

## ORDINANCE NO. 2023-19

**AN ORDINANCE AMENDING THE CITY OF BOERNE, TEXAS, CODE OF ORDINANCES, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, CONSTRUCTION STANDARDS, SECTION 5-36, ADOPTING THE INTERNATIONAL RESIDENTIAL CODE 2021 EDITION AND THE INTERNATIONAL ENERGY CONSERVATION CODE 2021 EDITION; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION IN THE NEWSPAPER**

**WHEREAS**, the City Council previously deemed it necessary to adopt building regulations to help promote the public health, safety and general welfare of the citizens of the City of Boerne; and

**WHEREAS**, the building regulations are designed to minimize public and private losses due to inferior construction within the corporate limits of the City of Boerne; and

**WHEREAS**, the building regulations will help maintain a stable tax base by providing sound construction standards to minimize future blight; and

**WHEREAS**, from time to time it becomes necessary for the City to update and adopt the new editions with amendments to the various codes.

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

That the following Articles of Chapter 5, Buildings and Building Regulations, City of Boerne, Texas, are hereby amended to read as follows:

### Section 1.

## **CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS**

### **ARTICLE II. CONSTRUCTION STANDARDS**

#### **Sec. 5-36. Codes adopted.**

(b) The International Residential Code, 2021 Edition, as adopted and published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully with the following amendment to:  
Section R105.2, Work Exempt from Permit.  
5. ~~Sidewalks and driveways.~~

(c) The International Energy Conservation Code, 2021 Edition, together with all appendices as published by the International Code Council, is hereby adopted and incorporated by reference as though was copied herein fully with the following amendment to:  
Table C301.1 Climate Zones, amending Kendall County climate zone from 3A to 2A.

### Section 2.

Any person, firm, or corporation who violates any provision of this Ordinance shall be deemed guilty of a

misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 5-8 of the Code of Ordinances, City of Boerne, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

Section 3.

The City Secretary is hereby directed to publish the caption and penalty clause of this Ordinance as required by Section 3.11 of Article III of the Charter of the City of Boerne.

Section 4.

That if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 5.

This ordinance will take effect upon the second and final reading of same.

PASSED and APPROVED on first reading this 9<sup>th</sup> day of May, 2023.

PASSED, APPROVED and ADOPTED on the second reading this \_\_\_\_ day of May, 2023.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney