

ORDINANCE NO. 2021-62

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING SECTION 150.02 OF THE HARKER HEIGHTS CODE OF ORDINANCES, ADOPTING AND AMENDING THE 2021 GENERAL TECHNICAL CODES.

WHEREAS, the City of Harker Heights ("*City*") has previously adopted various standard codes, including the 2015 National Technical Codes; and

WHEREAS, Section 1305.101 of the Texas Occupations Code requires the adoption of the National Technical Codes as published by the International Code Council and NFPA ("*Technical Codes*") as the technical codes for the state; and

WHEREAS, Section 1305.201(c) of the Texas Occupations Code permits a municipality to adopt local amendments to the Technical Codes; and

WHEREAS, the City Council ("*Council*") finds that to comply with applicable law, and to provide for greater uniformity in construction standards, and to promote the public health, safety and welfare, it is necessary and desirable to amend the Code of Harker Heights ("*Code*") as hereinafter provided; and

WHEREAS, the meeting at which this Ordinance was passed was open to the public, and notice of the time, place and purpose of said meeting was given as required by law, all in strict accordance with the requirements of the Texas Open Meetings Act;

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

SECTION 1: The Council officially finds and declares that the facts and recitations set forth in the preamble to this Ordinance are true and correct.

SECTION 2: Section 150.02 of the City of Harker Heights' Code of Ordinances is hereby amended to read as shown in Exhibit "A".

SECTION 3: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 4: All of the regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any city official or employee charged with the enforcement of this Ordinance, acting for the City in the discharge of official duties, shall not thereby become personally liable, and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 5: The change in the law made by this Ordinance applies only to an offense committed on or after the effective date of this Ordinance. For purposes of this section, an offense is committed on or after the effective date of this Ordinance if every element of the offense occurs on or after that date.

SECTION 6: An offense committed before the effective date of this Ordinance is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 7: This Ordinance shall be effective from and after January 1, 2022, and the City Clerk shall publish the caption or title of hereof within ten days of approval as required by law.

PASSED AND APPROVED by the City Council of the City of Harker Heights on December 14, 2021.




CITY OF HARKER HEIGHTS, TEXAS:



Spencer H. Smith, Mayor

ATTEST:



Julie Helsham, City Secretary