

City of Corpus Christi
1201 Leopard Street
Corpus Christi, TX 78401

April 12, 2013

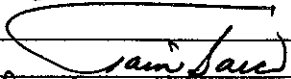

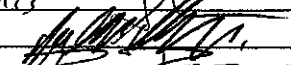
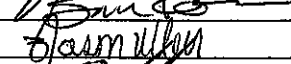



City of Corpus Christi Secretary,

This letter serves as official notice to the City of Corpus Christi of our intent to circulate petitions calling for referendum to repeal/reverse:

Ordinance - Amending Plumbing Code and International Residential Code to establish new language and change the residential irrigation backflow testing requirements from annual to triennial (1st Reading 3/26/13) Ordinance amending the Code of Ordinances, Chapter 14, "DEVELOPMENT SERVICES," Article II, "City of Corpus Christi Technical Construction Codes," Division 7, "PLUMBING CODE," Section 14-281, "Plumbing Code," and Division 8, "RESIDENTIAL CODE," Section 14-292, "Residential construction code," by changing the frequency of testing for residential irrigation backflow devices; providing for severance, penalties, publication, and an effective date.

It is hereby filed with the City of Corpus Christi Secretary on April 12, 2013 (3 days after the April 9th, 2013 City Council meeting when the "Second Reading" took place) and therefore is well within the 10 day deadline per City of Corpus Christi Charter Article I. Section 4.

As required by this section, any five registered voters may commence this referendum. Below are the required names and addresses of the registered voters doing so:

First Name	Middle Initial	Last Name	Address	Date	Signature
JAIME		GARCIA	6310 Grandvilliers	4/11/13	
Sophia	H.	Garcia	6310 Grandvilliers	4/11/13	
JUAN		Alvarez	3802 Caraculles pkwy	4/12/13	
Johann	S.	Collins	1323 N. Chaparra	4-12-13	
Berkley	J.	Robinson	1109 Tyler Ave	4-12-13	
Jason	B	Miller	2040 Rockford	4-12-13	
Eric	M.	Johnson	1146 Rickay	4-12-13	

The above voters have appointed Jaime Garcia at 6310 Grandvilliers Drive, Corpus Christi, TX 78414 (registered voter) to receive any and all correspondence from the City of Corpus Christi Secretary regarding this legal instrument.

As the first step of this referendum, we are hereby respectfully asking the City of Corpus Christi Council members to reconsider the City Ordinance.

Respectively,



Jaime Garcia, President
Coastal Bend Irrigation Association

Ordinance amending the Code of Ordinances, Chapter 14, "DEVELOPMENT SERVICES," Article II, "City of Corpus Christi Technical Construction Codes," Division 7, "PLUMBING CODE," Section 14-281, "Plumbing Code," and Division 8, "RESIDENTIAL CODE," Section 14-292, "Residential construction code," by changing the frequency of testing for residential irrigation backflow devices; providing for severance, penalties, publication, and an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The Code of Ordinances, Chapter 14, "DEVELOPMENT SERVICES," Article II, "City of Corpus Christi Technical Construction Codes," Division 7, "PLUMBING CODE," Section 14-281, "Plumbing code," is amended by creating a new subsection to read as follows:

"Sec. 14-281. Plumbing code.

"With the following additions, deletions, and revisions, the International Plumbing Code, 2009 Edition [including Appendix C, Gray Water Recycling Systems; Appendix E, Sizing of Water Piping; Appendix F, Structural Safety; and Appendix G, Vacuum Drainage System (see International Plumbing Code Section 101.2 2009 Edition)], as published by the International Code Council, a copy of which, authenticated by the signatures of the mayor and city secretary, made public record by this section, and on file in the city secretary's office, is incorporated by reference and adopted as the Plumbing Code for the City of Corpus Christi:

"(1) * * *

* * * * *

"(10.1) Section 312.10 of the International Plumbing Code is revised to read as follows:

"312.10 Inspection and testing of backflow prevention assemblies. Inspection and testing shall comply with Sections 312.10.1 and 312.10.2.

"312.10.1 Inspections. Residential irrigation backflow prevention assemblies shall be inspected at least once every three years. Annual inspections shall be made of all other backflow prevention assemblies and air gaps to determine whether they are operable.

"312.10.2 Testing. Residential irrigation backflow prevention assemblies shall be tested at least once every three years. Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, pressure vacuum breaker assemblies, reduced pressure detector fire protection backflow prevention assemblies, double check detector fire protection backflow prevention assemblies, hose connection backflow preventers, and spillproof vacuum breakers that are not part of a residential irrigation system shall be tested at the time of installation, immediately after repairs or relocation and at least annually. The testing procedure shall be performed in accordance with one of the following standards: ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10 or CSA B64.10.1."

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SECTION 2. The Code of Ordinances, Chapter 14, "DEVELOPMENT SERVICES," Article II, "City of Corpus Christi Technical Construction Codes," Division 8, "RESIDENTIAL CODE," Section 14-291, "Residential code," is amended by creating a new subsection to read as follows:

"Sec. 14-291. Residential code.

"With the following additions, deletions, and revisions, the International Residential Code for One- and Two-Family Dwellings, 2009 Edition [including Appendix O, Gray Water Recycling Systems (see International Residential Code Section R102.5 2009 Edition)], as published by the International Code Council, a copy of which, authenticated by the signatures of the mayor and city secretary, made public record by this section, and on file in the city secretary's office, is incorporated by reference and adopted as the Residential Construction Code for the City of Corpus Christi:

"(1) * * *

* * * * *

"(16.1) Section P2503.8 of the International Residential Code is revised to read as follows:

"P2503.8 Inspection and testing of backflow prevention devices. Inspection and testing of backflow prevention devices shall comply with Sections P2503.8.1 and P2503.8.2."

"P2503.8.1 Inspections. Inspections shall be made of all backflow prevention assemblies to determine whether they are operable.

"P2503.8.2 Testing. Residential irrigation backflow prevention assemblies shall be tested at least once every three years. Reduced pressure principle backflow preventers, double check valve assemblies, double-detector check valve assemblies and pressure vacuum breaker assemblies that are not part of a residential irrigation system shall be tested at the time of installation, immediately after repairs or relocation and at least annually.

* * * * *

SECTION 3. If, for any reason, any section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this ordinance is held to be invalid or unconstitutional by final judgment of a court of competent jurisdiction, such judgment shall not affect any other section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this ordinance be given full force and effect for its purpose.

SECTION 4. A violation of this ordinance or the requirements implemented under this ordinance constitutes an offense punishable under Sections 1-6, 1-6.1, and 14-207 of the Code of Ordinances, City of Corpus Christi. Unless otherwise specifically stated within the provisions of this ordinance or the Code of Ordinances, City of Corpus Christi, any violation of this ordinance or the requirements implemented under this ordinance that is punishable by a fine that exceeds the amount authorized by Section 12.23 of the Texas Penal Code shall require a culpable mental state of "criminal negligence."

SECTION 5. Publication shall be made in the official publication of the City of Corpus Christi, as required by the City Charter of the City of Corpus Christi.

SECTION 6. This ordinance and its requirements take effect on and after May 1, 2013.

The foregoing ordinance was read for the first time and passed to its second reading on this the 26th day of March, 2013, by the following vote:

Nelda Martinez	<u>Absent</u>	Chad Magill	<u>Aye</u>
Kelley Allen	<u>Aye</u>	Colleen McIntyre	<u>Aye</u>
Rudy Garza	<u>No</u>	Lillian Riojas	<u>Aye</u>
Priscilla Leal	<u>Absent</u>	Mark Scott	<u>Aye</u>
David Loeb	<u>Aye</u>		

The foregoing ordinance was read for the second time and passed finally on this the 9th day of April, 2013, by the following vote:

Nelda Martinez	<u>No</u>	Chad Magill	<u>Aye</u>
Kelley Allen	<u>Aye</u>	Colleen McIntyre	<u>Aye</u>
Rudy Garza	<u>No</u>	Lillian Riojas	<u>Aye</u>
Priscilla Leal	<u>No</u>	Mark Scott	<u>Aye</u>
David Loeb	<u>Aye</u>		

PASSED AND APPROVED this the 9th day of April, 2013

ATTEST:

Armando Chapa
Armando Chapa
City Secretary

Nelda Martinez
Nelda Martinez
Mayor

