

## **ORDINANCE \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 150 "BUILDING REGULATIONS" OF THE CODE OF MANSFIELD, TEXAS; REVISING THE MEMBERSHIP REQUIREMENTS FOR THE CONSTRUCTION CODES BOARD OF ADJUSTMENTS AND APPEALS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield, 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**, the City Council of the City of Mansfield, Texas has previously authorized the creation of the Construction Codes Board of Adjustments and Appeals (the "Board"), and Chapter 150 of the Code of Mansfield, Texas sets forth the Board's membership requirements; and

**WHEREAS**, in order to ensure that all 14 places on the Board remain filled, the City Council has determined that it is necessary to modify the required composition of the Board to include more members selected at large and fewer licensed contractors.

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

### **SECTION 1.**

That Section 150.020, "Appointment," of Chapter 150, "Building Regulations," of the Code of Mansfield, Texas is hereby amended to read as follows:

#### **"Sec. 150.020 APPOINTMENT.**

There is established a board to be called the Construction Codes Board of Adjustments and Appeals (hereinafter called "the Board"), which shall consist of 14 members who are residents of the city. The Board shall be composed of one registered professional architect, one registered professional engineer, two licensed master plumbers, two licensed master electricians, two licensed air-conditioning and refrigeration contractors and six members selected at large from the building industry. Board members shall be appointed by the City Council."

### **SECTION 2.**

This ordinance shall be cumulative of all provisions of ordinances and the Code of the City of Mansfield, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and Code, in which event the conflicting provisions of

such ordinances and Code are hereby repealed.

### **SECTION 3.**

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, 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 4.**

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.

**FIRST READING APPROVED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

**SECOND READING APPROVED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

**DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

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**David Cook, Mayor**

ATTEST:

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**Tracy Norr, City Secretary**

APPROVED AS TO FORM AND LEGALITY:

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**E. Allen Taylor, City Attorney**