

ORDINANCE NO. 13-24

AN ORDINANCE FOR THE CITY OF HAMILTON, TEXAS, REPEALING CHAPTER 14, ARTICLE I, SECTION 14-3 PARAGRAPH (A) WHICH PERTAINS TO ADOPTION OF VARIOUS STANDARD CODES, ADOPTING CURRENT CODES BY AMENDING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING A REPEALER CLAUSE

WHEREAS, the International Code Council (ICC) was formed in 1994 when three regional model code groups combined their efforts to develop a single coordinated set of national building codes that would have no regional limitations, and

WHEREAS, the ICC developed model building codes that address public health and safety concerns while avoiding both unnecessary costs and preferential treatment of specific materials or methods of construction, and

WHEREAS, the ICC building codes became the base code standards in most jurisdictions in the United States, including the City of Hamilton, and

WHEREAS,

1. Strong building codes have been proven to save lives and minimize damage from tornados, floods, hailstorms, hurricanes and other natural disasters, and
2. Strong building codes provide protection from loss caused by fire, structural collapse and general deterioration, and
3. Strong building codes actually keep construction costs down by helping establish uniformity in the construction industry, and
4. Strong building codes create a level playing field for designers, builders and suppliers, and
5. Strong building codes make communities more energy and water efficient, and
6. Strong building codes help in getting state and Federal aid, and
7. In the event of a disaster, strong building codes result in fewer insurance claims, a faster recovery process, less disruption for the property owner, and a reduced need for public disaster aid, and
8. Strong building codes reduce insurance rates, and

WHEREAS, the ICC releases a new version of the codes every three years based upon the recommendations of a broad and diverse group of public- and private-sector stakeholders, including numerous standards organizations (ex: FEMA, ANSI, NFPA, NIBS, NCBCS) and various building, engineering and construction industry groups, and

WHEREAS, the objectives of the new ICC code versions are:

1. To correct errors or omissions within the current code or standard, and
2. To introduce new technologies or methods not allowed or easily implemented under the current code or standard, and
3. To align the code or standard with other accepted codes and standards, and
4. To respond to new findings from building science research, field experience or changes in societal or community expectations, and
5. To respond to building performance assessments following catastrophic events, and
6. To replace outdated provisions with new, more cost-effective methodologies or technologies.

WHEREAS, the City of Hamilton is currently operating under the 2018 ICC codes, and

WHEREAS, the benefits of adopting current codes and standards are:

1. Adopting the most current codes and standards is the most efficient and effective method of creating safe environments that protect and improve public health, safety and welfare and the economic interests of the community, and
2. Adopting the most current codes and standards provides the opportunity for cost savings based on the usage of the latest technology and practices and assures that products and materials are available in the market and comply with specifications and testing standards referenced in the code, and
3. Adopting the most current codes and standards demonstrates that jurisdictions are forward-thinking and responsive to changes that improve the lives of their citizens, increasing opportunities for grants and private funding, and
4. Consumers have an expectation of a minimum level of safety when purchasing or constructing their home or when entering a building for work or play; having a current code in place ensures the minimum expectation, both now and in the future, and
5. Adopting the most current codes and standards minimizes liability of owners, design professionals and contractors when due diligence is exercised, and
6. According to the Insurance Services Office (ISO) National Building Code Assessment Report, communities with well-enforced, up-to-date codes fare better in the face of hazards and therefore merit lower insurance rates, and
7. Adopting the most current codes and standards promote business and industry by accommodating the latest technologies that advance safety, water and energy efficiency and comfort.

WHEREAS, the Insurance Services Office (ISO) conducts surveys of the building code enforcement within communities, assigning each municipality a Building Code Effectiveness Grading Schedule (BCEGS) grade of 1 (exemplary commitment to building code enforcement) to 10 (lowest) based on the adopted codes (54%), on design plan review (23%) and on field inspections (23%), and

WHEREAS, the most recent BCEGS Survey for the City of Hamilton, completed 3/14/2024, assigned a grade of 6 Residential and 5 Commercial to the City of Hamilton, due in part to only scoring 23.49 and 24 points out of a possible 54 points in the Adopted Codes section, and

WHEREAS, updating the ICC codes (along with qualified persons performing inspections as proposed in Ordinance No. 13-24) would qualify the City of Hamilton for an immediate no-cost ISO survey to improve the BCEGS grade, and

WHEREAS, an improved BCEGS grade would result in lower insurance rates for the City of Hamilton's residents, and

WHEREAS, adopting ICC codes within two years of their effective date garners the maximum number of points on the BCEGS Survey,


NOW, THEREFORE; BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAMILTON, TEXAS:

The City of Hamilton, Texas, does hereby adopt as the comprehensive building code plan the following codes as provided in the attachment and exhibit located with the City Building Inspector and in the office of the City Secretary in City Hall, Hamilton, Texas:

- 2023 National Electrical Code(NFPA)—City Amendments
- 2024 International Building Code – City Amendments
- 2024 International Energy Conservation Code – City Amendments
- 2024 International Existing Building Code – City Amendments
- 2024 International Fire Code – City Amendments
- 2024 International Fuel Gas Code – City Amendments
- 2024 International Mechanical Code – City Amendments
- 2024 International Plumbing Code – City Amendments
- 2024 International Property Management Code – City Amendments
- 2024 International Residential Code – City Amendments
- 2024 International Swimming Pool and Spa Code – City Amendments
- 2024 International Zoning Code – City Amendments

PASSED AND APPROVED by a majority vote of the City Council of the City of Hamilton, Texas, October 3, 2024, and effective immediately.

ATTESTED BY:


BROOKE WATERS, CITY SECRETARY



APPROVED:


RICHARD BUCHANAN, MAYOR

APPROVED AS TO FORM:


CONNIE Z. WHITE, City Attorney