

ORDINANCE NO. 8140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO TO INCLUDE ESTABLISHING THE FIRE MARSHAL AS THE FIRE CODE OFFICIAL FOR THE CITY OF AMARILLO; AUTHORIZATION OF THE FIRE MARSHAL'S OFFICE TO ENFORCE CERTAIN FIRE AND LIFE SAFETY, CODE ENFORCEMENT, AND BUILDING SAFETY REGULATIONS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AMENDING VARIOUS PORTIONS OF APPLICABLE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council finds that in the interest of fire and life safety, the Fire Marshal is hereby designated as the official responsible for overseeing fire prevention efforts and enforcing the fire code within the City limits and is authorized to take actions necessary to ensure compliance with all fire prevention measures and regulations; and

WHEREAS, the City Council further finds that in order to protect the health, safety, and welfare of the citizens of Amarillo, proper enforcement of the fire code is necessary to prevent fires and ensure compliance with all applicable fire prevention measures; and

WHEREAS, the City Council hereby authorizes the Fire Marshal to conduct inspections, issue notices of violation, and take necessary enforcement actions to address any violations of the fire code discovered within the City limits; and

WHEREAS, the Fire Marshal's Office will employ certified Texas peace officers who, pursuant to state and local law, may cite and arrest for violations of the fire and life safety code, code enforcement, and city ordinance and all other violations of applicable state and local law provisions.

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

SECTION 1. That Chapter 2-6, Article VIII, Section 2-6-72 be hereby amended to now read as follows:

[Amend]

- (c) Hear appeals of decisions by the ~~City~~Fire Marshal; determine the suitability of alternate materials and alternate types of construction; and interpret and recommend changes in the requirements of the Uniform Fire Code as adopted by the City Council.

SECTION 2. That Chapter 2-6, Article VIII, Section 2-6-73 be hearby amended to now read as follows:

[Amend]

Except for appeals related to substandard or dangerous structures, any person who desires to schedule any item before the Construction Advisory and Appeals Commission shall submit a written request to the staff liaison. Appeals of decisions of the Building Official or ~~City~~Fire Marshal shall also include a fifty-dollar (\$50.00) application fee. Such written request shall include justification for the action requested of the Board. Appeals related to substandard or dangerous structures shall be held in accordance with Chapter 4-3 of this Code.

SECTION 3. That Chapter 2-8, Article V, Section 2-8-136 be hearby amended to now read as follows:

[Amend]

Inspector: Any employee of the Animal Control Department, Code Enforcement Department, City Marshal, Fire Marshal, Health Department and Utility Department who is charged with the enforcement of city ordinances, and any civilian employee of the Police Department responsible for abatement of junk and abandoned vehicle nuisances.

SECTION 4. That Chapter 4-3, Article I, Section 4-3-3 be hearby amended to now read as follows:

[Amend]

(j) Other Authority. Nothing in this section is intended as and shall not be construed as any limitation on the legal authority, right to enter, right to abate, or the procedures related thereto, that may be exercised by the Building Official, City Marshal, Fire Marshal, or other government official acting in the scope of duty, as to any substandard building, or other condition existing on a premises that poses a clear and imminent hazard to human life, health, or safety

SECTION 5. That Chapter 4-6, Article I, Section 4-6-2 be hearby amended to now read as follows:

[Amend]

Development Review Committee: Staff may include but is not limited to members from Building Safety, Engineering, Environmental Health, ~~CityFire~~ Marshal, Parks, Planning, Public Works, and Utilities.

SECTION 6. That Chapter 4-7, Section 4-7-3 be hearby amended to now read as follows:

[Amend]

(8) *Recreational and cooking fires located outside of buildings.* Cooking shelters, barbecue pits, fireplaces, wood-burning stoves and incinerators shall be located, constructed, maintained and used in compliance with the Construction Codes to minimize fire hazards and smoke nuisance, both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities approved by the ~~CityFire~~ Marshal. No open fire shall be left unattended. No fuel shall be used which emits dense smoke or objectionable odors.

SECTION 7. That Chapter 8-3, Article V, Section 8-3-116 be hearby amended to now read as follows:

[Amend]

Code Compliance Officer shall mean the Building Official, City Marshal, Fire Marshal, Health Official or their designees.

SECTION 8. That Chapter 8-5, Article IV, Section 8-5-21 be hearby amended to now read as follows:

[Amend]

(c) Mobile Units requirements:

8. All Mobile Food Units must be constructed and maintained in accordance with the following ~~CityFire~~ Marshal requirements:

- i. All Mobile Food Units permitted after the effective date of this section of the rule, must have approved ventilation and an automatic extinguishing system by the ~~CityFire~~ Marshal's office. All previously approved Mobile Food Units that are determined to be non-compliant with (a) & (b) in this section must comply with the following:
 - i. Mobile Food Unit must be located at least fifty (50) feet from any structure or unattended automobile;

- ii. All ventilation and fire suppression must obtain approval from the ~~City~~Fire Marshal's Office by October 1 st , 2020; and

SECTION 9. That Ordinance 8084 and Chapter 10-2, Article II, Section 10-2-16 be hearby amended to now read as follows:

[Amend]

Sec. 10-2-16. - Fire code adopted; amendments.

Code adopted. There is hereby adopted the 2021 edition of the International Fire Code, (published by the International Code Council), including Appendices B, C, and D with the following amendments, copies of which shall be maintained by the ~~City~~Fire Marshal and Building Official:

[Amend][Add]

107.2.1 *Fees for Required Inspections and Permits.* An occupancy inspection ~~is~~ required from the ~~City~~ Fire Marshal for obtaining a license or approval from any agency other than the City of Amarillo to engage in an activity, operation, practice or function will be charged a fee or fees as outlined in Table ~~113.2.1~~107.2.1 The fee(s) shall be paid at the time of request and prior to any inspection being performed. Construction permitting and inspections as required by the City of Amarillo from the Fire Marshal will be charged a fee or fees as outlined in Table 107.2.2. The fee(s) shall be paid at the time of request and prior to any inspection being performed. A Operational permits required from the ~~City~~ Fire Marshal will require a fee or fees as outlined in Table ~~113.2.2~~107.2.3. The fee(s) shall be paid at the time of permit application.

- (a) An \$11.00 Technology Fee will be added for any online transaction or fee(s) paid via credit card.
- (b) All fees stated herein will increase annually on October 1 of each year by three (3) percent or consumer Price Index (CPI), whichever is greater. Fees will be rounded up to a whole dollar amount.
- (c) New fee structure will be effective starting Oct 1, 2024

[Amend]

TABLE 107.2.1 OCCUPANCY INSPECTION FEES

[Strike]

	Occupant Load	Fee
All childcare facility inspections		\$100.00

	Over 150	\$80.00 for first 150 plus- \$40.00 For each additional- 100 or fraction thereof
Foster/Group Home/Shelter **	1 to 5	\$50.00
	6 and up	\$100.00
Nursing Homes	Up to 50 beds	\$200.00
	51 to 100 beds	\$250.00
	101+	\$300.00
Hospitals	Up to 200 beds	\$350.00
	101+	\$600.00
Assembly/Other	Up to 5000 sq. ft	\$50.00
	5001—10,000	\$100.00
	10,001—50,000	\$125.00
	50,001—100,000	\$150.00
	Over 100,000	200.00 plus \$50.00- for each additional 25,000 sq ft
	Re-inspection-	No charge for 1 st inspection \$25.00 for 2 nd inspection \$50.00- for subsequent inspections
Mobile food unit inspection		\$50.00
Hotel/Apartment Inspections		\$200.00 biennially
Fire final Inspection		\$50.00
— Re-inspection/no-show/ Not ready		\$50.00
Variance request application		\$100.00
After hours Inspection		\$100.00 per inspector per hour
Investigation Inspection working without a permit)		Two times the permit fee

** (additional \$10 for more than 1 home from same applicant)

[Add]

<u>Occupancy Inspections</u>		
<u>Inspection Type</u>	<u>Occupant Load/Additional Information</u>	<u>Fee</u>
All Childcare Facilities	Up to 150 occupants	\$100.00
	Over 150 occupants	\$40 for each additional 100 occupants or fraction thereof

<u>Adult Daycare Centers</u>	<u>Up to 150 occupants</u>	<u>\$100.00</u>
	<u>Over 150 occupants</u>	<u>\$40 for each additional 100 occupants or fraction thereof</u>
<u>Foster/Group Home/Shelter</u>	<u>1-5 occupants</u>	<u>\$50.00</u>
	<u>6-15 occupants</u>	<u>\$100.00</u>
	<u>Multiple Home/Shelter Inspections</u>	<u>\$50 or \$100 (plus \$10 per home/shelter within the same zip code with a max of 10 homes/shelters per inspection request)</u>
	<u>*Initial fee based on occupant fee plus additional home/shelter fees</u>	
<u>Nursing Homes</u>	<u>50 or less beds</u>	<u>\$200.00</u>
	<u>51 to 100 beds</u>	<u>\$250.00</u>
	<u>101 or more beds</u>	<u>\$300.00</u>
<u>Hospitals</u>	<u>200 beds or less</u>	<u>\$350.00</u>
	<u>201 or more beds</u>	<u>\$600.00</u>
<u>Other Facilities/Occupancies</u>	<u>5,000 Sq Ft or less</u>	<u>\$100.00</u>
	<u>5,001-10,000 Sq Ft</u>	<u>\$150.00</u>
	<u>10,001-50,000 Sq Ft</u>	<u>\$200.00</u>
	<u>50,001-100,000 Sq Ft</u>	<u>\$250.00</u>
	<u>100,001 Sq Ft or more</u>	<u>\$100 for each additional 25,000 Sq Ft or fraction thereof over 100,000 Sq Ft</u>
<u>Hotel/Apartment Inspection</u>	<u>5,000 Sq Ft or less</u>	<u>\$100.00</u>
	<u>5,001-10,000 Sq Ft</u>	<u>\$150.00</u>
	<u>10,001-50,000 Sq Ft</u>	<u>\$200.00</u>
	<u>50,001-100,000 Sq Ft</u>	<u>\$250.00</u>
	<u>100,001 Sq Ft or more</u>	<u>\$100 for each additional 25,000 Sq Ft or fraction thereof over 100,000 Sq Ft</u>
	<u>*Required biennially</u>	
<u>First Reinspection Fee</u>	<u>*No charge for first reinspection</u>	<u>\$0.00</u>
<u>Multiple Reinspection Fees</u>	<u>*Each subsequent reinspection after first reinspection</u>	<u>\$50.00</u>
	<u>*Unresolved noncompliance spanning multiple inspections may result in citation</u>	
<u>No Show/Not Ready</u>	<u>*If related to initial inspection, first reinspection will be at no charge</u>	<u>\$50.00</u>
<u>After Hours Inspection</u>	<u>*Per inspector hour</u>	<u>\$100.00</u>

[Amend]

TABLE 107.2.2 ~~PERMIT FEES~~ CONSTRUCTION PERMITTING AND INSPECTION
FEES

[Strike]

Operational Permits	50.00 application fee
Pyrotechnic display	\$100.00 per event
Amusement (Haunted house)	\$100.00 every 30 days
Flame effect\$50	\$50.00
Temp. membrane structures, canopies, special-event, carnival, fair	\$100.00 \$100.00 — cooking on site \$50.00 — No cooking on site
All other operational permit types	Application fee only

[Add]

<u>Construction Permitting and Inspections</u>		
<u>Inspection/Permit Type</u>	<u>Additional Information</u>	<u>Fee</u>
<u>Construction Permit Application Fee</u>	<i>*All other inspection fees are in addition to the initial construction permit fee</i> <i>*Per submittal of same type systems for the same occupancy</i>	<u>\$100.00</u>
<u>Fire Alarm</u>	<u>25 devices or less</u> <u>26-100 devices</u> <u>101-300</u> <u>301 or more devices</u> <i>*Per Panel</i> <i>*Wiring and sprinkler diagrams (thumb drive or blueprints) shall be accessible in the panel</i>	<u>\$100.00</u> <u>\$150.00</u> <u>\$200.00</u> <u>\$250.00</u>
<u>Fire Sprinkler</u>	<u>1-19 (New system only)</u> <u>20-100</u> <u>101-300 heads</u> <u>301 or more heads</u> <i>*Per Riser</i>	<u>\$100.00</u> <u>\$150.00</u> <u>\$225.00</u> <u>\$350.00</u>

<u>Fire Pumps and related equipment</u>	<u>*Per Pump</u>	<u>\$100.00</u>
<u>Private Hydrants/Fire Main and PIV</u>	<u>*Per Hydrant</u>	<u>\$100.00</u>
<u>Underground (Hydro)</u>	<u>*Per Inspection</u> <u>*No additional application fee</u>	<u>\$100.00</u>
<u>Standpipe System (Standalone)</u>	<u>*Per System</u>	<u>\$100.00</u>
<u>Vent Hood System</u>	<u>*Per System</u>	<u>\$100.00</u>
<u>Clean Agent Suppression System</u>	<u>*Applies to systems up to 2500 sq ft of coverage.</u> <u>*Systems greater than 2500 sq ft will be calculated as a "Fire Sprinkler"</u>	<u>\$100.00</u>
<u>Paint Booth</u>	<u>-</u>	<u>\$100.00</u>
<u>Emergency Responder Radio Coverage System (ERCES, BDA, DAS)</u>	<u>1-10,000 Sq Ft</u> <u>10,001-50,000 Sq Ft</u> <u>50,001-100,000 Sq Ft</u> <u>100,001 Sq Ft or more</u>	<u>\$100.00</u> <u>\$150.00</u> <u>\$250.00</u> <u>\$100 for each additional 25,000 Sq Ft or fraction thereof over 100,000 Sq Ft</u>
<u>Resubmittal Fees</u>	<u>*Per Plan Resubmittal</u> <u>*Fee may be waved based on man hours already committed to the project</u>	<u>\$50.00</u>
<u>As-Builts</u>	<u>*Per Plan Submittal</u>	<u>\$0.00</u>
<u>Phase Inspection</u>	<u>*Per Additional Phase</u>	<u>\$50.00</u>
<u>Visual Inspection Prior to Acceptance Test</u>	<u>*Per Inspection</u> <u>*No additional application fee</u>	<u>\$50.00</u>
<u>Final Fire Inspection for Certificate of Occupancy</u>	<u>5,000 Sq Ft or less</u> <u>5,001-10,000 Sq Ft</u> <u>10,001-50,000 Sq Ft</u> <u>50,001-100,000 Sq Ft</u> <u>100,001 Sq Ft or more</u>	<u>\$50.00</u> <u>\$100.00</u> <u>\$150.00</u> <u>\$200.00</u> <u>\$100 for each additional 25,000 Sq Ft or fraction thereof over 100,000 Sq Ft</u>

<u>All Other Construction Permit Types</u>	<i><u>*Subject to additional fees to cover cost of manpower based on scope of request</u></i>	<u>\$100.00</u>
<u>Variance Request Application</u>	<i><u>*Application does not guarantee approval</u></i>	<u>\$100.00</u>
<u>First Reinspection Fee</u>	<i><u>*No charge for first reinspection</u></i> -	<u>\$0.00</u>
<u>Multiple Reinspection Fees</u>	<i><u>*Each subsequent reinspection after first reinspection</u></i> <i><u>*Unresolved noncompliance spanning multiple inspections may result in citation</u></i>	<u>\$50.00</u>
<u>No Show/Not Ready</u>	<i><u>*If related to initial inspection, first reinspection will be at no charge</u></i>	<u>\$50.00</u>
<u>After Hours Inspection</u>	<i><u>*Per inspector hour</u></i>	<u>\$100.00</u>
<u>Investigation Inspection (working without permit)</u>	<i><u>*May include citation</u></i>	<u>Two times the permit fee</u>

[Add]

TABLE 107.2.3 OPERATIONAL PERMITTING AND INSPECTION FEES

[Add]

<u>Operational Permitting and Inspections</u>		
<u>Inspection/Permit Type</u>	<u>Additional Information</u>	<u>Fee</u>
<u>Pyrotechnic Display Permit</u>	<i><u>*Per Event</u></i> <i><u>*Unless otherwise coordinated through the Fire Marshal's office, Permits will be issued the morning of the event</u></i> <i><u>*Standby Personnel may be required for event</u></i> <i><u>*Standby Personnel Fees may apply</u></i>	<u>\$100.00</u>
<u>Standby Personnel Fees</u>	<u>Site Supervisor Fee (Per Hour)</u>	<u>\$50.00</u>
	<u>FMO support personnel-Include Vehicle (Per Individual Per Hour)</u>	<u>\$75.00</u>
	<u>Staffed AFD Engine/Ladder- Includes 4 personnel (Per Apparatus Per Hour)</u>	<u>\$225.00</u>

	<u>Staffed AFD Grass Rig-includes 2 personnel (Per Apparatus Per Hour)</u>	<u>\$125.00</u>
	<u>Staffed AFD Fire or Medical ATV-includes 2 personnel (Per Apparatus Per Hour)</u>	<u>\$110.00</u>
	<u>*All Standby Personnel Fees are billed at a 2-hour minimum</u>	
<u>Amusement Permit (Haunted House)</u>	<u>*30-day permit</u>	<u>\$200.00</u>
<u>Flame Effect</u>		<u>\$50.00</u>
<u>Flame Test</u>	<u>*Subject to Standby Personnel Fees based on scope of request</u>	<u>\$50.00</u>
<u>Temp. Membrane Structures, Canopies</u>	<u>200-5,000 Sq Ft</u>	<u>\$100.00</u>
	<u>5,001-10,000 Sq Ft</u>	<u>\$150.00</u>
	<u>10,001 or more Sq Ft</u>	<u>\$50 for each additional 10,000 Sq Ft or fraction thereof over the initial 10,000 Sq Ft</u>
	<u>*Fees based on square footage for structures greater than 200 sq ft</u>	
<u>Mobile Food Unit Inspection/Permit</u>	<u>*Permit is good for one year from date of inspection</u> <u>*Any unit previously approved found in violation will be required to make corrections and will be subject to reinspection with a \$50 fee</u>	<u>\$50.00</u>
<u>Special Events, Exhibits, Trade Shows, Carnival, Fair: Event Host Inspection/Permit</u>	<u>*Permit/Inspection required on any event expecting greater than 2500 attendees or hosting 11 or more cooking locations on site within a single calendar day</u> <u>*All fees must be paid in full, and inspections scheduled prior to event date</u> <u>*A site plan must also be turned into FMO and approved</u> <u>*Standby Personnel may be required for event</u>	<u>\$100 per 2500 expected attendees within a single calendar day</u>
<u>Special Events, Exhibits, Trade Shows, Carnival, Fair: Vendor Inspection/Permit for on-site cooking</u>	<u>Vendor - On-Site Cooking Fee</u>	<u>\$25.00</u>

	<u>Permitted Vendor - On-Site Cooking Fee (Existing Mobile Food Unit vendor with current FMO inspection)</u>	<u>\$0.00</u>
	<u>*Vendor Inspection/Permits are only required if the hosted event requires Inspection/Permit based on expected attendees or number of cooking locations on site</u>	
<u>All Other Operational Permit Types</u>	<u>*Subject to additional fees to cover cost of manpower based on scope of request</u>	<u>\$50.00</u>
<u>First Reinspection Fee</u>	<u>*No charge for first reinspection</u>	<u>\$0.00</u>
<u>Multiple Reinspection Fees</u>	<u>*Each subsequent reinspection after first reinspection</u>	<u>\$50.00</u>
	<u>*Unresolved noncompliance spanning multiple inspections may result in citation</u>	
<u>No Show/Not Ready</u>	<u>*If related to initial inspection, first reinspection will be at no charge</u>	<u>\$50.00</u>
<u>After Hours Inspection</u>	<u>*Per inspector hour</u>	<u>\$100.00</u>

[Strike]

Technology Fee \$11.00

[Amend]

107.6.3 ~~Fire~~ *Inspection fees.* When an inspection request is withdrawn or cancelled by the requestor prior to any inspection action by the City, then eighty (80) percent of the application fee shall be refunded. If the inspection has begun, then no refund shall be granted.

[Amend]

202 Definitions:

ANALOG INTELLIGENT ADDRESSABLE FIRE DETECTION SYSTEM~~Analog-Intelligent Addressable Fire Detection System~~. Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be able for compensating for long term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.

~~CITY FIRE~~ MARSHAL - The fire code official for the City of Amarillo.

STANDBY PERSONNEL. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief or his designee. Charges for utilization shall be as ~~normally calculated by the jurisdiction~~ assessed based on Table 107.2.3.

[Amend]

307.4.2 Recreational Fires. A recreational fire shall not be conducted within the city limits of Amarillo.

[Amend]

308.1.4 *Open-flame cooking and heating devices.* ~~Open-flame~~ cooking devices, heating, outdoor fireplaces, and other similar devices used for any purpose shall not be located or used on combustible balconies, decks or within 10 feet (3048 mm) of combustible construction.

[Amend][Add]

503.1.1 – *Buildings and facilities.* Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. ~~Exception one or two family dwellings, the path of measurement shall be along a minimum of a ten (10') feet wide unobstructed pathway around the external walls of the structure.~~

Exceptions:

1. The fire code official is authorized to increase the dimension of 150 feet (45720) where any of the following conditions occur:
 - 1.1 The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
 - 1.2 Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
 - 1.3 There are not more than two Group R-3 or Group U occupancies.
2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

[Amend] [Add]

901.4.7 Pump and riser room size. ~~{Existing text to remain} ... Minimum riser room size shall be 36 sq ft, with the minimum dimension being 6 feet.~~ Where provided, fire pump rooms and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space free of storage and debris around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Clearances will include a minimum of 36-inch clearance in front of the entire width of the pump or riser, and 12-inch clearance on the remaining three sides shall be provided from all pieces of the assembly. Fire pump and automatic sprinkler system riser rooms shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment.

[Strike]

~~901.4.7.5 Fire protection equipment only. Fire pump and automatic sprinkler system riser rooms shall be limited to equipment that is intended for fire protection and operations.~~

[Add]

903.2 *Where required.* Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided that those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2-hour horizontal assemblies constructed in accordance with Section 711 of the International Building Code, or both.

[Add]

907.6.6 *Monitoring.* Fire alarm systems required by this chapter or by the International Building Code shall be monitored by an approved supervising station in accordance with NFPA 72. See 907.6.3 for the required information transmitted to the supervising station.

Exceptions: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

[Strike]
Corridors

Sec 1020.2 *Construction...* {text unchanged} ..

[Amend]

SECTION 5610 ENFORCEMENT AND SEIZURE OF FIREWORKS

5610.1 *General.* Where the possession, manufacture, storage, sale, handling and use of fireworks is prohibited, Section 5610.1.1 through 5610.1.3 will provide remedy for violation and the destruction of fireworks.

5610.1.1 The ~~fire department,~~ Fire Marshal, City Marshal, and police department are each authorized to seize, and destroy the fireworks seized, inside the city limits in violation of this chapter, in accordance with the following procedures:

1. At the time of seizing illegal fireworks inside the city limits, the Fire Marshal, City Marshal, or police officer shall prepare an inventory of such fireworks and photograph same at the scene. All such photographs shall constitute and be evidence.
2. The Fire Marshal, City Marshal, or police officer shall, by end of the tour of duty during which the fireworks are seized, deposit same into a receptacle dedicated for the purpose by the fire or police department. Such container shall be secure from flames, other sources of ignition, pilfering, and theft.
3. As soon as practicable thereafter, and in accordance with internal orders and procedures of the fire or police chief, all such fireworks shall be destroyed, disabled, or otherwise rendered useless by any safe method, by personnel trained in the handling of explosives or hazardous materials.

5610.1.2 The fire and police chief may adopt reasonable internal regulations and procedures for their respective departments, as necessary to implement this section.

5610.1.3 The seizure of illegal fireworks in violation of Texas Occupations Code, Chapter 2154, shall remain in custody as evidence, with destruction delayed, in accordance with the requirements and procedures of Section 2154.304, of the Texas Occupations Code.

SECTION 5609 TEMPORARY STORAGE OF CONSUMER FIREWORKS—is deleted.

[Strike (repeated section)]

~~5610.1 General. Where the possession, manufacture, storage, sale, handling and use of fireworks is prohibited, Section 5610.1.1 through 5610.1.3 will provide remedy for violation and the destruction of fireworks.~~

~~5610.1.1 The City Marshal or their designee and police department are each authorized to seize, and destroy the fireworks seized, inside the city limits in violation of this chapter, in accordance with the following procedures:~~

- ~~1. At the time of seizing illegal fireworks inside the city limits, the Fire Marshal or police officer shall prepare an inventory of such fireworks and photograph same at the scene. All such photographs shall constitute and be evidence.~~
- ~~2. The Fire Marshal or police officer shall, by end of the tour of duty during which the fireworks are seized, deposit same into a receptacle dedicated for the purpose by the fire or police department. Such container shall be secure from flames, other sources of ignition, pilfering, and theft.~~
- ~~3. As soon as practicable thereafter, and in accordance with internal orders and procedures of the fire or police chief, all such fireworks shall be destroyed, disabled, or otherwise rendered useless by any safe method, by personnel trained in the handling of explosives or hazardous materials.~~

~~5610.1.2 The fire and police chief may adopt reasonable internal regulations and procedures for their respective departments, as necessary to implement this section.~~

~~5610.1.3 The seizure of illegal fireworks in violation of Texas Occupations Code, Chapter 2154, shall remain in custody as evidence, with destruction delayed, in accordance with the requirements and procedures of Section 2154.304, of the Texas Occupations Code.~~

SECTION 10. That Chapter 10-2, Article IV, Section 10-2-56 be hereby amended to now read as follows:

[Amend]

Sec. 10-2-56. - Authorized burns within the corporate city limits.

(a)Preparation:

- (1). Targeted areas for authorized burning will be determined by assessing levels of hazards to the area. An advisory group consisting of the City's Emergency

Management Coordinator, the City of Amarillo Building Official, the City of Amarillo's ~~City~~Fire Marshal, and the Amarillo Fire Chief will make the determination. Final approval for any authorized burn rests with the Amarillo Fire Chief.

SECTION 11. That Chapter 10-2, Article IV, Section 10-2-57 be hearby amended to now read as follows:

[Amend]

Sec. 10-2-57. - Authorized burns within the extraterritorial jurisdiction.

(a)Preparation:

- (1). Targeted areas for authorized burning will be determined by assessing levels of hazards to the area. An advisory group consisting of the City's Emergency Management Coordinator, the Randall or Potter County Fire Chief, The City of Amarillo's ~~City~~ Fire Marshal', and the Amarillo Fire Chief will make the determination. Final approval for any authorized burn rests with the Amarillo Fire Chief.

SECTION 12. That Chapter 10-3, Article VII, Division 1, Section 10-3-102 be hearby amended to now read as follows:

[Amend]

Sec. 10-3-102. - Removal of certain vehicles prohibited.

A person commits an offense if he intentionally or knowingly removes or causes the removal of vehicle from private property, unless it is an unauthorized vehicle or illegally parked vehicle, or at the direction of a police officer, city marshal, fire marshal, animal control officer, or code enforcement officer.

SECTION 13. That Chapter 10-3, Article VII, Division 1, Section 10-3-104 be hearby amended to now read as follows:

[Amend]

Sec. 10-3-104. - Requirements for posting signs.

(e) It is a defense to prosecution under subsection (a) of this section that:

- (1). Before the vehicle was removed, the property owner provided the owner or operator of the vehicle with notice complying with Section 2308.252 of the Texas Occupations Code, and the towing company received written verification from the property owner that the required notice was given; or
- (2). The vehicle was removed by or under the direction of a police officer, city marshal, fire marshal, animal control officer, or code enforcement officer.

SECTION 14. That Chapter 14-4, Article II, Division 1, Section 14-4-19 be hereby amended to now read as follows:

[Amend]

Sec. 14-4-19. - Enforcement.

It shall be the duty of the Chief of Police, Fire Chief, Building Official, Fire Marshal, ~~and City Marshal, of the City~~ and the Director of Public Health to require compliance with the terms of this article.

SECTION 15. That Chapter 16-2, Article V, Section 16-2-82 be hereby amended to now read as follows:

[Amend]

- (a) Fueling and defueling equipment shall be maintained in a safe, nonleaking condition.
- (b) Trucks containing flammable liquids must be equipped with proper ground straps. All ground connections will be in proper working order.
- (c) Any flammable liquid truck found to be in unsafe operating condition shall be placed out of service by the ~~City~~Fire Marshal. No truck so placed out of service shall be operated on the Air Terminal until it has been placed in safe and serviceable condition and approved by the ~~City~~Fire Marshal.

SECTION 16. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of

the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 17. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 18. Continuation. That nothing in this ordinance or any code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance.

SECTION 19. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

SECTION 20. Publishing and Effective Date. This ordinance shall be published and become effective in accordance with law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 25th day of June 2024; and PASSED on Second and Final Reading the 9th day of July 2024.

Cole Stanley, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

ORDINANCE NO. 8140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO TO INCLUDE ESTABLISHING THE FIRE MARSHAL AS THE FIRE CODE OFFICIAL FOR THE CITY OF AMARILLO; AUTHORIZATION OF THE FIRE MARSHAL'S OFFICE TO ENFORCE CERTAIN FIRE AND LIFE SAFETY, CODE ENFORCEMENT, AND BUILDING SAFETY REGULATIONS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AMENDING VARIOUS PORTIONS OF APPLICABLE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council finds that in the interest of fire and life safety, the Fire Marshal is hereby designated as the official responsible for overseeing fire prevention efforts and enforcing the fire code within the City limits and is authorized to take actions necessary to ensure compliance with all fire prevention measures and regulations; and

WHEREAS, the City Council further finds that in order to protect the health, safety, and welfare of the citizens of Amarillo, proper enforcement of the fire code is necessary to prevent fires and ensure compliance with all applicable fire prevention measures; and

WHEREAS, the City Council hereby authorizes the Fire Marshal to conduct inspections, issue notices of violation, and take necessary enforcement actions to address any violations of the fire code discovered within the City limits; and

WHEREAS, the Fire Marshal's Office will employ certified Texas peace officers who, pursuant to state and local law, may cite and arrest for violations of the fire and life safety code, code enforcement, and city ordinance and all other violations of applicable state and local law provisions.

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

SECTION 1. That Chapter 2-6, Article VIII, Section 2-6-72 be hereby amended to now read as follows:

[Amend]

- (c) Hear appeals of decisions by the ~~City~~Fire Marshal; determine the suitability of alternate materials and alternate types of construction; and interpret and recommend changes in the requirements of the Uniform Fire Code as adopted by the City Council.

SECTION 2. That Chapter 2-6, Article VIII, Section 2-6-73 be hereby amended to now read as follows:

[Amend]

Except for appeals related to substandard or dangerous structures, any person who desires to schedule any item before the Construction Advisory and Appeals Commission shall submit a written request to the staff liaison. Appeals of decisions of the Building Official or ~~City~~Fire Marshal shall also include a fifty-dollar (\$50.00) application fee. Such written request shall

include justification for the action requested of the Board. Appeals related to substandard or dangerous structures shall be held in accordance with Chapter 4-3 of this Code.

SECTION 3. That Chapter 2-8, Article V, Section 2-8-136 be hereby amended to now read as follows:

[Amend]

Inspector: Any employee of the Animal Control Department, Code Enforcement Department, City Marshal, Fire Marshal, Health Department and Utility Department who is charged with the enforcement of city ordinances, and any civilian employee of the Police Department responsible for abatement of junk and abandoned vehicle nuisances.

SECTION 4. That Chapter 4-3, Article I, Section 4-3-3 be hereby amended to now read as follows:

[Amend]

(j) Other Authority. Nothing in this section is intended as and shall not be construed as any limitation on the legal authority, right to enter, right to abate, or the procedures related thereto, that may be exercised by the Building Official, City Marshal, Fire Marshal, or other government official acting in the scope of duty, as to any substandard building, or other condition existing on a premises that poses a clear and imminent hazard to human life, health, or safety.

SECTION 5. That Chapter 4-6, Article I, Section 4-6-2 be hereby amended to now read as follows:

[Amend]

Development Review Committee: Staff may include but is not limited to members from Building Safety, Engineering, Environmental Health, ~~City~~Fire Marshal, Parks, Planning, Public Works, and Utilities.

SECTION 6. That Chapter 4-7, Section 4-7-3 be hereby amended to now read as follows:

[Amend]

(8) *Recreational and cooking fires located outside of buildings.* Cooking shelters, barbecue pits, fireplaces, wood-burning stoves and incinerators shall be located, constructed, maintained and used in compliance with the Construction Codes to minimize fire hazards and smoke nuisance, both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities approved by the ~~City~~Fire Marshal. No open fire shall be left unattended. No fuel shall be used which emits dense smoke or objectionable odors.

SECTION 7. That Chapter 8-3, Article V, Section 8-3-116 be hereby amended to now read as follows:

[Amend]

Code Compliance Officer shall mean the Building Official, City Marshal, Fire Marshal, Health Official or their designees.

SECTION 8. That Chapter 8-5, Article IV, Section 8-5-21 be hereby amended to now read as follows:

[Amend]

(c) Mobile Units requirements:

8. All Mobile Food Units must be constructed and maintained in accordance with the following ~~City~~Fire Marshal requirements:

i. All Mobile Food Units permitted after the effective date of this section of the rule, must have approved ventilation and an automatic extinguishing system by the ~~City~~Fire Marshal's office. All previously approved Mobile Food Units that are determined to be non-compliant with (a) & (b) in this section must comply with the following:

i. Mobile Food Unit must be located at least fifty (50) feet from any structure or unattended automobile;

ii. All ventilation and fire suppression must obtain approval from the ~~City~~Fire Marshal's Office by October 1 st , 2020; and

SECTION 9. That Ordinance 8084 and Chapter 10-2, Article II, Section 10-2-16 be hearby amended to now read as follows:

[Amend}

Sec. 10-2-16. - Fire code adopted; amendments.

Code adopted. There is hereby adopted the 2021 edition of the International Fire Code, (published by the International Code Council), including Appendices B, C, and D with the following amendments, copies of which shall be maintained by the ~~City~~Fire Marshal and Building Official:

[Amend][Add]

107.2.1 *Fees for Required Inspections and Permits.* An occupancy inspection is required from the City Fire Marshal for obtaining a license or approval from any agency other than the City of Amarillo to engage in an activity, operation, practice or function will be charged a fee or fees as outlined in Table ~~113.2.1~~ 107.2.1 The fee(s) shall be paid at the time of request and prior to any inspection being performed. Construction permitting and inspections as required by the City of Amarillo from the Fire Marshal will be charged a fee or fees as outlined in Table 107.2.2. The fee(s) shall be paid at the time of request and prior to any inspection being performed. A Operational permits required from the City Fire Marshal will require a fee or fees as outlined in Table ~~113.2.2~~ 107.2.3. The fee(s) shall be paid at the time of permit application.

(a) An \$11.00 Technology Fee will be added for any online transaction or fee(s) paid via credit card.

(b) All fees stated herein will increase annually on October 1 of each year by three (3) percent or consumer Price Index (CPI), whichever is greater. Fees will be rounded up to a whole dollar amount.

(c) New fee structure will be effective starting Oct 1, 2024

[Amend]

TABLE 107.2.1 OCCUPANCY INSPECTION FEES

[Strike]

	Occupant Load	Fee
All childcare facility inspections		\$100.00

	Over 150	\$80.00 for first 150 plus \$40.00 For each additional 100 or fraction thereof
Foster/Group Home/Shelter **	1 to 5	\$50.00
	6 and up	\$100.00
Nursing Homes	Up to 50 beds	\$200.00
	51 to 100 beds	\$250.00
	101+	\$300.00
Hospitals	Up to 200 beds	\$350.00
	101+	\$600.00
Assembly/Other	Up to 5000 sq. ft	\$50.00
	5001 — 10,000	\$100.00
	10,001 — 50,000	\$125.00
	50,001 — 100,000	\$150.00
	Over 100,000	200.00 plus \$50.00 for each additional 25,000 sq ft
	Re-inspection-	No charge for 1 st inspection \$25.00 for 2 nd inspection \$50.00 for subsequent inspections
Mobile food unit inspection		\$50.00
Hotel/Apartment Inspections		\$200.00 biennially
Fire final Inspection		\$50.00
— Re-inspection/no show/ Not ready		\$50.00
Variance request application		\$100.00
After hours Inspection		\$100.00 per inspector per hour
Investigation Inspection working without a permit)		Two times the permit fee

** (additional \$10 for more than 1 home from same applicant)

[Add]

<u>Occupancy Inspections</u>		
<u>Inspection Type</u>	<u>Occupant Load/Additional Information</u>	<u>Fee</u>
All Childcare Facilities	Up to 150 occupants	\$100.00
	Over 150 occupants	\$40 for each additional 100 occupants or fraction thereof
Adult Daycare Centers	Up to 150 occupants	\$100.00
	Over 150 occupants	\$40 for each additional 100 occupants or fraction thereof
Foster/Group Home/Shelter	1-5 occupants	\$50.00
	6-15 occupants	\$100.00
	Multiple Home/Shelter Inspections	\$50 or \$100 (plus \$10 per home/shelter within the same zip code with a max of 10 homes/shelters per inspection request)
	*Initial fee based on occupant fee plus additional home/shelter fees	
Nursing Homes	50 or less beds	\$200.00
	51 to 100 beds	\$250.00
	101 or more beds	\$300.00

<u>Hospitals</u>	<u>200 beds or less</u>	<u>\$350.00</u>
	<u>201 or more beds</u>	<u>\$600.00</u>
<u>Other Facilities/Occupancies</u>	<u>5,000 Sq Ft or less</u>	<u>\$100.00</u>
	<u>5,001-10,000 Sq Ft</u>	<u>\$150.00</u>
	<u>10,001-50,000 Sq Ft</u>	<u>\$200.00</u>
	<u>50,001-100,000 Sq Ft</u>	<u>\$250.00</u>
	<u>100,001 Sq Ft or more</u>	<u>\$100 for each additional 25,000 Sq Ft or fraction thereof over 100,000 Sq Ft</u>
<u>Hotel/Apartment Inspection</u>	<u>5,000 Sq Ft or less</u>	<u>\$100.00</u>
	<u>5,001-10,000 Sq Ft</u>	<u>\$150.00</u>
	<u>10,001-50,000 Sq Ft</u>	<u>\$200.00</u>
	<u>50,001-100,000 Sq Ft</u>	<u>\$250.00</u>
	<u>100,001 Sq Ft or more</u>	<u>\$100 for each additional 25,000 Sq Ft or fraction thereof over 100,000 Sq Ft</u>
	<u>*Required biennially</u>	
<u>First Reinspection Fee</u>	<u>*No charge for first reinspection</u>	<u>\$0.00</u>
<u>Multiple Reinspection Fees</u>	<u>*Each subsequent reinspection after first reinspection</u>	<u>\$50.00</u>
	<u>*Unresolved noncompliance spanning multiple inspections may result in citation</u>	
<u>No Show/Not Ready</u>	<u>*If related to initial inspection, first reinspection will be at no charge</u>	<u>\$50.00</u>
<u>After Hours Inspection</u>	<u>*Per inspector hour</u>	<u>\$100.00</u>

[Amend]

TABLE 107.2.2 PERMIT FEES CONSTRUCTION PERMITTING AND INSPECTION FEES

[Strike]

<u>Operational Permits</u>	<u>\$0.00 application fee</u>
<u>Pyrotechnic display</u>	<u>\$100.00 per event</u>
<u>Amusement (Haunted house)</u>	<u>\$100.00 every 30 days</u>
<u>Flame effect\$50</u>	<u>\$50.00</u>
<u>Temp. membrane structures, canopies, special event, carnival, fair</u>	<u>\$100.00</u>
	<u>\$100.00 — cooking on site</u>
	<u>\$50.00 — No cooking on site</u>
<u>All other operational permit types</u>	<u>Application fee only</u>

[Add]

<u>Construction Permitting and Inspections</u>		
<u>Inspection/Permit Type</u>	<u>Additional Information</u>	<u>Fee</u>
<u>Construction Permit Application Fee</u>	<u>*All other inspection fees are in addition to the initial construction permit fee</u>	<u>\$100.00</u>
	<u>*Per submittal of same type systems for the same occupancy</u>	

<u>Fire Alarm</u>	<u>25 devices or less</u>	<u>\$100.00</u>
	<u>26-100 devices</u>	<u>\$150.00</u>
	<u>101-300</u>	<u>\$200.00</u>
	<u>301 or more devices</u>	<u>\$250.00</u>
	<u>*Per Panel</u> <u>*Wiring and sprinkler diagrams (thumb drive or blueprints) shall be accessible in the panel</u>	
<u>Fire Sprinkler</u>	<u>1-19 (New system only)</u>	<u>\$100.00</u>
	<u>20-100</u>	<u>\$150.00</u>
	<u>101-300 heads</u>	<u>\$225.00</u>
	<u>301 or more heads</u>	<u>\$350.00</u>
	<u>*Per Riser</u>	
<u>Fire Pumps and related equipment</u>	<u>*Per Pump</u>	<u>\$100.00</u>
<u>Private Hydrants/Fire Main and PIV</u>	<u>*Per Hydrant</u>	<u>\$100.00</u>
<u>Underground (Hydro)</u>	<u>*Per Inspection</u>	<u>\$100.00</u>
	<u>*No additional application fee</u>	
<u>Standpipe System (Standalone)</u>	<u>*Per System</u>	<u>\$100.00</u>
<u>Vent Hood System</u>	<u>*Per System</u>	<u>\$100.00</u>
<u>Clean Agent Suppression System</u>	<u>*Applies to systems up to 2500 sq ft of coverage.</u>	<u>\$100.00</u>
	<u>*Systems greater than 2500 sq ft will be calculated as a "Fire Sprinkler"</u>	
<u>Paint Booth</u>	-	<u>\$100.00</u>
<u>Emergency Responder Radio Coverage System (ERCES, BDA, DAS)</u>	<u>1-10,000 Sq Ft</u>	<u>\$100.00</u>
	<u>10,001-50,000 Sq Ft</u>	<u>\$150.00</u>
	<u>50,001-100,000 Sq Ft</u>	<u>\$250.00</u>
	<u>100,001 Sq Ft or more</u>	<u>\$100 for each additional 25,000 Sq Ft or fraction thereof over 100,000 Sq Ft</u>
<u>Resubmittal Fees</u>	<u>*Per Plan Resubmittal</u>	<u>\$50.00</u>
	<u>*Fee may be waved based on man hours already committed to the project</u>	
<u>As-Builts</u>	<u>*Per Plan Submittal</u>	<u>\$0.00</u>
<u>Phase Inspection</u>	<u>*Per Additional Phase</u>	<u>\$50.00</u>
<u>Visual Inspection Prior to Acceptance Test</u>	<u>*Per Inspection</u>	<u>\$50.00</u>
	<u>*No additional application fee</u>	
<u>Final Fire Inspection for Certificate of Occupancy</u>	<u>5,000 Sq Ft or less</u>	<u>\$50.00</u>
	<u>5,001-10,000 Sq Ft</u>	<u>\$100.00</u>
	<u>10,001-50,000 Sq Ft</u>	<u>\$150.00</u>
	<u>50,001-100,000 Sq Ft</u>	<u>\$200.00</u>
	<u>100,001 Sq Ft or more</u>	<u>\$100 for each additional 25,000 Sq Ft or fraction thereof over 100,000 Sq Ft</u>

<u>All Other Construction Permit Types</u>	<u>*Subject to additional fees to cover cost of manpower based on scope of request</u>	<u>\$100.00</u>
<u>Variance Request Application</u>	<u>*Application does not guarantee approval</u>	<u>\$100.00</u>
<u>First Reinspection Fee</u>	<u>*No charge for first reinspection</u> -	<u>\$0.00</u>
<u>Multiple Reinspection Fees</u>	<u>*Each subsequent reinspection after first reinspection</u> <u>*Unresolved noncompliance spanning multiple inspections may result in citation</u>	<u>\$50.00</u>
<u>No Show/Not Ready</u>	<u>*If related to initial inspection, first reinspection will be at no charge</u>	<u>\$50.00</u>
<u>After Hours Inspection</u>	<u>*Per inspector hour</u>	<u>\$100.00</u>
<u>Investigation Inspection (working without permit)</u>	<u>*May include citation</u>	<u>Two times the permit fee</u>

[Add]

TABLE 107.2.3 OPERATIONAL PERMITTING AND INSPECTION FEES

[Add]

<u>Operational Permitting and Inspections</u>		
<u>Inspection/Permit Type</u>	<u>Additional Information</u>	<u>Fee</u>
<u>Pyrotechnic Display Permit</u>	<u>*Per Event</u> <u>*Unless otherwise coordinated through the Fire Marshal's office, Permits will be issued the morning of the event</u> <u>*Standby Personnel may be required for event</u> <u>*Standby Personnel Fees may apply</u>	<u>\$100.00</u>
<u>Standby Personnel Fees</u>	<u>Site Supervisor Fee (Per Hour)</u> <u>FMO support personnel-Include Vehicle (Per Individual Per Hour)</u> <u>Staffed AFD Engine/Ladder- Includes 4 personnel (Per Apparatus Per Hour)</u> <u>Staffed AFD Grass Rig-includes 2 personnel (Per Apparatus Per Hour)</u> <u>Staffed AFD Fire or Medical ATV- includes 2 personnel (Per Apparatus Per Hour)</u> <u>*All Standby Personnel Fees are billed at a 2-hour minimum</u>	<u>\$50.00</u> <u>\$75.00</u> <u>\$225.00</u> <u>\$125.00</u> <u>\$110.00</u>
<u>Amusement Permit (Haunted House)</u>	<u>*30-day permit</u>	<u>\$200.00</u>
<u>Flame Effect</u>		<u>\$50.00</u>
<u>Flame Test</u>	<u>*Subject to Standby Personnel Fees based on scope of request</u>	<u>\$50.00</u>

<u>Temp. Membrane Structures, Canopies</u>	<u>200-5,000 Sq Ft</u>	<u>\$100.00</u>
	<u>5,001-10,000 Sq Ft</u>	<u>\$150.00</u>
	<u>10,001 or more Sq Ft</u>	<u>\$50 for each additional 10,000 Sq Ft or fraction thereof over the initial 10,000 Sq Ft</u>
	<u>*Fees based on square footage for structures greater than 200 sq ft</u>	
<u>Mobile Food Unit Inspection/Permit</u>	<u>*Permit is good for one year from date of inspection</u>	<u>\$50.00</u>
	<u>*Any unit previously approved found in violation will be required to make corrections and will be subject to reinspection with a \$50 fee</u>	
<u>Special Events, Exhibits, Trade Shows, Carnival, Fair: Event Host Inspection/Permit</u>	<u>*Permit/Inspection required on any event expecting greater than 2500 attendees or hosting 11 or more cooking locations on site within a single calendar day</u> <u>*All fees must be paid in full, and inspections scheduled prior to event date</u> <u>*A site plan must also be turned into FMO and approved</u> <u>*Standby Personnel may be required for event</u>	<u>\$100 per 2500 expected attendees within a single calendar day</u>
<u>Special Events, Exhibits, Trade Shows, Carnival, Fair: Vendor Inspection/Permit for on-site cooking</u>	<u>Vendor - On-Site Cooking Fee</u>	<u>\$25.00</u>
	<u>Permitted Vendor - On-Site Cooking Fee (Existing Mobile Food Unit vendor with current FMO inspection)</u> <u>*Vendor Inspection/Permits are only required if the hosted event requires Inspection/Permit based on expected attendees or number of cooking locations on site</u>	<u>\$0.00</u>
<u>All Other Operational Permit Types</u>	<u>*Subject to additional fees to cover cost of manpower based on scope of request</u>	<u>\$50.00</u>
<u>First Reinspection Fee</u>	<u>*No charge for first reinspection</u>	<u>\$0.00</u>
<u>Multiple Reinspection Fees</u>	<u>*Each subsequent reinspection after first reinspection</u>	<u>\$50.00</u>
	<u>*Unresolved noncompliance spanning multiple inspections may result in citation</u>	
<u>No Show/Not Ready</u>	<u>*If related to initial inspection, first reinspection will be at no charge</u>	<u>\$50.00</u>
<u>After Hours Inspection</u>	<u>*Per inspector hour</u>	<u>\$100.00</u>

~~[Strike]~~
Technology Fee \$11.00

~~[Amend]~~

107.6.3 ~~Fire Inspection fees.~~ When an inspection request is withdrawn or cancelled by the requestor prior to any inspection action by the City, then eighty (80) percent of the application fee shall be refunded. If the inspection has begun, then no refund shall be granted.

[Amend]

202 Definitions:

ANALOG INTELLIGENT ADDRESSABLE FIRE DETECTION SYSTEM~~Intelligent Addressable Fire Detection System~~^{Analog}. Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be able for compensating for long term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.

~~CITY FIRE~~ MARSHAL - The fire code official for the City of Amarillo.

STANDBY PERSONNEL. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief or his designee. Charges for utilization shall be as ~~normally calculated by the jurisdiction~~^{assessed based on Table 107.2.3.}

[Amend]

307.4.2 Recreational Fires. A recreational fire shall not be conducted within the city limits of Amarillo.

[Amend]

308.1.4 *Open-flame cooking and heating devices.* ~~Open-flame cooking devices, heating, outdoor fireplaces, and other similar devices used for any purpose shall not be located or used on combustible balconies, decks or within 10 feet (3048 mm) of combustible construction.~~

[Amend][Add]

503.1.1 – *Buildings and facilities.* Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. ~~Exception one or two family dwellings, the path of measurement shall be along a minimum of a ten (10') feet wide unobstructed pathway around the external walls of the structure.~~

Exceptions:

1. The fire code official is authorized to increase the dimension of 150 feet (45720) where any of the following conditions occur:
 - 1.1 The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
 - 1.2 Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
 - 1.3 There are not more than two Group R-3 or Group U occupancies.
2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

[Amend] [Add]

901.4.7 Pump and riser room size. ~~{Existing text to remain} ... Minimum riser room size shall be 36 sq ft, with the minimum dimension being 6 feet.~~ Where provided, fire pump rooms and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space free of storage and debris around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Clearances will include a minimum of 36-inch clearance in front of the entire width of the pump or riser, and 12-inch clearance on the remaining three sides shall be provided from all pieces of the assembly. Fire pump and automatic sprinkler system riser rooms shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment.

[Strike]

~~901.4.7.5 Fire protection equipment only. Fire pump and automatic sprinkler system riser rooms shall be limited to equipment that is intended for fire protection and operations.~~

[Add]

903.2 *Where required.* Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided that those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2-hour horizontal assemblies constructed in accordance with Section 711 of the International Building Code, or both.

[Add]

907.6.6 *Monitoring.* Fire alarm systems required by this chapter or by the International Building Code shall be monitored by an approved supervising station in accordance with NFPA 72. See 907.6.3 for the required information transmitted to the supervising station.

Exceptions: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

[Strike]

Corridors

Sec 1020.2 *Construction...* {text unchanged} ..

[Amend]

SECTION 5610
ENFORCEMENT AND SEIZURE OF FIREWORKS

5610.1 *General.* Where the possession, manufacture, storage, sale, handling and use of fireworks is prohibited, Section 5610.1.1 through 5610.1.3 will provide remedy for violation and the destruction of fireworks.

5610.1.1 The ~~fire department~~, Fire Marshal, City Marshal, and police department are each authorized to seize, and destroy the fireworks seized, inside the city limits in violation of this chapter, in accordance with the following procedures:

1. At the time of seizing illegal fireworks inside the city limits, the Fire Marshal, City Marshal, or police officer shall prepare an inventory of such fireworks and photograph same at the scene. All such photographs shall constitute and be evidence.
2. The Fire Marshal, City Marshal, or police officer shall, by end of the tour of duty during which the fireworks are seized, deposit same into a receptacle dedicated for the purpose by the fire or police department. Such container shall be secure from flames, other sources of ignition, pilfering, and theft.
3. As soon as practicable thereafter, and in accordance with internal orders and procedures of the fire or police chief, all such fireworks shall be destroyed, disabled, or otherwise rendered useless by any safe method, by personnel trained in the handling of explosives or hazardous materials.

5610.1.2 The fire and police chief may adopt reasonable internal regulations and procedures for their respective departments, as necessary to implement this section.

5610.1.3 The seizure of illegal fireworks in violation of Texas Occupations Code, Chapter 2154, shall remain in custody as evidence, with destruction delayed, in accordance with the requirements and procedures of Section 2154.304, of the Texas Occupations Code.

SECTION 5609 TEMPORARY STORAGE OF CONSUMER FIREWORKS—is deleted.

[Strike (repeated section)]

~~5610.1 *General.* Where the possession, manufacture, storage, sale, handling and use of fireworks is prohibited, Section 5610.1.1 through 5610.1.3 will provide remedy for violation and the destruction of fireworks.~~

~~5610.1.1 The City Marshal or their designee and police department are each authorized to seize, and destroy the fireworks seized, inside the city limits in violation of this chapter, in accordance with the following procedures:~~

- ~~1. At the time of seizing illegal fireworks inside the city limits, the Fire Marshal or police officer shall prepare an inventory of such fireworks and photograph same at the scene. All such photographs shall constitute and be evidence.~~
- ~~2. The Fire Marshal or police officer shall, by end of the tour of duty during which the fireworks are seized, deposit same into a receptacle dedicated for the purpose by the fire or police department. Such container shall be secure from flames, other sources of ignition, pilfering, and theft.~~
- ~~3. As soon as practicable thereafter, and in accordance with internal orders and procedures of the fire or police chief, all such fireworks shall be destroyed, disabled, or otherwise rendered useless by any safe method, by personnel trained in the handling of explosives or hazardous materials.~~

~~5610.1.2 The fire and police chief may adopt reasonable internal regulations and procedures for their respective departments, as necessary to implement this section.~~

~~5610.1.3 The seizure of illegal fireworks in violation of Texas Occupations Code, Chapter 2154, shall remain in custody as evidence, with destruction delayed, in accordance with the requirements and procedures of Section 2154.304, of the Texas Occupations Code.~~

SECTION 10. That Chapter 10-2, Article IV, Section 10-2-56 be hereby amended to now read as follows:

[Amend]

Sec. 10-2-56. - Authorized burns within the corporate city limits.

(a)Preparation:

- (1). Targeted areas for authorized burning will be determined by assessing levels of hazards to the area. An advisory group consisting of the City's Emergency Management Coordinator, the City of Amarillo Building Official, the City of Amarillo's ~~City~~ Fire Marshal, and the Amarillo Fire Chief will make the determination. Final approval for any authorized burn rests with the Amarillo Fire Chief.

SECTION 11. That Chapter 10-2, Article IV, Section 10-2-57 be hereby amended to now read as follows:

[Amend]

Sec. 10-2-57. - Authorized burns within the extraterritorial jurisdiction.

(a)Preparation:

- (1). Targeted areas for authorized burning will be determined by assessing levels of hazards to the area. An advisory group consisting of the City's Emergency Management Coordinator, the Randall or Potter County Fire Chief, The City of Amarillo's ~~City~~ Fire Marshal, and the Amarillo Fire Chief will make the determination. Final approval for any authorized burn rests with the Amarillo Fire Chief.

SECTION 12. That Chapter 10-3, Article VII, Division 1, Section 10-3-102 be hereby amended to now read as follows:

[Amend]

Sec. 10-3-102. - Removal of certain vehicles prohibited.

A person commits an offense if he intentionally or knowingly removes or causes the removal of vehicle from private property, unless it is an unauthorized vehicle or illegally parked vehicle, or at the direction of a police officer, city marshal, fire marshal, animal control officer, or code enforcement officer.

SECTION 13. That Chapter 10-3, Article VII, Division 1, Section 10-3-104 be hereby amended to now read as follows:

[Amend]

Sec. 10-3-104. - Requirements for posting signs.

(e) It is a defense to prosecution under subsection (a) of this section that:

- (1). Before the vehicle was removed, the property owner provided the owner or operator of the vehicle with notice complying with Section 2308.252 of the Texas Occupations Code, and the towing company received written verification from the property owner that the required notice was given; or
- (2). The vehicle was removed by or under the direction of a police officer, city marshal, fire marshal, animal control officer, or code enforcement officer.

SECTION 14. That Chapter 14-4, Article II, Division 1, Section 14-4-19 be hereby amended to now read as follows:

[Amend]

Sec. 14-4-19. - Enforcement.

It shall be the duty of the Chief of Police, Fire Chief, Building Official, Fire Marshal, and City Marshal, ~~of the City~~ and the Director of Public Health to require compliance with the terms of this article.

SECTION 15. That Chapter 16-2, Article V, Section 16-2-82 be hereby amended to now read as follows:

[Amend]

- (a) Fueling and defueling equipment shall be maintained in a safe, nonleaking condition.
- (b) Trucks containing flammable liquids must be equipped with proper ground straps. All ground connections will be in proper working order.
- (c) Any flammable liquid truck found to be in unsafe operating condition shall be placed out of service by the ~~City~~ Fire Marshal. No truck so placed out of service shall be operated on the Air Terminal until it has been placed in safe and serviceable condition and approved by the ~~City~~ Fire Marshal.

SECTION 16. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 17. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

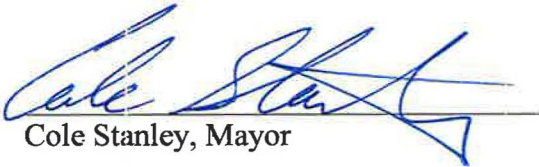
SECTION 18. Continuation. That nothing in this ordinance or any code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired,

or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance.

SECTION 19. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

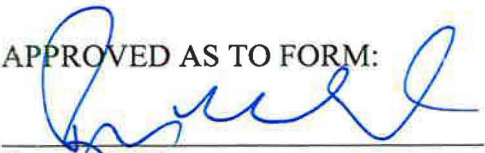
SECTION 20. Publishing and Effective Date. This ordinance shall be published and become effective in accordance with law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 25th day of June 2024; and PASSED on Second and Final Reading the 9th day of July 2024.


Cole Stanley, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney