

ORDINANCE NO. 2023-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 4 BUILDING REGULATIONS, ARTICLE 4.02 CONSTRUCTION CODES AND STANDARDS, DIVISION 4 OTHER CONSTRUCTION CODES, 4.02.093 – FIRE CODE ADOPTED; AMENDMENTS, OF THE WIMBERLEY CITY CODE REGARDING FIRE FLOW REQUIREMENTS PRESCRIBED BY THE INTERNATIONAL FIRE CODE; AND PROVIDING FOR FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALERS, AN EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council adopted the International Fire Code, 2015 edition, recognizing it may be amended from time to time, as published by the International Code Council; and

WHEREAS, this code regulates and governs the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as therein provided; and

WHEREAS, Section 4.02.093 is hereby to be amended as set forth below; and

WHEREAS, the City recognizes its responsibility and authority to impose ordinances and controls that are necessary for the government of the City, its interests, welfare, and good order of the City as a body politic.

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

Section 1. Section 4.02.093 entitled “Fire Code Adopted; Amendments” of the Codified Ordinances of the City of Wimberley is hereby amended as follows (with a ~~striketrough~~ meaning such languages is deleted and an underlining meaning such language is added):

501.3.1 Inadequate water supplies

507.3.1.1 Where the water supply available to the site cannot meet the fire flow requirements as prescribed by the International Fire Code, Appendix B, an alternative water supply shall be provided which meets one of the following scenarios:

(1) Scenario 1 - Rural Water Supply within 1,000 ft.

To meet this scenario, all of the following conditions shall be met:

- Occupancy classification for buildings on site are limited to Group A-2, Group A-3, Group B, Group R-1, Group R-3, or Group R-4.

- Travel distance from the site to at least one hydrant is within 1,000 ft., as measured along a public road or fire apparatus access road.
- The single fire hydrant or multiple fire hydrants, within 1,000 feet, flowing simultaneously is capable of providing the minimum water delivery rate for the buildings on site per Table 4.6.1 from NFPA 1142, 2022 Edition for a duration of 2 hours.
- The Water Delivery Rate from this table shall be determined based on the Total Water Supply required in Chapter 4 of NFPA 1142, 2022 Edition which is based on specific building volume, construction classification, occupancy hazard classification, and exposure hazard.

(2) Scenario 2 - Rural Public Water Supply within 1,500 ft. with Fire Alarm System

To meet this scenario, all of the following conditions shall be met:

- Occupancy classification for buildings on site are limited to Group A-2, Group A-3, Group B, Group R-1, Group R-3, or Group R-4.
- Travel Distance from the site to at least one hydrant is more than 1,000 ft but less than 1,500 ft. as measured along a public road or fire apparatus access road.
- The single fire hydrant or multiple fire hydrants, within 1,500 feet, flowing simultaneously is capable of providing the minimum flow rate for the buildings on site per Table 4.6.1 from NFPA 1142, 2022 Edition for a duration of 2 hours.
- The Water Delivery Rate from this table shall be determined based on the Total Water Supply required in Chapter 4 of NFPA 1142, 2022 Edition which is based on specific building volume, construction classification, occupancy hazard classification, and exposure hazard.
- A monitored NFPA 72 fire alarm system with detection is installed throughout the building, provided that this system was not already required by other sections of this code.

(3) Scenario 3 - Private Water Tank

To meet this scenario, all of the following conditions shall be met:

- Occupancy classification for buildings on site can be any type except for Group H, Group S-1, and Group F-1.
- The property is provided with a private fire protection water storage tank meeting the requirements of NFPA 22 and the storage capacity required by Chapter 4 of NFPA 1142, 2022 Edition, based on the specific building volume, construction classification, occupancy hazard classification, and exposure hazard.
- The location and arrangement of the appurtenances for the water storage tank shall be approved by the Fire Chief or his/her designee.

Section 2. Savings & Severability

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of

such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance. Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part of provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

Section 3. Repealer.

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

Section 4. Effective Date.

This Ordinance shall immediately upon its passage, publication and other authorizations as may be required by law.


Section 5. Proper Notice and Meeting.

It is hereby officially found and determined that the meeting at which this Ordinance was 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, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this 20th day of April, 2023, by a vote of 5 (Ayes) to 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

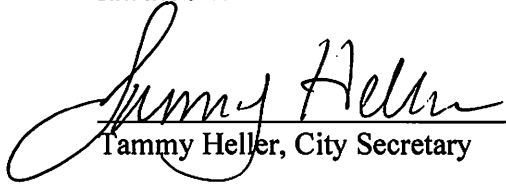
CITY OF WIMBERLEY

By:



Gina V. Fulkerson, Mayor

ATTEST:

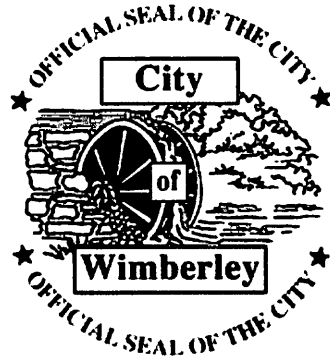


Tammy Heller, City Secretary

APPROVED AS TO FORM:



City Attorney



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501.3.1 Inadequate water supplies

~~507.3.1.1 Where the existing water supply system cannot reasonably be made to provide a fire flow in accordance with a nationally recognized standard, a fire sprinkler system installed in accordance with sections 903.3 through 903.5 of this code shall reduce the required fire flow to that of the fire sprinkler demand plus 250 gpm.~~

~~A variance to this provision will only be granted upon approval of the building official and the fire marshal if the following conditions are found:~~

~~– Lot size does not allow sufficient room to construct a water storage tank to meet the needs of section 507.3.1.1;~~

- ~~–The building's use and size do not require sprinkling as per section 903 of the International Fire Code; and~~
- ~~–A monitored fire alarm system which has been reviewed and approved by the fire marshal is installed.~~

~~No variance will be granted due to financial hardship.~~

507.3.1.1 Where the water supply available to the site cannot meet the fire flow requirements as prescribed by the International Fire Code, Appendix B, an alternative water supply shall be provided which meets one of the following scenarios:

(1) Scenario 1 - Rural Water Supply within 1,000 ft.

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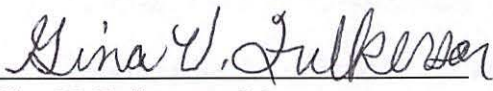
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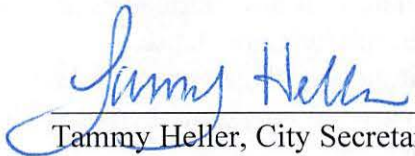
Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

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CITY OF WIMBERLEY

By: 
Gina V. Fulkerson, Mayor

ATTEST:


Tammy Heller, City Secretary

APPROVED AS TO FORM:

City Attorney

