

**ORDINANCE No. 2014-171  
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING THE CITY CODE OF SHOREACRES RELATING TO WOODEN ROOF COVERINGS; ESTABLISHING PERMIT REQUIREMENTS; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

\* \* \* \* \*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

That, the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct; and,

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Chapter 10, "Buildings and Building Regulations" of the Code of Ordinances, City of Shoreacres, Texas, is hereby amended.

That section 10-117 of the Shoreacres City Code is hereby amended to read as follows:

**Sec. 10-117. - Wooden roof coverings.**

(a) Prohibited. Wooden roof coverings, including but not limited to wooden shingles and wooden shakes, and roof coverings of thatch and straw are prohibited and shall not be installed or used over any enclosed living space, garage, or other space used for utility or storage.

(b) Use, alteration, repair. Any roof prohibited by subsection (a) of this section but in use on December 9, 1980, may continue to be used. Any roof of materials prohibited in subsection (a) that is in existence on December 9, 1980, may be repaired or altered with such materials, provided such alteration or repair does not exceed 50 percent of the roof area. Alteration or repair of more than 50 percent of the roof area shall require replacement of the entire roof with acceptable materials, which may be used over wood shingles.

(c) Permit requirements. Wooden roof coverings, including wooden shingles, wooden shakes, and roof coverings of thatch, straw, palm, or bamboo may be installed or used on an open air palapa, patio cover, gazebo, and other attached or detached shade or rain cover structure with a fire retardant roof permit.

(d) Prohibited without a permit. It shall be unlawful for a person to construct, maintain, use, or allow any structure with a wooden roof covering, including wooden shingles, wooden shakes, and roof coverings of thatch, straw, palm, or bamboo to remain on property the own or occupy without possessing an unexpired fire retardant roof permit for such structure.

(e) Fire retardant coating. No fire retardant roof permit shall be issued except upon the presentation of proof that an approved fire retardant coating has been properly applied to the material that will be used to construct the roof surface; and, that such coating was applied less than 30 days preceding application for such permit. Within fourteen (14) days of completion of the roof construction the entire roof surface shall be coated with an additional coat of approved fire retardant.

(f) Expiration and renewal of permit. A fire retardant roof permit shall expire twenty-four (24) months after issuance and may be renewed for an additional twenty-four (24) months upon the application for another permit and presentation of proof that an approved fire retardant coating has been re-applied to the entire roof surface within 30 days preceding application for permit renewal.

(g) Permit information. The permit application shall include a detailed description of the structure and roof material used, location address and specific location on that property, the date and location where the retardant was applied, amount of retardant applied, identity of person who applied the retardant, the retardant product used, manufacturer of the retardant, retardant specifications and technical data, and any other information determined by the Building Official or Fire Marshal to be necessary to ensure compliance with the requirements of this section.

(h) Fire retardant permit fee. The fee for a fire retardant permit or renewal shall be \$25.00.

(i) Approved fire retardant coating. An approved fire retardant coating shall mean a coating that produces a surface burning characteristic classified as Class A or B as determined using NFPA 255 Standard Method of Test of Surface Burning Characteristics of Building Materials. Fire retardant coatings shall be applied as specified by the manufacturer.

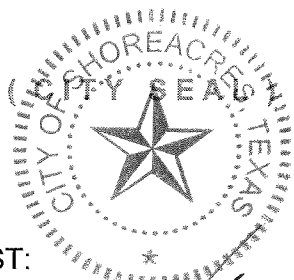
[(c)] (j) Repeal. The provisions of the [Standard Building Code] International Building Code and any other ordinances, codes or regulations of the city in conflict with this section are repealed and set aside.

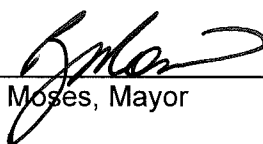
Severability Clause.

That is any section, subsection, sentence, clause or phase of this ordinance is for any reason held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Shoreacres hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

This ordinance shall be effective immediately upon passage.

PASSED AND APPROVED this the 27th day of October 2014.

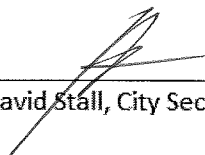


  
Rick Moses, Mayor

ATTEST:

  
David K. Stall, CFM  
City Secretary

M/2		Yea	Nay	N/V	Absent
	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	R. Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	B. Bunker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M	N. Schnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Z	M. Wheeler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	N. Moyer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Passed / Failed  10.27.14  
David Stall, City Secretary - Date