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2005- 0042292

ORDINANCE NO. 2005-03-01

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AN ORDINANCE OF THE CITY OF WESTON, TEXAS ADOPTING THE 2003 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN WESTON AND ADOPTING THE RECOMMENDED AMENDMENTS OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS THERETO, AS THE FIRE CODE OF THE CITY OF WESTON; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, in order to safeguard life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Weston, the Weston City Council desires to adopt the 2003 International Fire Code with amendments recommended by the North Central Texas Council of Governments.

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

SECTION 1.

2003 INTERNATIONAL FIRE CODE ADOPTED

That the International Fire Code, 2003 Edition, as adopted by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, and as amended by the recommended amendments of the North Central Texas Council of Governments, is hereby adopted by reference and designated as the Fire Code of the City of Weston, the same as though such Code were copied at length herein.

SECTION 2.

PROVISIONS SEVERABLE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction,

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such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 3.
PROVISIONS CUMULATIVE**

This ordinance shall be cumulative of all provisions of ordinances of the City of Weston, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 4.
SAVINGS CLAUSE**

All rights and remedies of the City of Weston are expressly saved as to any and all violations of the provisions of ordinances of the City of Weston, Texas relating to fire safety or any other ordinances affecting public health and safety which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 5.
PENALTY**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 6.
PUBLICATION**

The City Secretary of the City of Weston is directed to publish the caption, penalty clause, publication clause and effective date of this Ordinance in accordance with the provisions of Section 52.011 of the Local Government Code.

**SECTION 7.
PUBLICATION IN BOOK OR PAMPHLET FORM**

The City Secretary of the City of Weston is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

**SECTION 8.
EFFECTIVE DATE**

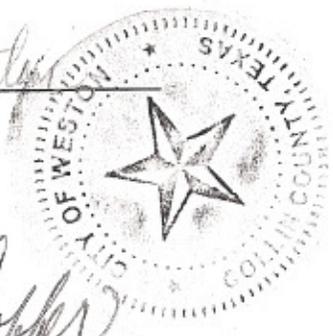
This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED this the 8th day of February 2005.

Patti Harrington
Patti Harrington, Mayor

ATTEST:

Susan M Coffey
Susan M Coffey, City Secretary





ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW (THE STATE OF TEXAS) (COUNTY OF COLLIN)
I hereby certify that this instrument was FILED in the File Number Sequence on the date and the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Collin County, Texas on

APR 04 2005

Brenda Taylor



Filed for Record in:
Collin County, McKinney TX
Honorable Brenda Taylor
Collin County Clerk

On Apr 04 2005
At 12:53pm

Doc/Num : 2005- 0042292

Recording/Type:OR 22.00
Receipt #: 13502