

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, SECTION 27 (2021 INTERNATIONAL BUILDING CODE) AND SECTION 29 (2021 INTERNATIONAL RESIDENTIAL CODE); REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels ("City") adopted the 2021 International Residential, Building, Plumbing, Mechanical, Fuel Gas, Energy Conservation, Fire, Property Maintenance, and Existing Building Codes and the 2020 National Electrical Code in October 2023; and

WHEREAS, the City of New Braunfels Strategic Plan has multiple objectives in the Economic Mobility and Organizational Excellence Strategic Priorities supporting updates that improve regulations; and

WHEREAS, the Comprehensive Plan, Envision New Braunfels, has multiple action items supporting updates that improve regulations, including Action Items 1.11: Update policies and codes to achieve development patterns that implement the goals of this plan; 3.6: Proactively provide a regulatory environment that remains business and resident-friendly; and

WHEREAS, the City Council hereby finds and determines that regularly updating the code for clarification provides improved customer service and is in the best interest of the citizens of New Braunfels; and

WHEREAS, the City Council hereby finds that adopting these amendments would align with the City's goals of streamlining development processes, reducing turnaround times, and improving customer experience.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT Chapter 14, Buildings and Building Regulations, Article II, Building Code, Section 14-27(e), *Work Exempt from Permit*, is hereby amended to include the following underlined additions:

Chapter 14 – BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. – BUILDING CODE

Sec. 14-27. – 2021 International Building Code (IBC).

e) 105.2 Work exempt from permit.

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following, provided that there is no special flood hazard area (SFHA) on the associated property:

Building:

12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

13. Fences, other than those that are:

a. swimming pool barriers,

b. fences over 7 feet (2134mm) tall, or

c. fences in a drainage easement.

SECTION 2

THAT Chapter 14, Buildings and Building Regulations, Article III, Residential Code, Section 14-29(b), *Work Exempt from Permit*, is hereby amended to include the following underlined additions:

Chapter 14 – BUILDINGS AND BUILDING REGULATIONS

ARTICLE III. – RESIDENTIAL CODE

Sec. 14-29. – 2021 International Residential Code (IRC).

b) R105.2 Work exempt from permit.

Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following provided that there is no special flood hazard area (SFHA) on the associated property.

Building:

8. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

9. Fences, other than those that are:

a. swimming pool barriers,

b. fences over 7 feet (2134mm) tall, or

c. fences in a drainage easement.

SECTION 3

THAT it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 4

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 5

THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

SECTION 6

THAT in accordance with the provisions of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

SECTION 7

THAT this Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading this 10th day of November 2025.

PASSED AND APPROVED: Second reading this 27th day of November 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney