

**CITY OF MERKEL, TEXAS**  
**ORDINANCE NO. 07-15-2024**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERKEL, TEXAS, REPEALING AND REPLACING ORDINANCE NO. 97-02 AND ORDINANCE NO. 4-12-2010; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE, THE 2020 NATIONAL ELECTRICAL CODE, THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE, THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2021 EDITION OF THE INTERNATIONAL FUEL GAS CODE, AND THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE; ADOPTING LOCAL AMENDMENTS FOR SAME; PROVIDING FOR A PENALTY FOR ANY VIOLATION OF THIS ORDINANCE NOT TO EXCEED \$2,000 PER VIOLATION; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, City of Merkel (the "City") is a general-law city operating pursuant to the laws of the State of Texas ("State");

**WHEREAS**, pursuant to Sections 214.212 and 214.216 of the Texas Local Government Code, the International Residential Code and International Building Codes are municipal building codes of the State of Texas;

**WHEREAS**, pursuant to Section 214.214 of the Texas Local Government Code, the National Electric Code is "the municipal construction code" in the State of Texas;

**WHEREAS**, the City adopted model building codes in 1997 and 2010, but those codes are outdated;

**WHEREAS**, and the City Council of the City wishes to adopt updated model codes and additional uniform codes related to fuel gas systems, mechanical systems, plumbing systems, and energy conservation measures; and

**WHEREAS**, the City Council wishes to adopt amendments to said model codes and, pursuant to Sections 214.212(e) and 214.216(f) of the Texas Local Government Code, held a public hearing regarding said amendments on July 15, 2024.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MERKEL, TEXAS, THAT:**

**Section 1. Recitals Incorporated.**

The above-referenced recitals are incorporated herein as if set forth in full for all purposes.

## **Section 2. International Building Code Adopted.**

The International Building Code, 2021 Edition, published by the International Code Council, Inc., together with a building code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the building code of the City, and are hereby incorporated herein. The building code pamphlet, along with the International Building Code, are on file in the office of the city secretary.

## **Section 3. National Electrical Code Adopted.**

The National Electrical Code, 2020 edition together with an electrical code pamphlet amending and supplementing that code are hereby enacted and adopted by reference, as the electrical code of the City, and are hereby incorporated herein. The electrical code pamphlet, along with the National Electrical Code, are on file in the office of the city secretary.

## **Section 4. International Residential Code.**

The International Residential Code 2021 Edition, published by the International Code Council, Inc., together with a residential code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference as the residential code of the city, and are hereby incorporated herein. The residential code pamphlet, along with the International Residential Code, are on file in the office of the city secretary.

## **Section 5. International Plumbing Code.**

The International Plumbing Code 2021 Edition, published by the International Code Council, Inc., together with a plumbing code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference as the plumbing code of the city and are hereby incorporated herein. The plumbing code pamphlet, along with the International Plumbing Code, are on file in the office of the city secretary.

## **Section 6. International Energy Conservation Code.**

The International Energy Conservation Code 2021 Edition, published by the International Code Council, Inc., together with an energy conservation code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference as the energy conservation code of the city and are hereby incorporated herein. The energy conservation code pamphlet, along with the International Energy Conservation Code, are on file in the office of the city secretary.

## **Section 7. International Fuel Gas Code.**

The International Fuel Gas Code 2021 Edition, published by the International Code Council, Inc., together with a fuel gas code pamphlet amending and supplementing that

code, are hereby enacted and adopted by reference as the fuel gas code of the city and are hereby incorporated herein. The fuel gas code pamphlet, along with the International Fuel Gas Code, are on file in the office of the city secretary.

**Section 8. International Mechanical Code.**

The International Mechanical Code 2021 Edition, published by the International Code Council, Inc., together with a mechanical code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference as the mechanical code of the city and are hereby incorporated herein. The mechanical code pamphlet, along with the International Mechanical Code, are on file in the office of the city secretary.

**Section 9. Penalty.**

Any violation of any of the terms of this ordinance, whether herein denominated as unlawful or not, shall be deemed a misdemeanor. Any person convicted of any such violation shall be fined in an amount not to exceed (\$2,000.00) two thousand dollars for each incidence of violation. Each day of the continuance of such violation shall be considered a separate offense and be punished separately.

**Section 10. Savings, Severability and Repealing Clauses.**

All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof. The City 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 or invalid.

**Section 11. Publication of the Caption Hereof and Effective Date.**

This ordinance shall be in full force and effective from and after its passage and upon the publication, as required by law, of its caption and the City Secretary is hereby directed to implement such publication.

**PASSED** by the City Council of the City of Merkel, Texas, this the 15<sup>th</sup> day of July 2024.

ATTESTED:

  
\_\_\_\_\_  
City Secretary-Evelyn Morse

APPROVED:

  
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Mayor Mary Schramper