

ORDINANCE NO. 20-1214

AN ORDINANCE AMENDING CHAPTER 29 OF THE CODE OF THE CITY OF DENTON, TEXAS, TO PROVIDE FOR THE AMENDMENT OF SECTION 106.2.4 OF THE INTERNATIONAL FIRE CODE, 2012 EDITION, REQUIRING FIRE SYSTEMS CONTRACTORS TO USE AN INTERNET-BASED SYSTEM TO SUBMIT ANNUAL FIRE PROTECTION SYSTEMS INSPECTION, TESTING, AND MAINTENANCE REPORTS; PROVIDING FOR A PENALTY IN THE AMOUNT OF \$2,000 FOR VIOLATIONS THEREOF; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, requiring licensed fire systems contractors to use an internet-based system approved by the City of Denton to track inspection, testing, and maintenance of fire and life safety systems will enable the Denton Fire Department to track inspections, ensure code compliance, reduce false alarm activity and protect the health, safety, and welfare of the public; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1: That Chapter 29 of the Code of the City of Denton, Texas is amended to read in its entirety as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. 29-1 International Fire Code--Adopted.

There is hereby adopted by the City of Denton, Texas for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, those certain Codes and Standards known as the International Fire Code, including Appendices A-J, published by the International Code Council, Inc., being particularly the 2012 editions thereof and whole thereof, save and except such portions as are hereinafter deleted, modified or amended by section 29-2 of this ordinance. A copy of said Fire Code is now filed in the office of the City Secretary, and is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Denton and within five thousand (5,000) feet thereof, where specified therein.

Sec. 29-2 Amendments.

The International Fire Code, as adopted in Section 29-1, is hereby amended as follows:

A. By the amendment of the International Fire Code, as follows:

*****Section 101.1; amended to read as follows:***

101.1 Title. These regulations shall be known as the Fire Code of the City of Denton, Texas, the "Fire Code" or, in the context of the following amendments, "this code".

*****Section 101.2; second paragraph added to read as follows:***

The provisions of this code shall supplement any and all laws relating to fire safety and shall apply to all persons without restriction, unless specifically exempted.

****Section 102.4.1; added to read as follows:**

102.4.1 Application of other codes. The design and construction of new structures shall comply with this code, and other codes as applicable; and any alterations, additions, changes in use or changes in structures required by this code which are within the scope of this and other codes shall be made in accordance therewith.

****Section 102.7; amended to read as follows:**

102.7 Referenced codes and standards. The codes and standards referenced in this code shall include 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. Where differences occur between the provisions of this code and the referenced 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. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

****Section 102.7.2; added to read as follows:**

102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code and any adopted amendments, the provisions of this code and any adopted amendments, as applicable, shall take precedence over the provisions in the referenced code or standard.

****Section 103.1; second paragraph added to read as follows:**

Under the chief's direction, the fire department is authorized to enforce all ordinances of the jurisdiction pertaining to:

1. The prevention of fires,
2. The suppression or extinguishments of dangerous or hazardous fires,
3. The storage, use and handling of hazardous materials,
4. The installation and maintenance of automatic, manual and other private fire alarm systems and fire-extinguishing equipment,
5. The maintenance and regulation of fire escapes,
6. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction,
7. The maintenance of means of egress,
8. The investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials, and
9. The investigation of the cause, origin and circumstances of explosions.

For authority related to control and investigation of emergency scenes, see Section 104.

****Section 103.1.2; added to read as follows:**

103.1.2 Department of Fire Prevention Personnel and Police. The chief and members of the Department of Fire Prevention shall have authority to issue citations for violations of this code.

****Section 103.4.2; added section to read as follows:**

103.4.2 Local Liability. All regulations provided in this Code are hereby declared to be governmental and for the benefit of the general public. Any member of the City Council, any city official or employee, or any member of the Health and Building Standards Commission charged with the enforcement of this code, acting for the City in the discharge of his or her duties, are entitled to the legal protections afforded by Article VIII of Chapter 2 of the Code of the City of Denton, Texas (§2-243 through 2-250), as amended, or as otherwise provided by State law, if better.

****Section 104.10.2; added to read as follows:**

104.10.2 Hazardous Materials. The fire code official is authorized to investigate the cause, origin, and circumstances of any unauthorized releases of hazardous materials.

****Section 104.10.3; added to read as follows:**

104.10.3 Explosives. The fire code official is authorized to investigate the cause, origin, and circumstances of explosions, explosives handling, manufacturing, and usage of explosive materials.

****Section 105.3.3; amended to read as follows:**

105.3.3 Occupancy Prohibited before Approval. The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.

****Section 105.6.47; added to read as follows:**

105.6.47 Gas and Oil Wells. An operational permit is required to operate gas and oil wells in the incorporated city limits of Denton following the issuance of a gas well permit by the City of Denton in accordance and compliance with all ordinances of the City of Denton, Texas, including without limitation, Subchapter 22 of the Denton Development Code of the City of Denton, Texas.

****Section 106; added sections 106.2.3., 106.2.4, 106.2.5, and 106.2.6, to read as follows:**

106.2.3 Frequency of Inspection. All owners of, occupants of, tenants of, lessees of or persons making use of any building or premises, or portions thereof, when used as nonresidential group occupancies, including hotels, lodging houses and congregate residences, as defined by the Building Code are required to accommodate annual inspections of such buildings, premises or portions thereof upon the reasonable and lawful demand of the Fire Marshal or his designated representative. Additionally, the Fire Marshal may initiate such inspections at such other times as he deems appropriate to satisfy the purposes of this ordinance, and may additionally inspect all other premises as may be necessary, including such other potential hazards or appliances as the Fire Marshal may specify, for the purpose of ascertaining and causing to be corrected any condition which would reasonably tend to cause a fire or contribute to its spread.

106.2.4 Annual Fire Protection Systems Testing. The annual testing of all fire sprinkler systems, fire alarm systems, fire extinguishing systems, hood extinguishing systems and fire pumps shall be completed by a licensed fire systems contractor. Fire systems contractors are required to provide prior notification of systems inspections within the City to the fire department before the work is completed. Fire systems contractors working within the City of Denton are required to submit all compliant and deficient

reports to the internet-based system under contract with the City. Fire systems contractors shall be qualified and registered with the internet-based system under contract with the City at the time work is done. The fees established by ordinance of the City Council for the work done by fire systems contractors shall be paid by the fire systems contractor directly to the internet-based system under contract with the City.

106.2.5 Annual Inspection Fees. The first annual inspection performed pursuant to Section 106 of this code shall be performed free of charge. If the Fire Marshal or his designee observes a violation of this chapter and performs a follow-up (re-inspection) inspection to determine whether a violation or violations observed during the previous inspection have been corrected, a fee shall be charged, and the occupant or lessee shall pay said fee within 30 days of being billed therefore as condition to continue lawful occupancy of the building or dwelling to be inspected. Said fee shall be based upon the amount of interior area of the building leased, occupied or used by the person. The fee shall be in the amount established, and from time to time amended, by ordinance of City Council, a copy that shall be kept on file with the City Secretary. Follow up inspection fees for common areas of such buildings or premises shall be charged to and paid by the owner in accordance with the area inspected.

106.2.6 Permit and Permit Fees. Any permit required by Sections 105 or 106 of the Code shall be issued only upon payment of a permit fee in an amount established, and as from time to time amended, by ordinance of the City Council, a copy of which shall be kept on file with the City Secretary. If the Fire Marshal or his designee observes a violation of the permit or the work required by the permit is incomplete at the time of inspection and performs a follow-up (re-inspection) inspection to determine whether a violation or violations observed during the previous inspection have been corrected, a fee shall be charged.

****Section 109.4; amended to read as follows:**

109.4 Violation Penalties. Persons who violate any provision of this code, who fail to comply with any of the requirements thereof, or who erect, install, alter, repair or perform work in violation of the approved construction documents, the directives of the fire code official, or the conditions of any permit or certificate issued under provisions of this code, shall be subject to prosecution of a misdemeanor offense punishable by a fine as specified in §1-12 of the Code of the City of Denton, Texas. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

****Section 110.4; amended to read as follows:**

110.4 Abatement. Any person operating or maintaining any occupancy, premises or vehicle subject to this Code who shall permit any fire hazard to exist on the premises under his or her control, or who shall fail to take immediate action to abate a fire hazard when ordered or notified to do so by the code official or his duly authorized representative, shall be guilty of a separate offense for each and every day or portion thereof which any violation of any of the provisions of this Code is committed or continued.

****Section 111.4; amended to read as follows:**

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than two hundred (\$200) dollars or more than the maximum fine specified in §1-12 of the Code.

****Section 202; the following definitions are added or amended to read as follows:**

AMBULATORY HEALTH CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less than 24-hour basis to individuals who are rendered incapable of self-preservation. This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

DEPARTMENT OF FIRE PREVENTION. The Denton Fire Department members authorized by the Fire Chief.

FIRE CODE OFFICIAL. The Fire Marshal or other designated authority charged by the City Council with the duties of administration and enforcement of the code, or a duly authorized representative.

FIRE DEPARTMENT. The City of Denton Fire Department.

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the fire code official for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

HIGH-RISE BUILDING. A building having floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

JURISDICTION. The City of Denton, Texas

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

STANDBY PERSONNEL. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be calculated at 1.5 times the hourly wage rate for each individual assigned.

****Section 307.1.1; amended to read as follows:**

307.1.1 Prohibited open burning. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Exception: {No change.}

****Section 307.2; amended to read as follows:**

307.2 Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or open burning. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled. Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality (TCEQ) guidelines and/or restrictions.
2. State, County or Local temporary or permanent bans on open burning.
3. Local written policies as established by the Code Official.

****Section 307.3; amended to read as follows:**

307.3 Extinguishment authority. The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

****Section 307.4; amended to read as follows, deleted exception 2:**

307.4 Location. The location for open burning shall not be less than 300 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet from a structure.

{#2 deleted}

****Section 307.4.1; amended to read as follows:**

307.4.1 Bonfires. A bonfire shall not be conducted within 300 feet of a structure or combustible material. Conditions which could cause a fire to spread within 300 feet of a structure shall be eliminated prior to ignition.

****Section 307.4.2; amended to read as follows:**

307.4.2 Recreational Fires. Recreational fires shall be prohibited within the incorporated city limits of Denton, Texas.

****Section 307.4.4; added to read as follows:**

307.4.4 Trench Burns. Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

****Section 307.5; amended to read as follows:**

307.5 Attendance. Open burning, trench burns, bonfires, or portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum of 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

****Section 308.1.1; add a sentence to read as follows:**

Unmanned free-floating devices containing an open flame or other heat source, such as but not limited to sky lanterns shall be prohibited.

****Section 308.1.4; amended to read as follows:**

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction.

Exceptions:

1. One- and two-family dwellings.

****Section 308.1.6.2, Exception #3; amended to read as follows:**

Exceptions:

{ #1 and #2 unchanged}

3. Torches or flame-producing devices in accordance with Section 308.1.3.

{#4 unchanged}

****Section 311.5; amended to read as follows:**

311.5 Placards. The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

****Section 403.3; add Sections 403.3.1 and 403.3.2 to read as follows:**

403.3.1 Training. Training for crowd managers shall be approved and shall be based upon a valid job task analysis and duties outlined in Section 403.3.2.

403.3.2 Duties. The duties of crowd managers shall include:

- a. An inspection of the area of responsibility to identify and address any egress barriers
- b. An inspection of the area of responsibility to identify and mitigate any fire hazards
- c. Ensure compliance with all permit conditions, including those governing pyrotechnics and other special effects
- d. To direct and assist the event attendees in evacuation during an emergency
- e. Assist emergency response personnel if requested.
- f. Other duties outlined by the Fire Code Official
- g. Other duties outlined in the Emergency Plan

****Section 503.1.1; the following sentence is added to the first paragraph:**

Except for single- or two-family residences, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway around the external walls of the structure.

****Section 503.1.4; added to read as follows:**

503.1.4 Existing Fire Lanes. Any fire lane that has been established prior to passage of the ordinance from which this article is derived and designated by the fire marshal or that has been established by a separate ordinance shall be a fire lane for all intents and purposes and shall be maintained as required by this code.

****Section 503.2.4; amended to read as follows:**

503.2.4 Turning radius. Each fire apparatus access road shall have an inner turning radius of not less than 35 feet, and an exterior turning radius of not less than 55 feet, or shall have a design approved by the fire code official as functionally equivalent to this standard.

****Section 503.2.9; added to read as follows:**

503.2.9 Fire Lane Site Plan.

- (a) When fire lanes are required in accordance with the provisions of this article, the owner, builder, or developer shall submit a fire lane site plan measuring eight and one half (8- 1/2) inches by eleven (11) inches to the fire code official prior to issuance of a building permit. A copy of each approved fire lane site plan shall be kept on file with the fire department.
- (b) Construction of the building shall not begin until the fire lane site plan has been submitted and approved.

****Section 503.3; amended to read as follows:**

503.3 Marking. Where required by the fire code official, approved striping or, when allowed by fire code official, signs, or both, or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices and striping shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

- (1) Striping - Fire apparatus access roads shall be marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four inch (4") white letters at 20 feet intervals on the red border markings along both sides of the fire lanes.
- (2) Signs - shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12" wide and 18" high. Signs shall be painted on a white background with letters and borders in red, using not less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") (1.98 m) above finished grade. Signs shall be spaced not more than fifty feet (50 feet) (15.2 m) apart. Signs may be installed on permanent buildings or walls or as approved by the code official.

****Section 503.4; amended to read as follows:**

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed by persons in any manner, including parking, stopping, or standing any non-emergency vehicle, whether attended or unattended, in a fire lane. The minimum widths and clearances established in Section 503.2.1 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times. The operator of a premise shall maintain, free of obstruction, all fire lanes on his premises. No person may mark, post or otherwise identify a non-fire lane private vehicular passageway as a fire lane or in such a manner as tends to create confusion as to whether the passageway is a fire lane. Any unauthorized vehicle found in or on a fire lane is:

- (1) Subject to removal by the operator of the premises, with the expense of removal and storage to be borne by the registered owner of the vehicle;
- (2) Subject to citation, as well as removal, by the fire marshal or a police officer; and
- (3) Deemed to constitute *prima facie* evidence of a violation of this section by:
 - (1) a named lessee of an unattended vehicle, if subsequently determined to be under a lease or rental agreement at the time of the incident;
 - (2) the registered owner of an unattended vehicle; or
 - (3) by any occupant licensed to operate the vehicle, regardless of whether such license is expired, suspended or revoked.

****Section 603.3.2.1, Exception; amended to read as follows:**

Exception: The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356 L) in accordance with all requirements of Chapter 57.

****Section 603.3.2.2; amended to read as follows:**

603.3.2.2 Restricted use and connection. Tanks installed in accordance with Section 603.3.2 shall be used only to supply fuel oil to fuel-burning equipment installed in accordance with Section 603.3.2.4. Connections between tanks and equipment supplied by such tanks shall be made using closed piping systems.

****Section 604-604.2.2; amended to read as follows:**

604.1 Installation. Emergency and standby power systems required by this code or the *International Building Code* shall be installed in accordance with this code, NFPA 110 and 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

604.1.1 Stationary generators. Stationary emergency and standby power generators required by this code shall be *listed* in accordance with UL 2200.

604.1.2 Critical Operations Power Systems (COPS). For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

604.2 Where required. Emergency and standby power systems shall be provided where required by Sections 604.2.1 through 604.2.24 or elsewhere identified in this code or any other referenced code.

604.2.1 Emergency voice/alarm communications systems. Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, in accordance with Section 907.5.2.2.5.

- Covered and Open Malls, Section 604.2.13
- Group A occupancies, Sections 907.2.1.1 and 907.5.2.2.4.
- Special Amusement buildings, Section 907.2.12.3
- High rise buildings, Section 907.2.13
- Atriums, Section 907.2.14
- Deep Underground buildings, Section 907.2.19

604.2.2 Smoke control systems. Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, in accordance with Section 909.11:

- Covered mall building, *International Building Code*, Section 404.5
- Atriums, *International Building Code*, Section 404.7
- Underground buildings, *International Building Code*, Section 405.5
- Group I-3, *International Building Code*, Section 408.9
- Stages, *International Building Code*, Section 410.3.7.2
- Special Amusement buildings (as applicable to Group A's), *International Building Code*, Section 411.1
- Smoke protected seating, Section 1028.6.2.1

****Section 604.2.19-604.2.24; amended to read as follows:**

604.2.19 Smokeproof enclosures and Stair Pressurization Alternative. Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and

associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.6.2.

604.2.20 Elevator pressurization. Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

604.2.21 Elimination of Smoke Dampers in Shaft Penetrations. Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

604.2.22 Common exhaust systems for clothes dryers. Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code* Section 504.8, item 7.

604.2.23 Hydrogen Cutoff Rooms. Standby power shall be provided for mechanical ventilation and gas detection systems of Hydrogen Cutoff Rooms in accordance with the *International Building Code*, Section 421.8.

604.2.24 Means of Egress Illumination in Existing Buildings. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 and 1104.5.1 when required by the fire code official.

****Section 604.7; added to read as follows:**

604.7 Energy time duration. Unless a time limit is specified by the fire code official, in this chapter or elsewhere in this code, or in any other referenced code or standard, the emergency and standby power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.

****Section 605.11.3.2 through Section 605.11.3.2.4 removed and added to the 2012 International Residential Code M2302.**

****Section 901.4.3; added to read as follows:**

901.4.3 Fire areas. {First part of section unchanged}...determined in accordance with Section 707.3.10 of the *International Building Code*.

****Section 903.1.2; added to read as follows:**

903.1.2 Residential systems. Unless specifically allowed by this code or the *International Building Code*, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13R shall not be recognized for the purposes of exceptions or reductions, commonly referred to as "trade-offs", permitted by other requirements of this code. In addition, residential sprinkler systems installed in accordance with NFPA 13R must include attic sprinkler protection to be recognized for the purposes of such trade-offs permitted by other requirements of this code.

****Section 903.2; amended to read as follows:**

903.2 Required Installations of Automatic Fire Extinguishing Systems. An automatic fire extinguishing system shall be installed and maintained in each occupancy, as required by the provisions of Section 903.

****Sections 903.2.1.1, 903.2.1.2, 903.2.1.3 and 903.2.1.4; amended to read as follows:**

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout a fire area containing a Group A-1 occupancy, where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet.

2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multitheater complex.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided throughout a fire area containing a Group A-2 occupancy, where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 100 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided throughout a fire area containing a Group A-3 occupancy, where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided throughout a fire area containing a Group A-4 occupancy, where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

****Section 903.2.8.3; added to read as follows:**

903.2.8.3 Group R-1. An automatic sprinkler system shall be provided throughout buildings with a Group R-1 fire area, including all combustible concealed spaces and attic spaces.

****Section 903.2.9.2; amended to read as follows:**

903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 10,000 cubic feet shall be equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

****Section 903.2.9.3; added to read as follows:**

903.2.9.3 Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

****Section 903.2.10; amended to read as follows:**

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the *International Building Code*.

****Sections 903.2.11.7 and 903.2.11.8; added to read as follows:**

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet, see Chapter 32 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

****Section 903.2.11.9; added to read as follows:**

903.2.11.9 General.

1. An automatic sprinkler system shall be installed in all new buildings of noncombustible construction, (Type I & II) including Group R-3, which exceed three stories in height or which have more than ten thousand (10,000) square feet of floor area regardless of fire area, area separation walls, or fire walls.
2. An automatic sprinkler system shall be installed in all new buildings of combustible construction, (Type III, IV & V) including Group R-3, which exceed two stories in height or which have more than seven thousand five hundred (7,500) square feet of floor area regardless of fire area, area separation walls, or fire walls.
3. The owner(s) of any building shall be required to install an automatic sprinkler system at such time as the owner(s) constructs an addition or enlargement to the building if the total square footage of such addition, when combined with the total square footage of the existing building, exceeds ten thousand (10,000) square feet of noncombustible construction (Type I & II) total floor area, regardless of fire area, area separation walls, or fire walls.
4. The owner(s) of any building shall be required to install an automatic sprinkler system at such time as the owner(s) constructs an addition or enlargement to the building if the total square footage of such addition, when combined with the total square footage of the existing building, exceeds seven thousand five hundred (7,500) square feet of combustible construction (Type III, IV & V) total floor area, regardless of fire area, area separation walls, or fire walls.

****Section 903.3.1.1; amended to read as follows:**

903.3.1.1 NFPA 13 Sprinkler Systems. Where the provisions of this code require a building, or portion thereof, to be equipped throughout with an automatic sprinkler system, sprinklers shall be installed throughout in accordance with N.F.P.A. 13, latest edition, except as provided in Sections 903.3.1.1.1, 903.3.1.2 and 903.3.1.3.

****Section 903.3.1.1.1; amended to read as follows:**

903.3.1.1.1 Exempt locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas, where such rooms are protected with an approved fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because of damp conditions, fire-resistance-rated construction or the presence of electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire resistance rating of not less than 2 hours.

4. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by a wall with a fire resistance rating of not less than 1 hour and a floor/ceiling assembly with a fire-resistance rating of not less than 2 hours.

****Section 903.3.1.2; amended to read as follows:**

903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R, latest edition, and as further restricted by section 903.1.2, with respect to exceptions or reductions permitted by other requirements of this code.

****Section 903.3.5; amended to read as follows:**

903.3.5 Water Supplies. Water supplies for automatic sprinkler systems shall comply with this section, the standards referenced in Section 903.3.1, and other applicable design standards and requirements. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the *International Plumbing Code*.

Every fire protection system shall be designed with a 10 psi safety factor.

****Section 903.4; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems, except for fire department hose connection valves, shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

****Section 903.4.2; add second paragraph to read as follows:**

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

****Section 903.7; amended to read as follows:**

903.7 Fire department connections. The fire department connection shall be provided in a location approved by the fire code official, within 50 feet of the fire lane and unobstructed.

****Section 905.2; amended to read as follows:**

905.2 Installation standards. Standpipe systems shall be installed in accordance with this section and NFPA 14, latest edition.

****Section 905.3.9; added to read as follows:**

905.3.9 Building area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet of travel, vertically or horizontally, as the hose lies, from the nearest point of fire department vehicle access.

Exception: Automatic dry and semiautomatic dry standpipes are allowed as specified in NFPA 14.

****Section 905.4, item #5; amended to read as follows:**

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of stairways with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

****Section 905.4; add the following item 7:**

7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

****Section 905.9; second paragraph added after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

****Section 906.1, item #1; amended to read as follows:**

1. In Groups A, B, E, F, H, I, M, R-1, R-2, R-4, S, and U occupancies.

****Section 907.1.4; added to read as follows:**

907.1.4 Design Standards. All new and replacement fire alarm systems serving 20 or more alarm actuating devices shall be addressable fire alarm systems.

****Section 907.2.1; amended to read as follows:**

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons located above or below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for Group E occupancy.

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

****Section 907.2.1.1; amended to read as follows:**

907.2.1.1 System initiation in Group A Occupancies with an occupancy load of three hundred (300) or more. Activation of the fire alarm in Group A Occupancies with an occupancy load of three hundred (300) or more shall immediately initiate a signal using an approved emergency voice/alarm communications system in accordance with Section 907.6.2.2.

Exception: When approved, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed three (3) minutes, for the sole purpose of allowing a live voice announcement from an approved, constantly approved station.

****Section 907.2.3; amended to read as follows:**

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

****Section 907.2.13; amended to read as follows:**

907.2.13 High-rise buildings. Buildings with floors used for human occupancy that are located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection in accordance with 907.2.13.1, a fire department communications system in accordance with Section 907.2.13.2 and an emergency voice/alarm communications system in accordance with Section 907.6.2.2.

****Section 907.2.13; exceptions #1-6 are deleted.**

****Section 907.4.2.7; added to read as follows:**

907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

****Section 907.6.1.1; added to read as follows:**

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed utilizing Class "A" wiring for all signaling, initiating, and indicating circuits. Class "A" wiring shall be designed to comply with NFPA 72.

****Section 907.6.3.2; amended to read as follows:**

907.6.3.2 High-rise buildings. Buildings with floors used for human occupancy that are located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall establish separate zones by floor for any of the following types of alarm-initiating devices:

1. Smoke detectors
2. Sprinkler water-flow devices
3. Manual fire alarm boxes
4. Other approved types of automatic fire detection devices or suppression systems.

****Section 910.1 Exception #2; amended to read as follows:**

2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, only manual smoke and heat vents shall be required in these areas. Automatic smoke and heat vents are prohibited.

****Section 912.2.3; added to read as follows:**

912.2.3 Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path, or as approved by the fire code official.

****Section 913.4: second paragraph added to read as follows:**

The fire-pump system shall also be supervised for "loss of power", "phase reversal" and "pump running" conditions by supervisory signal on distinct circuits.

****Chapter 10: Sections 1001 through 1029; replace all references to "fire code official" with "building official".**

****Section 1007.1; added the following Exception 4:**

Exceptions:

{previous exceptions unchanged}

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.

****Section 1007.5; Platform lifts, amended to read as follows:**

1007.5 Platform lifts. Platform (wheelchair) lifts . . . required *accessible route* in Section 1109. , Items 1 through 10. Standby power . . . {remainder unchanged}

****Section 1008.1.9.8; amended deleting criteria #4 and 5:**

1008.1.9.8 Access-controlled egress doors. The entrance doors in a means of egress in buildings with an occupancy in Group A, B, E, M, R-1 or R-2 and entrance doors to tenant spaces in occupancies in Groups A, B, E, M, R-1 and R-2 are permitted to be equipped with an approved entrance and egress access control system which shall be installed in accordance with all of the following criteria:

1. A sensor shall be provided on the egress side arranged to detect an occupant approaching the doors. The doors shall be arranged to unlock by a signal from or loss of power to the sensor.
2. Loss of power to that part of the access control system which locks the doors shall automatically unlock the doors.
3. The doors shall be arranged to unlock from a manual unlocking device located 40 inches to 48 inches (1016 mm to 1219 mm) vertically above the floor and within 5 feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device and the device shall be clearly identified by a sign that reads "PUSH TO EXIT." When operated, the manual unlocking device shall result in direct interruption of power to the lock—independent of the access control system electronics—and the doors shall remain unlocked for a minimum of 30 seconds.

{Delete #4 and #5}

6. Entrance doors in buildings with an occupancy in Group A, B, E or M shall not be secured from the egress side during periods that the building is open to the general public.

****Section 1008.1.9.4; amended exceptions 3 and 4 as follows:**

Exceptions:

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy. *{Remainder unchanged}*
4. Where a pair of doors serves a Group A, B, F, M or S occupancy. *{Remainder unchanged}*

****Section 1008.1.9.9; amended to read as follows:**

1008.1.9.9 Electromagnetically locked egress doors. Doors in the *means of egress* in buildings with an occupancy in Group A, B, E, I-1, I-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with *listed* hardware that incorporates a built-in switch and meet the requirements below: *{remaining text unchanged}*

****Section 1015; added new section 1015.7 to read as follows:**

1015.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

****Section 1016; added new section 1016.2.2 to read as follows:**

1016.2.2 Group F-1 and S-1 increase. The maximum exit access travel distance shall be 400 feet (122 m) in Group F-1 or S-1 occupancies where all of the following are met:

1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height;
2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7315 mm); and
3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

****Section 1018.1; added exception 6 to read as follows:**
{previous text unchanged}

6. In Group B office buildings, corridor walls and ceilings within single tenant spaces need not be of fire-resistive construction when the tenant space corridor is provided with system smoke detectors tied to an approved automatic fire alarm. The actuation of any detector shall activate alarms audible in all areas served by the corridor.

****Section 1022.10: amended to read as follows:**

Section 1022.10 Smokeproof enclosures and pressurized stairways. Each exit that serves building stories where the floor surface is located more than 55 feet above the lowest level of fire department vehicle access or more than 30 feet below the level of exit discharge serving such floor levels shall be a smoke proof enclosure or pressurized stairway in accordance with Section 909.20 of the *International Building Code*.

****Section 1026.6; amended exception 4 to read as follows:**

Exceptions: *{Exceptions 1 through 3 unchanged}*

4. Separation from the open-ended *corridors* of the building... *{remaining text unchanged}*

****Section 1028.1.1.1; deleted.**

****Section 1029.1; amended to read as follows:**

1029.1 General. In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R and I-1 occupancies. *{Remainder unchanged}*

Exceptions:

{Exceptions 1 through 3 unchanged.}

4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

****Section 1030.2; amended to read as follows:**

1030.2 Reliability. Required *exit accesses, exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.

****Section 1101.1; amend to read as follows:**

1101.1 Scope. The provisions of this chapter shall apply to existing buildings constructed prior to the adoption of this code when an alteration, repair, addition, change of occupancy, or change of ownership occurs or if a proposed use poses an increased hazard based on life and fire risks.

****Section 1103.3; added sentence to end of paragraph as follows:**

Provide emergency signage as required by Section 607.2.

****Section 2303.1, item #4; amended to read as follows:**

4. Such that a nozzle, when the hose is fully extended, will not reach within 10 feet (3,048 mm) of building openings.

****Section 2304.1; amended to read as follows:**

2304.1 Supervision of dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant; and/or,
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2304.3.

At any time the qualified attendant of item Number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2304.3.

****Section 2401.2; deleted this section.**

****Table 3206.2, footnote j; amended to read as follows:**

- j. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

****Section 3310.1; add sentence to end of paragraph to read as follows:**

When fire apparatus access roads are required to be installed for any structure or development, they shall be approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

****Section 5601.1.3; amended to read as follows:**

5601.1.3 Fireworks. Except as provided otherwise herein, no person shall possess, store, offer for sale, expose for sale, sell at retail, manufacture, use or explode any fireworks within the city limits, or within five thousand feet (5,000 ft) (1,524 m) thereof.

Exceptions:

1. Only when approved for fireworks displays, storage and handling of fireworks as permitted in Sections 5604 and 5608.
2. The use of fireworks for approved display as permitted in Section 5608.

****Section 5608.5.6; amend by the addition of the following section:**

Section 5608.5.6 Marking of Shell. Each aerial shell shall have printed directly on its outer casing the following minimum warning 1/8-inch high letters, which contrast to the background

WARNING
EXPLOSIVES CLASS "1.4G or 1.3G"
FIREWORK
DO NOT HANDLE- CALL "911"

****Section 5608.11; added to read as follows:**

Section 5608.11 Ignition. Aerial shells shall be ignited by lighting the tips of fuses by an electrical ignition source, except when manual ignition is approved by the Fire Marshal. Operators shall not place any part of their bodies over the throat of the mortar.

****Section 5703.6; sentence added to read as follows:**

An approved method of secondary containment shall be provided for underground tank and piping systems.

****Section 5704.2.9.5; change Section 5704.2.9.5 and add Section 5704.2.9.5.3 to read as follows:**

5704.2.9.5 Above-ground tanks inside of buildings. Above-ground tanks inside of buildings shall comply with Section 5704.2.9.5.1 and 5704.2.9.5.2 through 5704.2.9.5.3.

5704.2.9.5.1 {No change.}

5704.2.9.5.2 {No change.}

5704.2.9.5.3 Combustible liquid storage tanks inside of buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;
2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;
3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1; and
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an *approved* closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

****Section 5704.2.11.5; added a sentence to read as follows:**

5704.2.11.5 Leak prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.5.1 through 5704.2.11.5.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

****Section 5706.3.9; added to read as follows:**

5706.3.9 Permit required. An operational permit is required prior to drilling and operating a gas well. An operational permit related to a gas well located within the corporate limits of the City of Denton shall not be issued unless and until a gas well permit has been issued in accordance and compliance with all ordinances of the City of Denton, Texas, including without limitation, Subchapter 22 of the Denton Development Code of the City of Denton, Texas.

****Section 5706.3.10; added to read as follows:**

5706.3.10 Fire Protection. Drilling and Production Sites shall be equipped with a lightning protection system. In addition, tank battery facilities shall be equipped with a remote foam line and a lightning arrestor system.

****Section 6103.2.1.5; sentence added to read as follows:**

Standby personnel shall be present during demonstrations.

SECTION 2: Any person who violates a provision of this ordinance shall be guilty of a misdemeanor punishable by a fine not exceeding Two Thousand Dollars (\$2,000.00). Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof which any violation of this ordinance is committed, or continued, and upon conviction of any such violations such person shall be punished within the limits above.

SECTION 3: If any section, subsection, paragraph, sentence, phrase or word in this ordinance, or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this

ordinance, and City Council of the City of Denton, Texas hereby declares it would have enacted such remaining portions despite any such invalidity.

SECTION 4: That the repeal of any ordinance or any portion thereof by the preceding sections shall not affect or impair any act done or right vested or accrued or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceedings, suit or prosecution had or commenced shall remain in full force and effect to all intents or purposes as if such ordinance or part thereof so repealed shall remain in force.

SECTION 5: This ordinance shall become effective thirty (30) days from the date of this passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record Chronicle, the official newspaper of the City of Denton, Texas, within ten (10) days of its passage.

The motion to approve this Ordinance was made by Keely Briggs and seconded by John Ryan; the Ordinance was passed and approved by the following vote [7 - 0]:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Chris Watts, Mayor:	<u>✓</u>	_____	_____	_____
Gerard Hudspeth, District 1:	<u>✓</u>	_____	_____	_____
Keely G. Briggs, District 2:	<u>✓</u>	_____	_____	_____
Jesse Davis, District 3:	<u>✓</u>	_____	_____	_____
John Ryan, District 4:	<u>✓</u>	_____	_____	_____
Deb Armintor, At Large Place 5:	<u>✓</u>	_____	_____	_____
Paul Meltzer, At Large Place 6:	<u>✓</u>	_____	_____	_____

PASSED AND APPROVED this the 21st day of July, 2020.

Chris Watts
CHRIS WATTS, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY
BY: Rosa Rios



APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY
BY: Aaron Leal