit or as subsequently amended by ordinance.
- (C) The City has adopted local amendments to the National Electric Code, and the local amendments are on file in City Hall.

**“TITLE XV: LAND USAGE, CHAPTER 150: BUILDING,  
PART: INTERNATIONAL PLUMBING CODE”**

**Sec. § 150.060 ADOPTED; revised in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Plumbing Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.
- (B) The City has adopted local amendments to the International Plumbing Code, and the local amendments are on file in City Hall.

**“TITLE XV: LAND USAGE, CHAPTER 150: BUILDING,  
PART: FIRE PREVENTION AND FIRE LIMITS”**

**Sec. § 150.081 ADOPTION OF INTERNATIONAL FIRE CODE; revised in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Fire Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the city with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.
- (B) The City has adopted local amendments to the International Fire Code, and the local amendments are on file in City Hall.

**“TITLE XV: LAND USAGE, CHAPTER 150: BUILDING,  
PART: BUILDING CODE”**

**Sec. § 150.095 INTERNATIONAL BUILDING CODE; revised in its entirety to read as follows:**

- (A) There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, within the City, including permits and penalties, the 2018 edition of the International Building

Code, as published by the International Code Council, except as it may be in conflict with the provisions of another ordinance of the City with authority to adopt policies thereto as set forth in this Article and as amended in division (B) below.

- (B) The City has adopted local amendments to the International Building Code, and the local amendments are on file in City Hall.

**“TITLE XV: LAND USAGE, CHAPTER 150: BUILDING,  
PART: BUILDING CODE”**

**Sec. § 150.101 DEFINITIONS; revised in its entirety to read as follows:**

The codes adopted by reference in Title XV: Land Usage, Chapter 150: Building are hereby amended as follows:

- (A) The following words, terms and phrases, when used in Chapter 150: Building, shall have the meanings ascribed to them in Chapter 150: Building, except where the context clearly indicates a different meaning.

“Permanent toilet facilities” means a room in an existing building (including a construction trailer) or in the building being constructed with a water closet installed in such room which conforms to the plumbing code and is continuously available to all workers involved in a construction project.

“Temporary toilet facilities” means a portable, fully enclosed, chemically sanitized toilet which is serviced and cleaned at least once each week.

- (B) Every construction project requiring a permit within the city shall have adequate toilet facilities for workers associated with the project. The following shall be considered adequate facilities:

Residential construction projects: At least one permanent toilet facility shall be maintained in each subdivision for the employees or subcontractors of each builder holding a permit for a building in that subdivision. A toilet facility must be provided by each builder as long as the builder holds an active permit in the subdivision.

**SECTION 2.** All ordinances of the City of Lindsay in conflict with the provisions of this Ordinance shall be, and the same are hereby, repealed; provided, however, that all other provisions of said Ordinances not in conflict herewith shall remain in full force and effect.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Title XV: Land Usage, Chapter 150 Code, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance or the Title XV: Land Usage, Chapter 150 Code, as amended hereby, which shall remain in full force and effect.

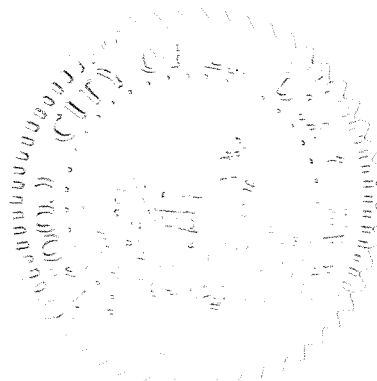
**SECTION 4.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Title XV: Land Usage, Chapter Code Development Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided in Title XV: Land Usage, Chapter 150 Code of the City of Lindsay,

as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** Section 1 of this Ordinance shall take effect on November 11, 2021, after its passage and publication in accordance with the provisions of the Charter of the City of Lindsay. All remaining sections of this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lindsay, and it is accordingly so ordained.

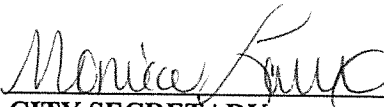
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LINDSAY, TEXAS, COOKE COUNTY, TEXAS, ON THIS THE 14 DAY OF November, 2021.**



**APPROVED:**

  
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**MAYOR**

**ATTEST:**

  
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**CITY SECRETARY**