

**ORDINANCE NO. 1165**

**AN ORDINANCE OF THE CITY OF KYLE, TEXAS, ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE; PROVIDING FOR THE ADOPTION OF LOCAL AMENDMENTS THERETO; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FUEL GAS CODE; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE; ADOPTING THE 2020 NATIONAL ELECTRICAL CODE; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE; PROVIDING FOR PERMITS AND INSPECTION; PROVIDING FOR REGISTRATION AND LICENSE REQUIREMENTS FOR PLUMBING, MECHANICAL, AND ELECTRICAL CONTRACTORS; PROVIDNG FOR A PENALTY PROVISION; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; AMENDING THE CITY ORDINANCE AND THE CODE OF ORDINANCES; REPEALING ALL PARTS OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDNG A SAVINGS CLAUSE; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PUBLICATION.**

**Whereas,** the City Council of Kyle wishes to update the rules and regulations it enforces for all construction activity that is to occur in the corporate city limits; and

**Whereas,** the City Council of Kyle wishes to repeal all previous conflicting ordinances regarding which International Codes and References it is adopting; and

**Whereas,** the City Council of Kyle wishes to implement the various Codes for enforcement within the City; and

**Whereas,** the public health, safety and welfare, require the adoption and enforcement of codes governing the issuance of permits for inspection and completion of construction, plumbing, electrical and buildings within the City of Kyle, Texas; and

**Whereas,** the public health, safety and welfare will be served by updating certain codes heretofore adopted by the City;

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

## **SECTION 1.**

**That Section 8-23 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

### **SECTION § 8-23. THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE ADOPTED.**

- (a) The International Building Code, 2021 Edition, including Appendix Chapters C, E, F, I, J and K as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made a part hereof, as amended.
- (b) One (1) copy of the 2021 edition of the International Building Code is incorporated herein by reference and shall be filed in the office of the Building Official for permanent record and inspection.
- (c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Building Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

## **SECTION 2.**

**That Section 8-24 of the Code of Ordinances of the Kyle, Texas, is hereby amended to read as follows:**

### **SECTION § 8-24. AMENDMENTS.**

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#### **IBC CHAPTER 1, ADMINISTRATION.**

*Section 101.1; insert jurisdiction name as follows:*

**101.1 Title.** These regulations shall be known as the *Building Code* of City of Kyle, hereinafter referred to as “this code.”

*Section 109.4; change to read as follows:*

**109.4 Work commencing before permit issuance.** 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 doubled fees and charges.

*Section 109.6; change to read as follows:*

**109.6 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 70 percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.

3. Not more than 30 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

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## **IBC CHAPTER 16, STRUCTURAL DESIGN**

*Section 1612.3; insert jurisdiction name & date as follows:*

**1612.3 Establishment of flood hazard areas.** To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for the City of Kyle,” dated March 01, 2005, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

END OF THE IBC

### **SECTION 3.**

**That Section 8-25 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

#### **SECTION § 8-25. THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE ADOPTED.**

- (a) The International Existing Building Code, 2021 Edition, including Appendix Chapters A and B as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made a part hereof, as amended.
- (b) One (1) copy of the 2021 edition of the International Existing Building Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.
- (c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Building Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

## **SECTION 4.**

That Section 8-26 of the Code of Ordinances of the Kyle, Texas, is hereby amended to read as follows:

### **SECTION § 8-26. AMENDMENTS.**

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#### **IEBC CHAPTER 1, ADMINISTRATION.**

*Section 101.1; insert jurisdiction name as follows:*

**101.1 Title.** These regulations shall be known as the *Existing Building Code* of City of Kyle, hereinafter referred to as “this code.”

*Section 108.4; change to read as follows:*

**108.4 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to doubled fees and charges.

*Section 108.6; change to read as follows:*

**108.6 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 70 percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.
3. Not more than 30 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

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#### **IEBC CHAPTER 14, PERFORMANCE COMPLIANCE METHODS.**

*Section 1401.2; insert date as follows:*

**1401.2 Applicability.** Structures existing prior to *[Date to coincide with the effective date of*

*building codes*], in which there is work involving *additions, alterations or changes of occupancy* shall be made to conform to the requirements of this chapter or the provision of Chapters 5 through

13. The provisions of Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or I-1, I-3 or I-4.

END OF THE IEBC

## **SECTION 5.**

**That Section 8-27 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

**SECTION § 8-27. THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS ADOPTED.**

(a) The International Residential Code, 2021 Edition, including Appendix Chapters E, G, H, J, K, M, N, O and P as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made a part hereof, as amended.

(b) One (1) copy of the 2021 edition of the International Residential Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.

(c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Residential Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

## **SECTION 6.**

**That Section 8-28 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

**SECTION § 8-28. AMENDMENTS.**

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### **IRC CHAPTER 1, ADMINISTRATION.**

***Section R101.1; insert jurisdiction name as follows:***

**R101.1 Title.** These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of City of Kyle, and shall be cited as such and will be referred to herein as “this code.”

***Section R108.5; change to read as follows:***

**R108.5 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 70 percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.
3. Not more than 30 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**Section R108.6; change to read as follows:**

**R108.5 Work commencing before permit issuance.** 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 doubled fees and charges.

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## IRC CHAPTER 3, BUILDING PLANNING.

**Table R301.2(1); insert design criteria as follows:**

**Table R301.2(1) Climatic and Geographic Design Criteria.**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY <sup>f</sup>
	SPEED <sup>d</sup> (mph)	Topographic Effects <sup>k</sup>	
5 lb/ft <sup>2</sup>	(3-sec-gust)/76 fastest mile	No	A

SUBJECT TO DAMAGE FROM		
Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>
negligible	6"	moderate to heavy

WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDER-LAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	WINTER FREEZING INDEX <sup>i</sup>	WINTER ANNUAL TEMP <sup>j</sup>
28°F	No	local <i>code</i>	33	67.0°F

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## IRC CHAPTER 26, GENERAL PLUMBING REQUIREMENTS.

*Section P2603.6.1; insert number of inches in two locations as follows:*

**P2603.6.1 Sewer depth.** *Building sewers* that connect to private sewage disposal systems shall be a minimum of 12 inches (304 mm) below finished *grade* at the point of septic tank connection. *Building sewers* shall be a minimum of 12 inches (304 mm) below *grade*.

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## **IRC CHAPTER 30, SANITARY DRAINAGE.**

*Section P3008.1; change to read as follows:*

**P3008.1 Sewage backflow.** All structures connected to the City sewer system shall be protected by an approved backwater valve, installed in the building drain. Plumbing fixtures installed above one story shall not discharge through a backwater valve.

*Section P3008.1; add Section P3008.1.1 to read as follows:*

**P3008.1.1 Sewage backflow retrofit requirements.** All structures connected to the City of Kyle sewer system prior to the adoption of this ordinance shall be protected by an approved backwater valve when additions, alterations, or repairs to existing building drains and/or building sewers are done.

END OF THE IRC

## **SECTION 7.**

**That Section 8-29 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

### **SECTION § 8-29. THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE ADOPTED.**

- (a) The International Fire Code, 2021 Edition, including Appendix Chapters B, C, D, F, H, I and J as published by the International Code Council, is hereby adopted, and designated as the fire code of the City of Kyle, and is made a part hereof, as amended in the attachment labeled "Exhibit A". Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code and such amendments shall be fully applicable and binding.
- (b) One (1) copy of the 2021 edition of the International Fire Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.
- (c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such

code and associated amendments in Exhibit 'A' shall be fully applicable and binding. In the event a conflict is determined to exist between said International Fire Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

#### **SECTION 8.**

**That Section 8-30 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

#### **SECTION § 8-30. AMENDMENTS.**

***[AS PRESENTED IN EXHIBIT 'A', ATTACHED]***

#### **SECTION 9.**

**That Section 8-31 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

#### **SECTION § 8-31. THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE ADOPTED.**

- (a) The International Plumbing Code, 2021 Edition, including Appendix Chapters C and E as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made a part hereof, as amended.
- (b) One (1) copy of the 2021 edition of the International Plumbing Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.
- (c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Plumbing Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

#### **SECTION 10.**

**That Section 8-32 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

#### **SECTION § 8-32. AMENDMENTS.**

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#### **IPC CHAPTER 1, ADMINISTRATION**

***Section 101.1; insert jurisdiction name as follows:***



**101.1 Title.** These regulations shall be known as the *Plumbing Code* of City of Kyle, hereinafter referred to as “this code.”

***Section 106.6.1; change to read as follows:***

**106.6.1 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to doubled fees and charges.

***Section 106.6.2; change to read as follows:***

**106.6.2 Fee schedule.** A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

***Section 106.6.3; insert percentages in two locations as follows:***

**106.6.3 Fee Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 70 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 30 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

***Sections 108.4 and 108.5; change to read as follows:***

**108.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$2,000 dollars or by imprisonment not exceeding 10 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**108.5 Stop work orders.** Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exist, the code official shall not be required to give a written notice prior to stopping the work. Any person who

shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200 dollars or more than \$2,000 dollars.

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### **IPC CHAPTER 3, GENERAL REGULATIONS.**

*Section 305.6.1; insert number of inches in two locations as follows:*

**305.6.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches (304 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (304 mm) below grade.

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### **IPC CHAPTER 7, SANITARY DRAINAGE.**

*Section 715.1; change to read as follows:*

**715.1 Sewage backflow.** All structures connected to the City sewer system shall be protected by an approved backwater valve, installed in the building drain. Plumbing fixtures installed above one story shall not discharge through a backwater valve.

*Section 715.1; add Section 715.1.1 to read as follows:*

**715.1.1 Sewage backflow retrofit requirements.** All structures connected to the City of Kyle sewer system prior to the adoption of this ordinance shall be protected by an approved backwater valve when additions, alterations, or repairs to existing building drains and/or building sewers are done.

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### **IPC CHAPTER 9, VENTS.**

*Section 904.1; insert number of inches as follows:*

**904.1 Roof extension.** All open vent pipes that extend through a roof shall be terminated at least six (6) inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

END OF THE IPC

### **SECTION 9.**

**That Section 8-33 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

## **SECTION § 8-33. THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE ADOPTED.**

- (a) The International Mechanical Code, 2021 Edition, including Appendix Chapter A as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made a part hereof, as amended.
- (b) One (1) copy of the 2021 edition of the International Mechanical Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.
- (c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Mechanical Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

### **SECTION 10.**

**That Section 8-34 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

## **SECTION § 8-34. AMENDMENTS.**

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### **IMC CHAPTER 1, ADMINISTRATION.**

*Section 101.1; insert jurisdiction name as follows:*

**101.1 Title.** These regulations shall be known as the *Mechanical Code* of City of Kyle, hereinafter referred to as “this code.”

*Section 106.5.1; change to read as follows:*

**106.5.1 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to doubled fees and charges.

*Sections 106.5.2; change to read as follows:*

**106.5.2 Fee schedule.** A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

*Sections 106.5.3; insert percentages in two locations as follows:*

**106.5.3 Fee Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 70 percent of the permit fee paid when no work has been done under a

permit issued in accordance with this code.

3. Not more than 30 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

***Section 108.4; insert offense, dollar amount, number of days as follows:***

**108.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$2,000 dollars or by imprisonment not exceeding 10 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

***Section 108.5; insert dollar amount in two locations as follows:***

**108.5 Stop work orders.** Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exist, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200 dollars or more than \$2,000 dollars.

END OF THE IMC

## **SECTION 11.**

**That Section 8-35 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

**SECTION § 8-35. THE 2021 EDITION OF THE INTERNATIONAL FUEL GAS CODE ADOPTED.**

(a) The International Fuel Gas Code, 2021 Edition, as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made apart hereof, as amended.

(b) One (1) copy of the 2021 edition of the International Fuel Gas Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.

(c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Fuel Gas Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

## **SECTION 12.**

**That Section 8-36 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

### **SECTION § 8-36. AMENDMENTS.**

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#### **IFGC CHAPTER 1, ADMINISTRATION.**

*Section 101.1; insert jurisdiction name as follows:*

**101.1 Title.** These regulations shall be known as the *Fuel Gas Code* of City of Kyle, hereinafter referred to as “this code.”

*Section 106.6.1; change to read as follows:*

**106.6.1 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to doubled fees and charges.

*Section 106.6.2; change to read as follows:*

**106.6.2 Fee schedule.** A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

*Section 106.6.3; insert percentages in two locations as follows:*

**106.6.3 Fee Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 70 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 30 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

*Section 108.4; insert offense, dollar amount, number of days as follows:*

**108.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail

to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$2,000 dollars or by imprisonment not exceeding 10 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

***Section 108.5; insert dollar amounts in two locations as follows:***

**108.5 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200 dollars or more than \$2,000 dollars.

END OF THE IFGC

### **SECTION 13.**

**That Section 8-37 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

#### **SECTION § 8-37. THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED.**

(a) The International Energy Conservation Code, 2021 Edition, as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made a part hereof, as amended.

(b) One (1) copy of the 2021 edition of the International Energy Conservation Code is incorporated herein by reference and shall be filed in the office of the Building Official for permanent record and inspection.

(c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Energy Conservation Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

### **SECTION 14.**

**That Section 8-38 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

## **SECTION § 8-38. AMENDMENTS.**

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### **IECC CHAPTER 1, ADMINISTRATION.**

*Sections C101.1 & R101.1; insert jurisdiction name as follows:*

**C101.1 Title.** These regulations shall be known as the *Energy Conservation Code* of City of Kyle, hereinafter referred to as “this code.”

**R101.1 Title.** These regulations shall be known as the *Energy Conservation Code* of City of Kyle, hereinafter referred to as “this code.”

*Sections C107.3 & R107.3; change to read as follows:*

**C107.3 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to doubled fees and charges.

**R107.3 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to doubled fees and charges.

*Section 108.4; insert dollar amount in two locations as follows:*

**108.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200 dollars or more than \$2,000 dollars.

END OF THE IECC

### **SECTION 15.**

**That Section 8-39 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

#### **SECTION § 8-39. THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE ADOPTED.**

(a) The National Electrical Code, 2020 Edition, as published by the National Fire Prevention Association, is hereby adopted, and designated as the electrical code of the City of Kyle, and is made a part hereof, as amended.

(b) One (1) copy of the 2020 edition of the National Electrical Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.

(c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said National Electrical Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

END OF THE NEC

## **SECTION 16.**

**That Section 8-40 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

### **SECTION § 8-40. THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.**

- (a) The International Property Maintenance Code, 2021 Edition, including Appendix Chapter A as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made a part hereof, as amended.
- (b) One (1) copy of the 2021 edition of the International Property Maintenance Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.
- (c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Property Maintenance Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

## **SECTION 17.**

**That Section 8-41 of the Code of Ordinances of the Kyle, Texas, is hereby amended to read as follows:**

### **SECTION § 8-41. AMENDMENTS.**

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#### **IPMC CHAPTER 1, ADMINISTRATION.**

*Section 101.1; insert jurisdiction name as follows:*

**101.1 Title.** These regulations shall be known as the *Property Maintenance Code* of City of Kyle, hereinafter referred to as “this code.”

*Section 103.5; change to read as follows:*

**103.5 Fee.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as paid as required, in accordance with the schedule as established by the applicable governing authority.

*Section 112.4; insert the following dollar amount in two locations:*



**112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200 dollars or more than \$2,000 dollars.

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## **IPMC CHAPTER 3, GENERAL REQUIREMENTS.**

*Section 302.4; insert the following height in inches:*

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. *[remaining text unchanged]*

*Section 304.14; insert the following dates in two locations:*

**304.14 Insect screens.** During the period from January 01 to December 31, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

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## **IPMC CHAPTER 6, MECHANICAL & ELECTRICAL REQUIREMENTS.**

*Section 602.3; insert the following dates in two locations:*

**602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from October 01 to May 01 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

**Exceptions:** *[remaining text unchanged]*

*Section 602.4; insert the following dates in two locations:*

**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October 01 to May 01 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

**Exceptions:** *[remaining text unchanged]*

END OF THE IPMC

## **SECTION 18.**

**That Section 8-42 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

### **SECTION § 8-42. THE 2021 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE ADOPTED.**

- (a) The International Swimming Pool and Spa Code, 2021 Edition, as published by the International Code Council, is hereby adopted, and designated as the building code of the City of Kyle, and is made a part hereof, as amended.
- (b) One (1) copy of the 2021 edition of the International Swimming Pool and Spa Code is incorporated herein by reference and shall be filed in the office of the Building official for permanent record and inspection.
- (c) Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Swimming Pool and Spa Code as adopted and the other provisions of this ordinance, the most restrictive of the conflicting provisions will prevail.

## **SECTION 19.**

**That Section 8-43 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

### **SECTION § 8-43. AMENDMENTS.**

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#### **ISPSC CHAPTER 1, ADMINISTRATION.**

*Section 101.1; insert jurisdiction name as follows:*

**101.1 Title.** These regulations shall be known as the *Swimming Pool and Spa Code* of City of Kyle, hereinafter referred to as “this code.”

*Section 105.6.2; change to read as follows:*

**105.6.2 Fee Schedule.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as paid as required, in accordance with the schedule as established by the applicable governing authority.

*Section 105.6.3; insert percentages in two locations as follows:*

**105.6.3 Fee Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 70 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 30 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

***Section 107.4; insert offense, dollar amount, number of days as follows:***

**107.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair a pool or spa in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$2,000 dollars or by imprisonment not exceeding 10 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

***Section 107.5; insert dollar amounts in two locations as follows:***

**107.5 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exist, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200 dollars or more than \$2,000 dollars.

END OF THE ISPSC

## **SECTION 20.**

**That Section 8-40, and 8-41 of the Code of Ordinances of the City of Kyle, Texas, is hereby amended to read as follows:**

Section 8-40, 8-41 Contractor Registration

- A. No person, firm or corporation shall be authorized to secure permits as indicated in division (D) of this section without being a valid registered contractor with the city. Homeowners doing work on their homestead are exempt.

- B. A valid registered contractor is a person, firm or corporation who is not delinquent in any fees or debt to the city.
- C. The registration applicant shall file an application in writing on a form furnished by the Building Inspection Department for this purpose. Failure by the applicant to have obtained appropriate licenses shall be cause for rejection of the application.
- D. Permits that pertain to this chapter include, but are not limited to, the following: Building, electrical, plumbing, irrigation, mechanical and fire sprinkler.

### **SECTION 21.**

**Amendment of Ordinances.** Ordinance number 342-1 is hereby amended into the extent of any conflict or inconsistency herewith only and all ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

### **SECTION 22.**

**Savings Clause.** All rights and remedies of the City of Kyle are expressly saved as to any and all violations of the provisions of any ordinances affecting building construction, building codes, fire codes, plumbing codes, mechanical codes, electrical codes and all other codes affected hereby including permit issuance, or contractor registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be effected by this ordinance but may be prosecuted until final disposition by the courts.

### **SECTION 23.**

**Penalty.** It shall be unlawful and an offense hereof for any person or entity to violate or fail to comply with any provision of this Ordinance (and including, without limitation, any portion or provision of the Codes adopted hereby), and any person or entity violating or failing to comply with any provision of this Ordinance shall be fined, upon conviction, in an amount not to exceed \$500.00 for each such offense, except, however, where a different penalty has been established by State law for such offense, the penalty shall be that fixed by State law. For any such offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed \$2,000.00 for each such offense, and a separate offense shall be deemed committed each day during or on which a violation or failure to comply occurs or continues.

**SECTION 24.**

**Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

**SECTION 25.**

**Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**SECTION 26.**

**Effective Date.** This ordinance shall take effect October 1, 2021, in accordance with the provisions of the Tex. Loc. Gov't. Code.

FINALLY PASSED AND APPROVED on First Reading this 17<sup>th</sup> day of August 2021.

ATTEST:

THE CITY OF KYLE, TEXAS

  
\_\_\_\_\_  
Jennifer Holm, City Secretary

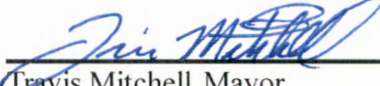
  
\_\_\_\_\_  
Travis Mitchell, Mayor

EXHIBIT 'A'

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## Recommended Amendments to the 2021 International Fire Code

### Kyle Fire Department – City of Kyle

The following sections, paragraphs, and sentences of the *2021 International Fire Code* (IFC) are hereby amended as follows:

#### IFC CHAPTER 1, ADMINISTRATION.

*Section 101.1; insert jurisdiction name as follows:*

**101.1 Title.** These regulations shall be known as the *International Fire Code* of [the] City of Kyle, hereinafter referred to as "this code."

*Section 102.1; change #3 to read as follows:*

3. Existing structures, facilities and conditions when required in Chapter 11 or in specific sections of this code.

*(Reason: For clarity that there are other provisions in the fire code applicable to existing buildings that are not located in Chapter 11, such as Section 505 Premises Identification)*

*Section 105.3.3; change to read as follows:*

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

*(Reason: for clarity to allow for better understanding in areas not requiring such permits, such as unincorporated areas of counties.)*

*Section 105.6; add Section 105.6.25 to read as follows:*

**105.6.25 Electronic access control systems.** Construction permits are required for the installation or modification of an electronic access control system, as specified in Chapter 10. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

*(Reason: Adds construction permit requirements for electronic access control systems affecting access and/or egress to ensure proper design and installation of such systems. These changes reflect local practices of municipalities in this region.)*

*Section 107.4; change to read as follows:*

**107.4 Work commencing before permit issuance.** A person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to doubled fees established by the applicable governing authority.

*Section 107.5; change to read as follows:*

**107.5 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.

- 
2. Not more than 70 percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.
  3. Not more than 30 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after of fee payment.

*Section 112.4; insert offense, dollar amount, number of days as follows:*

**112.4 Violation penalties.** *Persons* who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$2000 or by imprisonment not exceeding 10 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*Section 113.4; insert dollar amount in two locations as follows:*

**113.4 Failure to comply.** Any *person* who shall continue any work after having been served with a stop work order, except such work as that *person* is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200 or more than \$2,000.

## IFC CHAPTER 2, DEFINITIONS.

*Section 202; amend definition of Ambulatory Health Care Facility as follows:*

**[B] Ambulatory Health Care Facility.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided. This group may include but not be limited to the following:

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

*(Reason: to clarify the range of uses included in the definition.)*

*Section 202; change definition of ATRIUM as follows:*

**[B] ATRIUM.** An opening connecting three or more stories ... *{remaining text unchanged}*

*(Reason: Accepted practice in the region based on legacy codes. IBC Section 1009 permits unenclosed two story stairways under certain circumstances.)*

*Section 202; add new definition of DEFEND IN PLACE to read as follows:*



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**[B] DEFEND IN PLACE.** A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

*(Reason: Added from International Building Code (IBC) definitions for consistency in interpretation of the subject requirements pertaining to such occupancies.)*

*Section 202; amend definition of FIRE WATCH as follows:*

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

*(Reason: Clearly defines options to the fire department for providing a fire watch.)*

*Section 202; amend definition of FIREWORKS as follows:*

**FIREWORKS.** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, *detonation*, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein...  
{remaining text unchanged}

*(Reason: Increased safety from fireworks related injuries.)*

*Section 202; add a second paragraph of HIGH-PILED COMBUSTIBLE STORAGE to read as follows:*

**HIGH-PILED COMBUSTIBLE STORAGE.** Any building classified as a Group S Occupancy or Speculative Building exceeding 12,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

*(Reason: To provide protection for worst-case scenario inflexible or unknown situations.)*

*Section 202; amend definition of HIGH-RISE BUILDING to read as follows:*

**HIGH-RISE BUILDING.** A building with an occupied floor located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

*(Reason: Allows for additional construction safety features to be provided, based on firefighting response capabilities.)*

*Section 202; amend definition of REPAIR GARAGE to read as follows:*

**REPAIR GARAGE.** A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

*(Reason: To further clarify types of service work allowed in a repair garage, as well as to correspond with definition in the IBC.)*

*Section 202; add new definition of SELF-SERVICE STORAGE FACILITY as follows:*

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

*(Reason: To provide a definition that does not exist in the code.)*

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*Section 202; add new definition of STANDBY PERSONNEL as follows:*

**STANDBY PERSONNEL.** Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

*Section 202; add new definition of UPGRADED OR REPLACED FIRE ALARM SYSTEM as follows:*

**UPGRADED OR REPLACED FIRE ALARM SYSTEM.** A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware

*(Reason: This is referenced in several places, but the wording of "upgraded or replaced" is somewhat ambiguous and open to interpretation. Defining it here allows for consistent application across the region.)*

### **IFC CHAPTER 3, GENERAL REQUIREMENTS**

*Section 307.1 is amended to read as follows:*

**307.1 General.** A person shall not kindle or maintain or authorize to be kindled or maintained any open burning, bonfire, recreational fire, or portable outdoor fireplace, unless conducted and approved in accordance with Sections 307.1.1 through 307.5.

*Exception:* City of Kyle, Texas Municipal Operations are excepted.

*Section 307.1.1; change to read as follows:*

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

*Exception:* {No change.}

*(Reason: To further protect adjacent property owners/occupants from open burning and/or smoke emissions from open burning.)*

*Section 307.2 is amended to read as follows:*

**307.2 Permit Required.** A permit shall be obtained from the fire code official in accordance with 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled. Parcels must be in excess of 40 acres and zoned Agricultural for permits to be issued.

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*Exception:* City of Kyle, Texas Municipal Operations are not subject to the permit requirements. The City of Kyle, Texas Municipal Operations will work with the City of Kyle, Texas Fire Department in any open burns.

*Section 307.3; change to read as follows:*

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

*(Reason: Provides direction as to responsible parties relative to extinguishment of the subject open burning.)*

*Section 307.4; change to read as follows:*

**307.4 Location.** The location for open burning shall not be less than 300 feet (91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91 440 mm) of any structure.

Exceptions: {No change.}

*(Reason: To increase the separation distance thereby increasing the safety to adjacent properties, as per applicable TCEQ rules and regulations regarding outdoor burning.)*

*Section 307.4.1 is DELETED*

*Section 307.4.2 is DELETED*

**307.4.4 Permanent Outdoor Firepit.** Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

**Exception:** Permanently installed outdoor fireplaces constructed in accordance with the International Residential Code or International Building Code.

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

*(Reason: To provide a greater level of safety for this potentially hazardous fire exposure condition. Decrease in separation distance allowed for outdoor firepits due to permanent nature of construction having substantial securement.)*

*Section 307.5; change to read as follows:*

**307.5 Attendance.** *Open burning, trench burns, bonfires, recreational fires,* and use of portable outdoor fireplaces shall be constantly attended until the... {Remainder of section unchanged}

*(Reason: Adds attendance for trench burns.)*

*Section 308.1.4; change to read as follows:*

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

**Exceptions:**

1. One- and two-family *dwellings*, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 lbs. (5 containers).

- 
2. {Delete}
  3. {No change}

*(Reason: To clarify allowable limits for 1 & 2 family dwellings. This amendment adds clarification and defines the container size allowed for residences.)*

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

**Exceptions:**

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

*(Reason: Section identified in published code is inappropriate.)*

*Section 308.1.6.3; change to read as follows:*

**308.1.6.3 Sky Lanterns.** A person shall not release or cause to be released an unmanned free-floating devices containing an open flame or other heat source, such as but not limited to a sky lantern.

*(Reason: Eliminates the potential fire hazard presented by utilization of such devices and the potential accidental release of such devices.)*

*Section 311.5; change to read as follows:*

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

*(Reason: There may be situations where placarding is not desired or necessary; also clarifies intent that it is not the fire code official's responsibility to provide the placard.)*

## **IFC CHAPTER 4, EMERGENCY PLANNING & PREPAREDNESS**

*Section 403.4; change Section 403.4 to read as follows:*

**403.4 Group E Occupancies.** An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.4.1 through 403.4.3.

*(Reason: The diagrams are intended to assist with egress in such occupancies — specifically, the primary teacher is not always present to assist children with egress. Also, such will help reinforce evacuation drill requirements.)*

*Section 404.2.2; add Number 4.10 to read as follows:*

- 4.10 Fire extinguishing system controls.

*(Reason: The committee believed this information could be of great help to such plans to facilitate locating sprinkler valves to minimize water damage, for instance.)*

*Section 405.5; change Section 405.5 to read as follows:*

**405.5 Time.** The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and varying conditions to simulate the unusual conditions that occur in case of fire.

*(Reason: The change clarifies who may require a fire or evacuation drill.)*

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## IFC CHAPTER 5, FIRE SERVICE FEATURES.

*Section 501.4; change to read as follows:*

**501.4 Timing of installation.** When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

*(Reason: Reflects current practice in the region relative to ensuring fire department and EMS access during construction, which can be a time of increased frequency for emergency incidents.)*

*Section 503.1.1; add sentence to read as follows:*

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

*(Reason: Recognizes that the hose lay provision can only be measured along a pathway that is wide enough for fire fighter access.)*

*Section 503.2.1; change to read as follows:*

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267 mm).

**Exception:** Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.

*(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)*

*Section 503.2.2; change to read as follows:*

**503.2.2 Authority.** The fire code official shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

*(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)*

*Section 503.3; change Section 503.2.3 to read as follows:*

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support imposed loads of 80,000 lbs. for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

*(Reason: To address the current size of fire trucks in use — figure derived from DOT requirements for waiver of vehicle exceeding such weight.)*

*Section 503.3; change to read as follows:*

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

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**(1) Striping** — Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE-NO PARKING" shall appear in four-inch (4") white letters at twenty-five (25) feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

**(2) Signs** — Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE-NO PARKING" and shall be twelve inches (12") wide and eighteen inches (18") high. Signs shall be painted on a white background with letters and borders in red, using not less than two-inch (2") lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'-6") above finished grade. Signs may be installed on permanent buildings or walls as approved by the *fire code official*.

*(Reason: Establishes a standard method of marking and reflects local long-standing practices.)*

*Section 503.4; change to read as follows:*

**503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in section 503.2.1 and any area marked as a *fire lane* as described in section 503.3 shall be maintained at all times.

*(Reason: As originally worded, the section implied that vehicles could be parked in the marked fire lane and not be in violation if the minimum width is still maintained. Current accepted enforcement practice is to require the entire marked fire lane to be maintained clear and unobstructed.)*

*Section 505.1; change to read as follows:*

**505.1 Address Identification.** New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of ½-inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6-inch (152.4 mm) height building numerals or addresses and 4-inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20-inch (508 mm) by 30-inch (762 mm) background on border. Address identification shall be maintained.

**Exception:** R-3 Single-family occupancies shall have approved numerals of a minimum 3½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

*(Reason: To increase the minimum addressing requirements for commercial properties and establish a minimum for single-family residential properties. Such improves legibility of these signs which are critical to emergency response in a more timely manner.)*

*Section 507.4; change to read as follows:*

**507.4 Water Supply Test Date and Information.** The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 "Recommended Practice for Fire Flow Testing and Marking of Hydrants" and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*, as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire

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protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as approved by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

*(Reason: Clarifies intent of the test to ensure contractor accounts for water supply fluctuations.)*

*Section 507.5.4; change to read as follows:*

**507.5.4 Obstruction.** Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

*(Reason: Additional guidance based on legacy language to ensure these critical devices are available in an emergency incident.)*

*Section 509.1.2; add new Section 509.1.2 to read as follows:*

**509.1.2 Sign Requirements.** Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of two (2) inches (50.8 mm) when located inside a building and four (4) inches (101.6 mm) when located outside, or as approved by the *fire code official*. The letters shall be of a color that contrasts with the background.

*(Reason: Provides direction as to appropriate sign criteria to develop consistency in this regard.)*

## **IFC CHAPTER 6, BUILDING SERVICES & SYSTEMS.**

*Section 605; change and add to read as follows:*

**605.4 Fuel oil storage systems.** Fuel oil storage systems shall be installed and maintained in accordance with this code. Tanks and fuel-oil piping systems shall be installed in accordance with Chapter 13 of the *International Mechanical Code* and Chapter 57.

**605.4.1 Fuel oil storage in outside, above-ground tanks.** Where connected to a fuel-oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660 gallons (2498 L). The storage of fuel oil above ground in quantities exceeding 660 gallons (2498 L) shall comply with NFPA 31 and Chapter 57.

**605.4.1.1 Approval.** Outdoor fuel oil storage tanks shall be in accordance with UL 142 or UL 2085, and also listed as double-wall/secondary containment tanks.

**605.4.2 Fuel oil storage inside buildings.** Fuel oil storage inside buildings shall comply with Sections 605.4.2.2 through 605.4.2.8 and Chapter 57.

**605.4.2.1 Approval.** Indoor fuel oil storage tanks shall be in accordance with UL 80, UL 142 or UL 2085.

**605.4.2.2 Quantity limits.** One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all tanks shall not exceed the following:

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1. 660 gallons (2498 L) in unsprinklered buildings, where stored in a tank complying with UL 80, UL 142 or UL 2085, and also listed as a double-wall/secondary containment tank for Class II liquids.
  2. 1,320 gallons (4996 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in a tank complying with UL 142 or UL 2085. The tank shall be listed as a secondary containment tank, and the secondary containment shall be monitored visually or automatically.
  3. 3,000 gallons (11 356 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in protected above-ground tanks complying with UL 2085 and Section 5704.2.9.7. The tank shall be listed as a secondary containment tank, as required by UL 2085, and the secondary containment shall be monitored visually or automatically.

*(Reason: Issues addressed by Chapter 57, such as venting to outside of buildings, remote fill to outside of building, overfill protection, physical protection, etc., are not included in Section 605.4, so compliance with Chapter 57 is also required. The Board removed the applicability to heating systems only from the charging statement based on this more prudent method of diesel storage for generators, boilers, fire pumps and other fuel-fired equipment inside buildings without requiring Group H occupancy classification – this is now established practice in the region as well.)*

## **IFC CHAPTER 8, INTERIOR FINISH.**

*Section 807.5.2.2 and 807.5.2.3 applicable to Group E occupancies; change to read as follows:*

**807.5.2.2 Artwork in Corridors.** Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

**Exception:** Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

*Section 807.5.2.3; change to read as follows:*

**807.5.2.3 Artwork in Classrooms.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

*(Reason: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)*

*Section 807.5.5.2 and 807.5.5.3 applicable to Group I occupancies; change to read as follows:*

**807.5.5.2 Artwork in Corridors.** Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.



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**Exception:** Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

*Section 807.5.5.3; change to read as follows:*

**807.5.2.3 Artwork in Classrooms.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

*(Reason: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)*

## **IFC CHAPTER 9, FIRE PROTECTION SYSTEMS.**

*Section 901.6.1; add Section 901.6.1.1 to read as follows:*

**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 FDCs 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 (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 (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 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.

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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*.

*(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)*

**Section 901.6.4; add Section 901.6.4 to read as follows:**

**901.6.4 False Alarms and Nuisance Alarms.** False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

*(Reason: Places the responsibility on the business or property owner to maintain their fire alarm systems in approved condition. Allows the enforcement of "prohibition of false alarms." Replaces text lost from the legacy codes that helps to ensure the maintenance of life safety systems.)*

**Section 901.7; change to read as follows:**

**901.7 Systems out of service.** Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service... {remaining language unchanged}

*(Reason: Gives fire code official more discretion with regards to enforcement of facilities experiencing nuisance alarm or fire protection system activations necessitating correction/repair/replacement. The intent of the amendment is to allow local jurisdictions to enforce fire watches, etc., where needed to ensure safety of occupants where fire protection systems are experiencing multiple nuisance activations.)*

**Section 903.1.1; change to read as follows:**

**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*.

*(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection. Most gaseous type systems are highly susceptible to open doors, ceiling or floor tile removal, etc. However, an applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths.)*

**Section 903.2; add paragraph to read as follows:**

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."

*Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3006.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3006.4, such that passive fire barriers for these areas are maintained.)*

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**Section 903.2; delete the exception.**

*(Reason: The exception deletion is due to the fact that such telecom areas pose an undue fire risk to structural integrity of the building.)*

Section 903.2.4.2; change to read as follows:

**903.2.4.2 Group F-1 distilled spirits.** An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits involving more than 120 gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

*(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small distillery type operations without sprinkler requirements as has been historically allowed.)*

Section 903.2.9.3; change to read as follows:

**903.2.9.3 Group S-1 distilled spirits or wine.** An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

*(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small storage operations without sprinkler requirements as has been historically allowed.)*

Section 903.2.9.4 – Remove exemption.

Add Section 903.2.9.5. Section 903.2.9.5 to read as follows:

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

*(Reason: Fire departments are unable to inspect these commercial occupancies and are unaware of the contents being stored. Previous allowance to separate units by fire barriers is difficult to enforce maintenance after opening.)*

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, and 903.2.11.8 as follows:

**903.2.11.3 Buildings 35 feet or more in height.** An automatic sprinkler system shall be installed throughout buildings that have one or more stories, other than penthouses in compliance with Section 1511 of the *International Building Code*, located 35 feet (10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

**Exception:** (Removed).

**903.2.11.7 High-Piled Combustible Storage.** For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

**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.

**903.2.11.9 Buildings Over 12,000 sq. ft.** An automatic sprinkler system shall be installed throughout all buildings with a building area 12,000 sq. ft. or greater and in all existing buildings that are enlarged to be 12,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

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**Exception:** 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.

*(Reason: Provides jurisdictions options as to their desired level of sprinkler protection based on multiple factors including firefighting philosophies/capabilities.)*

*Section 903.3.1.1.1; change to read as follows:*

**903.3.1.1.1 Exempt locations.** When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such... *{text unchanged}*... 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 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. {Delete}
5. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete}

*Reason: Gives more direction to code official. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirements.)*

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

**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 remainder of section.}

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*(Reason: The change to the 2021 IFC over-reached to limit 13R systems to 30 ft. high at topmost floor level, which basically results in limiting 13R systems to 3 story buildings in reality. This change to 35 ft. allows 13R systems in 4 story apartment buildings, as has been allowed historically and as intended by 13R's scope.)*

**Section 903.3.1.2.2; change to read as follows:**

**903.3.1.2 Corridors and balconies.** Sprinkler protection shall be provided in all corridors and for all balconies.  
{Delete the rest of this section.}

*(Reason: Corridor protection is critical to the means of egress, and corridors are regularly utilized for miscellaneous storage, fixtures, artwork, food kiosks and beverage dispensers, and furnishings. Balcony protection is required due to issues with fire exposure via soffit vents and the potential for significant combustible loading.)*

**Section 903.3.1.2.3; delete and replace as follows:**

**Section 903.3.1.2.3 Attics and Attached Garages.** Sprinkler protection is required in attic spaces of such buildings two or more stories in height, in accordance with NFPA 13 and or NFPA 13R requirements, and attached garages.

*(Reason: Attic protection is required due to issues with fire exposure via soffit vents, as well as firefighter safety. Several jurisdictions indicated experience with un-protected attic fires resulting in displacement of all buildings occupants. NFPA 13 provides for applicable attic sprinkler protection requirements, as well as exemptions to such, based on noncombustible construction, etc. Attached garages already require sprinklers via NFPA 13R — this amendment just re-emphasizes the requirement.)*

**Section 903.3.1.3; change to read as follows:**

**903.3.1.3 NFPA 13D Sprinkler Systems.** Automatic sprinkler systems installed on 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.

*(Reason: To allow the use of the Plumbing section of the International Residential Code (IRC) and recognize current state stipulations in this regard.)*

**Section 903.3.1.4; add to read as follows:**

**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.

**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.

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**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.

*(Reason: In the last few years, severe winters brought to light several issues with current practices for sprinklering attics, not the least of which was wet-pipe sprinklers in ventilated attics provided with space heaters, etc. for freeze protection of such piping. This practice is not acceptable for the protection of water-filled piping in a ventilated attic space as it does not provide a reliable means of maintaining the minimum 40 degrees required by NFPA, wastes energy, and presents a potential ignition source to the attic space. Listed antifreeze is specifically included because NFPA currently allows such even though there is no currently listed antifreeze at the time of development of these amendments. The intent of this amendment is to help reduce the large number of freeze breaks that have occurred in the past with water-filled wet-pipe sprinkler systems in the future, most specifically in attic spaces.)*

**Section 903.3.5; add a second paragraph to read as follows:**

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 507.4 for additional design requirements.

*(Reason: To define uniform safety factor.)*

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

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

*(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9)*

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

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

*(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access.)*

**Section 905.3; add Section 905.3.9 and exception to read as follows:**

**905.3.9 Buildings 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 (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class 1 automatic wet or manual wet standpipes shall be provided.

**Exceptions:**

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.

*(Reason: Allows for the rapid deployment of hose lines to the body of the fire.)*

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Section 905.4, change Item 1, 3, and 5, and add item 7 to read as follows:

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.
2. {No change.}
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 rest.}
4. {No change.}
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 an exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exists to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

*(Reason: Item 1,3, and 5 amendments to remove "interior" will help to clarify that such connections are required for all "exit" stairways, to ensure firefighter capabilities are not diminished in these tall buildings, simply because the stair is on the exterior of the building. Item 5 reduces the amount of pressure required to facilitate testing, and provides backup protection for fire fighter safety. Item 7 allows for the rapid deployment of hose lines to the body of the fire.)*

Section 905.8; **change to read as follows:**

**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 alarm. Supervisory alarm.

*(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm. NFPA14 requires supervisory air for such, but does not provide pressure criteria for what that means. This is a long standing regional requirement.)*

Section 905.9; add a second paragraph after the exceptions to read as follows:

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

*(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)*

Section 906. Delete Exception 3 (Storage areas of Group S).

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*(Reason: This provision of only having vehicle-mounted fire extinguishers is not at all consistent with historical practice of requiring extinguishers throughout based on travel distance. Often times, the vehicle is what has caused the incident and/or may be the source of the incident, so having the extinguisher vehicle-mounted results in greater potential injury of the user. This assumes the only occupants in the building are on a vehicle, which again, significantly reduces access to fire extinguishers throughout the building to other occupants. Future use of the building/tenancy may change further complicating the issue.)*

Section 907.1; add Section 907.1.4 to read as follows:

**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.

*(Reason: Provides for the ability of descriptive identification of alarms, and reduces need for panel replacement in the future. Change of terminology allows for reference back to definitions of NFPA 72)*

Section 907.2.1; change to read as follows:

**907.2.1 Group A.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 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.

**Exception:** {No change.}

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.

*(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices or reduces ability of fire alarm system to notify occupants of the emergency condition.)*

Section 907.2.3; change to read as follows:

**907.2.3 Group E.** A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E 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 feet 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. {No change.}
  - 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 2½ or less years of age, see Section 907.2.6.) {No change to remainder of exceptions.}



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*(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems. Exceptions provide consistency with State law concerning such occupancies.)*

Section 907.2.10; change to read as follows:

**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: {No change.}

*(Reason: Because of the potential unknown fire load and hazards in self-storage type facilities, which could include flammable liquids for instance, as well as other hazardous materials, prompt evacuation in the event of fire alarm is needed; therefore, notification in the corridors/common areas is critical to all such occupancies, regardless of height.)*

Section 907.2.13, Exception 3; change to read as follows:

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.

*(Reason: To indicate that enclosed areas within open air seating type occupancies are not exempted from fire alarm requirements.)*

Section 907.4.2; add Section 907.4.2.7 to read as follows:

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

*(Reason: Helps to reduce false alarms.)*

Section 907.6.1; add Section 907.6.1.1 to read as follows:

**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.

*(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)*

Section 907.6.3; delete all four Exceptions.

*(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This is moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections.)*

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Section 907.6.6; add sentence at end of paragraph to read as follows:

See 907.6.3 for the required information transmitted to the supervising station.

*(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This is moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections.)*

Section 910.2; change Exception 2, and 3, to read as follows:

2. Only manual smoke and heat removal shall 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 be required in areas of buildings equipped with control mode special application sprinklers with a response time index of  $50(m^*S)^{\frac{1}{2}}$  or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

*(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while still prohibiting such systems from being automatically activated, which is a potential detriment to the particular sprinkler systems indicated.)*

Section 910.2; add subsections 910.2.3 with exceptions to read as follows:

**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 m<sup>2</sup>) in single floor area.

**Exceptions:** 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.

*(Reason: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish. This is based on the legacy language establishing long-standing historical practice.)*

**Section 910.4.3.1** Change to read as follows:

**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 minute (0.74 m<sup>2</sup> per 0.4719 m<sup>3</sup>/s) of smoke exhaust.

*(Reason: Makeup air has been required to be automatic for several years now in this region when mechanical smoke exhaust systems are proposed. This allows such systems to be activated from the smoke control panel by first responders without having to physically go around the exterior of the building opening doors manually. Such requires a significant number of first responders on scene to conduct this operation and significantly delays activation and/or capability of the smoke exhaust system.)*

Section 912.2; add 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 lays along an unobstructed path.

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*(Reason: To accommodate limited hose lengths, improve response times where the FDC is needed to achieve fire control, and improve ease of locating a fire hydrant in those situations. Also, consistent with NFPA 14 criteria.)*

Section 913.2.1; add second paragraph and exception to read as follows:

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 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 Section 506.1.

*(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)*

Section 914.3.1.2; change to read as follows:

**914.3.1.2 Water Supply to require Fire Pumps.** In buildings that are more than 120 feet (128 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.

**Exception:** {No change to exception.}

*(Reason: The 2009 edition of the IFC added this requirement based on a need for redundancy of the water supply similar to the redundancy of the power supply to the fire pumps required for such tall buildings, partially due to the fact that these buildings are rarely fully evacuated in a fire event. More commonly, the alarm activates on the floor of the event, the floor above and the floor below. Back-up power to the fire pump becomes critical for this reason. Certainly, the power is pointless if the water supply is impaired for any reason, so a similar requirement is provided here for redundant water supplies. The 2015 edition changes the requirement to only apply to very tall buildings over 420 ft. This amendment modifies/lowers the requirement to 120 ft., based on this same height requirement for fire service access elevators. Again, the language from the 2009 and 2012 editions of the code applied to any high-rise building. This compromise at 120 ft. is based on the above technical justification of defend-in-place scenarios in fire incidents in such tall structures.)*

## IFC CHAPTER 10, MEANS OF EGRESS.

Section 1006.2.2.7; add a new Section 1006.2.2. 7 as follows:

**1006.2.2.7 Electrical Rooms.** For electrical rooms, special exiting requirements may apply. Reference the Electrical Code as adopted.

*(Reason: Cross reference necessary for coordination with the NEC which has exiting requirements as well.)*

Section 1009.8; add the following Exception 7:

**Exception:** {previous exceptions unchanged}

4. Buildings regulated under State law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and Chapter 11.

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*(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments to Chapter 11.)*

*Section 1010.2.5 Bolt Locks; change Exceptions 3 and 4 to read as follows:*

**Exception:**

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

*(Reason: Application to M occupancies reflects regional practice; No. 4 expanded to Group A due to it being a similar scenario to other uses; No. 4 was regional practice.)*

*Section 1020.1; add Exception 6 to read as follows:*

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.

*(Reason: Regionally accepted alternate method.)*

*Section 1029.1.1.1; delete this section. Spaces under Grandstands and Bleachers:*

*(Reason: Unenforceable.)*

*Section 1031.2; change to read as follows:*

**1031.2 Reliability.** Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. An exit or exit passageway shall not be used for any purpose that interferes with a means of egress.

*(Reason: Maintain legacy levels of protection and long-standing regional practice, and provide firefighter safety.)*

## **IFC CHAPTER 11, CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS.**

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

Provide emergency signage as required by Section 607.3.

*(Reason: Coordinates requirements of previous amendment.)*

*Section 1103.5; add sentence to read as follows:*

Fire sprinkler system installation shall be completed within 24 months from date of notification by the fire code official.

*(Reason: Consistent with amendment to IFC 2404, and long-standing regional requirement. The published 1103.5.1 requiring sprinklers retroactively in A-2 occupancies was deleted by ICC Errata)*

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Section 1103.5.6; add section to read as follows:

**1103.5.6 Spray Booths and Rooms.** Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

*(Reason: Consistent with amendment to IFC 2404, and long-standing regional requirement to protect this hazardous operation.)*

Section 1103.7; add Section 1103.7.7 and 1103.7.7.1 to read as follows:

**1103.7.7 Fire Alarm Design Standards.** Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

**Exception:** Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

**1103.7.7.1 Communication requirements.** Refer to Section 907.6.6 for applicable requirements.

*(Reason: To assist responding personnel in locating the emergency event and provide clarity as to percentages of work that results in a requirement to upgrade the entire fire alarm system.)*

## IFC CHAPTER 12, Energy Systems.

Section 1203; change and add to read as follows:

**1203.1.1** {No change.}

**1203.1.2** {No change.}

**1203.1.3 Installation.** Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

**1203.1.4** {No change.}

**1203.1.5 Load Duration.** Emergency power systems and standby power systems shall be designed to provide the required power for a minimum duration of 2 hours without being refueled or recharged, unless specified otherwise in this code.

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

**1203.1.6 through 1203.1.9** {No changes to these sections.}

**1203.1.10 Critical Operations Power Systems (COPS).** For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

**1203.2 Where Required.** Emergency and standby power systems shall be provided where required by Sections 1203.2.1 through 1203.2.26 or elsewhere identified in this code or any other referenced code. **1203.2.1 through 1203.2.3** {No change.}

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**1203.2.4 Emergency Voice/Alarm Communications Systems.** Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

Covered and Open Malls, Section 907.2.20 and 914.2 Group  
A Occupancies, Sections 907.2.1 and 907.5.2.2 Special  
Amusement Areas, Section 907.2.12 and 914.7 High-rise  
Buildings, Section 907.2.13 and 914.3 Atriums, Section  
907.2.14 and 914.4

Deep Underground Buildings, Section 907.2.19 and 914.5

**1203.2.5 through 1203.2.14** {No change.}

**1203.2.15 Means of Egress Illumination.** Emergency power shall be provided for *means of egress* illumination in accordance with Sections 1008.3 and 1104.5.1. (90 minutes)

**1203.2.16 Membrane Structures.** Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the *International Building Code*. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4.

**1203.2.17** {No change.}

**1203.2.18 Smoke Control Systems.** Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11:

Covered Mall Building, *International Building Code*, Section 402.7  
Atriums, *International Building Code*, Section 404.7

Underground Buildings, *International Building Code*, Section 405.8 Group I-3,  
*International Building Code*, Section 408.4.2

Stages, *International Building Code*, Section 410

Special Amusement Areas (as applicable to Group A's), *International Building Code*, Section 411 Smoke  
Protected Seating, Section 1030.6.2

**1203.2.19** {No change.}

**1203.2.20 Covered and Open Mall Buildings.** Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.

**1203.2.21 Airport Traffic Control Towers.** A standby power system shall be provided in airport traffic control towers more than 65 ft. in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

**1203.2.22 Smokeproof Enclosures and Stair Pressurization Alternative.** Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.7.2.

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**1203.2.23 Elevator Pressurization.** Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

**1203.2.24 Elimination of Smoke Dampers in Shaft Penetrations.** Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

**1203.2.25 Common Exhaust Systems for Clothes Dryers.** Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code*, Section 504.11, Item 7.

**1203.2.26 Means of Egress Illumination in Existing Buildings.** Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

**1203.3 through 1203.6** {No change.}

*(Reason: These amendments were moved from Chapter 6, due to relocation of the published sections to this new Chapter 12 in the past edition of the code and have now been updated for this edition. These provisions provide a list to complete and match that throughout the codes. The only additional requirements are the reference to COPS in NFPA 70, and the specified Energy time duration. Other changes are a reference to a code provision that already exists.)*

#### **IFC CHAPTER 23, MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES.**

*Section 2304.1; change to read as follows:*

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

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

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

*(Reason: Allows a facility to apply the attended and unattended requirements of the code when both are potentially applicable.)*

#### **IFC CHAPTER 24, FLAMMABLE FINISHES.**

*Section 2401.2; delete this section.*

*(Reason: This section eliminates such booths from all compliance with Chapter 15 including, but not limited to: size, ventilation, fire protection, construction, etc. If the product utilized is changed to a more flammable substance, the lack of compliance with Chapter 15 could result in significant fire or deflagration and subsequent life safety hazard.)*

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## IFC CHAPTER 31, TENTS, Temporary Structures and Other Membrane Structures.

*Section 3103.3.1; delete this section in its entirety.*

*(Reason: This section requires a fire sprinkler system to be installed in temporary tents and membrane structures, which is not a reasonable or enforceable requirement for temporary use. A fire watch or fire alarm system is a more advisable approach for such occupancies that are only temporary in nature.)*

## IFC CHAPTER 32, HIGH-PILED COMBUSTIBLE STORAGE.

*Section 3206.2, footnote h; change text to read as follows:*

- H. Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of 50 (m • s)  $\frac{1}{2}$  or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

*(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while ensuring proper operation of the sprinkler protection provided. Also, gives an alternative to smoke and heat vents.)*

*Section 3206.2, footnote j; add footnote J to row titled "High Hazard" and "Greater than 300,000" to read as follows:*

- J. High hazard high-piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with Section 706 of the International Building Code shall be used to divide high-piled storage exceeding 500,000 square feet in area.

*(Reason: This is a long standing legacy requirement and provides passive protection for extremely large buildings where it would be otherwise impossible to control the spread of fire without the fire wall in place in an uncontrolled fire event, which is more likely in high hazard commodities, such as tires, flammable liquids, expanded plastics, etc.)*

## IFC CHAPTER 33, FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION.

*Section 3311.1 add sentence to end of paragraph to read as follows:*

**Section 3311.1 Required Access.** Approved vehicle access for firefighting and emergency response shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 50 feet ( 15 240 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, access shall be approved prior to the time which construction has progressed beyond completion of the foundation of any structure. Whenever the connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign.

*(Reason: Improves access to the FDC where required, as well as coordinates with the timing of installation amendment from Section 501.4.)*



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## IFC CHAPTER 56, EXPLOSIVES AND FIREWORKS.

Section 5601.1.3; change to read as follows:

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

**Exceptions:**

1. Only when approved for fireworks displays, storage, and handling of fireworks as allowed in Section 5604 and 5608.
  2. The use of fireworks for approved fireworks displays as allowed in Section 5608.
- ... {Delete remainder of text.}

*(Reason: Restricts fireworks to approved displays only, which is consistent with regional practice. Such is intended to help protect property owners and individuals from unintentional fireworks fires within the jurisdiction, as well as to help protect individuals from fireworks injuries. It is noted that there has been a change in the State Law to allow possession of unopened fireworks in certain areas of the vehicle, and it is highly recommended that AHJs familiarize themselves with the applicable State Laws in this regard.)*

## IFC CHAPTER 56, FLAMMABLE AND COMBUSTIBLE LIQUIDS.

Section 5703.6; add a sentence to read as follows:

**5703.6 Piping Systems.** Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with Sections 5703.6.1 through 5703.6.11. An approved method of secondary containment shall be provided for underground tank and piping systems.

*(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)*

Section 5704.2.11.4; add a sentence to read as follows:

**5704.2.11.4 Leak Prevention.** Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An approved method of secondary containment shall be provided for underground tank and piping systems.

*(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)*

Section 5704.2.11.4.2; change to read as follows:

**5704.2.11.4.2 Leak Detection.** Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

*(Reason: Reference to IFC Section 5704.2.11.4.3 amendment.)*

Section 5704.2.11.4.3; add Section 5704.2.11.4.3 to read as follows:

**5704.2.11.4.3 Observation Wells.** Approved sampling tubes of a minimum 4 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank

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excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

*(Reason: Provides an economical means of checking potential leaks at each tank site.)*

Section 5704.4; add paragraph to read as follows:

Mobile fueling sites shall be restricted to commercial, industrial, governmental, or manufacturing, where the parking area having such operations is primarily intended for employee vehicles. Mobile fueling shall be conducted for fleet fueling or employee vehicles only, not the general public. Commercial sites shall be restricted to office-type or similar occupancies that are not primarily intended for use by the public.

*(Reason: The general public does not expect a hazardous operation to be occurring in a typical parking lot or for a fuel truck to be traversing such parking lot, temporarily fueling a vehicle, and moving on to the next area in the parking lot to fuel the next vehicle. Vehicular accidents occur in parking lots on a regular basis, but the presence of a fuel truck, especially one in the process of fueling a vehicle with gasoline, greatly adds to the potential risk involved in such accidents. By restricting such operations to the occupancies in question, the employees of the business may be adequately notified to expect such operations to occur in the parking lot.)*

#### **IFC CHAPTER 61, LIQUEFIED PETROLEUM GASES.**

Section 6103.2.1; and Section 6103.2.1.8 to read as follows:

**6103.2.1.8 Jewelry Repair, Dental labs and Similar Occupancies.** Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply approved torch assemblies or similar appliances: Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

*(Reason: To provide a consistent and reasonable means of regulating the use of portable LP-Gas containers in these situations. Reduces the hazard presented by portable containers when natural gas is already available. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)*

Section 6104.2, Exception; add an exception 2 to read as follows:

**Exceptions:**

1. {existing text unchanged}
2. Except as permitted in Sections 308 and 6104.3.2, LP-gas containers are not permitted in residential areas.

*(Reason: To provide a consistent and reasonable means of regulating the use LP-Gas containers. Reduces the hazard presented by such containers when natural gas is already available. References regional amendment to IFC 6104.3.2. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)*

Section 6104.3; add Section 6104.3.3 to read as follows:

**6104.3.3 Spas, Pool Heaters, and Other Listed Devices.** Where natural gas service is not available, an LP-Gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 6104.3 for location of containers.

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**Exception:** Lots where LP-gas can be off-loaded wholly on the property where the tank is located may install up to 500 gallon above ground or 1,000 gallon underground approved containers.

*(Reason: Allows for an alternate fuel source. Dwelling density must be considered and possibly factored into zoning restrictions. Reduces the hazard presented by over-sized LP-Gas containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)*

Section 6107.4 and 6109.13; change to read as follows:

**6107.4 Protecting Containers from Vehicles.** Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312.

**6109.13 Protection of Containers.** LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

**Exception:** Delete exception

*(Reason: NFPA 58 does not provide substantial physical protection (it allows raised sidewalks, fencing, ditches, parking bumpers as "vehicle barrier protection") of the container(s) from vehicular impact as is required and has been required historically, as per Section 312, i.e. bollard protection. Further, the exception to Section 6109.13 would allow for portable containers in ventilated metal cabinets to not require any physical protection whatsoever from vehicular impact, regardless of the location of the containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)*

## **Appendix Section**

### **Appendix B Fire-Flow Requirements for Building Amendments**

Table B105.2; change footnote a. to read as follows:

- a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

*(Reason: The minimum fire-flow of 1,500 gpm for other than one- and two-family dwellings has existed since the 2000 edition of the IFC, as well as the Uniform Fire Code before that. Little to no technical justification was provided for the proposed code change at the code hearings. The board believes that the already-allowed 75 percent reduction in required fire-flow for the provision of sprinkler protection is already a significant trade-off. The minimum 1,500 is not believed to be overly stringent for the vast majority of public water works systems in this region, especially since it has existed as the requirement for so many years. Further, the continued progression of trading off more and more requirements in the codes for the provision of sprinkler protection has made these systems extremely operation-critical to the safety of the occupants and properties in question. In other words, should the sprinkler system fail for any reason, the fire-flow requirements drastically increase from that anticipated with a sprinkler-controlled fire scenario.*

(Ord. No. 342, § 10, 11-16-1999; Ord. No. 342-1, § 8, 12-18-2001; Ord. No. 678, §§ 3, 4, 11-15-2011; Ord. No. 735, § 4, 8-6-2013; Ord. No. 908, § 8, 8-2-2016; Ord. No. 945, § 8, 5-16-2017; Ord. No. 1079, § 2, 2-18-2020)

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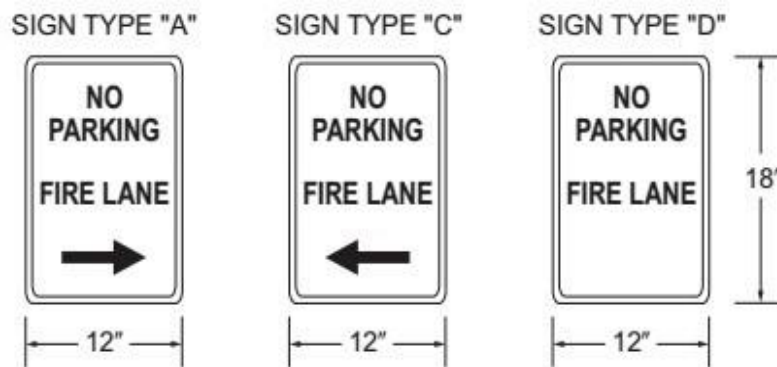
## Appendix D Fire Apparatus Access Roads

Section D103.6; change to read as follows:

**D103.6 Marking.** Striping, signs, or other markings, when approved by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof.

Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

- 1. Striping** – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four inch (4") white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
- 2. Signs** – Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12" wide and 18" high (See Figure D103.6). Signs shall have red letters on a white reflective background, using not less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls.



(Reason: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to Section 503.3)

**D104.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)

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**D105.3 Proximity to Building.** Unless otherwise approved by the fire code official, one or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved* by the *fire code official*.

*(Reason: To provide some additional flexibility to the fire code official on the location of the aerial fire apparatus access roads.)*

**D106.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

*(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)*

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

*(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)*