



“City of Choice”

**INTERNATIONAL ENERGY CONSERVATION CODE ORDINANCE NO. 1038**

**AN ORDINANCE OF THE CITY OF CIBOLO AMENDING CHAPTER 14 OF THE CITY’S CODE OF ORDINANCES; ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL ENERGY CONSERVATION CODE*, REGULATING AND GOVERNING ENERGY EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF CIBOLO; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL ORDINANCES AND REGULATIONS IN CONFLICT AND THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES OF THE CITY NOT IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.**

**WHEREAS**, the City of Cibolo is a Home Rule Municipality located in Guadalupe County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to its adopted City Charter and all applicable laws and enabling legislation of the State of Texas; and

**WHEREAS**, the City of Cibolo is governed by a Home Rule Charter that was approved by the Citizens of Cibolo in a duly called election held on September 11, 2004; and

**WHEREAS**, Chapter 54.001 of the Texas Local Government Code provides the general authority for the City of Cibolo to enforce each rule, ordinance, or police regulation of the City of Cibolo and to punish a violation of a rule, ordinance, or police regulation; and

**WHEREAS**, Chapter 214.901 of the Texas Local Government Code provides the general authority for the City of Cibolo to require the construction of building to comply with the energy conservation standards.

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CIBOLO DOES HEREBY AMEND THE CITY’S CODE OF ORDINANCES AS FOLLOWS:**

**Section 1. Code Amendment**

That the Cibolo Code of Ordinances Section 14-2(a)(7) is hereby amended to read as follows:

- (1) That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the *International Energy Conservation Code*, 2012

edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Cibolo, in the State of Texas for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the Building Official of the City of Cibolo are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in (a) and (b) of this ordinance.

- (a) That the following sections and/or sub-sections are hereby revised to read as follows:

**101.1 Title.** This code shall be known as the *International Energy Conservation Code* of Cibolo, and shall be cited as such. It is referred to herein as "this code."

**108.4. Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 dollars or more than \$500.00 dollars.

**C109 APPEALS** is hereby deleted and referred to Chapter 14 section 14-3 of the City of Cibolo's Code of Ordinances.

- (b) That all references to the *ICC Electrical Code* are deleted and shall reference the current adopted version of the National Electric Code (NEC) NFPA 70.
- (c) That all references to the International Plumbing Code and International Fuel Gas Code are deleted and shall reference the current adopted Uniform Plumbing Code.
- (d) That all references to the International Mechanical Code are deleted and shall reference the current adopted Uniform Mechanical Code.

## **Section 2. Cumulative.**

That this ordinance shall be cumulative of all provisions of the City of Cibolo, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

## **Section 3. Severability**

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

## **Section 4. Continuation of Existing Regulations.**

That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 5. Effective Date.**


That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effective immediately upon the passage and approval of the City Council of the City of Cibolo, Texas.

**PASSED AND APPROVED** on this the 8 day of June, 2013

APPROVED:

  
Jennifer Hartman, Mayor

ATTEST:

  
Peggy Cimics, City Secretary



APPROVED AS TO FORM

  
City Attorney's Office