



ORDINANCE NO. 3222

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING CHAPTER 22 “BUILDINGS AND BUILDING REGULATIONS,” ARTICLE III.5 “RESIDENTIAL CODE,” SECTION 22-101 “AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE” OF THE CODE OF ORDINANCES OF THE CITY FARMERS BRANCH, TEXAS, BY ADDING A NEW SECTION R105.1.1 TITLED “FOUNDATION REPAIR,” A NEW SECTION R106.1.2 TITLED “FOUNDATION REPAIR” AND NEW SUBSECTIONS 1, 2, AND 3 TO SECTION R109.1.1 “FOUNDATION INSPECTION” RELATING TO THE PERMITTING AND INSPECTION OF FOUNDATION REPAIR;; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2000.00); REPEALING ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enforce regulations regarding the use, construction and occupancy of buildings in the City; and

WHEREAS, the City Council finds that the adoption of model codes promotes uniform construction and provides a minimum standard of safety; and

WHEREAS, the City Council finds it necessary to amend the provisions of the model code to address regional conditions and has previously adopted such amendments; and

WHEREAS, the City Council of the City of Farmers Branch, Texas, finds it to be in the public interest and necessary for the protection of the health, safety, and welfare of the residents of the City of Farmers Branch to further amend such model codes to provide for the permitting and inspection of foundation repairs for buildings located within the City of Farmers Branch;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. Chapter 22 “Buildings and Building Regulations,” Article III.5 “Residential Code,” Section 22-101 “Amendments to the International Residential Code” of the Code of Ordinances of the City Farmers Branch, Texas, is amended by adding the following additional amendments to the 2006 Edition of the International Residential Code as adopted pursuant to Section 22-100 of the Code of Ordinances:

- A. Add a new section R105.1.1 titled “Foundation Repair” to read as follows:

R105.1.1 Foundation Repair. Any owner, authorized agent, company or person who intends to repair a foundation shall first obtain the required permit.

- B. Add a new Section R106.1.1 titled “Foundation Repair” to read as follows:

R106.1.1 Foundation Repair. Construction documents submitted for a foundation repair shall be prepared by a professional engineer licensed by the State of Texas who shall affix the appropriate seal on the drawings.

- C. Add new Subsections 1, 2, and 3 to Section R109.1.1 “Foundation Inspection” to read as follows:

1. Inspection of a permitted foundation repair shall be made by the designing professional engineer and the designing professional engineer shall supply the City with a report that states that the inspections were performed and that the installation is in full compliance with the construction documents.
2. Upon completion of the foundation repair, a test on the plumbing system shall be performed. The water supply system shall be tested in accordance with Section P2503.6, and the DWV system shall be tested in accordance with Section P2503.5.1 with the provision that the water test need not exceed height of the finished floor elevation of the first floor.
3. A final inspection of a permitted foundation repair shall be performed to insure all required documentation was submitted, all inspections were performed, and that the disturbed areas were repaired.

SECTION 2. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose. Furthermore, this Ordinance shall not apply or be effective with respect to any foundation repair or inspection commenced on or before the effective date of this Ordinance, provided such repair or inspection otherwise complied with the provisions of the Code of Ordinances prior to the effective date of this Ordinance.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so

decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

SECTION 4. Any person, firm or corporation violating any of the provisions or terms of this Ordinance 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 5. All provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. This Ordinance shall take effect from and after its passage and the publication of the caption, as the law and charter in such case provide, but in any case not earlier than April 1, 2013.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS THE 19th DAY OF MARCH, 2013.**

ATTEST:

APPROVED:

Angela Kelly, City Secretary

William P. Glancy, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:3/6/13:59720)