

**COUNCIL OF THE TOWN OF LA PLATA**  
**Ordinance No. 12-11**

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**Introduced By:** Mayor Roy G. Hale, by request

**Date Introduced:** May 22, 2012

**Amendments Adopted:**

**Date Adopted:** July 24, 2012

**Date Effective:** August 8, 2012

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1 **An Ordinance concerning**

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3 **INTERNATIONAL ENERGY CONSERVATION CODE 2009**

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5 **FOR** the purpose of adopting the International Energy Conservation Code 2009, with certain  
6 modifications, as the energy conservation code for the Town of La Plata; providing for  
7 the administration and enforcement of that code; specifying penalties for violations;  
8 providing that the provisions of this Ordinance are severable; and all matters generally  
9 related thereto.

10 \* \* \* \* \*

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12  
13 **BY** repealing and reenacting, with amendments  
14 Chapter 75 – Building Construction  
15 Article V, Energy Code  
16 Sections 75-8 and 75-9  
17 Code of the Town of La Plata  
18 (1998 Edition and Supplements)

19  
20 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA**  
21 **PLATA,** That Sections 75-8 and 75-9 of the Code of the Town of La Plata (1998 Edition and  
22 Supplements) be and they are hereby repealed and reenacted, with amendments, to read as  
23 follows:

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25 **Chapter 75 – BUILDING CONSTRUCTION**  
26 **Article V. Energy Code**

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28 **75-8. Adoption of standards; copies on file.**

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30 Subject to the provisions of § 75-9, there is hereby adopted by the Town of La Plata for  
31 the purpose of establishing minimum standards governing the consumption of energy resources  
32 in buildings and structures in the town, a certain document entitled the International Energy  
33 Conservation Code ((2006)) 2009, as published by the International Code Council. Not less than  
34 one (1) copy of the International Energy Conservation Code ((2006)) 2009 shall be kept on file  
35 in the office of the Town Clerk.

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**75-9 Modifications.**

The International Energy Conservation Code ((2006)) 2009, as adopted by § 75-8, is modified as set forth below:

\* \* \*

B. Section ((107.1)) 106.1 on page 3 is revised to read as follows:

**((107.1)) 106.1 Referenced standards:** The standards and portions thereof, referenced in this code and listed in Chapter 6 shall be considered part of the requirements of this code to the prescribed extent of each such reference, except to the extent that any of such standards have been expressly modified in the Code of the Town of La Plata. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

C. New Section ((107.3)) 106.2 is added on page 3, to read as follows:

**((107.3)) 106.2 Conflicting provisions:** Except as otherwise provided in Sections ((107.1)) 106.1 and ((107.2)) 106.2, in any situation where a provision of this code conflicts with the provision of any other law, ordinance, code or regulation, the provision which establishes the higher standard for the promotion and protection of the public health, safety and welfare shall prevail, regardless which may have been enacted first.

\* \* \*

E. The definition of "CODE OFFICIAL" as contained in Section 202 on page 5 is deleted and the new definition of "CODE OFFICIAL" is substituted to read as follows:

**CODE OFFICIAL:** The ((Director of the Department)) MANAGER of Inspections of the Town, or such other person as the Town's Chief Executive Officer may designate.

**SECTION 2. AND BE IT FURTHER ENACTED,** That if any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Ordinance which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

**SECTION 3. AND BE IT FURTHER ENACTED,** That this Ordinance shall become effective at the expiration of fifteen (15) calendar days after its approval by the Council.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

*Roy G. Hale*  
Roy G. Hale, Mayor

*R. Wayne Winkler*  
R. Wayne Winkler, Councilman

*C. Keith Back*  
C. Keith Back, Councilman

*Paretta D. Mudd*  
Paretta D. Mudd, Councilwoman

ATTEST:

*Danielle Mandley*  
Danielle Mandley, Town Clerk  
Date 7/24/12

*Absent*  
Joseph W. Norris, Councilman

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW  
((Double Parenthesis)) indicate matter deleted from existing law.  
\* \* \* indicates existing law not depicted in bill and not being altered by bill  
Underlining indicates amendments to bill.  
Strike-Out indicates matter stricken from bill by amendment or deleted from the law by amendment.