

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. 16-22

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE II, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TO PROVIDE FOR THE ADOPTION OF THE 2021 EDITION OF THE *INTERNATIONAL BUILDING CODE* AND LOCAL AMENDMENTS THERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known as the "International Codes"); and,

WHEREAS, the *International Building Code* has been prepared by the ICC, and in addition to review by the North Central Texas Council of Governments (NCTCOG), has been reviewed by Town staff; and,

WHEREAS, the current building code in the Town is the 2018 edition of the *International Building Code*, and the Town's building code should be updated to the most current published building code available; and,

WHEREAS, the 2021 edition of the *International Building Code* is the most current published code available that addresses the general design and construction aspects of all buildings in the Town, except one- and two-family dwellings and townhouses (which are covered by the *International Residential Code*); and,

WHEREAS, the Town Council of the Town of Flower Mound has determined that it is in the best interest of the citizens of the Town of Flower Mound to update and adopt the 2021 edition of the *International Building Code* and has determined that this will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public; and,

WHEREAS, the Town Council of the Town of Flower Mound further desires to adopt certain local amendments to such Code reflecting the unique needs of the Town of Flower Mound;

NOW, THEREFORE, BE IT ORDAINED (RESOLVED) BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

All of the above premises are found to be true and correct factual and legislative determinations of the Town of Flower Mound and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

From and after the effective date of this Ordinance, Section 14-31 of the Code of Ordinances of the Town of Flower Mound, entitled "International Building Code Adopted," is hereby repealed and replaced with the following provision:

"Sec. 14-31. International Building Code Adopted"

The *International Building Code*, 2021 edition, a copy of which is on file in the office of the town secretary, is hereby adopted and designated as the building code of the town, the same as though the provisions of the *International Building Code*, 2021 edition, were copied at length in this section, subject to the deletions, amendments, and additions provided in section 14-32."

SECTION 3

From and after the effective date of this Ordinance, Section 14-32 of the Code of Ordinances of the Town of Flower Mound, entitled "Amendments to International Building Code," is hereby repealed and replaced with a new Section 14-32, also entitled "Local Amendments to International Building Code," to read as follows:

"Sec. 14-32. Local Amendments to International Building Code"

The building code adopted in section 14-31 is hereby amended as follows, and all sections not expressly amended remain in full force and effect.

- (a) Section 101.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 101.1. Title. These regulations shall be known as the Building Code of The Town of Flower Mound, hereinafter referred to as "this code."

- (b) Section 101.4 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 101.4. Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this

code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said codes and standards shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted and amended.

- (c) Section 101.4.8 of the *International Building Code*, 2021 edition, is hereby added to read as follows:

Section 101.4.8. Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

- (d) Section 103 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

**Section 103
DEPARTMENT OF BUILDING INSPECTIONS**

- (e) Section 103.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 103.1. Creation of enforcement agency. The Department of Building Inspections is hereby created and the official in charge thereof shall be known as the *building official*.

- (f) Section 104.2.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 104.2.1. Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. Deleted.

- (g) Section 104.10.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 104.10.1. Flood hazard areas. Deleted.

- (h) Section 105.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 105.1. Required. Any owner, contractor, or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the

occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or causes any such work to be done, shall first make application to the *building official* and obtain the required *permits*.

It shall be the responsibility of any person, firm, or corporation, upon submittal of an application for a building permit for work regulated by this code, to register as a contractor with the Town of Flower Mound. The registration form must be submitted prior to or with the permit application. Said registration shall become null and void one year from the date of registration with the Town. An appropriate fee for registration shall be assessed in accordance with the provisions of Appendix A of the Code of Ordinances of the Town of Flower Mound.

Any contractor registration regulated by this code may be placed on hold or suspended by the *building official*, thereby preventing any additional *permits* being issued to the contractor or applicant, if it is determined by the *building official* that corrective action is needed for compliance with the requirements of Chapter 18, Article II, Section 18-32. If any contractor registration regulated by this code is suspended, the procedures outlined in Chapter 18, Article II, shall apply. Any registration placed on hold more than three times in a calendar year may be subject to suspension by the *building official*.

- (i) Section 105.2 of the *International Building Code*, 2021 edition, is hereby amended by deleting Item Nos. 1, 2, 6, 10 and 12, from the list of items that are exempt from building permit requirements.
- (j) Section 105.5 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 105.5. Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. For this section, *suspended* or *abandoned* will be defined as an elapsed time of 180 days between any two approved required inspections. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing, and justifiable cause demonstrated. Once a *permit* becomes invalid and before such building or work can be recommenced, a new *permit* shall first be obtained to do so, and the fee therefor shall be one-half the amount required for a new *permit* for such

building or work, provided no changes have been made or will be made in the previously submitted and approved plans and specifications for such building or work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a *permit* after expiration of more than one year, the permittee shall pay a new full *permit* fee.

- (k) Section 109.4 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 109.4. Work commencing before permit issuance. Whenever work for which a *permit* is required by this code has been commenced without first obtaining a *permit*, a special investigation shall be made before a permit may be issued for such work. Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to a citation and/or an investigation fee equal to the total permit fee for that project, and this citation and/or investigation fee shall be in addition to the required permit fees. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law for performing work without the required permit(s).

- (l) Section 110.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 110.1. General. Construction or work for which a *permit* is required shall be subject to inspection by the *building official*, and such work shall remain visible and able to be accessed for inspection purposes until approved. Before any inspection is approved, all rights-of-way, streets, and alleys shall be clean and clear of mud, sand, concrete, and building materials. All trash, construction debris, and construction material on site shall be contained. In addition to the above requirements, toilet facilities shall be provided for construction workers, and such facilities shall be maintained in a sanitary condition. Construction-worker toilet facilities of the non-sewer type shall conform to ANSI Z4.3. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner, contractor, or the owner's authorized agent to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *building official* nor the jurisdiction shall be liable for expense

entailed in the removal or replacement of any material required to allow inspection.

- (m) Section 110.3.5 of the *International Building Code*, 2021 edition, is hereby amended by deleting the exception to such Section as follows:

Section 110.3.5. Lath and gypsum board inspection. Exception:
Deleted.

- (n) Section 110.3.12 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 110.3.12. Final inspection. The final inspection shall be made after all work required by the building *permit* is completed. No building or structure or any portion of a building or structure shall be occupied by persons or possessions without first receiving final inspection and approval from the *building official*.

- (o) Section 110.7 of the *International Building Code*, 2021 edition, is hereby added to read as follows:

Section 110.7. Inspections on high-rise buildings. All inspections required by Section 110 for the construction of a new high-rise building shall be performed by a third-party inspection firm selected and engaged by the *building official*. The applicant of the permit shall pay to the Town a fee to cover the entire expense of the third-party inspections in accordance with the provisions of Appendix A of the Code of Ordinances of the Town of Flower Mound.

- (p) Section 111.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 111.1. Use and Occupancy. No building or structure shall be used or occupied by persons or possessions, and no change in the existing occupancy classification or change in tenant or change in business name or ownership of a building or structure or portion thereof shall be made until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

- (q) Section 113.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 113.1. General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The members of the Flower Mound Board of Adjustment are hereby appointed to serve as the Board of Appeals as provided by the *International Building Code*, 2021 edition. Any changes in membership of the Flower Mound Board of Adjustment shall likewise be reflected in the membership of said Board of Appeals.

- (r) Section 202 of the *International Building Code*, 2021 edition, is hereby amended by amending the definitions of “ambulatory health care facility”, “assisted living facilities”, “atrium”, “high-rise building”, “special inspector” and creating a new definition for “construction trash and debris” to read as follows, each of which definitions shall be inserted into the list of definitions to replace the amended definition or add a new definition in alphabetical order:

Section 202. Definitions. {Text of existing definitions save and except to the extent specifically amended hereby remains unchanged.}

AMBULATORY 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

ASSISTED LIVING FACILITIES. A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

ATRIUM. An opening connecting three or more stories... *{Balance remains unchanged}*.

CONSTRUCTION TRASH AND DEBRIS. Any material generated by or from a construction site that has no useful purpose as determined by the administrative authority.

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

SPECIAL INSPECTOR. A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

- (s) Section 303.1.3 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy, except when applying the assembly requirements of Chapter 10 and 11.

- (t) Section 304.1 of the *International Building Code*, 2021 edition, is hereby amended by adding the following new occupancies to the list of business occupancies for Business Group B, which new occupancies shall be inserted therein in alphabetical order:

Section 304.1. Business Group B. {List of existing occupancies remains unchanged.}

Fire Stations

Police Stations with detention for 5 or less

- (u) Section 307.1.1 of the *International Building Code*, 2021 edition, is hereby amended by adding a sentence to the end of Exception No. 4 to read as follows:

Section 307.1.1. High Hazard Group H. Exception: 4. {existing text remains unchanged} ... See also IFC chapter 21, Dry Cleaning Plant provisions.

- (v) Section 403.1 of the *International Building Code*, 2021 edition, is hereby amended by deleting Exception No. 3 in its entirety and providing a new Exception No. 3 to read as follows:

Section 403.1. Applicability. Exception 3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.6.

- (w) Section 403.3 of the *International Building Code*, 2021 edition, is hereby amended by deleting the Exception as follows:

Section 403.3. Automatic sprinkler systems. Exception. Deleted.

- (x) Section 403.3.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 403.3.2 Water supply to required fire pumps. In buildings that are more than 120 feet (36.5 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

- (y) Section 404.5 of the *International Building Code*, 2021 edition, is hereby amended by deleting Exception No. 1 and No. 2 in its entirety as follows:

Section 404.5. Smoke control. Exception No. 1 and No. 2: Deleted.

- (z) Section 406.3.3.1 of the *International Building Code*, 2021 edition, is hereby amended by adding a sentence to read as follows:

Section 406.3.3.1. Carport separation. *{existing text remains unchanged}*
...A separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048mm).

- (aa) Table 506.2 of the *International Building Code*, 2021 edition, is hereby amended by deleting footnote i. in its entirety read as follows:

Table 506.2 Allowable Area Factor in Square Feet. Footnote i.: Deleted.

- (bb) Section 506.3.1 of the *International Building Code*, 2021 edition, is hereby amended by adding a sentence to the end of the existing text to read as follows:

Section 506.3.1. Minimum percentage of perimeter. *{existing text remains unchanged}* ... In order to be considered as accessible, if not in direct contact with a street or an *approved fire lane*, a minimum 10-foot-wide pathway meeting fire department access from the street or *approved fire lane* shall be provided.

- (cc) Section 602.1.1 of the International Building Code, 2021 edition, is hereby amended by adding a sentence to read as follows:

Section 602.1.1. Minimum requirements. *{existing text remains unchanged}* ..._Where a building contains more than one distinct type of construction, the building shall comply with the most restrictive area, height, and stories, for the lesser type of construction or be separated by fire walls.

- (dd) Section 708.4.2 of the *International Building Code*, 2021 edition, is hereby amended by adding a sentence to read as follows:

Section 708.4.2 Fireblocks and draftstops in combustible construction. Exception 1. *{existing text remains unchanged}* ... Portions of buildings containing concealed spaces filled with noncombustible insulation as permitted for sprinkler omission shall not apply to this exception for draftstopping.

- (ee) Section 712.1.9 of the *International Building Code*, 2021 edition, is hereby amended by replacing No. 4 to read as follows:

Section 712.1.9 Two-story opening. 4. Is not open to a corridor in Group I and H occupancies

- (ff) Section 718.3 of the *International Building Code*, 2021 edition, is hereby amended by to read as follows:

Section 718.3 Draftstopping in floors. Exception. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

- (gg) Section 718.4 of the *International Building Code*, 2021 edition, is hereby amended by to read as follows:

Section 718.4 Draftstopping in attics. Exception. Buildings equipped throughout with an automatic sprinkler system in accordance with Section

903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

- (hh) Section 901.6.1.1. of the *International Building Code*, 2021 edition, is hereby added to read as follows:

Section 901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed when foreign material is present, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall: connect hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly; confirm that there are no open hose valves prior to introducing water into a dry standpipe; there is no required pressure criteria at the outlet; verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDCs as required by the fire code official.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (fire code official) shall be followed.

7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.

8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

9. Contact the fire code official for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the fire code official.

- (ii) Section 903.1.1 of the *International Building Code*, 2021 edition, is hereby deleted in its entirety and replaced with a new Section [F] 903.1.1 to read as follows:

Section 903.1.1. Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as *approved* by the fire code official.

- (jj) Section 903.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows and by deleting the exception:

Section 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.”

- (kk) Section 903.2.9.4 of the *International Building Code*, 2021 edition, is hereby amended by deleting the exception:

Section 903.2.9.4 Group S-1 Upholstered furniture and mattresses.
Exception: Deleted

- (ll) Section 903.2. of the *International Building Code*, 2021 edition, is hereby amended by adding a new Section 903.2.9.5, entitled "Self-service storage facility," to read as follows:

Section 903.2.9.5. Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-storage facilities.

- (mm) Section 903.2.11 of the *International Building Code*, 2021 edition, is hereby amended by amending Section 903.2.11.3, entitled "Buildings more than 35 feet in height," and by adding new Sections 903.2.11.7, entitled "High-piled combustible storage," 903.2.11.8, entitled "Spray booths and rooms," and 903.2.11.9, entitled "Buildings over 4,000 sq. ft.," to read as follows:

Section 903.2.11.3. Buildings more than 35 feet in height. An *automatic sprinkler system* shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1510 of the *International Building Code*, that is located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access.

Exception: Open parking structures in compliance with Section 406.5 of the *International Building Code*, having no other occupancies above the subject garage.

Section 903.2.11.7. High-piled combustible storage. For any building with a clear height exceeding 12 feet (4,572 mm), see IFC Chapter 32 to determine if those provisions apply.

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

Section 903.2.11.9. Buildings over 4,000 sq. ft. An *automatic sprinkler system* shall be installed throughout all buildings with a building area over 4,000 sq. ft. For the purpose of this provision, fire walls shall not define separate buildings.

Exceptions:

1. Open parking garages in compliance with Section 406.5 of the *International Building Code* where all of the following conditions apply:
 - a. The structure is freestanding.
 - b. The structure does not contain any mixed uses, accessory uses, storage rooms, electrical rooms, elevators, or spaces used or occupied for anything other than motor vehicle parking.
 - c. The structure does not exceed 3 stories.
 - d. An approved fire apparatus access road is provided around the entire structure.
- (nn) Section 903.3.1.1.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 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 or areas are protected with an approved automatic 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 it is damp, of fire-resistance-rated construction, or contains 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. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
- (oo) Section 903.3.1.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is 35 feet (10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is 35 feet (10668 mm) or less below the lowest level of fire department vehicle access. {No change to remaining text.}

- (pp) Section 903.3.1.2.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 903.3.1.2.2 Corridors and balconies. Sprinkler protection shall be provided in all corridors and for all balconies.

- (qq) Section 903.3.1.2.3 of the *International Building Code*, 2021 edition, is hereby added to read as follows:

Section 903.3.1.2.3. Attached garages and attics. Sprinkler protection is required in attached garages and in the following attic spaces:

1. {existing text remains unchanged}
2. {existing text remains unchanged}
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following: {existing text remains unchanged}

- (rr) Section 903.3.1.3 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 903.3.1.3. NFPA 13D sprinkler systems. *Automatic sprinkler systems* installed in one- and two-family dwellings; Group R-3; Group R-4 Condition 1, and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

- (ss) Section 903.3.1.4 of the *International Building Code*, 2021 edition, is hereby added to read as follows:

Section 903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

Section 903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

Section 903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

- (tt) Section 903.3.5 of the *International Building Code*, 2021 edition, is hereby amended by adding a paragraph to read as follows:

Section 903.3.5 Water supplies. *{existing paragraph unchanged}* ... Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every water-based *fire protection system* shall be designed with

a 10 psi safety factor. Reference Section IFC 507.4 for additional design requirements.

- (uu) Section 903.4 of the *International Building Code*, 2021 edition, is hereby amended by adding a new paragraph after the exceptions to read as follows:

Section 903.4. Sprinkler system supervision and alarms. *{text of existing paragraph and exceptions remain unchanged.}*...

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.

- (vv) Section 903.4.2 of the *International Building Code*, 2021 edition, is hereby amended by adding a new paragraph after the existing text to read as follows:

Section 903.4.2. Alarms. *{existing text remains unchanged}* ...

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.

- (ww) Section 905.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 905.2. Installation standards. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

- (xx) Section 905.3 of the *International Building Code*, 2021 edition, is hereby amended by adding a new Section 905.3.9, entitled "Building area," and adding an Exception to Section 905.3.9 to read as follows:

Section 905.3.9. Building exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60,960 mm) of travel, vertically and

horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exception:

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.

2. R-2 occupancies of four stories or less in height having no interior corridors.

(yy) Section 905.4 of the *International Building Code*, 2021 edition, is hereby amended by amending Item 1, 3, and 5, and adding a new Item No. 7 to read as follows:

Section 905.4. Location of Class I standpipe hose connection.

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.

3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

Exception: Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a{No change to remaining text.}

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 to serve the roof or at the highest landing of a stairway with stair access to the roof provided in accordance with Section 1011.12.

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

- (zz) Section 905.8 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 905.8 Dry standpipes. Dry standpipes shall not be installed.

Exception: Where subject to freezing and in accordance with NFPA 14. Additionally, manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low Supervisory alarm.

- (aaa) Section 905.9 of the *International Building Code*, 2021 edition, is hereby amended by adding a new paragraph after the two listed exceptions to read as follows:

Section 905.9. Valve supervision. *{text of existing paragraph and two listed exceptions remain unchanged}* ...

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.

- (bbb) Section 906.1(1) of the *International Building Code*, 2021 edition, is hereby amended by deleting exception 3 to read as follows:

Section 906.1(1) Exception 3: Deleted

- (ccc) Section 907.1 of the *International Building Code*, 2021 edition, is hereby amended by adding a new Section 907.1.4, entitled "Design standards," to read as follows:

Section 907.1.4. Design standards. Where a new fire alarm system is installed the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

- (ddd) Section 907.2.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 907.2.1. Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit

discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the International Building Code shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the 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.

{existing exception remains unchanged}

- (eee) Section 907.2.3 of the *International Building Code*, 2021 edition, is hereby amended by amending the first paragraph of 907.2.3, amending Exception No. 1, and adding a new Exception No. 1.1 to read as follows:

Section 907.2.3. Group E. A manual fire alarm system that activates 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 educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' of 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.

Exception:

1. A manual fire alarm system is not required in Group E occupancies with an *occupant load* of 50 or less.
 - 1.1 Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 ½ or less years of age, see Section 907.2.6.)
{No change to remainder of exceptions.}

- (fff) Section 907.2.10 of the *International Building Code*, 2021 edition, is hereby amended by to read as follows and by deleting the exception:

Section 907.2.10 Group S. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies for interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: Deleted

- (ggg) Section 907.2.13 of the *International Building Code*, 2021 edition, is hereby amended by amending the third exception to read as follows:

Section 907.2.13 High-rise buildings. Exception 3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

- (hhh) Section 907.4.2 of the *International Building Code*, 2021 edition, is hereby amended by amending the first paragraph of 907.4.2 and adding a new Section 907.4.2.7, entitled "Type," to read as follows:

Section 907.4.2 Manual fire alarm boxes. {Text unchanged} ... Section 907.4.2.1 through 907.4.2.7.

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

- (iii) Section 907.6.1 of the *International Building Code*, 2021 edition, is hereby amended by adding a new Section 907.6.1.1, entitled "Installation," to read as follows:

Section 907.6.1.1. Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be

wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

- (jjj) Section 907.6.3 of the *International Building Code*, 2021 edition, is hereby amended by deleting all four exceptions as follows:

Section 907.6.3. Initiating device identification. Exceptions 1 through 4. Deleted.

- (kkk) Section 907.6.6 of the *International Building Code*, 2021 edition, is hereby amended by adding a sentence at the end of the paragraph to read as follows:

Section 907.6.6. Monitoring. {Text unchanged}... See 907.6.3 for the required information transmitted to the supervising station.

- (lll) Section 910.2 of the *International Building Code*, 2021 edition, is hereby amended by amending Exception No. 2 and 3 and adding a new subsection 910.2.3. with exceptions to read as follows:

Section 910.2. Where required. Exception:

2. Only manual smoke and heat removal shall not be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.

3. Only manual smoke and heat removal shall not be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m^2S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

Section 910.2.3. Group H. Buildings and portions thereof used as a Group H occupancy as follows.

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exceptions: Buildings of noncombustible construction containing only noncombustible materials.

(mmm) Section 910.4.3.1. of the International Building Code, 2021 edition, is hereby amended to read as follows:

Section 910.4.3.1. Makeup air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

(nnn) Section 910.4.4. of the International Building Code, 2021 edition, is hereby amended to read as follows:

Section 910.4.4 Activation. The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by an approved fire detection system. Individual manual controls shall also be provided.

Exception: Manual only systems per Section 910.2.

(ooo) Section 912.2 of the *International Building Code*, 2021 edition, is hereby amended by adding a new Section 912.2.3. 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 lies along an unobstructed path.

(ppp) Section 913.2.1 of the International Building Code, 2021 edition, is hereby amended by adding a new subsection 913.2.1.1 to read as follows:

913.2.1.1 Fire Pump Room Access. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by IFC Section 506.1.

- (qqq) Section 1006.2.2 of the *International Building Code*, 2021 edition, is hereby amended by adding a Section 1006.2.2.7 to read as follows:

Section 1006.2.2.7. Electrical rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

- (rrr) Section 1009.1 of the *International Building Code*, 2021 edition, is hereby amended by adding a new Exception No. 3 to read as follows:

Section 1009.1. Accessible means of egress required. Exception: 3. Buildings regulated under State Law and built in accordance with State-registered plans, including any variances or waivers granted by the State, shall be considered compliant with the requirements of Section 1009.

- (sss) Section 1010.2.5 of the *International Building Code*, 2021 edition, is hereby amended by amending Exception No. 3 and Exception No. 4 to read as follows:

Section 1010.2.5. Bolt locks. 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, *{remaining existing text unchanged}*.
4. Where a pair of doors serves a Group A, B, F, M, or S occupancy, *{remaining existing text unchanged}*.

- (ttt) Section 1015.8 of the *International Building Code*, 2021 edition, is hereby amended by changing item 1. to read as follows:

Section 1015.8. Window openings. Item 1.

1. Operable windows where the top of the sill of the opening is located more than 55 feet (16,764 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.

- (uuu) Section 1020.2 of the *International Building Code*, 2021 edition, is hereby amended by adding a new Exception No. 6 to read as follows:

Section 1020.2. Construction. Exceptions: 6. In group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector shall

activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors shall be connected to an approved automatic fire alarm system where such system is provided.

- (vvv) Section 1030.1.1.1 of the *International Building Code*, 2021 edition, is hereby amended by deleting this section as follows:

Section 1030.1.1.1 Spaces under grandstands and bleachers. Deleted.

- (www) Section 1101.1. of the *International Building Code*, 2021 edition, is hereby amended by adding a new exception to read as follows:

Section 1101.1. Design. Exception: Projects approved through the Texas Architectural Barriers Program, either directly by the state or a licensed registered accessibility specialist shall be deemed in compliance with the requirements of this chapter.

- (xxx) Section 1203.1. of the *International Building Code*, 2018 edition, is hereby amended to read as follows:

Section 1203.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1202.5, or mechanical ventilation in accordance with the *International Mechanical Code*.

Where air infiltration rate in a *dwelling unit* is 5 air changes or less per hour when tested with a blower door at a pressure 0.2 inch w.c. (50 Pa) in accordance with Section 402.4.1.2 of the *International Energy Conservation Code*, the *dwelling unit* shall be ventilated by mechanical means in accordance with Section 403 of the *International Mechanical Code*.
{remaining text unchanged}.

- (yyy) Table 1505.1 of the *International Building Code*, 2021 edition, is hereby amended by amending footnote “b” and deleting footnote “c” to read as follows:

Table 1505.1. Minimum roof covering classification for types of construction. Footnote: b. Non-classified roof coverings shall be permitted on buildings of U occupancies having not more than 120 sq. ft. of projected roof area. When exceeding 120 sq. ft. of projected roof area, buildings of U occupancies may use non-rated non-combustible roof coverings.

Table 1505.1. Minimum roof covering classification for types of construction. Footnote: c. Deleted.

- (zzz) Section 1505.7 of the *International Building Code*, 2021 edition, is hereby amended by deleting this section:

Section 1505.7. Special purpose roofs. Deleted.

- (aaaa) Section 1512.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 1512.1. General. Materials and methods of applications used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15. All individual replacement shingles or shakes shall be in compliance with the rating required by Table 1505.1.

{Text of exception unchanged}

- (bbbb) Section 1704.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 1704.2 Special inspections and tests. Where application is made to the Building Official for construction as specified in Section 105, the owner or the owner's authorized agent, or the registered design professional in responsible charge, other than the contractor, shall employ one or more approved agencies to provide special inspections and tests during construction on the types of work specified in Section 1705 and identify the approved agencies to the Building Official. The special inspector shall not be employed by the contractor. These special inspections and tests are in addition to the inspections identified by the Building Official that are identified in Section 110.

{Text of exceptions unchanged}

- (cccc) Section 1704.2.1. of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 1704.2.1 Special inspector qualifications. Prior to the start of construction and/or upon request, the approved agencies shall provide written documentation to the registered design professional in responsible charge and the building official demonstrating the competence and relevant experience or training of the special inspectors who will perform the special inspections and tests during construction. *[Remainder unchanged]*

(dddd) Section 1704.2.4. of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 1704.2.4 Report requirement. Approved agencies shall keep records of special inspections and tests. The approved agency shall submit reports of special inspections and tests to the Building Official upon request, and to the registered design professional in responsible charge. Individual inspection reports shall indicate that work inspected or tested was or was not completed in conformance to approved construction documents.
[Remainder unchanged]

(eeee) Section 1704.2.5.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 1704.2.5.1. Fabricator approval. Special inspections during fabrications required by Section 1704 are not required where the work is done on the premises of a fabricator registered and approved to perform such work without special inspection. Approval shall be based upon review of the fabricator's written fabrication procedures and quality control manuals and periodic auditing of fabrication practices by an approved agency, or a fabricator that is enrolled in a nationally accepted inspections program. At completion of fabrication, the acceptable or approved fabricator shall submit a certificate of compliance to the owner or the owner's authorized agent or the registered design professional in responsible charge stating that the work was performed in accordance with the approved construction documents. The certificate of compliance shall also be made available to the Building Official upon request.

(ffff) Section 2901.1 of the *International Building Code*, 2021 edition, is hereby amended by adding a new paragraph to the end of the existing paragraph to read as follows:

Section 2901.1. Scope. *{existing text remains unchanged}* ...

The provisions of this chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflict arise between the two chapters, the building official shall determine which provision applies. All Health Department required fixtures for food related occupancies are in addition to fixtures listed in Table 2902.1.

(gggg) Section 2902.1 of the *International Building Code*, 2021 edition, is hereby amended by adding a new paragraph to the end of the existing paragraph to read as follows:

Section 2902.1. Minimum number of fixtures. *{existing text remains unchanged} ...*

In other than E occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing by the applicant, stating reasons for a reduced number, and approved by the *building official*.

(hhhh) Section 2902.2 of the *International Building Code*, 2021 edition, is hereby amended by changing Exception 2. to read as follows:

Section 2902.2 Separate facilities. 2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 25 or fewer.

(iii) Section 2902.6 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Table 2902.6 Small occupancies. Drinking fountains are not required in M and B occupancies with an occupant load of 100 or less, and for dining and/or drinking establishments.

(jjjj) Section 3002.1 of the *International Building Code*, 2021 edition, is hereby amended by adding two exceptions to read as follows:

Section 3002.1. Hoistway enclosure protection. Exceptions:

1. Elevators wholly located within atriums complying with Section 404 shall not require hoistway enclosure protection.
2. Elevators in open or enclosed parking garages that serve only the parking garage, and complying with Sections 406.5 and 406.6, respectively, shall not require hoistway enclosure protection.

(kkkk) Section 3005.5 of the *International Building Code*, 2021 edition, is hereby added to read as follows:

Section 3005.5.1 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.

Section 3005.5.1.1 Automatic sprinkler system. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.5.1.1.1.

Section 3005.5.1.1.1 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoist-ways.

Section 3005.5.1.1.2 Sprinkler system monitoring. The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

Section 3005.5.1.2 Water protection. An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

Section 3005.5.1.3 Omission of Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

- (III) Section 3005.8 of the *International Building Code*, 2021 edition, is hereby added to read as follows:

Section 3005.8 Storage. Storage shall not be allowed within the elevator machine room, control room, machinery spaces and/or control spaces. Provide approved signage at each entry to the above listed locations stating: "No Storage Allowed."

- (mmmm) Section 3006.2 of the *International Building Code*, 2021 edition, is hereby amended by changing Item 5. to read as follows:

Section 3006.2 Hoistway opening protection required. Item 5.

5. The building is a high rise and the elevator hoistway is more than 55 feet (16,764 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway.

SECTION 4

This Ordinance shall be cumulative of all provisions of the ordinances of the Town of Flower Mound, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.

SECTION 6

Any person, firm, or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 7

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 8

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Flower Mound, Texas.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS 18TH DAY OF APRIL 2022.

APPROVED:

Derek France, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY