

**CITY OF KERRVILLE, TEXAS**  
**ORDINANCE NO. 2021-04**

**AN ORDINANCE AMENDING SECTION 26-31 OF CHAPTER 26 “BUILDING AND BUILDING REGULATIONS” OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, IN ITS ENTIRETY BY ADOPTING THE INTERNATIONAL BUILDING CODE, 2018 EDITION, REGULATING THE CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES WITHIN THE CITY EXCEPT ONE- AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES), AND INCLUDING THE NATIONAL ELECTRICAL CODE AS REFERENCED HEREIN; ADOPTING LOCAL AMENDMENTS; ADOPTING A NEW SECTION 26-38 TO REQUIRE A PERMIT FOR THE CONSTRUCTION OF A FENCE; PROVIDING FOR A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ORDERING PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT**

**WHEREAS**, the City of Kerrville, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, City Council deems it necessary, pursuant to the approval of this Ordinance, to adopt the *International Building Code, 2018 Edition* (“IBC”), providing minimum standards to safeguard the health, property, and welfare of the citizens of Kerrville by regulating and controlling the use, occupancy, maintenance, repair, design, construction and quality of materials for buildings and structures within the City; and

**WHEREAS**, the *ICC Electrical Code* is no longer published as a separate document, but the electrical provisions are included as Appendix K, the *National Electrical Code*, and is being adopted as a part of this Ordinance and the IBC; and

WHEREAS, the City's Building Board of Adjustment and Appeals has reviewed the IBC and recommends its adoption, along with local amendments; and

WHEREAS, the City Council of the City of Kerrville, Texas, finds it to be in the public interest to adopt the IBC, along with local amendments thereto, and in so doing, to amend in its entirety Chapter 26 "Building Codes", Article II, Section 26-31 of the City's Code of Ordinances;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

**SECTION ONE.** Chapter 26 "Building Codes," of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending Section 26-31 in its entirety and replacing it with new language that is underlined (added) as follows:

**"Sec. 26-31. – International Building Code, 2018 Edition.**

(a) Adoption. The International Building Code, 2018 Edition ("IBC"), a publication of the International Code Council (I.C.C.), is adopted and designated as the Building Code of the City of Kerrville, Texas, to the same extent as if such Code were copied verbatim in this Article, subject to deletions, additions, and amendments prescribed in this Article. A copy of the IBC is on file in the office of the City Secretary and within the Department of Development Services.

(b) Amendments. The IBC is amended as follows:

(1) 101.4.1 is amended in its entirety to read as follows:

101.4.1 Electrical. The Electrical Code currently in effect for the City applies to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

(2) 101.4.4 is deleted.

(3) 102.6 is amended by deleting the reference to the International Property Maintenance Code.

(4) 105.1.1 is amended in its entirety to read as follows:

**105.1.1 Contractor's license required.** Any person who is required by the IBC to make application for a building permit shall first obtain a contractor's license from the City. The City will issue a contractor's license for a period not exceed one year and all such licenses will expire on December 31 of each year. As a condition of obtaining such license, an applicant shall provide proof of a \$5,000 surety bond.

(5) 105.2 is amended by deleting 6. under "Building".

(6) 109.4 is amended in its entirety to read as follows:

**109.4 Work commencing before permit issuance.** The City will apply an additional fee to any person who commences work requiring a permit prior to obtaining such permit. Such fee is in addition to the required permit fee(s). The City's utilization of this remedy does not constitute an election of remedies for future incidents nor does such application constitute a waiver of the City's right to utilize alternate legal remedies to address future incidents of work being commenced without a permit, including criminal prosecution under applicable provisions of the IBC or other applicable laws.

(7) Section 202 is amended by adding the following definitions:

**Occupancy.** The fact or condition of holding, possessing, or residing in for the purpose of using a building or structure for the intended use. Occupancy exists when any activity or use, other than construction work on the building itself, is conducted within or from the building or structure, including the primary business of the occupancy and any ancillary activity of the occupancy classification, such as bookkeeping, telephoning, holding meetings, and the like.

**Occupancy Classification.** The classifying of buildings or structures according to their proposed use for the purpose of determining construction requirements as they pertain to the *International Building Code*, *International Electrical Code*, *International Mechanical Code*, *International Plumbing Code*, *International Energy Code*, *International Fuel Gas Code*, *International Fire Code*, and other City regulations. Occupancy classification takes place when plans and/or a permit application are received for review by the City or at the time that an existing building is changing occupancy type. The occupancy classification is determined by the Building Official.

(8) 1101.1 is amended in its entirety to read as follows:

**1101.1 Scope.** The provisions of this chapter shall control the design and construction of facilities for accessibility for disabled persons. In addition, the City shall apply and enforce applicable federal and state laws, including those administered by the Texas Department of Licensing and Regulation.

(9) 1507.8 is amended in its entirety to read as follows:

**1507.8 Wood shingles and shakes.** The installation of wood shingle and wood shake roof covering must comply with the following:

**1507.8.1 New wood roofs prohibited.** Wood shingles and shakes are prohibited, are not allowed as an alternative material, and shall not be installed or used on any new construction or the re-roofing of any structure.

**1507.8.2 Repair of existing roofs.** Any existing structure which has wood shingles or shakes may be repaired with fire-retardant shingles or shakes of a comparable grade. “Repair” means the replacement of damaged or destroyed shingles or shakes, provided the area repaired does not exceed twenty-five percent (25%) of the square foot surface area of the existing roof. Any percentage greater than twenty-five percent (25%) will be considered “re-roofing” in which event the use of wood shingles or shakes is prohibited as provided herein. A wood shingle or shake roof may not be replaced with wood shingles or shakes in increments which are undertaken in an attempt to meet the definition of “repair”.

(10) 1507.9, including the subsections, is deleted.

(11) 1907.1 is amended by revising its first sentence as follows with the remainder of the section to remain the same:

**1907.1 General.** The thickness of concrete floor slabs supported directly on the ground shall not be less than 4 inches.

(c) Appendices. The following appendices of the IBC are adopted: C, E, F, G, I, J, L, and N.”

**SECTION TWO.** Chapter 26 "Building Codes," of the Code of Ordinances of the City of Kerrville, Texas, is amended by adding a new Section 26-38 indicated by new language that is underlined (added) as follows:

**"Sec. 26-38. – Construction of Fences.**

It shall be unlawful for any person, firm, or corporation to erect, construct, or to place or to have erected, constructed, or placed or to make substantial repairs, suffer, or permit a fence or any part of a fence of permanent construction without first obtaining a fence permit from building official. Such permit is subject to the submission of an application and the payment of a fee and any fence constructed without first being issued the required building permit will be subject to an additional fee. "Fence" is defined as any wall, berm, or structure more than two and one-half (2-1/2) feet in height erected, constructed, placed, or maintained for the purpose of enclosing, screening, restricting access to or decorating the surrounding lot, parcel, building or structure, located entirely on private property."

**SECTION THREE.** Future amendments of the IBC, not including clarifications or technical notices of any type, must be subsequently approved and adopted by City Council.

**SECTION FOUR.** The City Secretary is authorized and directed to submit this amendment to the publisher of the City's Code of Ordinances and the publisher is authorized to amend said Code to reflect the amendment adopted herein and to correct typographical errors and to index, format, and number and letter paragraphs to the existing Code as appropriate.

**SECTION FIVE.** The penalty for violation of this Ordinance shall be in accordance with the penalty provision contained in Section 1-7 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense.

**SECTION SIX.** The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances in direct conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict. This Ordinance is not intended to and does not replace the following laws of the City: Zoning Code, Subdivision Code, or Sign Code, as such codes exist or as may be amended.

**SECTION SEVEN.** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**SECTION EIGHT.** In accordance with Section 3.07 of the City Charter and Section 52.013(a) of the Texas Local Government Code, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication. The Ordinance shall then become effective in accordance with this Charter section.

PASSED AND APPROVED ON FIRST READING, this the 12 day of JANUARY, A.D., 2021.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the 26 day of JANUARY, A.D., 2021.

  
Bill Blackburn

Bill Blackburn, Mayor

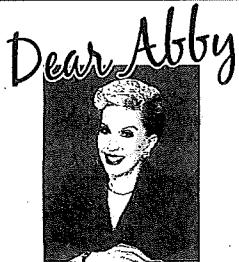
APPROVED AS TO FORM:

  
Michael C. Hayes, City Attorney

ATTEST:

  
Shelley McElhannon  
Shelley McElhannon, City Secretary

# DAILY TIMES CLASSIFIEDS



## Overwhelmed New Parents Struggle To Eat Healthy Food

by Abigail Van Buren

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DEAR ABBY: I have a close friend who recently had a baby with serious health problems. Unfortunately, we live on opposite sides of the country, and I can't afford to fly out there. I want to help, but short of calls and texts to let her know I'm thinking of her, I'm out of ideas.

She's mentioned several times that with all the work of being a new parent plus the extra work involved with a child with special needs, she often doesn't have time to prepare healthy meals and reverts to junk food that she can grab easily. Ordinarily, I'd bring over a few meals to help out, but that's impossible to do when she's so far away.

Restaurant gift cards would be an option, but unfortunately she and her husband don't have the time to go to one. I'm hoping you might have other ideas on how I can help out from afar.

### PUZZLED ABOUT HELPING

DEAR PUZZLED: Go online and research food delivery services in the city or town where your friend lives. Some businesses deliver prepared meals on a weekly basis. Other companies ship boxes of wonderful fruits every month. But before doing anything, ask your overwhelmed friend what she and her husband think might be helpful rather than try to second-guess.

\*\*\*

DEAR ABBY: I'd like to know if there is a nice way of asking my niece and her boyfriend, who are in their mid- to late-20s, not to bring their phones to the dinner table? I have spent days preparing for and cooking holiday meals. The evening was less than enjoyable for me because they were only partly there, and spent most of their time texting and presumably on Facebook.

It's awkward to ask an adult to practice good manners. Any words of wisdom will be much appreciated.

### WELL-MANNERED LADY IN THE WEST

DEAR LADY: Explain to your niece that you spend a lot of time, money and effort on presenting these meals, and that you were hurt and offended at their apparent lack of appreciation. It's the truth. Do not pre-occupy yourself with trying to be nice or you will weaken the message. Some families solve this problem by insisting their guests place their cellphones in a basket before dinner and reclaim them as they depart. (Just a thought!)

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DEAR ABBY: My friend from church casually mentioned that he and his wife recently helped themselves to several buckets of sand from a national park. I'm beside myself trying to understand how they can justify pilaging a natural resource so they can pretend they are at the beach. It's beyond selfish

Weekend, January 30-31, 2021

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### CITY OF KERRVILLE, TEXAS ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING SECTION 26-31 OF CHAPTER 26 "BUILDING AND BUILDING REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, IN ITS ENTIRETY BY ADOPTING THE INTERNATIONAL BUILDING CODE, 2018 EDITION, REGULATING THE CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES WITHIN THE CITY EXCEPT ONE- AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLEFAMILY DWELLINGS (TOWNHOUSES), AND INCLUDING THE NATIONAL ELECTRICAL CODE AS REFERENCED HEREIN; ADOPTING LOCAL AMENDMENTS; ADOPTING A NEW SECTION 26-38 TO REQUIRE A PERMIT FOR THE CONSTRUCTION OF A FENCE; PROVIDING FOR A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

### CITY OF KERRVILLE, TEXAS ORDINANCE NO. 2021-01

AN ORDINANCE ANNEXING AN APPROXIMATE 33.81 ACRE TRACT OF LAND OUT OF THE SAMUEL WALLACE SURVEY NO. 113, ABSTRACT NO. 347, INTO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS; SAID TRACT BEING LOCATED WITHIN KERR COUNTY, TEXAS, AND THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KERRVILLE, TEXAS; AND GENERALLY LOCATED IN THE 3200 BLOCK OF LOOP 534 (VETERANS HIGHWAY); FURTHER DESCRIBING THE PROPERTY TO BE ANNEXED; ADOPTING A SERVICE PLAN FOR THE PROPERTY ANNEXED; AND ESTABLISHING THE ZONING FOR THE PROPERTY ANNEXED

### CITY OF KERRVILLE, TEXAS ORDINANCE NO. 2021-05

AN ORDINANCE AMENDING ARTICLES II, III, IV, V, AND VI CHAPTER 26 "BUILDING AND BUILDING REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, IN THEIR ENTIRETY BY ADOPTING THE INTERNATIONAL EXISTING BUILDING CODE, NATIONAL ELECTRICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE, AND THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITIONS (UNLESS OTHERWISE STATED), AS TO BUILDINGS, STRUCTURES, SYSTEMS, AND OTHER APPLICATIONS WITHIN THE CITY; ADOPTING LOCAL AMENDMENTS TO EACH CODE; PROVIDING FOR A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ORDERING PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

### CITY OF KERRVILLE, TEXAS ORDINANCE NO. 2021-06

AN ORDINANCE AMENDING CHAPTER 50 "FIRE PREVENTION AND PROTECTION" OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, BY DELETING SECTIONS 50-2 AND 50-3; ADDING A NEW SECTION 50-5, TO ADOPT THE NATIONAL FIRE PREVENTION ASSOCIATION 101, LIFE SAFETY CODE, 2018 EDITION; DELETING SECTION 50-6 AND ADOPTING A NEW SECTION 50-6 TO ADOPT THE INTERNATIONAL FIRE CODE, 2018 EDITION; ADOPTING LOCAL AMENDMENTS TO SAID CODE; PROVIDING FOR A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ORDERING PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

### CITY OF KERRVILLE, TEXAS ORDINANCE NO. 2021-03

AN ORDINANCE AMENDING SECTION 26-32 OF CHAPTER 26 "BUILDING AND BUILDING REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, IN ITS ENTIRETY BY ADOPTING THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, FOR ONE- AND TWO-FAMILY DWELLINGS, REGULATING THE CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL ONE- AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES) WITHIN THE CITY; ADOPTING LOCAL AMENDMENTS; RENUMBERING SECTION 26-1 CONCERNING THE MOVING OF A HOUSE UPON CITY STREETS; PROVIDING FOR A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ORDERING PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

### ADVERTISEMENT FOR BID

Sealed bids for the **Loop 534 Ellenburger Water Well Improvements Project** will be received electronically through [www.civicasUSA.com](http://www.civicasUSA.com) by the City of Kerrville, Texas until 3:00 p.m. on **February 16, 2021** and will then be publicly opened and read aloud in Council Chambers at City Hall.

The bidding documents, plans, specifications, etc. may be examined by all bidders at the City of Kerrville Engineering Office, 200 Sidney Baker Street, Kerrville, Texas, 78028, 830-258-1528, or on the City's website [www.kerrvilletx.gov](http://www.kerrvilletx.gov). Copies of such instruments may be obtained from the following website: <http://www.civicasUSA.com>. Copies may also be purchased at Lone Star Reprographics in San Antonio, Texas (210-366-4808) or Hill Country Reprographics in Kerrville, Texas (830-896-2679). The cost for printed Contract Documents is not refundable and the documents are not returnable.

This website will be updated with addenda, plan holder lists, bid tabulations, additional reports or other information relevant to this project. Official plan holders list will

The Annual Returns and  
Exemption Application of  
the Coast Foundation, Inc.  
are available for public  
inspection during regular  
business hours at:

Principal Office  
707 Hill Country Drive  
Suite 114

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### NOTICE TO CREDITORS:

Notice is hereby given that original Letters Testamentary for the Estate of BETTIE DELORIS BOYCE BICKLEY, Deceased, were issued

on

8/20/2020

in San Antonio, Texas.

Given under my hand and seal this 20th day of August, 2020.

Attest:

Paul P. Ack

Attorney for

the Estate of

Susan J. Ei

c/o Paul P. Ack

Attest:

Paul P. Ack

Attest:</p