

ORDINANCE NO. 14-3102

AN ORDINANCE OF THE CITY OF BEDFORD, TEXAS AMENDING CHAPTER 58 "FIRE PREVENTION AND PROTECTION," OF THE CODE OF THE CITY OF BEDFORD BY DELETING SECTIONS 58-97 AND 58-99 AND ADDING NEW SECTIONS 58-97 AND 58-99 THROUGH 58-104 THEREBY ADOPTING THE INTERNATIONAL FIRE CODE, 2009 EDITION, AND PROVIDING CERTAIN AMENDMENTS AND DELETIONS THERETO; PROVIDING FOR AN EFFECTIVE DATE, PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS, the City of Bedford desires to protect the life, health and property of the citizens and businesses of the City of Bedford; and,

WHEREAS, fire prevention is important to the health, safety and welfare of the citizens, businesses and visitors of the City of Bedford.

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

SECTION 1. That all matters stated in the preamble are hereby found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. That the International Fire Code, a copy of which will be kept on file with the City Secretary's Office, is hereby adopted as the City of Bedford Fire Code and that Chapter 58, Section 58-97 is hereby deleted in its entirety and a new Section 58-97 is adopted to read as follows:

Section 58-97 Code Adopted.

The Code shall be known as the City of Bedford Fire Prevention Code. The articles of the International Fire Code (IFC), 2009 edition, save and accept such portions as are hereinafter deleted, modified, or added, shall be the Fire Prevention Code of the City of Bedford.

SECTION 3. That Chapter 58, Section 58-99 is hereby deleted in its entirety and a new Section 58-99 is adopted to read as follows:

Sec. 58-99 Amendments

The International Fire Code (IFC), 2009 edition, and the Bedford Fire Prevention Code are amended and changed as published in the following respects:

(1) General Terms

- (a) *Jurisdiction.* All references to "jurisdiction" shall mean the City of Bedford, Tarrant County, Texas
- (b) *Chief.* All references to "Chief of the Bureau of Fire Prevention" shall be replaced with "Fire Marshal."
- (c) *Fire marshal.* All references to Fire Marshal shall include the Fire Marshal's designee.

(2) Chapter 1. Scope and Administration

ORDINANCE NO. 14-3102

- (a) **Section 101.1 Title** is amended by deleting that section and replacing it with a new Section 101.1 to read as follows:

Title. These regulations shall be known as the *Fire Code of the City of Bedford, Texas*, hereinafter referred to as “this Code.”

- (b) **Section 102.1 Construction and design provisions** is amended by adding a new Section 102.1.1 to read as follows:

Section 102.1.1 Reconstruction and Remodel. A building that is being altered, remodeled or reconstructed where the cost of construction is equal to or greater than 50% of the appraised value of the structure, shall comply with current fire codes in regard to:

- | | | |
|-----|--------------------------|----------------|
| (1) | Panic | hardware; |
| (2) | Fire | alarms; |
| (3) | Exit | lights; |
| (4) | Emergency | lighting |
| (5) | Exits | and exit ways; |
| (6) | Fire protection systems. | |

- (c) **Section 102.7** is amended by deleting and replacing with a new Section 102.7 to read as follows:

Section 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 47 of the International Fire Code and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standards shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

- (d) **Section 105.1.1 Permits required** is amended by deleting that section and replacing it with a new Section 105.1.1 with subsections, to read as follows:

105.1.1 Permits required. Permits required by this code shall be obtained from the fire code official.

105.1.1.1 Permit fees. The fire marshal's office shall collect the approved fees for all inspections and permits as provided by the International Fire Code or Section 58-99 of the City of Bedford Code of Ordinances or other fire related permit or inspection fees. Permit fees shall be paid prior to the issuance of the permit. If work or construction occurs without obtaining the appropriate permit or permits first, the permit fee shall be doubled. In cases of emergency, the fire marshal may waive the requirement that the permit fee double.

- a. The fire marshal's office shall collect the approved fees for inspections, certificates of occupancies, annual permits, the sale and storage of hazardous materials and other permits as required by the ordinances of the City of Bedford.

ORDINANCE NO. 14-3102

b. The minimum cost of a permit shall be thirty dollars (\$30.00) unless otherwise indicated in the approved fee schedules adopted by the city. When a permit is required, the permit fee shall be doubled when work or construction has occurred without obtaining the appropriate permits. In those cases where the work occurs on City of Bedford property and no permit fee is required, an amount equal to the initial permit cost shall be charged for failure to obtain a permit.

c. Annual fire marshal permit fees shall be due on or before February first (1st), unless otherwise indicated on the permit.

d. Payment of annual permit fees shall be the responsibility of the property owner and business owner. Fees for the storage and sale of hazardous materials shall be the responsibility of the occupant who offers the material for sale.

e. Any occupancy hereafter opening for the purpose of doing business in Bedford, as evidenced by application to the Building Official for a Certificate of Occupancy, shall pay a fee for an initial Fire Code compliance inspection and for the establishment on an inspection file. This fee shall be collected by the Building Official at the same time that the Certificate of Occupancy fee is collected. This fee is based on square footage as indicated in the fee schedule.

f. The fire marshal may request copies of bid documents or other items to verify the estimated cost of construction when calculating permit fees.

105.1.1.2 Party responsible for payment. Payment of permit fees shall be the responsibility of the property owner and business owner.

105.1.13 Permits required before commencement of work. Permits must be obtained prior to taking any action requiring a permit.

105.1.1.4 Permit to be on premises. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

- (e) **Section 108 Board of Appeals** is amended by adding Section 108.4 to read as follows:

108.4 Building and Standards Commission to function as Bedford Board of Appeals for International Fire Code. The Building and Standards Commission for the City of Bedford, as defined by the Code of Ordinances of the City of Bedford, Texas shall function as the Board of Appeals under Section 108 of the International Fire Code. Appeals shall be in accordance with Section 58.03 of the Code of Ordinances of the City of Bedford, Texas.

- (f) **Section 109 Violations** is amended by adding Section 109.4 to read as follows:

ORDINANCE NO. 14-3102

109.4 Summary abatement. If the fire marshal or designee becomes aware of a condition or situation that causes or creates a hazard, the fire marshal shall have the authority to summarily abate or order the summary abatement of such hazardous condition or conditions that are in violation of the this code. If the hazard cannot be immediately corrected or abated, the fire marshal shall have the authority to assign the necessary fire protection personnel to provide as safe a situation as possible until the hazard is corrected or abated.

- (g) **Chapter 1 Scope and Administration** is amended by adding **Section 114 Compliance Certification** to read as follows:

Section 114 Compliance Certification. A certification may be required by the fire marshal to show compliance with the fire code regarding technical installations of fire related equipment and systems. Such certification shall be notarized and on company letterhead. When required, certifications shall be filed with the office of the fire marshal before final approval of the activity or installation.

Section 114.1 When certification required. Certification shall be required for the following:

1. Automatic fire alarm systems;
2. Automatic fire extinguishing systems;
3. Storage and use of explosives;
4. Storage of hazardous materials;
5. Fire appliance servicing;
6. Flame retardant application;
7. Liquefied gas installations and operations;
8. Radioactive material storage and handling;
9. Emergency lighting systems;
10. Emergency power system;
11. Security gates.
12. As otherwise indicated by a specific code section or amendment.

Section 114.2 Compliance testing. All compliance testing shall be witnessed by the fire marshal.

- (3) **Chapter 2. Definitions**

Section 202. Amend by adding new definitions to the existing list of definitions in Section 202 of the IFC, to read as follows:

Code official or fire code official. The fire chief or designee, fire marshal or designee, or member of the fire department, charged with the duties of administration and enforcement of this code, or a duly authorized representative.

Emergency access easement. An access road or fire lane located on private property dedicated by the owner(s) of the property to provide fire apparatus access.

High-rise building. Any structure used for human occupancy and/or storage more than 55 feet above the lowest level of fire department vehicle access or five (5) or more stories, excluding the basement. For the purpose of this code, building height shall be the highest point of the structure excluding penthouses.

Self-service/storage facility. Real property designated 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.

(4) **Chapter 3 General Requirements**

- (a) **Section 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces, Section 307.1 General** is amended by adding 307.1.2 and 307.1.3 to read as follows:

307.1.2 Open burning prohibited. Open burning as defined in Section 302 (IFC) shall be prohibited unless permitted by the Fire Marshal.

307.1.3 Recreational fires prohibited. “Recreational fires” as defined in Section 302 (IFC) shall be prohibited unless permitted by the Fire Marshal.

Exception: Chimeneas or fire pits with a mesh screen are allowed at single family residences provided that they are at least ten (10) feet away from any structure and that they only burn wood, not yard debris, trash or any other material and only if attended at all times. Chimeneas or fire pits must be extinguished before leaving unattended. If the wind exceeds twenty (20) miles per hour, no recreational fires shall be allowed, and this prohibition includes chimeneas and fire pits.

- (b) **Section 307.4.2 Recreational fires** is amended by to read as follows:

307.4.2 Recreational fires prohibited. “Recreational fires” as defined in Section 302 (IFC) shall be prohibited unless permitted by the Fire Marshal.

- (c) **Section 308 Open Flames** is amended by adding Section 308.1.9 to read as follows:

308.1.9 Keep warm fires. Keep warm fires will be allowed at constructions sites when the temperature is below 45 degrees Fahrenheit, provided the fire is kept in a solid fireproof metal barrel or can, covered with a wire screen and attended at all times. The keep warm fires must be at least ten (10) feet from all structures. The fire marshal may prohibit keep warm fires when wind or weather conditions are such that a fire hazard will be created. Keep warm fires shall always be prohibited when wind speeds exceed twenty (20) miles per hour.

- (d) **Section 308 Open Flames** is amended by adding Section 308.5 and subsections to read as follows:

Section 308.5 Open burning. The use of open flame cooking devices shall be as follows:

Section 308.5.1. Multifamily structure. It shall be a violation of this code for any person to use, allow or permit the use of a fixed or portable grill or cooking device that uses an open flame or electrical element within ten (10) feet of any multi-family structure, under any covered portion of a multi-family structure, under any covered parking structure or portion thereof.

Section 308.5.2 Sign. It shall be a violation of this code for any person to own or manage any multi-family structure without installing and

ORDINANCE NO. 14-3102

maintaining on each balcony, patio, landing or similar structure of each dwelling unit an approved sign readily visible to the occupants that prohibits the use of any grill, hibachi, smoker, or similar apparatus within ten (10) feet of all apartment structures. Signs shall be at least thirty (30) square inches with the word "PROHIBITED" in one (1) inch letter, and the remaining message in at least one-fourth (1/4) inch letter, red on white, and provide the following warning:

-PROHIBITED- THE USE OF ANY GRILL, HIBACHI, OR SMOKER IN OR WITHIN TEN FEET OF ALL APARTMENT STRUCTURES, PATIOS AND CARPORTS. BEDFORD FIRE CODE - FINE UP TO \$2000.00

Section 308.5.3 Written proof. It shall be a violation for any person to own or manage any multi-family structure without providing the fire marshal, upon request, written proof that each tenant has been advised of the prohibition on cooking with grills and cooking devices. Such proof shall consist of a warning document signed by the tenant and kept in the lease files that indicates the tenant is aware of the prohibition and that the sign is in place.

- (e) *Section 313 Fueled Equipment* is amended by adding *Section 313.3 Vehicle parking and storage* to read as follows:

Section 313.3 Vehicle parking and storage. No motor vehicle shall be parked or stored, assembled or disassembled, at any time within any apartment, multi-family building, hotel, motel, or commercial building unless authorized by the fire marshal and properly zoned for such use.

Exception: Vehicles within structures properly zoned for motor vehicle sales or service that comply with all other provisions of this code.

(5) **Chapter 5 Fire Service Features**

- (a) *Section 502.1 Definitions* is amended by adding the following new definitions to the existing list of definitions in that section, to read as follows:

502.1 Definitions

Security gate shall mean any device located on private property which prohibits access of motor vehicles. It includes, but is not limited to, a metal or wood swing railing extended across a street, private drive or fire lane, which can only be opened by a human operator situated on the premises or by remote control or both.

Owner shall mean a person, corporation, partnership, association or any other similar entity.

Light duty metal chain shall mean a chain with the maximum diameter of metal in the chain links being 1/4 inch, and does not mean high-test proof, coil chain and other than tempered chain, regardless of size.

Main gate shall mean a security gate located on private property where more than one security gate exists. The owner shall designate in writing to the fire department the main gate.

- (b) *Section 503 Fire Apparatus Access Roads subsection 503.2 Specifications* is amended by deleting the subsections listed below and replacing the subsections to read as follows:

ORDINANCE NO. 14-3102

503.2.1 Dimensions. Fire apparatus access road and fire lanes shall have an unobstructed width of not less than 24 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet. Fire lanes shall have a minimum centerline turning radius of 30 feet. Unless otherwise approved by the fire department fire lanes shall be installed before construction proceeds above grade (slab). Temporary fire lanes may be installed provided they have been approved by the fire department.

503.2.2 Authority. The fire marshal 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.

503.2.7 Grade. The grade of the fire apparatus access road/fire lane shall be within the limits established by the fire marshal based on the fire department's apparatus. When the grade is greater than 6 percent formal approval is required. At no time shall grade be greater than 8 percent.

503.3 Marking. Approved striping shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs and striping shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility.

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

503.3.2 Signs. The fire marshal may allow signs instead of striping upon application of the property owner or manager and provided that said signs provide at least as much notice of the fire land as striping. Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be a minimum of 12 inches wide and 18 inches high. Signs shall be reflective, on a white background with letters and borders in red, using not less than two inch lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches above finished grade. Signs shall be spaced not more than fifty feet apart. Signs shall be installed on permanent buildings or wall or as approved by the fire marshal.

Section 503.4 Obstructions 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. A vehicle stopped or standing in a fire lane, when attended by a licensed driver capable of relocating the vehicle on command, shall not be deemed in violation of this section, provided the vehicle does not impede the designed traffic flow.

- (c) **Section 503.6 Security gates** is amended by deleting that section and replacing it with a new Section 503.6 with subsections, to read as follows:

503.6 Security gates.

503.6.1 Requirements

503.6.1.1 Distance from street, sidewalk, roadway or right-of-way. gates shall be located at least 30 feet back from the inside edge of the sidewalk, or 40 feet from the intersection of the private drive and the street, roadway, thoroughfare, or paved portion of the right-of-way.

503.6.1.2 Electronic operation. All main gates shall be electrically operated, with a manual disconnect in case of a power failure. The manual disconnect is to be placed in a weather tight box, with a piano-type hinge on one side and a KNOX BOX, PL-1 padlock and hasp on the other side.

503.6.1.3 Open with key operated switch. All main gates shall open with the fire department KNOX K.S. #2 key-operated switch. The KNOX key-operated switch shall be provided and installed by the owner. The key-operated switch is to be located 10 feet from the gate, on the left side of the approach, placed on a pedestal with the key switch facing the fire lane. The key switch shall be no closer than four feet six inches or no farther than five feet five inches from the ground.

503.6.1.4 Access Codes. It shall be the owner's responsibility to program the security gate with the City of Bedford's assigned access code and to maintain the Bedford Fire Department's accessibility through that assigned access code..

503.6.1.5 Medians. Where a security gate is installed with a median, the entry side of the gate shall have a minimum opening and driving surface of 20 feet.

503.6.1.6 Optically controlled emergency entry devices.

All electronic security gates commercial and residential, shall be equipped with an optically controlled emergency override device that is compatible with the optical activation devices installed on fire apparatus. The devices shall provide for the opening of the gates as fire apparatus approaches and exits the property.

The fire marshal shall approve the installation of all devices and shall inspect the installations upon completion to determine compliance.

503.6.1.7 Public access or fire lane easement. It shall be unlawful for a security gate to be placed within a public access or fire lane easement, unless such gate complies with the following:

503.6.1.7.1 Minimum requirements. The minimum fire lane width requirement of 24 feet and the minimum height requirement of 14 feet shall be maintained on the entrance side of all security gates.

503.6.1.7.2 Wooden gates – break away. Wooden security gates shall be constructed to break away at the base on minor impact or the application of manual pressure at the end most remote point from the mounting base. The side of the wooden rails shall be a maximum of five inches by 3/4 inches where attached to the mounting base. The wooden railing shall be of soft wood and mounted on the base by a knife-edge bracket or scored to create a weak point to break away.

503.6.1.7.3 Horizontal swing gates. Horizontal swing security gates shall be so constructed, mounted and maintained whereby such gates will open fully when manual pressure is applied by an average size individual. When opened, the gates must remain open.

503.6.1.7.4 Other. Security gates other than electronic gates can be locked with a light duty chain and lock only with the approval of the fire department.

503.6.2 Application. . An application to install security gates shall be submitted to the fire marshal and must include adequate plans to indicate and ensure that code compliance shall be provided. Security gates may be installed only after receipt of a permit from the fire marshal.

503.6.3 Disclaimer of liability. Receipt of a permit from the city for the owner to restrict public access to motor vehicles does not in any way create liability for the City and the city hereby disclaims any and all liabilities resulting from damages sustained by any person or owner, either directly or indirectly, as a result of any emergency function of the city, where such damage is occasioned by the noncompliance of any owner with the provisions of this section

- (d) **Section 503.7 Dead end fire access roads** is amended by adding **Section 503.7 Dead end fire access roads** to read as follows:

Section 503.7. Dead end fire access roads. Dead end fire access roads lanes are prohibited unless an approved turnaround is installed to comply with Appendix D-103.4 of the International Fire Code. At no time shall the minimum required width of the access road/fire lane be less than 24 feet

- (e) **Section 505.1** is amended by deleting the current **Section 505.1 Address identification** and substituting the new **Section 505.1 Address identification** and by adding subsections 505.1.1 through 505.1.3 to read as follows:

Section 505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of eight inches high with a minimum stroke width of one inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument , pole or other sign or means shall be used to identify the structure. Where buildings contain multiple occupancies, the suite number or address shall appear on the front of the building and on the door of each occupancy, including front and back door.

Section 505.1.1 Multifamily Supplemental Addresses

Reflective supplemental address shall be installed in conjunction with fire lane marking at all multi-family occupancies in excess of four dwelling units, club rooms and offices where a single street address number is used to designate the buildings official address. The marking shall be a minimum of 24 inches by 12 inches red rectangle painted on the pavement, in conjunction to the red fire lane markings. The red rectangle shall have white reflective numbers that indicate the street address of the building. Numbers shall be in a bold font, measuring a minimum of ten inches in

ORDINANCE NO. 14-3102

height, easily readable from a moving vehicle. Supplemental street numbers shall only be installed on private property, near the center of the building. Where the front and end of the building, or any part of the front or end of the building, border a fire lane the numbers shall be required on each side. Maintenance of the supplemental numbers shall be the same as required for fire lanes.

Section 505.1.2. Emergency access easements – street names. Emergency access easements and access roads, when assigned a street name for the purpose of addressing, shall have street name signs a minimum of 6.5 inches high in a format approved the City of Bedford Public Services Department Installation and maintenance of the signs shall be the responsibility of the owner/operator of the property.

- (f) **Section 507.5 Fire hydrant systems** is amended to read as follows:

Section 507.5 Fire hydrant systems. Fire hydrant systems shall comply with Section 507.5.1 through 507.5.7.

- (g) **Section 507.5.1 Where required** is amended by deleting the **Section 507.5.1 Where required** and replacing it with **Section 507.5.1 Where required** and subsections to read as follows:

Section 507.5.1 Where required. When a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than three hundred (300) feet from a hydrant on the fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire marshal.

Exception: For Group R-3 and Group U occupancies, the distance requirement shall be five hundred (500) feet.

Exception 2 is deleted.

Section 507.5.1.1 Location. The location of fire hydrants on private property or along fire access roads shall be approved by the fire marshal.

Section 507.5.1.2 Fire system connections. Fire hydrants shall be located within a 300 foot hose lay of the fire department connections to the protection system(s). Fire department connections shall have a 42" by 42" concrete pad below each connection.

Section 507.1.3 Requirements when not on public street. Fire hydrants not installed on a public street shall be looped to provide a water supply from two (2) directions.

- (h) **Section 507.5.7 Color** is added to read as follows:

Section 507.5.7 Color All fire hydrants shall be painted an approved shade of red. This requirement applies to all fire hydrants, regardless of whether the location of the fire hydrant is on public or private property. Hydrants may be color coded to indicate the water flow or water main size as required by NFPA Standard 291 – "Fire Flow Testing and Marking of Hydrants."

- (6) **Chapter 6 – Building Services and Systems** is amended by adding the following subsections to **Section 607.1 Emergency operation**.

ORDINANCE NO. 14-3102

Section 607.1.1 Elevator recall – fire fighter recalled. Where elevator travel is in excess of two (2) floors, the elevator shall be “fire fighter recalled” to the designated level by the initiation of any automatic fire alarm in the building.

Section 607.1.2 Elevator recall – shunt trip mechanism. Where a shunt trip mechanism is present, a smoke and heat activated device shall be provided to return the elevator car to an egress point approved by the fire marshal.

(7) **Chapter 8 – Interior Finish, Decorative Materials and Furnishings**

- (a) **Section 806 Decorative Vegetation.** **Section 806.1 Natural Cut Trees**, is amended by deleting the section in the IFC and replacing it with the following:

Section 806.1 Natural Cut Trees. Natural cut trees, where allowed by this section, shall have the trunk bottoms cut off at least 0.5 inch (12.7 mm) above the original cut and shall be placed in a support device complying with Section 806.1.2.

Exception:

(1) Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Groups A, E, M, R-1 and R-2.

(2) Trees shall not be prohibited inside private dwelling units of Group R-2 Occupancies.

- (b) **Section 807.4.4.2 Artwork**, is amended by deleting the section in the IFC and replacing it with the following:

Section 807.4.4.2 Displayed combustible material. Displayed combustible material, including artwork and teaching material shall be limited on walls of corridors to not more than 20 percent of the wall area.

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

(8) **Chapter 9 Fire Protection Systems**

- (a) **Section 901 General** is amended by deleting **Section 901.3** and **901.5** as shown in the International Fire Code and adding **Section 901.3** and **901.5** with subsections, as shown below, and by adding **Sections 901.10 Certification, Section 901.11 Failure of System, and Section 901.12 Message alarms** to read as follows:

Section 901.3 Permits.

Section 901.3.1 Permit Required. Permits shall be required as set forth in Section 105.6 and 105.7 and as required by this section. A permit shall be required for the installation, reconsideration, modification, moving or alteration of any fixed system. Work shall not begin on any system without first obtaining a permit.

Exemption: Emergency repairs due to system malfunctions or discharging may begin, provided a permit is obtained as soon as possible, but no later than the next working day.

ORDINANCE NO. 14-3102

Section 901.3.2 Permit application. The permit application shall be submitted to the office of the fire marshal and must have attached to the application detailed construction plans and a copy of the applicant's state license. The following will be required with the plan submission: A CD or other media as approved by the fire marshal containing state license, plan drawings, calculations, and spec sheets in PDF format.

Section 901.3.3 Permit fee. The permit fee for the construction, repair, alteration or relocation of a fixed system shall be according to the fee schedule adopted by the City of Bedford.

Section 901.5 Installation acceptance testing. Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other fire protection systems and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified before any required acceptance testing. No system shall be approved until a complete inspection of materials and a functional test has been completed and witnessed by the fire marshal. The installer/technician must be present for all inspections and testing.

Section 901.10 Certification. A notarized certification indicating all work has been performed as permitted and that the work meets code requirements must be submitted at final inspection.

Section 901.11 Failure of System. All fire alarm systems shall be designed and constructed so the failure, malfunction, or removal of any single device, or failure of the wiring to a device does not interfere with the operation of other devices in the system.

Section 901.12 Message alarms. Pre-recorded or voice message fire alarms shall not be approved unless accompanied by a fire alarm signal of audio-visual devices that meet the minimum standards of the Americans with Disabilities Act (ADA).

- (b) **Section 902.1 Definitions** is amended by adding the following new definition to the existing list of definitions in that section, to read as follows:

Fire area. The aggregate area regardless of the installation of fire walls, fire barriers, fire partitions, or demising walls that is under roof or covered structure, including any outdoor area. For the purpose of calculating fire sprinkler requirements the total building will be considered one structure. For purposes of this Code, buildings must be separated by at least twenty (20) feet to be considered separate buildings.

- (c) **Section 903 Automatic Sprinkler Systems** is amended as follows:

Section 903.1.2 is amended by adding subsection 903.1.2 to read as follows:

903.1.2 Residential sprinklers. Unless specifically allowed by this Code, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13R shall not be granted exemptions or reductions, commonly

ORDINANCE NO. 14-3102

known as “trade-offs” permitted by other requirements of this Code. Additionally, residential sprinkler systems installed in accordance with NFPA 13R must include attic protection.

Section 903.1.3 is amended by adding subsection *903.1.3* to read as follows:

Section 903.1.3 Buildings over 6,000 square feet. All provisions of this code are hereby amended to require an automatic sprinkler system throughout all buildings with a fire area over 6,000 square feet, including single family residences, or where the structure is three or more stories in height, excluding the penthouse.

Exception: Open parking garages in compliance with Section 406.3 of the building code, provided fire department stand pipes and connections are installed in such a way that no portion of the garage is more than a 100 ft. unobstructed hose lay from the connection.

Section 903.2.1.1 Group A-1, Section 903.2.1.3 Group A-3, and Section 903.2.1.4 Group A-4 are amended by deleting the number “12,000” in number one of each section and replacing it with the number “6,000.” The sections are also amended by adding the following exception: “Exception: Open parking garages in compliance with Section 406.3 of the building code, provided fire department stand pipes and connections are installed in such a way that no portion of the garage is more than a 100 foot unobstructed hose lay from the connection.”

Section 903.2.7.1 High piled storage is amended by deleting *Section 903.2.7.1* in the IFC and replacing it with the following:

Section 903.2.7.1 High piled combustible storage. Any building designed or used for high-piled storage, with a clear height exceeding twelve (12) feet shall be equipped throughout with an automatic fire sprinkler system meeting the requirements of NFPA Standards 13.

Section 903.2.7.2 is amended by adding *Section 903.2.7.2 Self-service storage facilities* to read as follows:

Section 903.2.7.2 Self-service storage facilities. An automatic sprinkler system meeting the requirements of NFPA 13 shall be installed throughout all self-storage facilities.

Section 903.2.8 Group R is amended to read as follows:

Section 903.2.8 Group R An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be provided throughout all buildings with a Group R-2 occupancy where the fire area is two (2) stories in height, including basements, or where the building has more than three (3) units. Any Group R-2 occupancy two (2) or more stories in height shall be required to have a sprinkler system meeting the requirements of NFPA Standard 13.

Section 903.2.9.2 Bulk storage of tires *Section* is amended by deleting that section and replacing it with a new *Section 903.2.9.2*, to read as follows:

ORDINANCE NO. 14-3102

Section 903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds ten thousand (10,000) cubic feet shall be equipped throughout with an automatic fire sprinkler system meeting the requirements of NFPA Standard 13.

Section 903.3.7 Fire department connections is amended by deleting that section and adding the following section, to read as follows:

Section 903.3.7 Fire department connections. The location of fire department connections shall be approved by the fire code official. Locking Knox caps shall be required by the fire code official. Locking Knox caps shall be installed on all new installations, as replacements for lost or damaged caps on existing locations and when and where deemed necessary by the fire code official to address tampering problems at existing facilities.

Section 903.7 Installation schedule is amended by adding **903.7 Installation schedule** to read as follows:

Installation schedule: Approved fire sprinkler systems shall be operational in a building under construction when:

- (1) The building is sufficiently constructed to the point that the exterior sheathing and roof have been installed; or
- (2) At the start of combustible interior construction; or
- (3) When there is an accumulation of combustible material within the building including, but not limited to, building supplies, rubbish and furniture, or
- (4) When the building goes under conditioned atmosphere.

Section 903.8 Wet sprinkler system is amended by adding **903.8 Wet sprinkler system** to read as follows:

Whenever the outside atmospheric temperature is predicted to be below 25 degrees Fahrenheit for six or more hours, a wet sprinkler system may be drained to prevent freeze damage, provided:

- (1) It has been determined by a fire sprinkler service technician and the fire marshal that there is not adequate freeze protection for the system.
- (2) The owner/occupant notifies the fire department that the system will be drained.
- (3) The owner/occupant provides an alternate means of early fire discovery and control by the employment of approval 24 hour security personnel, and/or an approved fire alarm and detection system to supplement the fire sprinkler systems. Alarms must be monitored twenty-four hours a day by an approved central monitoring service.
- (4) When the temperature rises above 30 degrees Fahrenheit the drained systems shall be restored. It is the intent of this section that a fire sprinkler system will be in service and operational at all times except the cases of very cold weather.

- (d) **Section 905.9 Valve supervision** is amended to read as follows:

Section 905.9 Valve supervision. Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station

ORDINANCE NO. 14-3102

required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system. 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 forty-five (45) seconds. All control valves in the sprinkler and standpipe systems, except for the fire department hose connection valves, shall be electrically supervised to initiate a supervisory signal at the control station upon tampering.

- (e) *Section 906 is amended by adding subsection 906.3 Special fire inspections and Section 906.4 State licenses to read as follows:*

Section 906.3 Special fire inspections. All fire sprinkler, stand pipe, fixed fire extinguishing systems and fire alarms shall be inspected every 12 months by a technician properly licensed by the State of Texas. The licensed technician/company making the inspection shall notify the office of the fire marshal and the owner/occupant immediately when a system fails to pass a required test and/or is found inoperative.

Section 906.4 State licenses. All repair and installation of fire alarm, fire sprinkler and fixed extinguishing systems shall require the presence of a State of Texas licensed technician on the job site. The licensed technician shall be able to present a copy of appropriate State of Texas licenses upon request.

- (f) *Section 907 Fire Alarm and Detection Systems is amended as follows:*

Section 907.1.3 Equipment is amended by deleting *Section 907.1.3 Equipment* and replacing it with *Section 903.1.3 Equipment and Design standards* to read as follows:

907.1.3 Equipment and design standards. Systems and components shall be listed and approved for the purpose for which they are installed. All new or replacement fire alarm systems serving fifty (50) or more alarm actuating devices shall be addressable fire detection systems. Fire alarm systems serving more that seventy-five (75) smoke detectors or more than two hundred (200) total alarm activating devices shall be analog intelligent addressable fire detection systems.

Exception: Systems already existing prior to August 2011 do not need to comply with this section unless there is a total building remodel or an expansion which increases the square footage of the building by 50% or more.

Section 907.1.4 Installations is amended by adding *Section 907.1.4 Installations* to read as follows:

ORDINANCE NO. 14-3102

907.1.4. Installations. All fire alarm systems shall be installed in such a manner that the failure of any single alarm-actuating or alarm-indicating device will not interfere with the normal operation of any other such devices. All systems shall be Class "A" wired with a minimum of six (6) feet of separation between supply and return loops. All underground wiring shall use listed waterproof fire alarm wire and be installed in conduit. All systems and components shall be installed in accordance with NFPA 72.

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group A occupancies having an *occupant load* of 150 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Section 907.2.3 Group E is amended by deleting **Section 907.2.3 Group E** and replacing it with the following:

Section 907.2.3 Group E. A manual fire alarm system shall be installed in Group E educational occupancies. When automatic sprinkler systems and smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detector system shall be installed in Group E day care occupancies. Unless separated by a minimum of one thousand (1,000) feet open space, all buildings, whether portable buildings or the main building, will be considered one building for occupant load considerations and the interconnection of fire alarm systems.

Section 907.3 Where required in existing buildings and structures is amended by deleting **Section 907.3 Where required in existing buildings and structures** and replacing it with the following:

Section 907.3 Where required in existing buildings and structures. All manual alarm actuating devices shall be an approved double action type.

(9) **Chapter 10 Means of Egress**

- (a) **Section 1003.6 Means of egress continuity** is amended by adding **Section 1003.6.1 Vehicle parking** to read as follows:

1003.6.1 Vehicle parking. No motor vehicle shall be parked within ten (10) feet of any patio, stairs or egress path at any apartment, multi-family building, hotel, motel, or commercial structure unless on an approved parking space.

- (b) **Section 1008.1.9.8 Electromagnetically locked egress doors** is amended by adding number five to read as follows:

Section 1008.1.9.8 electromagnetically locked egress doors.

5. Exit door and exit ways with electronic locking devices that must be released or operated to accomplish an emergency exit shall disconnect or "drop out" when the fire alarm system is activated and a Knox type key release shall be installed on the exterior of all gates and doors to allow emergency access by the fire department.

ORDINANCE NO. 14-3102

- (c) *Section 1023 Exit Passageways* is amended by adding *Section 1023.7 Exit ways – hotels, motels and multi-family* to read as follows:

1023.7 Exit ways – hotels, motels and multi-family. All public exit ways and balconies shall be constructed of material having a minimum of a class “C” flame spread (75 to 200 flame spread). All balconies and landings utilized as exit ways shall have a minimum length or height of eight (8) feet and a minimum width of four (4) feet.

(10) *Chapter 15 Flammable Finishes*

Section 1504.3 shall be amended, adding the following:

Section 1504.3 Design and construction. Design and construction of spray rooms, spray booths and spray spaces shall be in accordance with Sections 1504.3 through 1504.3.3.1. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

(11) *Chapter 27 Hazardous Materials – General Provisions*

- (a) *Section 2703.3.1.4 Responsibility for cleanup* shall be amended by deleting *Section 2703.3.1.4 Responsibility for cleanup* in the IFC and replacing it with the following:

Section 2703.3.1.4 Responsibility for cleanup. The person, firm or corporation responsible for an unauthorized discharge or hazardous condition shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction. When deemed necessary by the fire code official, cleanup may be initiated by the fire department or by an authorized individual or firm. Costs associated with such cleanup shall be borne by the owner, operator or other person responsible for the unauthorized discharge. Any cost associated with a fire department response to accomplish control and mitigation of an unauthorized discharge may be charged back to the person, firm or corporation responsible for the release.

(12) *Chapter 3404 Flammable and Combustible Liquids*

- (a) Amend *Section 3404.2.13, including subsections 3404.2.13.1 through 3404.2.13.4* by deleting the current *Section 3404.2.13, including subsection 3404.2.13.1 through 3404.2.13.4* and adding the following:

3404.2.13 Abandonment and status of tanks. Tanks taken out of service shall be removed in accordance with Section 3404.2.14, or safeguarded in accordance with Sections 3404.2.13.1 through 3404.2.13.2.3 and API 1604. P 332

Section 3404.2.13.1 Underground tanks. Underground tanks taken out of service shall comply with Sections 3404.2.13.1.1 through 3404.2.13.1.5.

Section 3404.2.13.1.1 Temporarily out of service. Underground tanks temporarily out of service shall have the fill line, gauge opening, vapor return and pump connection secure against tampering. Vent lines shall remain open and be maintained in accordance with Sections 3404.2.7.3 and 3404.2.7.4.

Section 3404.2.13.1.2 Out of service for less than 90 days. Underground tanks not used for a period of 89 days or less shall be safeguarded in accordance with all the following or be removed in accordance with Section 3404.2.14:

ORDINANCE NO. 14-3102

1. Flammable or *combustible liquids* shall be removed from the tank.
2. All piping, including fill line, gauge opening, vapor return and pump connection, shall be capped or plugged and secured from tampering.
3. Vent lines shall remain open and be maintained in accordance with Sections 3404.2.7.3 and 3404.2.7.4.

Section 3404.2.13.1.3 Out of service for 90 days or more. Underground tanks that have been out of service for a period of 90 days or more shall be removed from the ground in accordance with Section 3404.2.14.

Section 3404.2.13.1.4 Reinstallation of underground tanks. Tanks which are to be reinstalled for flammable or combustible liquid service shall be in accordance with this chapter, ASME Boiler and Pressure Vessel Code (Section VIII), API 12-P, API 1615, UL 58 and UL 1316.

- (b) **Amend Section 3406.1 by adding subsection 3406.1.1 to read as follows:**

3406.1.2 Leaving vehicle unattended. The driver, operator or attendant of a tank vehicle shall not remain in the vehicle cab and shall not leave the vehicle while it is being filled or discharged. The delivery hose, when attached to a tank vehicle, shall be considered to be a part of the tank vehicle.

- (c) **Amend Section 3406.6.2.3 by deleting subsection 3406.6.2.3 as shown in the IFC and adding subsection 3406.2.3 to read as follows:**

3406.6.2.3 Duration exceeding 1 hour. Tank vehicles shall not be parked at one point for longer than 1 hour. If a vehicle is to be parked in one location for longer than fifty nine (59) minutes, it shall be located off of public streets, highways, public avenues or alleys, and:

1. Inside of a bulk plant and either 25 feet (7620 mm) or more from the nearest lot line or within a building approved for such use; or
2. At other approved locations not less than 50 feet (15 240 mm) from the buildings other than those approved for the storage or servicing of such vehicles.

SECTION 4. That Chapter 58, Section 58-100 is hereby deleted in its entirety and a new Section 58-100 is adopted to read as follows:

Sec. 58-100. Storage of Flammable or Combustible Liquids.

- (a) The storage of flammable or combustible liquids in an outside above ground storage tank is prohibited.

Exceptions:

1. An exception may be granted by the fire marshal during an emergency operation, at construction sites, and other locations where underground installations cannot be utilized. At no time will the sale or distribution of flammable or combustible liquids be allowed from above ground storage tanks by gravity, portable pump powered by vehicle batteries or pneumatic pressure.
2. Above ground fuel tanks that comply with IFC, as adopted and amended by the City of Bedford in Chapter 34 may be allowed for commercial and retail purposes when permitted by the fire marshal.

ORDINANCE NO. 14-3102

- (b) The storage of flammable or combustible liquids at construction sites shall require a permit from the fire marshal's office. All fuel tanks shall be at least ten feet off the roadway, shall be provided with impact.

SECTION 5. That Chapter 58, Section 58-101 is hereby deleted in its entirety and a new Section 58-101 is adopted to read as follows:

Sec. 58-101. Amendments Storage and Distribution of Liquefied Petroleum Gas (LPG). Compresses Natural Gas (CNG) and Liquefied Natural Gas (LNG).

- (a) The storage, sale, and distribution of LPG, CNG and LNG shall be in compliance with the rules and regulations established by the Texas Railroad Commission or successor agency and any other state agency and the provisions of the International Fire Code.
- (b) The use of LPG, CNG or LNG as a heating or cooking fuel shall be prohibited where natural gas service is available. The fire marshal shall approve the size and location of LPG, CNG and LNG storage tanks.
- (c) LPG storage shall not exceed 250 gallons per installation unless approved by the fire marshal.
- (d) Storage tanks shall be installed a minimum of ten feet from all ignitions sources and five feet from all property lines and structures.
- (e) A permit shall be required for the installation or removal of any LPG, CNG or LNG container or equipment. The permit shall be obtained before the start of any work and the cost of the permit shall be by the City of Bedford fee schedule.
- (f) Where portable LPG containers are required for jewelry repair, dental labs, portable cookers, and other services, individual containers shall not exceed 20 pound water capacity and the aggregate capacity on premises shall not exceed 60 pounds water capacity (3 containers). Each container shall be separated from other containers by a distance of not less than 20 feet.

Exemption: Such events where commercial outdoor cooking is permitted, however, such exemption applies only when a permit is issued by the City of Bedford and the site is inspected by the fire marshal's office prior to any outdoor cooking occurring.
- (g) It shall be a violation of this code to dispense LPG, CNG or LNG from a vehicle parked on a public street or roadway.

SECTION 6. That Chapter 58, Section 58-102 is hereby deleted in its entirety and a new Section 58-102 is adopted to read as follows:

Sec. 58-102. Storage of explosives or blasting agents.

- (a) The storage or explosives or blasting agents within the city is prohibited without a permit from the fire marshal.
- (b) All use and storage of explosives and blasting agents shall be in compliance with the standards of the National Fire Code and Chapter.

ORDINANCE NO. 14-3102

SECTION 7. That Chapter 58, Section 58-103 is hereby deleted in its entirety and a new Section 58-103 is adopted to read as follows:

Sec. 58-103. Appeal from decision of fire marshal.

- (a) Whenever the fire marshal disapproves an application, or refuses a permit applied for, or when it is claimed that the provisions of this code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the fire marshal to the building and standards commission.
- (b) An application for appeal shall be filed in accordance with the provisions of Section 22-35, Code of Ordinances.

SECTION 8. That Chapter 58, Section 58-104 is hereby deleted in its entirety and a new Section 58-104 is adopted to read as follows:

Sec. 58-104. Penalty.

- (a) Any person who shall violate any of the provisions of this article or shall fail to comply therewith or with any requirement thereof shall be deemed guilty of a misdemeanor and shall be liable to a fine and, upon conviction of any such violation, shall be fined up to the maximum amount allowed by law.
- (b) This provision is intended to comply the state and local law relating to penalties and the provisions of Section 109.3 (IFC)

SECTION 9. That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 10. That this ordinance shall become effective upon passage and publication in accordance with laws of the State of Texas and the Charter of the City of Bedford.

SECTION 11. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Bedford, Texas, shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding not guilty or nolo contendere, or dismissal.

SECTION 12. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed the two thousand dollars or the maximum permissible by state law and a separate offense shall be deemed

ORDINANCE NO. 14-3102

committed upon each day during or on which a violation occurs or continues.

SECTION 13. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto, to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity which remaining portions shall remain in full force and effect.

SECTION 14. That the fact that the present ordinances and regulations of the City of Bedford, Texas, are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the public creates an emergency which requires that this ordinance become effective from and after the date of its passage and it is accordingly so ordained.

PRESENTED AND PASSED this 9th day of September, 2014, by a vote of 6 ayes, 0 nays, 0 abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney