

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. 15-07-16-01

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 5.100, SECTION 5.101 ADOPTION OF INTERNATIONAL FIRE CODE, CODE OF ORDINANCES, IN ORDER TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE; ADOPTING CERTAIN APPENDICES TO SAME; PROVIDING FOR FEES TO BE PAYABLE FOR PERMITS, APPROVALS AND INSPECTIONS; REQUIRING A PERMIT OR APPROVAL FOR CERTAIN HAZARDOUS USES AND ACTIVITIES; PROVIDING FOR CIVIL PENALTIES FOR VIOLATIONS; PROVIDING FOR ADMINISTRATION OF THE FIRE CODE AND AUTHORIZING THE FIRE CHIEF AND HIS/HER DESIGNEES TO ADMINISTER AND ENFORCE THE CODE; AUTHORIZING ENTRY ONTO PROPERTY TO CONDUCT INSPECTIONS; AUTHORIZING STOP WORK ORDINANCES FOR WORK PERFORMED IN VIOLATION OF THE FIRE CODE; PROVIDING FOR APPOINTMENT OF AN APPELLATE BODY AND FOR APPEALS FROM DECISIONS OF THE FIRE CHIEF; REPEALING ARTICLES 5.300, FIRE MARSHAL, 5.400, FIREWORKS AND 5.500, OUTDOOR BURNING; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City of Lago Vista (“City”) has already adopted and approved the 2012 International Fire Code and 2012 Life Safety Code in Chapter 5 of the City’s Code of Ordinances; and

WHEREAS, the City Council desires to amend and adopt certain Appendices to the Fire Code; and

WHEREAS, the City Council recognizes that the provisions set forth Sections 5.300, Fire Marshal, 5.400, Fireworks, and 5.500, Outdoor Burning are already addressed in the new 2012 International Fire Code and the City Council desires to ensure that no conflict exists with the new Fire Code and the City’s existing Sections.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS THAT:

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Modification. The City Council hereby repeals and adopts the suggested revisions to Chapter 5, Article 5.100, Section 5.101, Code of Ordinances; and Chapter 5, Article 5.300, Article 5.400, and Article 5.500, Code of Ordinances, together with all appendices noted herein and local amendments and modifications outlined as follows:

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Section 5.101. Adoption of International Fire Code

(a) The following is hereby adopted as the Fire Code of the City of Lago Vista, Texas (“City”), for the purpose of regulating and governing the safeguarding of life and property from fire, medical, 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 or use of buildings and premises as herein provided; providing for the issuance of permits and inspections and collection of fees therefor; and each of all of the regulations, provisions, penalties, conditions, and terms of said Fire Code on file in the office of the City Secretary of the City of Lago Vista, Texas are hereby referred to, adopted and made a part hereof, as if fully set out herein, with the additions, insertions, deletions, and changes, if any, prescribed.

(1) The 2012 International Fire Code (the “IFC”) and appendices B, C, D, E, F, G, H, I, and J, promulgated by the International Code Council, Inc.

(2) For the purpose of determining the types of construction referred to in Appendix B and other relevant sections of the IFC, the definitions and descriptions of types of construction provided in the 2012 International Building Code (the “IBC”) shall be used.

(b) This Ordinance, together with all provisions incorporated in this Ordinance by reference shall constitute the Fire Code of the City of Lago Vista, Texas (“Fire Code”).

(c) This Ordinance will, to the extent reasonable, be construed in a manner consistent with the International Fire Code, as adopted herein and the amendments, revisions, and modifications made herein. If there is a conflict between this Ordinance and the International Fire Code, this Ordinance will prevail.

Section 5.102. Administration

(a) The individuals or entities designated from time-to-time by the City as the Fire Code Official, together with such assistants and agents as the Fire Code Official may designate (“FCO”), are authorized to enforce the City’s Fire Code, to take all actions required or authorized in provisions incorporated in this Ordinance by reference, and to conduct all inspections, review all plans, and accept all applications for a permit or approval authorized or required by the terms of the City’s Fire Code.

(b) The FCO shall submit monthly activity reports to the City, covering inspection, review, and enforcement activities conducted during the prior month. The FCO shall keep an accurate account of all fees, fines, and other funds collected and received pursuant to this Ordinance, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate. .

(c) Approved plans, specifications, and other reports required by this Ordinance shall be maintained in the central offices of the Fire Department for a period of not less than five (5) years following the date such document was submitted to the District or prepared by the District, as applicable, or as otherwise permitted under the Texas Records Retention Act or other applicable law.

(d) Any fees, fines, or other funds collected and received pursuant to this Ordinance shall be and remain the property of the individual or entity designated from time-to-time by the City in applicable agreements.

Section 5.103. Right of Entry

(a) In addition to the authority allowed under the City’s Fire Code, or applicable law, whenever it is necessary to make an inspection or to enforce any of the provisions of the City’s Fire Code for the prevention of fires, medical, or other emergencies, the FCO shall have the authority to inspect any structure, appurtenance, fixture, or other property located in the City.

(b) No owner or occupant or any other person having authority to control access to any building or premises shall fail or neglect, after request for entry is made as provided for herein or in the Fire Code, to promptly permit entry therein by the FCO for the purpose of inspection and examination pursuant to the Fire Code. The City or the FCO, may take any action, at law or in equity, available under the Fire Code to enforce this section and any other applicable section as set forth herein or as otherwise allowed under any applicable statute, law, rule, ordinance, or regulation.

Section 5.104. Identification of City, Council, and Appellate Body

(a) Whenever the terms “jurisdiction”, “authority having jurisdiction”, “department”, or “department of fire prevention” are used in the IFC, same will be a reference to the City and the individuals or entities designated from time-to-time by the City. All regulatory authority established by the provisions of the IFC incorporated in this Ordinance is established for the City.

(b) Any reference in the provisions of the IFC incorporated in this Ordinance to the “executive body” shall be a reference to the City Council of the City of Lago Vista, Texas.

(c) Any reference in the provision of the IFC incorporated in this Ordinance to the “board of appeals” or other appellate body established by the IFC, shall be reference to the appellate body as otherwise provided for herein.

Section 5.105 Appeals

(1) The City Council of the City shall appoint five (5) residents or owners of businesses in the territory of the City to serve as members of an appellate body to

hear and decide the complaint of any person aggrieved by a decision of the FCO, regarding any request for a permit, certificate, or approval, any decision to stop work, or stop use, and any decision to abate, repair, rehabilitate, demolish, or remove an unsafe structure or premises. Three members of an appellate panel shall constitute a quorum, and in modifying an order of the FCO, a majority of the panel hearing an appeal shall be required for any decision of the appellate panel hearing an appeal. Members of the appellate body shall serve until removed or until their successor is appointed.

(2) An appellate panel of not less than three (3) members of the appellate body shall hear the timely appeal of any decision of the FCO described in herein. A request to appeal such a decision shall be submitted in writing addressed to the City Manager of the City and forwarded to the Mayor at the City's administrative offices not more than thirty (30) days after the date of the decision or action that is the subject of the appeal, with an outline of the basis for appeal and any legal or other reasons therefor. Any appeal after thirty (30) days shall be deemed moot and decision of the FCO after said thirty (30) days shall be fully complied with by an appellant. A request to appeal shall include the name, mailing address, email address, if any, telephone number, or facsimile number of the appellant for the purpose of receiving notice of a hearing on the appeal or other necessary purposes. A notice of appeal shall not stay the decision or action from which the appeal is taken.

(3) The City Manager shall appoint an appellate panel to hear an appeal not less than five (5) days and not more than thirty-five (35) days after receipt of the request to appeal. The hearing of such appeal shall be scheduled not later than twenty-one (21) days following the date on which the City Manager appoints the appellate panel to hear the appeal. An appointment of an appellate panel may include alternate appointments in the event that one or more appointees are unable to serve at the place and time scheduled for the appeal hearing.

(4) Except as provided in subsection (7), below, the City Manager shall serve written notice of the date, time, and place of the appeal hearing not less than ten (10) days prior to the date of the hearing.

(5) The appellant shall be entitled to present evidence in support of the appeal and to cross-examine opposing witnesses. The FCO shall be entitled to present evidence in support of such decision or action and to cross-examine witnesses. The appellate panel shall make all determinations regarding the admissibility of evidence and credibility of witnesses, and may make reasonable rulings regarding the conduct of the hearing and the manner that evidence is presented. The appellate panel may be assisted by legal counsel for the City in making evidentiary rulings and determining reasonable procedures for conduct of the hearing.

(6) The appellate panel may affirm, reverse, or modify the decision from which an appeal is taken, subject to the provisions of Section 108.2, IFC. The decision of the majority of the appellate panel shall be the final decision of the appellate panel. The panel may reverse a decision only if, in the opinion of the majority: (I) the decision appealed is manifestly unjust; or (II) special circumstances make strict application of the rule that is the basis of the original decision impractical and the reversal of the decision is in conformity with the intent and purpose of the Fire Code; and such reversal would not result in a greater threat of danger to life or safety. The appeal panel shall have no authority to waive requirements of the Fire Code, and the economic hardship of the applicant shall not be a basis for any decision of the appeal panel.

(7) If the FCO determines in a written Order served on the owner of property that a structure constitutes an imminent threat to the life or safety of any persons, the FCO may require the demolition or removal of such structure not later than ten (10) days following the date notice of such Order is served on the owner of the affected property. Such owner may request an emergency appeal of such decision in writing delivered to the central administrative offices of the City at any time prior to the expiration of such ten-day period. In such event, the City Manager is authorized to appoint an appellate panel and schedule a hearing of such appeal as soon as practicable and serve notice of the time, date and place of such appeal on such owner not less than two (2) days prior to the date of the hearing of such appeal.

Section 5.106. Permits and Fees

The fees applicable for permits, approvals, inspections, and other related fees shall be established from time to time by the City Council as set forth in Section 113.2 of the IFC by resolution. The City may require an owner or agent who applies with the City for any permits, approvals, or inspections to pay any additional costs related to any reviews of said permits, approvals, or inspections by third parties or otherwise.

Section 5.107. Penalties

The City shall be entitled to bring a civil action, at law or in equity, as set forth in the City's Fire Code for the enforcement of the Fire Code in any court of competent jurisdiction to enjoin any violation of the Fire Code, or to impose a civil penalty in an amount not more than Two Thousand Dollars (\$2,000.00) per day that a violation of this the Fire Code continues. Each day a violation continues after due notice has been served shall be deemed a separate offense hereunder. This Section shall be in addition to any rights or remedies provided by Section 109 of the IFC.

Section 5.108. Amendments to the International Fire Code

The following sections are hereby revised and amended as follows:

- (1) **Section 101.1 Title.** These regulations shall be known as the Fire Code of the City of Lago Vista, Texas, and referred to as “this code” or “Fire Code.”
- (2) **Section 104.7.3** The FCO is authorized to require the owner or agent to provide, without charge to the jurisdiction and at the sole cost and expense of the owner or agent, a Third Party Review for permits, approvals, inspections, or plans submitted to the City for approval. Any Third Party Review required by the City will be conducted by an entity of the FCO’s choice.
- (3) **Section 108.3 Qualifications.** The Board of Appeals may consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems, and are not employees of the City.
- (4) **Section 109.4** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of this code or the approved construction documents or directive of the FCO, or of a permit or certificate used or issued under provisions of this code, shall be guilty of a Class C Misdemeanor, as defined in the Texas Penal Code § 12.23, punishable by a fine in accordance with the general penalty provision set forth in Section 1.109 of the City’s Code, and each day that a violation continues after due noticed has been served shall be deemed a separate offense. A culpable mental state for this offense is hereby specifically waived, and no culpable mental state is required for a conviction hereunder. The City shall also be entitled to bring a civil action for the enforcement of this code in any court of competent jurisdiction to enjoin any violation of this code or to impose a civil penalty in an amount of Two Thousand Dollars (\$2,000.00) per day that a violation of this Code continues. Each day a violation continues after due notice has been served shall be deemed a separate offense hereunder.
- (5) **Section 111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a Class C Misdemeanor, as defined in the Texas Penal Code § 12.23, punishable by a fine in accordance with the general penalty provision set forth in Section 1.109 of the City’s Code, and a culpable mental state is hereby explicitly waived for any offense hereunder. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The City shall also be entitled to bring a civil action for the enforcement of this code in any court of competent jurisdiction to enjoin any violation of this code or to impose a civil penalty in an amount of Two Thousand Dollars (\$2,000.00) per day that a violation of this Code continues. Each day a violation continues after due notice has been served shall be deemed a separate offense hereunder.

- (6) **Sections 202, General Definitions.** “Fireworks Display is amended to read as follows:

FIREWORKS DISPLAY. A presentation of fireworks for a public display gathering, as approved by the City.

- (7) **Section 503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than twenty-five (25) feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

Exception: Widths less than twenty-five (25) feet as approved in writing by the FCO and with additional or other fire control measures as may be deemed necessary by the FCO.

- (8) **Section D103.3 Turning radius.** Fire Apparatus access roads shall be designed with an appropriate twenty-five (25) foot inside turning and a fifty (50) foot outside turning radius at turns to accommodate any operational fire department apparatus.

Exception: Radius less than twenty-five (25) feet inside or fifty (50) feet outside as approved in writing by the fire code official.

- (9) **Section D103.6.** Where required by the FCO, fire apparatus access roads shall be marked as follows:

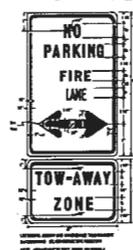
Where curb and guttering exists, all of fire apparatus access roads shall be painted red and be conspicuously and legibly marked with the warning “FIRE LANE – TOW AWAY ZONE” in white letters at least three inches tall, at intervals not exceeding thirty-five (35) feet.

Where no curb and guttering exists, fire apparatus access roads shall be marked with permanent FIRE LANE – TOW AWAY ZONE signs at intervals not exceeding fifty (50) feet. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be posted on one side or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

Sign Type “A”



Sign Type “B”



(10) Section 307.2 Open or Outdoor Burning – Notification, permission, or permit required.

- (a) Permit Required. For any outdoor burning, a permit shall be obtained from the FCO in accordance with Section 105.6 prior to kindling a fire for any purpose, including, but not limited to, recognized silvicultural or range or wildlife management practices, prevention, or control of disease or pests, a bonfire, or any other outdoor burning within the City, except as permitted herein. All outdoor burning authorized within the City shall be conducted in full compliance with all applicable statutes, rules, or regulations, including the Fire Code, and in the case of conflict between any other applicable statute, ordinance, rule, or regulation, the more stringent provision shall prevail.

The following are exceptions to the requirements for a permit set forth above:

- (1) other than for outdoor burning for non-commercial preparation of food at a private residence, and only in a manufactured, closable grill, smoker, or similar device in accordance with manufacturer's instructions or in pre-fabricated grills specifically designed for such purposes at a public or private park; and,
- (2) warming fires at a private residence, but only in portable or fixed containers, fireplaces, or fire pits specifically manufactured or constructed for warming fires in accordance with the manufacturer's or builder's instructions, and only so long as such fires are not offensive or objectionable to third parties due to atmospheric conditions or local circumstances that make such fires otherwise hazardous, the container, fireplace, or fire pit is on open soil or a concrete slab, fire-extinguishing equipment, such as dirt, sand, a water barrel, garden hose, or fire extinguisher is available for immediate utilization, the container, fireplace, or fire pit is constructed or used to prevent the escape of sparks, embers, and other combustion materials, and such fires are constantly monitored and attended by at least one person of at least 18 years of age until the fire is extinguished.

(b) Outdoor Burning Permit Procedure

- (1) All outdoor burning conducted within the City must be authorized, shall require a permit, and may require an on-site visit prior to initiating any outdoor burning. The individual responsible for the outdoor burning shall contact the local fire department at 512/267-0080, **Monday through Friday, 8a.m.–5p.m.** for notification and instructions. After the request is received, the fire code official or fire department official may conduct an on-site inspection, if required, and permission may be granted to conduct the burn if said burn can be conducted in a safe manner and such burn is in compliance

with all applicable statutes, laws, rules, or regulations, including the Texas Clean Air Act and the Texas Outdoor Burning Rule, Title 30, Texas Administrative Code (30 TAC), Sections 111.201 – 111.221. Open Burning for **residential maintenance, which is defined herein as grass, leaves, hedge, and branch trimmings generated from a residential property only, does not require a permit fee**, if such burning is occasional and not commercial in nature.

- (2) Any open or outdoor burning other than that intended for residential maintenance described above, i.e. lot or landclearing, prescribed burning, or if in the code official's opinion any request that exceeds acceptable height, size or frequency, shall require a permit and payment of applicable permit fees. Application for such approval(s) shall only be issued to the owner or tenant of the land upon which the fire is to be kindled and from which the items to be burned are generated. At no time may any item be burned which is prohibited by applicable statute, law, ordinance, rule, or regulation.
- (3) Open Burning site requirements:
 - (i) Site inspected or approved by the fire code official or a fire department official.
 - (ii) Telephone available on site to contact 9-1-1.
 - (iii) Proposed burn site is at least **300** feet from any adjacent properties which have residential, recreational, commercial, or industrial use.
 - (iv) Wind and/or other environmental conditions are favorable as determined by fire code official.
 - (v) Cannot burn prohibited items.
 - (vi) Proposed burn site is manageable size and height as determined by fire code official.
 - (vii) Approved water source or extinguishing equipment available at burn site.
 - (viii) Burn site is downwind or at least **300** feet from any occupants that might be sensitive to smoke.
 - (ix) Applicant informed of burn regulations.
 - (x) Applicant must abide by any additional requirements provided by the fire code official.

(xi) When issued, all permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous place on the premises, or shall be kept on the premises' location designated by the fire code official.

(11) Section 307.2.1 Authorization. All outdoor burning shall be done in accordance with Texas Outdoor Burning Rule Title 30 Texas Administrative Code (30 TAC) Sections 111.201 – 111.221. If a conflict should arise between this code and the Texas Outdoor Burning Rule, Title 30 Texas Administrative Code (30 TAC), Sections 111.201 – 111.221, then the more stringent rule shall apply. Where required by state or local law or this code, open or outdoor burning shall only be authorized with prior approval from the state or local air and water quality management authority or other authorities having jurisdiction, provided that all conditions specified in the authorization are followed. If issued, permits may be revoked at any time by the fire code official if any conditions or limitations set forth in the permit have been violated. This action, if taken, may result in fines, penalties as set forth herein, or additional fees issued by the City.

(12) Section 906.1 Where required. Portable fire extinguishers shall be installed in the following locations.

1. In all Group A, B, E, F, H, I, M, R-1, R-2, R-4, and S occupancies.
2. Within 30 feet (9144mm) of commercial cooking equipment.
3. In areas where flammable or combustible liquids are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

(13)Section C105.1 Hydrant Spacing. Where required by Section 508.5.1, a minimum of one (1) hydrant within 300 feet of all portions of exterior walls (first floor), a second hydrant within 500 feet of all portions of exterior walls (first floor). This measurement is taken around the perimeter of the building and down the access road to the hydrant (MEASUREMENT NOT TAKEN AS A RADIUS).

Exception: The fire code official is authorized to accept a deficiency of up to 10 percent where existing fire hydrants provide all or a portion of the required fire hydrant service.

Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building that are within the distances listed in Table C105.1.

(14)Section C105.2 Installation. Fire hydrants must be installed with the center of the four (4) inch steamer opening at least 18 inches above finished grade. The four (4) inch opening must face the driveway or street and must be totally unobstructed to the street. Set back from the face of the hydrant to back of the curb shall be in accordance with City of Bertram Standards except that on private property, set back shall be three (3) to six (6) feet to avoid vehicular damage, unless specifically approved by the Fire Chief.

(15)Section 105.3.3 Occupancy prohibited before approval. The building or structure shall not be occupied prior to the fire code official issuing a permit or certificate that indicates that applicable provisions of this code have been met for any new structure or a change in an existing occupancy, and any other necessary permits or certificate have been issued by the appropriate authority.

(16)Section 503.6 Security Gates. The installation of security gates across a fire apparatus road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation, including a means of operation without power and a means of operation with a Knox Box. The security gates and emergency operation shall be maintained at all times. A single gate serving two-way traffic shall be 25 feet in clear open width. When two gates are installed and each only serves one direction of travel, they shall be 15 feet in clear open width each. This code pertains to new and existing gates.

(17)Section 505.1 Address Numbers. The portion of this section is hereby amended to change the minimum size of Arabic numerals and letters to 6 inches. If a building is located more than 150 feet from the street, an address shall be posted at the street entrance.

(18)Section 2305.5 Fire Extinguishers. Approved portable fire extinguishers complying with Section 906 with a minimum rating of 4-A:40-B:C shall be provided and located such that an extinguisher is not more than 75 feet (22860mm) from pumps, dispensers or storage tank fill-pipe openings.

(19)Section 5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions: The use of fireworks for fireworks display as allowed in Section 5608.

(20)Section 5706.2.7 Portable fire extinguishers. Portable fire extinguishers with a minimum rating of 4-A:40BC and complying with Section 906 shall be provided where required by the fire code official.

(21)Section 5704.2.9.6.1 Locations where above-ground storage tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, except as allowed in Zoning Classifications C-3 and C-4, or as otherwise allowed by the City.

(22)Section 5706.2.4.4 Locations where above-ground storage tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, except as allowed in Zoning Classifications C-3 and C-4, or as otherwise allowed by the City.

(23)Section 5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is allowed only in areas allowed by the City.

(24)Section 6104.2 Maximum Capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity shall not exceed the water capacity in gallons as may be allowed by the City.

Section 5.109. References to Other Codes

Any reference in the IFC (or other provision incorporated in this Ordinance) to compliance in a manner provided in a building code, electrical code, plumbing code, or mechanical code shall be followed to the extent that the provision of such other code is incorporated in this Ordinance or the Fire Code by reference and to allow for the proper interpretation and enforcement of this Ordinance and the Fire Code.

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Section 3. Repeal or Amendment of Certain Sections of the City of Lago Vista's Code of Ordinances

- (a) Article 5.300, Fire Marshal, is repealed and replaced with the applicable provisions of the Fire Code.
- (b) Article 5.400, Fire Works, is repealed and replaced with the applicable provisions of the Fire Code.
- (c) Article 5.500, Outdoor Burning, is hereby repealed and replaced with the applicable provisions of the Fire Code.

Section 4. Amendment of Conflicting Ordinances. 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.

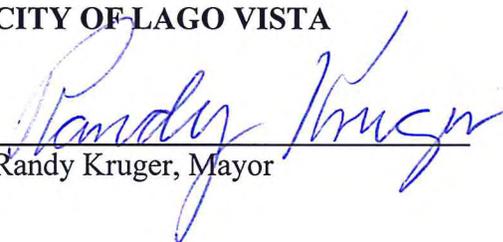
Section 5. Severability. If any section, subsection, sentence or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected. It is the intent of the City Council in adopting this Ordinance, that no provision or regulation contained herein shall become inoperative, or fails by reason of the unconstitutionality or invalidity of any other section, subsection, sentence or phrase of this Ordinance.

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

Section 7. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that 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.

PASSED AND APPROVED this 16th day of July, 2015.

CITY OF LAGO VISTA


Randy Kruger, Mayor

ATTEST:


Sandra Barton, City Secretary