

ORDINANCE 63 B AMENDMENT A

AN ORDINANCE OF THE TOWN OF BAYSIDE, TEXAS, PROVIDING FOR THE AMENDMENT OF THE CITY ORDINANCE 63 B BAYSIDE RESIDENTIAL CODE AND AMENDMENT A RELATED TO THE REGULATION OF BUILDING PLANS AND INSPECTIONS: ADDING DEFINITIONS AND SEPARABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF BAYSIDE, TEXAS:

WHEREAS, the Town of Bayside has determined that the following amendments to the Bayside Residential Code are needed to ensure public health, safety and welfare of its citizens,

Ordinance number 63 B Bayside Residential Code is hereby amended and all ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 1

That ARTICLE II GENERAL is hereby amended to read as follows:

SEC. 1 An ordinance of Town of Bayside adopting the 2006 edition of the *International Building and Residential Code*, regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses in the Town of Bayside; providing for the issuance of permits and collection of fees; repealing Ordinance No. 20 of the Town of Bayside and all other ordinances and parts of the ordinances in conflict therewith. THE CITY COUNCIL OF THE TOWN OF BAYSIDE DOES ORDAIN AS FOLLOWS:

SEC. 2 *Building Code Adopted.*

- A *Adopted.* A certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the *International Building Code*, 2006 edition, including appendix chapters C, F, H, I and J, as published by the International Code Council, Inc., be and is hereby adopted as the building code of the city; for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures is 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 building code on file in the office of the city secretary are hereby referred to, adopted, and made apart hereof, as if fully set out in this Ordinance.
- B *Residential Code Adopted.* A certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the *International Residential Code*, 2006 edition, including appendix chapters A, B, C, H and J as published by the International Code Council, Inc., be and is hereby adopted as the *Residential Code* of the city for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress 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 *Residential Code* on file in the office of the city secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance.

SECTION 2

That SEC. 7 DEFINITIONS is hereby amended to read as follows:

SEC. 7. DEFINITIONS.

PORCH, ENCLOSED: A platform projecting from or attached to a wall of a building:

1. With direct access to a building,
2. Which is covered by a roof or roof-like structure,
3. That may be heated or cooled,
4. That is enclosed by:
 - a. Walls,
 - b. Permanent or removable windows or screens, or
 - c. Any combination or similar material thereof.

The following shall not be considered to be an enclosed porch:

1. Porch-like structures with fewer than three walls;
2. Front or side porches with roofs only and without sides;
3. Breezeways and porte cocheres.

PORCH, OPEN: A platform projecting from or attached to a wall of a building:

1. With direct access to a building,
2. Which is covered by a roof or roof-like structure,
3. That is not heated or cooled,
4. That is open to the outside air and
5. That is not enclosed by:
 - a. Walls,
 - b. Permanent or removable windows or screens, or
 - c. Any combination or similar material thereof.

Open porches may be partially enclosed by railing(s) or knee walls not to exceed forty-two (42) inches in height as measured from the porch floor and may include columns for the purpose of supporting the roof or roof-like structure. If attached to a dwelling, the platform is larger than permitted for a landing, not including steps and ramps. A porch becomes an addition (and therefore an integral part of a building) when the space enclosed is heated or air conditioned and, if glazed, when the percentage of window area as a proportion of the total wall area of the said space is less than fifty (50) percent

PORCH, SCREENED: An enclosure, at least one wall of which is a common wall to the principal building, the remaining wall surface area consisting of screen mesh with no more than a 32" splash wall. All walls, except those common to the principal building, shall provide for the free flow of air between the outside and the interior of the enclosure. A screened porch may be enclosed with a mesh screen to keep out unwanted insects, but is otherwise exposed to the elements throughout the year. Screened porches shall be considered an open porch.

SECTION 3

SEPARABILITY:

That if any article, section, sentence, clause, phrase, or portion of this amendment is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4

EFFECTIVE DATE:

This ordinance shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after publication of this ordinance in its entirety or in summary form once in the official newspaper of the Town of Bayside.

Date Published in Official Newspaper Oct. 18, 2007

1st Hearing Date 10-9-07

Passed, ordained, approved and adopted this the 9th day of October, 2007.

Attest:

Connie Cramer
City secretary

By: Billy P. Frost
Mayor Town of Bayside, Texas