

ORDINANCE NO. 22-M

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, AMENDING CHAPTER 5, BUILDINGS, OF THE CODE OF ORDINANCES OF THE CITY OF ALVIN, TEXAS, FOR THE PURPOSE OF AMENDING SECTION 5-2 APPOINTMENT, CONTROL AND TENURE, SECTION 5-3 GENERAL DUTIES, SECTION 5-9 OFF-STREET PARKING AND LOADING REQUIREMENTS, SECTION 5-12 DRAINAGE PROVISIONS, AND SECTION 5-24 INTERNATIONAL PLUMBING CODE, 2018 EDITION, ADOPTED; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the City Council of the City of Alvin is continually reviewing the provisions of the City Code of Ordinances to ensure that it meets the current needs of the City and that the procedures herein reflect standard practice; and

WHEREAS, the City Council of the City of Alvin desires to promote the health, safety, and general welfare of its citizens;

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

Section 1. That Chapter 5, Buildings, of the Code of Ordinances, City of Alvin, Texas, is hereby amended with the language as follows:

CHAPTER 5, BUILDINGS

...

Sec. 5-2. Appointment, control and tenure.

The building official shall be appointed by the City Manager, and his/her appointment shall continue during good behavior and satisfactory service.

Sec. 5-3. General duties.

It shall be the duty of the building official, or his/her designated representative, to enforce all laws relating to the construction, repairing, removal and demolition of buildings and structures.

...

Sec. 5-9. Off-street parking and loading requirements.

Off-street parking shall be provided on the lot or tract or on an immediately contiguous lot or tract sufficient to provide the following ratio of vehicle spaces for the uses specified in the districts designated:

(1) *Parking space schedule:*

- (a) *Apartment houses or complexes:* Two (2) spaces for each apartment;
- (b) *Bowling alley:* Six (6) spaces for each lane;
- (c) *Churches:* One space for each four (4) seats in auditorium or in sanctuary;
- (d) *Clinics or doctors' offices:* One space for each two hundred (200) square feet of floor area;
- (e) *Hospitals:* One space for every two (2) beds;
- (f) *Hotel or motel:* One space for each room, unit or guest accommodation;
- (g) *Manufacturing, storage, processing, repairing and warehousing:* One space for each two (2) employees or one space for each one thousand (1,000) square feet of floor area, whichever is the larger;
- (h) *Offices, general:* One space for each four hundred (400) square feet of floor area;
- (i) *Mortuary:* One space for every two (2) persons to be normally accommodated in services;
- (j) *Museums:* Ten (10) spaces minimum, plus one space for each four hundred (400) square feet of exhibit floor area. Exception - a former residence that is exhibited as a museum does not require these parking space requirements.
- (k) *Recreational, private or commercial area building (other than listed):* One space for every two (2) persons to be normally accommodated in the establishment;
- (l) *Schools, colleges, or universities:*
 - Elementary or junior high schools:* One space for each classroom, plus one space for each four (4) seats in any auditorium, gymnasium, or other place of assembly;
 - High school, college or university:* One space for each classroom, laboratory or instruction area, plus one space for each three (3) students accommodated in the institution;
- (m) *Restaurant or cafeteria:* One space for every four (4) seats under maximum seating arrangement;
- (n) *Retail or personal service:* One space for each two hundred (200) square feet of floor area;
- (o) *Theatres, meeting rooms and places of public assembly:* One space for every three (3) seats;
- (p) Any nonlisted nonresidential use shall provide off-street parking adequate to accommodate the normal parking demand generated by such use.

- (2) *Special off-street parking regulations:*
- (a) In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development;
 - (b) Wherever a lot or tract is used for off-street parking of motor vehicles in connection with an office, retail, commercial or industrial use and is adjacent to or across the street from a residence, a masonry wall or solid ornamental fence of not less than three (3) feet nor more than six (6) feet in height shall be erected and maintained so as to enclose the off-street parking area and so as to screen the parking use from adjacent residential districts and residential uses;
 - (c) The area in front of the required screening wall or fence shall be maintained in a clean and orderly condition, free of weeds, debris and trash;
 - (d) Any lights used to illuminate the parking area shall be so arranged as to reflect away from any residence.
- (3) *Off-street loading:* Off-street loading space shall be provided on each lot in accordance with the following:
- (a) All retail, commercial and industrial structures shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods within the building or on the lot adjacent to a public alley or private service drive;
 - (b) Kindergartens, day schools and similar child training and care establishments shall provide loading and unloading space on a private drive, off-street, to accommodate one motor vehicle for each ten (10) students or children cared for by the establishment.
- (4) *Exemption from application:*
- (a) All structures located within the “central business district” shall be exempt from all of the off-street parking schedules and regulations set out in subsections (1) and (2) above.
 - (b) “Central business district” shall mean that area of the city bounded by Willis Street, Taylor Street, Sidnor Street, and Depot Centre Boulevard.

...

Sec. 5-12. Drainage provisions.

Each application for a building permit shall be accompanied by information sufficient to inform the building official as to the nature of surface water runoff and drainage on the property to be improved or altered, unless said property lies in a subdivision approved by the City Council on or after July 1, 1970. Where required by the building official, the applicant shall furnish detailed drawings or plans showing the nature of said surface drainage and the nature of the construction of improvements as it relates to surface drainage. Such information or plans shall adequately provide for surface contours or other necessary drainage facilities to ensure that all surface water from the building or structure to be constructed and the premises shall flow from the premises into the nearest public drainage facility capable of accommodating the surface water runoff to the extent of one inch of rainfall per hour and that no surface water shall be caused to flow onto or across adjacent private property. Said information or plans shall be reviewed by the City Engineer before issuance of a building permit. If the application for a

permit is submitted for construction on property that has not previously been substantially developed for any purpose other than agricultural uses or the grazing of livestock, then such application must be accompanied with information sufficient to satisfy the building official and City Engineer that existing public drainage facilities are of sufficient capacity to carry all surface waters to the extent of one inch of rainfall per hour calculated to flow from the building or structure and the premises after the completion of construction. If such public drainage facilities are not adequate and are not of sufficient capacity to handle and carry all of such surface water run-off, plans must be submitted for the construction or enlargement of public facilities and such plans shall include any necessary dedication to the public of any land owned by the developer or owner at the time of his application for a building permit for drainage easements required to adequately carry and handle such surface water and transport same to a public drainage facility of adequate capacity. Upon approval of such plans for alteration or construction of public drainage facilities, such alteration or construction shall be carried out by the applicant according to the plans submitted and in connection with the construction engaged in under the building permit issued. Failure or refusal of the applicant to agree to furnish such information or plans or to agree to construct any necessary public drainage facilities or make any necessary dedication of drainage easements shall be grounds for refusal of the issuance of a building permit.

...

Sec. 5-24. International Plumbing Code, 2018 Edition, adopted.

- (a) The International Plumbing Code (IPC), 2018 Edition, as published by the International Code Council, Inc., as such may be hereafter amended or recodified is hereby adopted in its entirety as if set out in length herein and is incorporated herein by reference. One copy of the International Plumbing Code shall be on file in the City Secretary's office and one copy of such code shall be on file in the office of the building official, and are hereby adopted and made a part of this section, except as follows:

...

Section 608.17.5.3 Permit Required.

Any person installing an irrigation system within the territorial limits or extraterritorial jurisdiction of the city is required to obtain a permit from the city. Any plan approved for a permit must be in compliance with the requirements of this chapter.

The following types of systems are exempt from the permit requirement of this section:

- (a) An irrigation system that is that an on-site sewage disposal system, as defined by Section 355.002 of the Texas Health and Safety Code; or
- (b) An irrigation system used on or by an agricultural operation as defined by Section 251.002 of the Texas Agriculture Code; or
- (c) An irrigation system connected to a groundwater well used by the property owner for domestic use.

...

Section 2. That except as amended herein all other provisions of Chapter 5, of the Code of Ordinances, City of Alvin, Texas, shall remain in full force and effect. To the extent of any conflict or inconsistency between the provisions of this Ordinance and any other ordinance, the provisions of this Ordinance shall control.

Section 3. Penalties. Any person, firm, entity or corporation violating any provision of this Ordinance, as it exists or may be amended, shall be guilty of a misdemeanor, and on conviction, shall be fined in an amount not to exceed \$2,000. Each continuing day's violation shall constitute a separate offence. The City of Alvin retains all legal rights and remedies available to it pursuant to local, state and federal law.

Section 4. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 5. Incorporation into Code of Ordinances. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances, City of Alvin, Texas, as an addition, amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City of Alvin Charter.

Section 7. Open Meetings Act. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and the public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the *Texas Government Code*. Notice was also provided as required by Chapter 52 of the *Texas Local Government Code* and the *City of Alvin Charter*.

Section 8. Publication. The City Secretary of the City of Alvin is hereby directed to publish this Ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by the City of Alvin Charter.

PASSED and APPROVED on the 17th day of March 2022.

THE CITY OF ALVIN, TEXAS

ATTEST

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary