

CITY OF STARBASE, TEXAS

ORDINANCE NO. 2025-05-29-K02-0R

AN ORDINANCE OF THE CITY OF STARBASE, TEXAS, ADOPTING THE 2015 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS AND APPENDICES AE, AH, AI, AJ, AK, AM, AND AP PROMULGATED BY THE INTERNATIONAL CODE COUNCIL AS THE RESIDENTIAL CODE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR ALL VIOLATIONS INVOLVING FIRE SAFETY, OR PUBLIC HEALTH AND SANITATION AND NOT MORE THAN \$500 FOR ALL OTHER VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; PROVIDING FOR ENGROSSMENT AND ENROLLMENT OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Starbase, Texas (the “City”), is a Type C general-law municipality, incorporated pursuant to Chapter 8 of the Texas Local Government Code; and

WHEREAS, Section 51.001 of the Texas Local Government Code provides that “[t]he governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule, or policy regulation that . . . is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality”; and

WHEREAS, Section 214.212 of the Texas Local Government Code provides that the 2012 International Residential Code promulgated by the International Code Council, Inc. (ICC) is adopted as the municipal residential building code in Texas but the City may review and consider amendments made by the ICC and establish procedures (1) for adopting amendments to the International Residential Code and (2) for the administration and enforcement of the International Residential Code by ordinance; and

WHEREAS, the ICC has promulgated the 2015 edition of the International Residential Code for One- and Two-Family Dwellings; and

WHEREAS, the City Commission of the City has investigated and determined it would be necessary and proper to adopt the 2015 edition of the International Residential Code promulgated by the ICC, including Appendices AE, AH, AI, AJ, AK, AM, and AP, with amendments to Sections R313 and R302.2.2 as set forth in this Ordinance, as the City’s Residential Code for One- and Two-Family Dwellings to protect public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

SECTION 1. Incorporation of Premises. The premises set forth above are incorporated herein as if set forth verbatim.

SECTION 2. Residential Code Adopted. The 2015 International Residential Code for One- and Two-Family Dwellings promulgated by the International Code Council, Inc. is hereby adopted and designated as the official Residential Code of the City of Starbase, Texas, and is incorporated herein by reference.

SECTION 3. Appendices Adopted. The following provisions of the Appendix to the 2015 International Residential Code for One- and Two-Family Dwellings are hereby specifically adopted as amended as part of the Residential Code:

- a. Appendix AE: Manufactured Housing Used as Dwellings
- b. Appendix AH: Patio Covers
- c. Appendix AI: Private Sewage Disposal
- d. Appendix AJ: Existing Buildings and Structures
- e. Appendix AK: Sound Transmission
- f. Appendix AM: Home Day Care – R-3 Occupancy
- g. Appendix AP: Sizing of Water Piping Systems

SECTION 4. Amendments to the Residential Code. The 2015 edition of the International Residential Code is hereby amended as follows, and all other sections not expressly amended shall remain in full force and effect:

- a. Section R313 Automatic Fire Sprinkler Systems in Chapter 3 Building Planning is deleted in its entirety.
- b. Section R302.2.2 Common walls in Chapter 3 Building Planning shall be amended to read as follows:

“Common walls separated townhouses shall be assigned a fire-resistance rating in accordance with R302.2, Item 1 or 2. The common wall shared by two townhouses shall be constructed without plumbing or mechanical equipment, ducts, or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be in accordance with Chapters 34 through 43. Penetrations of the membrane of common walls for the electrical outlet boxes shall be in accordance with Section 302.4.

- 1. Common walls with not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119 or UL263 shall have automatic fire sprinklers installed in accordance with Section P2904.
- 2. Common walls with not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119 or UL263 are not required to have automatic fire sprinklers.”

SECTION 5. Enforcement. The Residential Code shall be enforced by the Building Official appointed by the City Commission.

SECTION 6. Penalty. Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed \$2,000 for all violations involving fire safety, or public health

and sanitation and shall be fined not more than \$500 for all other violations of this Ordinance. Each day or any portion thereof during which any violation of this Ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

SECTION 7. Severability. It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases 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 Commission without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8. Repealer. This Ordinance shall be cumulative of all provisions of all ordinances of the City of Starbase, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

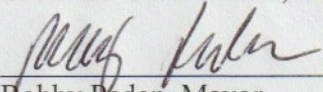
SECTION 9. Engrossment/Enrollment. The City Clerk is hereby directed to enroll and engross this Ordinance by reflecting the passage of this Ordinance in the minutes of the City Commission and by filing this Ordinance in the Ordinance Records of the City.

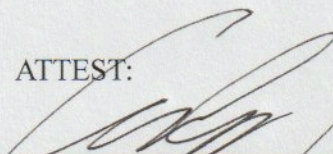
SECTION 10. Publication. The City Clerk is hereby directed to publish the caption, penalty clause, and effective date of this Ordinance as provided by law.

SECTION 11. Effective Date. This Ordinance shall become effective upon its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED by the City Commission of the City of Starbase, Texas, on this 29th day of May, 2025.

CITY OF STARBASE, TEXAS


Bobby Peden, Mayor

ATTEST:

Caroline Cole, City Clerk



APPROVED AS TO FORM:


Wm. Andrew Messer, City Attorney