

ORDINANCE NO. 23-013

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING THE CODE OF THE CITY OF GALVESTON, AS AMENDED, TO AMEND CHAPTER 13, "FIRE PREVENTION AND PROTECTION"; TO ADOPT THE 2021 INTERNATIONAL FIRE CODE (IFC), WITH LOCAL AMENDMENTS; ADOPT 2021 PERMIT FEE SCHEDULE; TO MAKE CLARIFICATIONS, RENAME, RENUMBER AND REARRANGE THE CHAPTER AS APPLICABLE; PROVIDING FOR PENALTIES AS APPLICABLE; PROVIDING FOR AN EFFECTIVE DATE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the Galveston City Council seeks to promote the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and,

WHEREAS, staff has reviewed various Chapters of the City Code. Staff has made recommendations in order to update regulations, standards and procedures and make clarifications, and modifications, as applicable to the Chapter in furtherance of promoting the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and,

WHEREAS, per the International Code Council (ICC), the International Fire Code (IFC) is a comprehensive set of regulations and minimum requirements for fire prevention and fire protections systems. The IFC was founded on principles intended to establish provisions that adequately protect public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provision that do not restrict the use of new materials, products or methods of construction and provisions that do not give preferential treatment to a particular type or class of materials, products or methods of construction; and,

WHEREAS, the City recognizes the importance and necessity of codes that pertain to fire prevention and fire protection systems within the City of Galveston, and

WHEREAS, staff desires to keep the City of Galveston current with the most recent codes pertaining to fire prevention and fire protection systems and recommend adopting the "2021 International Fire Code (IFC)", along with local amendments, to the Fire Prevention and Protection code of the City of Galveston; and,

WHEREAS, on December 6, 2022, Staff presented the proposed code updates and amendments to the Building Board of Adjustments and Appeals. The Building Board of Adjustments and Appeals, is comprised of local builders, architects, engineers, electrical, mechanical and plumbing contractors, formed with the intent to have local input into the permit process, as well as, review potential amendments to regulatory codes; and,

WHEREAS, on December 6, 2022, the Building Board of Adjustments and Appeals, recommended approval of the request; and,

WHEREAS, the City Council deems it in the public's interest to amend Chapter 13, "Fire Prevention and Protection", of "The Code of The City of Galveston 1982, as amended," as provided below.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The Code of the City of Galveston 1982, as amended", Chapter 13, "Fire Prevention and Protection" is hereby amended to read and provide as follows:

ARTICLE I. - IN GENERAL

Sec. 13-1. - Fire Department. ~~of fire prevention.~~

- (a) There is hereby established a Fire Department ~~of fire prevention~~ which ~~is~~ includes an Administration Division, the Fire Prevention Division, an Operations Division and a Special Operations Division. The Fire Department ~~of fire prevention~~ shall be under the supervision of the Fire Chief.
- (b) The Fire Chief shall appoint ~~a fire marshal~~ an Assistant Fire Chiefs of Prevention whose duties shall consist of the administration of their respective divisions ~~department of fire prevention~~ under the supervision of the Fire Chief and in accordance with the terms of the Collective Bargaining Agreement between the City of Galveston, Texas and Local 571, International Association of Fire Fighters.
- (c) The Fire Chief may detail such members of the fire department as inspectors/investigators to assist the ~~fire marshal's~~ Prevention Division office as shall from time to time be necessary. The individuals shall be approved by the ~~fire marshal~~ Assistant Fire Chief of Prevention.
- (d) The Fire Department ~~of fire prevention~~ shall make a report to the City Manager at least monthly of the activities of the fire department. ~~an annual report to the city manager., which shall contain the following:~~
 - (1) ~~All proceedings instituted under and by authority of the fire prevention code;~~
 - (2) ~~Any and all statistics which the fire chief may see fit to enclose; and~~
 - (3) ~~Any recommendations of the fire marshal concerning amendments to the fire prevention code, which the fire marshal deems necessary.~~

Sec. 13-2. - Duties and responsibilities.

- (a) The ~~department of~~ Fire Prevention Division (aka Fire Marshal's office) is a law enforcement entity of the city fire department. The ~~fire marshal~~ Assistant Fire Chief of Prevention and ~~his/her~~ their personnel shall have all of the duties and responsibilities granted to ~~him/her~~ them by state statutes and shall perform such other duties and responsibilities as may be prescribed by any and all ordinances, resolutions, codes and general orders duly adopted by the city council.
- (b) The ~~department of~~ Fire Prevention Division is responsible for conducting investigations of all fires determined to be incendiary or suspicious in nature, this includes fires in or upon buildings, habitations, or vehicles within the city limits. Arson investigators shall be called to determine the cause of fires that are not immediately discernible to firefighting personnel. This division shall investigate explosions, fire related deaths, life threatening burn injuries, suspected explosive devices and bomb threats

~~Sec. 13-3. Reserved.~~

~~Sec. 13-4. Arson Reward.~~

~~Any information leading to the arrest and final conviction of any person or persons of the crime of arson, as that term is defined in the state penal code, shall entitle the person giving such information to be eligible for a reward of up to two thousand dollars (\$2,000.00) to be paid by the city. The reward applies only to crimes occurring within the corporate city limits of the city. No employee of the city shall be eligible for this reward.~~

~~State Law reference — Arson, V.A.T.C. Penal Code § 28.02.~~

~~Sec. 13-3-13-9. Reserved.~~

ARTICLE II. - FIRE PREVENTION CODE

Sec. 13-~~10~~. 3 - Adopted. International Fire Code.

There is hereby adopted by the city council for the purpose of prescribing regulations governing conditions hazardous to life and property by fire or explosion, that certain code known as the ~~2012~~ 2021 ~~edition of the~~ International Fire Code ("2021 IFC 2012"), published by the International Code Council, save and except such portions as are hereinafter amended. The 2021 IFC, ~~2012~~, as adopted and amended, is on file in the office of the city secretary, and is incorporated herein to the same extent as though it were set out at length herein.

~~There is hereby adopted by the city council for the purpose of prescribing, regulations governing conditions hazardous to life and property by fire or explosion, that certain code known as the 2012 edition of the "NFPA 101 Life Safety Code" ("NFPA 2012") in its entirety. The NFPA 2012 is hereby adopted and is incorporated into the IFC 2009 as Chapter 48 for all intents and purposes. A copy of the NFPA 2012 is on file in the office of the city secretary.~~

Sec. 13-~~11~~ 4. - Local fire prevention code amendments, deletions, and supplements thereto.

The IFC 2012 adopted pursuant to the foregoing provisions of this chapter is hereby amended to the extent set forth in that certain document entitled "Local Fire Prevention Code Amendments 2012," which is hereby incorporated as "**attachment A**", which document is hereby adopted, its contents and provisions being incorporated herein by reference, and same being available for inspection and copying in the respective offices of the city secretary and fire official.

The 2021 International Fire Code (the 2021 IFC) is hereby amended by the 2021 City of Galveston Local Fire Prevention Code Amendments to the extent set forth in **SECTION 3** herein.

Provisions in the 2021 IFC appendices shall not apply unless specifically adopted.

The 2021 IFC is adopted with the following selected appendices or amendments: Appendices **B, C, D, F, H, I, K, M,** and **N** are hereby adopted:

Appendix B: Fire-Flow Requirements for Buildings;

Appendix C: Fire Hydrant Locations and Distribution;

Appendix D: Fire Apparatus Access Roads;

Appendix F: Hazard Ranking;

Appendix H: Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions;

Appendix I: Fire Protection Systems-Noncompliant Conditions;

Appendix K: Construction Requirements for Existing Ambulatory Care Facilities;

Appendix M: High-Rise Buildings-Retroactive Automatic Sprinkler Requirement;

Appendix N: Indoor Trade Shows and Exhibitions

Sec. 13-5. - Organization.

The Fire department is subject to applicable City Charter, the Code of the City of Galveston, collective bargaining, civil service commission rules, and state regulations pertaining to jurisdiction and employment. No provision contained in the 2021 IFC governing the employment, staffing, hiring, termination, or discipline of a fire prevention official or employee shall apply. Furthermore, all provisions pertaining to the appointment, liability, and legal defense of any officer or employee shall not be governed by the IFC 2021.

Sec. 13-~~12~~ 6. – Definitions.

(a) The term "municipality" as used in the fire prevention code shall ~~be held to~~ mean the City of Galveston.

~~(b) The term "corporation counsel" as used in such code shall be held to mean the City of Galv.~~

~~(be)~~ The term "fire official" or "fire code official" ~~as used in such code~~ shall ~~be held to~~ mean the Fire Marshal or Assistant Fire Chief of Prevention of the City of Galveston.

(cd) The term "department of fire prevention" Fire Prevention Division as used in such code shall be held to mean the city fire marshal's office.

Sec. 13-13. — Amendments

The fire prevention code adopted in this article is hereby amended as follows:

Chapter 48 of the 2012 "International Fire Code" Section 4.6.3, Historic Buildings" of the NFPA 101 Life Safety Code 2012 edition to permit the fire marshal the authority to offer some leniency from code requirements for buildings or structures identified and classified as historic buildings or structures where it is evident that a reasonable degree of safety is provided. If the fire marshal judges that a reasonable degree of safety is provided, compliance with the modified requirement is adequate.

Sec. 13-14. — Waiver

Upon written application to the fire marshal, by the affected individual, the fire marshal, after considering said application, shall have the discretion to waive any of the provisions of the fire prevention code when there is shown to exist practical difficulties in the enforcement of the code; provided, however, that the spirit of the code is maintained, the public safety is secured, and substantial justice is done. The particulars of such modification, along with the decision of the fire marshal, shall be entered upon the records of the department of fire prevention, and a copy shall be furnished to the applicant.

Sec. 13-15. — Board of adjustments and appeals.

- (a) Pursuant to chapter 10, "building code", article ii, the building board of adjustments and appeals" and its rules, definitions, and procedures set therein, shall govern the board of adjustments and appeals of this chapter 13.
- (b) The building board of adjustments and appeals, hereinafter, "board of adjustments and appeals" shall act upon such matters as it is required or authorized to consider by ordinance or state law.
- (c) The board of adjustments and appeals shall hear appeals from decisions of the building official, the fire code official, or code official.
- (d) The board of adjustments and appeals shall hear and act upon the provisions and requests for interpretations of chapter 13, of the city code and the provisions of the international code council. An application for appeal shall be based on a claim that the true intent of chapter 13, of the city code and the provisions of the international code council have been incorrectly interpreted, the provisions of said codes do not fully apply or an equally good or better form of construction or an equivalent method of protection or safety is proposed.
- (e) The board of adjustments and appeals shall review, research, evaluate materials presented to it and make and present recommendations of this Code to the city council regarding chapter 13.

Sec. 13-15 7. - Board of A adjustments and A appeals.

Refer to Chapter 10, Article II. Building Board of Adjustments and Appeals, of the Code of the City of Galveston

Sec. 13-16 8. - Permit fees.

- (a) As stated in the 2021 IFC 2012 International Fire Code, Section 105.1.2, there shall be two (2) types of permits, operational and construction. All operational permits shall be valid for twelve (12) months from the date of issuance. All construction permits shall be valid for a period of time as determined by the fire official.
- (b) Permit fees shall be required and fees applied to the extent set forth in that certain document entitled "Permit Fees Schedule 2013", ~~which is hereby incorporated as "Attachment B"~~, which document is hereby adopted, its contents and provisions being incorporated herein by reference, and same being available for inspection and copying in the respective offices of the city secretary and the fire official. Any other fees not listed in the "Permit Fees Schedule 2013" shall be fifty dollars (\$50.00).
- (c) Triple permit fees. The fire official may impose a triple permit fee when they find he/she finds there exists a condition, activity or occupancy requiring a permit ~~exists~~ and no permit has been issued by the fire official.
- (d) Inspections and re-inspections fees. Where it is determined that an inspection fee shall be required or that a fire hazard/violation of this code ~~the "Local Fire Code" of the city exists,~~ a re-inspection fee shall be applied to the extent set forth in the that certain document entitled "Permit Fees Schedule". 2013, ~~which is hereby incorporated as "Attachment B", which document is hereby adopted, its contents and provisions being incorporated herein by reference, and same being available for inspection and copying in the respective offices of the city secretary and the fire official.~~

Sec. 13-17 9. - Building and site plans.

- (a) The building official shall refer all applications for a building permit for a dry structure, which is to be constructed, remodeled or repaired to the fire marshal for their his review prior to the acceptance of a site plan on the issuance of a building permit.
- (b) There shall be a building plan review fee assessed and collected at the time application is made for any building permit other than an application for a building permit for a one or two-family ~~—or two family~~ dwelling unit. The amount of said fee shall relate to the total valuation and shall be as follows:

Total	Fee
\$5,000.00 —to \$5,000,000.00	\$100.00 on the first \$5,000.00 valuation plus \$0.50 for each additional \$1,000.00.
\$5,000,0001.00 and above	\$2,522.50 on the first \$5,000,000.00 valuation plus \$0.50

	for each additional \$10,000.00.
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Sec. 13-18. – Penalty.

~~A violation of any provisions of this chapter shall be unlawful and a class C misdemeanor offense punishable by a fine not exceeding two thousand dollars (\$2,000.00). Each day a violation of this chapter continues shall constitute a separate offense.~~

Sec. 13-~~19~~ 10. - Group-care facilities.

- (a) The use of a building or structure, or portion thereof, for educational, supervision, or personal care service for and including twelve (12) occupants for any period of time and not classified as R-3 or I shall be classified as a group care facility.
- (b) Group care facilities.
 - 1. Day care home—Up to twelve (12) occupants
 - 2. Day care center—Over twelve (12) occupants
- (c) An annual inspection shall be required to maintain the standards and safety of all occupants and an operational permit fee shall be required as stated in the "Permit Fees Schedule 2013 #48."

ARTICLE III. - FIRE ALARMS

Sec. 13-~~20~~ 11. – Definitions.

- (a) *Alarm system* means a device or system that emits, transmits, or relays a signal intended to summon, or that would reasonably be expected to summon, fire services of the city, including but not limited to, local alarms. "Alarm system" does not include an alarm installed on a vehicle.
- (b) *Alarm notification* means a notification intended to summon the fire department, which is designed either to be initiated purposely by a person or by an alarm system that responds to a stimulus, and which results in the response of the city fire department.
- (c) *Alarm site* means a single premise or location served by a fire alarm system or systems. Each unit within a multi-unit building, such as an apartment building or office building shall constitute one alarm site.
- (d) *False alarm notification* means an alarm notification to the fire department, when the responding fire department personnel finds no evidence of a fire.
- (e) *Chief* means the chief of the fire department.
- (f) *Person* means an individual, corporation, partnership, association, organization, or similar entity.

Sec. 13-~~21~~ 12. - Usage fee.

- (a) All persons, including but not limited to residential and commercial shall pay a usage fee for false fire alarms in accordance with this section.

- (b) The person in control or owner of an alarm site shall be required to pay a usage fee of two hundred fifty dollars (\$250.00) for each false alarm notification in excess of three false alarm notifications in any thirty-day period.
- (c) The city shall submit an invoice to a person within thirty (30) days of the person incurring the usage fee. A person may contest the invoice within fifteen (15) days of the invoice date by filing a written protest with the chief. The chief shall investigate the written protest and make appropriate recommendation to the city manager. The city manager shall notify the person of the city's decision regarding payment of the invoice. If the city manager determines that the person owes the usage fee, the person shall pay the usage fee no later than the fifteenth day after the date of the city manager's written determination. The city shall pursue all legal remedies against any person who fails to pay the usage fee.

Sec. 13- 13. - Penalty.

A violation of any provisions of this chapter shall be unlawful and a class C misdemeanor offense punishable by a fine not exceeding two thousand dollars (\$2,000.00). Each day a violation of this chapter continues shall constitute a separate offense.

SECTION 3. The 2021 International Fire Code, is amended pursuant to the following 2021 City of Galveston Local Fire Protection and Prevention Code Amendments, to read and provide as follows:

101.1 – Title. These regulations shall be known as the City of Galveston Fire Protection and Prevention Code hereinafter referred to as "this code."

101.2.1 – Appendices. Provisions in the appendices shall not apply unless specifically adopted. Appendices B, C, D, F, H, I, K, M, and N are hereby adopted and made part of this code.

102.2 – Administrative, operational and maintenance provisions. The administrative, operational and maintenance provisions of this code shall apply to:

- 1. Conditions and operations arising after the adoption of this code.
- 2. Existing conditions and operations.
- 3. Conditions that in the opinion of the fire code official or building code official constitute a distinct hazard to life or property.

102.7 - Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. and as further regulated in Sections 102.7.1 and 102.7.2

102.7.1 – Conflicts.

Where conflicts differences occur between the provisions of this code and referenced code and standards, the provisions of this code shall apply. Whenever

amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well.

103.1. Creation of Agency. The Fire Prevention Division of the City of Galveston Fire Department is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation administration and enforcement of the provisions of this code.

103.2 Appointment is deleted in its entirety.

112.4 – Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a **Class C Misdemeanor Offense**, punishable by a fine of not more than **Two Thousand Dollars (\$2,000.00)**, ~~or by imprisonment not exceeding [NUMBER OF DAYS], or both fine and imprisonment.~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

Section 307 “Open Burning, Recreational Fires and Portable Outdoor Fireplaces” shall be amended to read and provide as follows:

307.2.2 – Unauthorized burning. The building of fires upon the paved portion of public streets and right-of-ways; building of warming fires at construction sites; and building fires for the purpose of burning trash, leaves, grass clippings or debris is prohibited except as otherwise provided for by this code. Any such fires shall be immediately extinguished.

307.4 – Location. The location for open burning shall not be less than 50 feet (15 240mm)-100 feet from any structure or vegetation, if on the beach, and provisions shall be made to prevent the fire from spreading to within 50 feet (15-240mm)-100 feet of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

307.4.1 – Bonfires. A bonfire shall not be conducted within 50 feet (15-240 mm)-100 feet of a structure, or combustible materials, or vegetation, if on the beach unless the fire is contained in a barbecue pit. Conditions, which could cause a fire to spread within

50 feet (15 40 mm) 100 feet of a structure, shall be eliminated prior to ignition. The size of the bonfire shall be approved by the fire code official prior to the event.

307.4.2 – Recreational fires. Recreational fires shall not be conducted within 25-100 feet of a structure, ~~or~~ combustible material or vegetation. All recreational fire must be contained in a barbeque pit or similar approved container. Conditions which could cause a fire to spread within 25-50 feet of a structure shall be eliminated prior to ignition.”

Section 308 “Open Flames” shall be amended to read and provide as follows:

308.1.3 Torches for removing paint is deleted in its entirety.

Section 322 “Removal of Debris or Partially Burned Building after Fires”

322.1– Useless Material. The owner, person in control or in possession of any hay, straws, bales or wool, cotton, paper or other substances which have been rendered useless or un-merchantable by reason or any fire shall remove said articles within forty-eight (48) hours after notice has been given by the fire code official.

322.2 – Burned Structures. Whenever any building or other structure in the city is partially burned, the owner or the person in control shall, within ten (10) days after notice from the fire code official or the building code official or their authorized representative, remove from the premises all the remaining portions of the building structure.

Section 503 “Fire Apparatus Access Roads” shall be amended to read and provide as follows:

503.3.1 – Fire Lane Specifications for Marking. All required fire lanes shall be provided and maintained with fire lane striping which shall be clearly marked and consists of a six inch (6”) wide red background stripe with four inch (4”) high white letters stating “NO PARKING FIRE LANE” to be painted upon the red stripe no less than every ten feet (10’) and no greater than every twenty-five feet (25’) along the entire length of the fire lane, showing the exact boundary of the fire lane. Fire lane markings shall be upon the vertical surface of the curb unless otherwise approved by the Fire Marshal.

503.3.2 – Alteration, defacing of signs unlawful. A person commits an offense if the person intentionally alters, defaces, injures, knocks down, or removes, or attempts to alter, deface, or remove any sign required under the terms of this code.

503.4.2 Removal of vehicles and obstructions. Vehicles parked and obstructions placed in violation of this code may be removed at the vehicle owner’s expense by or at the direction of the fire code official, any peace officer or the property owner.

Section 505 “Premises Identification shall be amended to read and provide as follows:

505.1 – Address Identification. New and existing buildings shall ~~be provided~~ have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. ~~These numbers~~ address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. ~~Each character shall not be less than 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm).~~ Numbers shall be a minimum of six (6) inches (102 mm) high with a minimum stroke width of 0.5 inches (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved location to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 507 “Fire Protection Water Supplies” shall be amended as follows:

507.5.1.1 Hydrant for sprinkler and standpipe systems. Buildings equipped with a sprinkler and/or standpipe system installed in accordance with Section 903 or Section 905 shall have a fire hydrant within 100 feet (30 480 mm) of the fire department connections.

Section 509 “Fire Protection Equipment Identification and Access” shall be amended as follows:

509.1.2– Identification of fire department connections. In addition to signs required by Section 912.4, all fire department connections to standpipe, sprinkler, or combined sprinkler/standpipe systems shall have approved signs indicating the nature of the systems and building served. Where a fire department connection for automatic sprinkler or standpipe system services only a portion of a building or a specific building within a complex, an approved sign shall be posted, indicating the portion of the building or specific building being served. In buildings or other structures where pressure reducing devices or pressure reducing valves are installed on the standpipe system, the signs shall also indicate the locations or levels of the devices or valves and required pressure at the fire department connections. The signs shall be located on or adjacent to the connection and shall be constructed of durable material. The lettering shall be white in color and not less than 4 inches in height on a red background so that the lettering is clearly visible

Section 901 “General” shall be amended to add as follows:

901.11– Notification of fire department. The Galveston Fire Marshal's Office shall be immediately notified by telephone, at 409-797-3870, and the City of Galveston Emergency Dispatch Center shall also be notified immediately by telephone, at 409-765-3702, where the life safety system or fire protection system is placed out of service for

emergency or non-scheduled repairs, replacements, or services. The Fire Marshal's Office and Dispatch shall be provided with the following information:

1. Correct street address and name of the building or structure.
2. The caller's name and contact phone number.
3. The identity of the system that is impaired or shut down, and if known, the nature of impairment or failure.
4. Estimated length of time system is to be out of service for repairs.
5. The Fire Marshal's Office and the City of Galveston Emergency Dispatch Center shall again be notified when the system is restored to normal operational status.
6. The Fire Marshal's Office shall be notified in advance of any repairs that are to be made to any system, which is out of service.

Section 906 "Portable Fire Extinguishers" shall be amended as follows:

906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

7. In all individual hotel rooms and motel rooms which include a kitchenette.
8. In all beach house rentals.

Section 907 "Fire Alarm and Detection Systems" shall be amended as follows:

907.1.3 – Equipment. Systems and components shall be listed and approved for the purpose for which they are installed. All new fire alarm systems or replacement fire alarm systems shall be digitally addressable fire alarm/detection systems.

907.1.4 – Fire Alarm Control Panel. Fire Alarm Control Panel rooms shall be identified in an approved manner by a permanently attached sign with white letters not less than 2 inches high and red background, indicating the equipment contained therein.

Section 5601 "Explosives and Fireworks" shall be amended as follows:

5601.1.3 – Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as permitted in the Section 5604.
2. ~~Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~
3. The use of fireworks for display as permitted in Section 5608.
4. ~~The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks and facilities comply with the 2006 edition of the NFPA 1124, CPSC 16 CFR Parts 1500 and 1507,~~

and DOTn49 CFR Parts 100-185, as applicable for consumer fireworks.

5601.1.3.1– Seizure of fireworks. The presence of any fireworks within this jurisdiction in violation of this chapter is hereby declared to be a common and public nuisance. The fire code official is directed and required to seize and cause to be safely destroyed any fireworks found in violation of this code. Any member of the Fire Prevention Division of the City of Galveston (Fire Marshal's Office) or any peace officer of the jurisdiction is empowered to stop the transportation of and detain any fireworks found being possessed, manufactured, transported, stored, sold, handled or used illegally.

5601.2.4– Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of ~~\$100,000~~ **\$5,000,000.00** or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property that arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in ~~their his or her~~ opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

1. The City of Galveston shall be named as an additional insured under the liability insurance policy.
2. The City of Galveston shall approve bonds and insurance policies.

5601.9 – Local Explosives Regulations. Before transporting or handling explosives within the City of Galveston, the fire code official may require such procedures as they deem necessary to maintain the safety of all involved.

Section 5608 “Fireworks Display” shall be amended as follows:

5608.2.3 – Firing Types. All firing types are prohibited except electrical.

SECTION 4. The Permit Fee Schedule provided herein is hereby adopted.

**FIRE PREVENTION AND PROTECTION
PERMIT FEES SCHEDULE**

	CONSTRUCTION/SERVICE PERMITS	FEE
1.	Fire alarm and detection systems and related equipment- as required by 105.6.6 to install or repair fire systems as follows:	
a.	Fire alarm control panel (base fee)	\$125.00
b.	Emergency Public address system (First 10 floors, each additional	\$50.00

	floor is \$5.00 per floor)	
c.	Each smoke or heat detection device, releasing device, audible/visual device, flow pressure switch.	\$5.00
d.	Remote annunciation panel	\$40.00
e.	Re-test any fire alarm system (Defined in IFC section 902)	\$150.00
f.	Repair of any fire alarm system (Defined in IFC section 902)	\$100.00
g.	Renovation of any fire alarm system shall be same as a new installation	
2.	Automatic fire extinguishing system - as required by 105.6.1, 105.6.7, and 105.6.23 to install or repair fire extinguishing equipment as follows:	
a.	Fixed fire suppression system (i.e. Halon, CO2, dry chemical, wet UL300) (base fee); each nozzle	\$125.00
b.	Sprinkler: per system	\$100.00
	each sprinkler head	\$5.00
c.	Standpipe: per system	\$100.00
	each hose valve connection	\$10.00
d.	Fire Pump: each pump	\$100.00
	perform acceptance test	\$100.00
	perform acceptance re-test (if first test is failed)	\$150.00
e.	Combination Sprinkler and Standpipe	
	per system	\$150.00
	each hose valve connection	\$10.00
	each sprinkler head	\$5.00
f.	Hydrostatic test for sprinkler & Standpipes. (an assessed fee for each test	\$50.00
g.	Re-test any fire suppression system (Defined in IFC section 902)	\$150.00
h.	Repair of any fire suppression system (Defined in IFC section 902)	\$100.00
i.	Renovation of any fire suppression system shall be same as a new installation	
3.	Compressed gases - as required by 105.6.2 To install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a compressed gas system	\$175.00
4.	Flammable and combustible liquids - as required by 105.6.8 To install or repair any underground flammable or combustible liquid tank	\$175.00
a.	To repair or modify a pipeline of the transportation of flammable or combustible liquids	
b.	To install, construct or alter tank vehicles, equipment, tanks, plants, terminals wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used	
c.	To install, alter, remove, abandon, place temporarily out of service or otherwise dispose of a flammable or combustible liquid tank	

5.	Hazardous materials - as required by 105.6.12 to install, repair, abandon, remove, place temp. out of service, or close or modify a storage facility regulated by Chapter 50 when the hazardous materials in use or storage exceed the amounts listed in Table 105.5.22.	<u>\$175.00</u>
6.	Installation permits required for the following:	
a.	Industrial ovens - as required by 105.6.14 for ovens covered by Chapter 30	<u>\$100.00</u>
b.	LP-gas - as required by 105.6.15	<u>\$100.00</u>
c.	Private fire hydrants - as required by 105.6.18	<u>\$100.00</u>
d.	Spraying and dipping - as required by 105.6.22	<u>\$100.00</u>
7.	Temporary membrane structures, tents and canopies - as regulated by 105.6.24	<u>\$100.00</u>
8.	Certificate of Registration - shall be required for companies and employees engaged in the installation, sale, servicing and maintaining of fire extinguishers, and fire extinguisher systems where such equipment is sold, installed, serviced maintained on property other than his own:	
a.	Company	<u>\$200.00</u>
<u>OPERATIONAL PERMITS</u>		
1.	Aerosol products - to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds net weight as required	<u>\$100.00</u>
2.	Amusement buildings - to operate special amusement building as required by 105.5.3.	<u>\$100.00</u>
3.	Aviation facilities - to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicle as required by 105.5.4. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes	<u>\$100.00</u>
4.	Battery Systems – an operational permit is required for stationary and mobile energy storage systems regulated by Section 1207.	<u>\$100.00</u>
5.	Carnivals and Fairs - to conduct a carnival or fair as required by 105.5.5	<u>\$100.00</u>
6.	Cellulose nitrate film - store, handle or use cellulose nitrate film in a Group A occupancy as required by 105.5.6	<u>\$125.00</u>
7.	Combustible dust-producing operations - to operate a grain elevator, flour starch, sugars, or other operations producing combustible dusts as defined in Chapter 2 as required by 105.5.7	<u>\$175.00</u>
8.	Combustible fibers - for the storage and handling of combustible fibers in quantities greater than 100 cubic feet as required by 105.5.8. (Exception: agricultural storage)	<u>\$175.00</u>
9.	Compressed Gases - for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of	

	the amounts listed in Table 105.5.9. As required in 105.5.9	
a.	Corrosive	\$100.00
b.	Flammable (except cryogenic fluids and liquefied petroleum gases)	\$100.00
c.	Highly Toxic	\$175.00
d.	Inert and simple asphyxiant	\$100.00
e.	Oxidizing (including oxygen)	\$100.00
f.	Toxic	\$175.00
10.	Covered and open mall buildings - as required by 105.5.10.	
a.	The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall	\$100.00
b.	The display of liquid-or gas fired equipment in the mall	\$100.00
c.	The use of open-flame or flame producing equipment in the mall	\$100.00
11.	Cryogenic fluids - to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.5.11 as required by 105.5.11.	\$100.00
12.	Cutting and welding - to conduct cutting or welding operations within the jurisdiction as required by 105.5.12	\$100.00
13.	Dry Cleaning Plants - to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry-cleaning equipment as required by 105.5.13	\$100.00
14.	Exhibits and trade shows - to operate exhibits and trade shows as required by 105.5.15.	\$100.00
15.	Explosives - for the manufacture, storage, handling, sale, possess, use, or transport any quantity of explosive, explosive material, fireworks, or pyrotechnic special effects within the scope of Chapter 56 as required by 105.5.16.	\$175.00
16.	Fire hydrant valves - to use or operate fire hydrants or valves intended for fire suppression purposes which are installed on water systems and accessible to a fire apparatus access road that is open to are generally used by the public as required by 105.5.17	\$75.00
17.	Flammable and combustible liquids - are required by 105.5.18.	\$75.00
a.	To use or operate a pipeline	\$75.00
b.	To store, handle or use Class I liquids	\$75.00
c.	To store, handle or use Class II or Class IIIA	\$75.00
d.	To remove Class I or Class II liquids	\$75.00
e.	To operate tank vehicles, equipment, tanks plants, terminals, wells, refineries, distilleries, etc.	\$75.00
f.	To install, alter, remove, abandon, place temp. out of service UST/AST	\$175.00
g.	To change the type of contents stored	\$75.00
h.	To manufacture, process, blend or refine flammable or combustible liquid	\$225.00
18.	Floor finishing - for floor finishing or surfacing operation as required by 105.5.19	\$100.00
19.	Fruit and crop ripening - to operate a fruit/crop-ripening facility as	\$75.00

	required by 105.5.20	
20.	Fumigation and thermal insecticide fogging - as required by 105.5.21	\$75.00
21.	Hazardous Material - to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.5.22 as required by 105.5.22	\$125.00
22.	HPM facilities - to store, handle or use hazardous production materials as required by 105.5.23	\$125.00
23.	High-piled storage - to use a building or portion thereof as a high-pile storage area exceeding 500 sq. ft. as required by 105.5.24	\$100.00
24.	Hot work operations - as required by 105.5.25	\$75.00
a.	public exhibitions and demonstrations	
b.	use of portable hot work equipment inside a structure	
c.	fixed-site hot work equipment such as welding booths	
d.	hot work conducted within a hazardous fire area	
e.	application of roof coverings with the use of an open-flame device	
25.	Industrial ovens - for operations of industrial ovens regulated by Chapter 21 as required by 105.5.26	\$100.00
26.	Lumber yards and woodworking plants - for the storage or processing of lumber exceeding 100,000 board feet as required by 105.5.27	\$100.00
27.	Liquid or gas fueled vehicles or equipment in assembly buildings - to display operate or demonstrate liquid - or gas-fueled vehicles or equipment in assembly buildings as required by 105.5.28	\$100.00
28.	LP-gas - as required by 105.5.29.	\$100.00
a.	Storage and use of LP-gas (exception: not required for individual containers with a 500-gallon water capacity or less serving Group R-3 occupancies)	
b.	Operation or cargo tankers that transport LP-gas	
29.	Magnesium - to melt, cast heat treat or grind more than 10 pounds of magnesium as required by 105.5.30	\$100.00
30.	Miscellaneous combustible storage - to store in any building or upon any premises in excess of 2,500 cu. Ft. as required by 105.5.31	\$100.00
31.	Mobile food preparation vehicles - to operate a vehicle equipped with appliances produce smoke or grease-laden vapors	\$100.00
32.	Open Burning - for an open fire as required by 105.5.34.	\$75.00
33.	Open Flames and torching - as required by 105.5.35.	\$75.00
34.	Open Flames and candles - as required by 105.5.36.	\$75.00
a.	use a torch or open-flame device in a hazardous fire area	
b.	to use open flames or candles in connection with assembly areas, dining areas of restaurants, drinking establishments, educational, or businesses	
35.	Organic Coating - for any organics-coating manufacturing operation as required by 105.5.37	\$100.00
36.	Places of Assembly - to operate a place of assembly as required by	

	<u>105.5.39:</u>	
a.	<u>Class A - over 1,000</u>	<u>\$175.00</u>
b.	<u>Class B - 301 through 1,000</u>	<u>\$125.00</u>
c.	<u>Class C - 50 through 301</u>	<u>\$75.00</u>
37.	<u>Private fire hydrants - for removal from service, use or operation of private fire hydrants as required by 105.5.41. With exception.</u>	<u>\$75.00</u>
38.	<u>Pyrotechnic special effects material - for use and handling or pyrotechnic special effects material as required by 105.5.42</u>	<u>\$125.00</u>
39.	<u>Pyroxylin plastics - for storage or handling, assembly or manufacture involving pyroxylin plastics as required by 105.5.43.</u>	<u>\$100.00</u>
40.	<u>Refrigeration equipment - to operate a mechanical refrigeration unit or system regulated by Chapter 6 as required by 105.5.44</u>	<u>\$75.00</u>
41.	<u>Repair garages and motor fuel dispensing facilities - for operation of repair garages and automotive, marine and fleet service stations as required by 105.5.45 and 105.5.33</u>	<u>\$75.00</u>
42.	<u>Rooftop heliport - for operation of a rooftop heliport as required by 105.6.40</u>	<u>\$75.00</u>
43.	<u>Spraying or dipping - to conduct a spraying or dipping operation regulated by Chapter 15 as required by 105.5.46</u>	<u>\$100.00</u>
44.	<u>Storage of scrap tires and tire byproducts - to establish, conduct or maintain storage of scrap tires and tire byproducts as required by 105.5.48.</u>	<u>\$100.00</u>
45.	<u>Temporary membrane structures, tents and canopies - as required by section 105.5.49</u>	<u>\$100.00</u>
46.	<u>Tire rebuilding plants - to operate and maintain a tire-rebuilding plant as required by 105.5.50</u>	<u>\$100.00</u>
47.	<u>Waste handling - to operate wrecking yards, junk-yards and waste material-handling facilities as required by 105.5.51</u>	<u>\$75.00</u>
48.	<u>Wood products - to store chips, hogged material, lumber or plywood in excess of 200 cu. ft. as required by 105.5.52.</u>	<u>\$100.00</u>
49.	<u>Group care facility - to operate a facility or home for the full - or part-time care of children and/or adults per chapter 13 herein</u>	
a.	<u>Day care home - up to 12 clients</u>	<u>\$75.00</u>
b.	<u>Day care center - more than 12 clients</u>	<u>\$100.00</u>
c.	<u>Health care facility/nursing home - not including hospitals</u>	<u>\$125.00</u>
**	<u>Unless otherwise listed in this Chapter or applicable amendment, all permit fees are:</u>	<u>\$75.00.</u>

Re-Inspection Fees for Certificate of Occupancy (CO) Inspections

When it has been determined that a fire hazard or violation of this fire code exists in or upon any property, structure, vehicles, system or process, and the period of time given to correct the fire hazard or violation has expired, the fire official or authorized

representative shall conduct a re-inspection. If, after the first re-inspection (free), violations still exist, re-inspection fees will be imposed.

1. Second re-inspection fee – a re-inspection fee of \$50.00 shall be charged for the second re-inspection. This fee shall be paid to the Fire Marshal’s Office before the second re-inspection is conducted on a new construction & Certificate of Occupancy inspections.

2. Third re-inspection fee – a re-inspection fee is \$200.00 shall be charged for the third and subsequent re-inspections. This fee shall be paid to the Fire Marshal’s Office before the third re-inspection is conducted on new construction & Certificate of Occupancy inspections

SECTION 5. 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 6. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 7. All Ordinances of general and permanent nature, and amendments to such Ordinances, hereinafter adopted by the City Council, shall be drafted, so far as possible, as specific amendments of, or additions to, this Code. Amendments to this Code are intended for publication to the Galveston City Code. The Codifier is authorized pursuant to the Galveston City Code to make non-substantive changes to the Ordinance prior to publishing.

SECTION 8. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 9. This Ordinance shall be and become effective from, on and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM:

DONNA M. FAIRWEATHER
SR. ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Regular meeting held on January 26, 2023, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 27th day of January, 2023.

Secretary for the City Council
Of the City of Galveston