

Chapter 201. Fire Code¹

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¹ Chapter 71 was replaced by Travis County Commissioners Court on 8/11/2015, Item 2. The replacement became effective September 1, 2015. Chapter 71 was corrected with a nunc pro tunc order on 2/16/16, Item 3. Section 201.981 Table 71-A was amended August 29, 2017, Item 7. Chapter 71 was renumbered as chapter 201 on June 1, 2018 (approved on 5/15/2018, Item 7).

Subchapter A. General Provisions

201.001 Authority

- (a) The Commissioners Court acting in its capacity as the governing body of Travis County, Texas adopts this chapter.
- (b) Travis County adopts this chapter under the authority of Texas Local Government Code Chapter 233, Subchapter C, Fire Code in Unincorporated Area.

201.002 Purpose

- (a) The purpose of this chapter is to protect and promote the public health, safety, and welfare of the residents of Travis County by requiring permits for the construction, in the unincorporated areas of Travis County, of commercial establishments, public buildings, and multifamily residential dwellings consisting of more than three units and to impose standards to protect the property of the general public.
- (b) This chapter establishes minimum standards for construction of commercial establishments, public buildings, and multifamily residential dwellings consisting of more than three units in the unincorporated areas of Travis County.
- (c) Fire safety in the operation and use of buildings and structures after construction, whether or not the construction was subject to this chapter, is enforceable by the Fire Marshal independent of this chapter in accordance with applicable law including the Fire Marshal's independent authority to inspect for the presence of fire and life safety hazards, order their correction, and require compliance under the authority of Local Government Code Chapter 352, County Fire Protection. It is intended that this authority be retained to the fullest extent authorized by law. This chapter is not intended to limit the statutory authority of the Fire Marshal in any way.
- (d) This chapter is not intended to repeal, abrogate, or impair any existing laws, regulations, easements, covenants, or deed restrictions except as provided in this chapter. Where this chapter and other legal requirements conflict or overlap, whichever imposes the more stringent restriction shall prevail.

201.003 Definitions

In this chapter and the applicable Fire Code:

- (a) "2003 Fire Code" means the codes and standards, known as the International Fire Code, 2003 Edition, including Appendix Chapters B, C, D, E, F, and G, as published by the International Code Council, except for the portions deleted, modified or amended by the Travis County Commissioners Court in 2005.

- (b) "2009 Fire Code" means the codes and standards, known as the International Fire Code, 2009 Edition, including Appendix Chapters B, C, D, E, F, G, H, I, and J, as published by the International Code Council, except for the portions deleted, modified, or amended by the Travis County Commissioners Court in 2010 and 2011.
- (c) "2015 Fire Code" means the codes and standards, known as the *International Fire Code, 2015 Edition*, including Appendix Chapters B, C, and D, as published by the International Code Council, except for the portions deleted, modified, or amended by the Travis County Commissioners Court in this chapter.
- (c-1) "2021 Fire Code" means the codes and standards, known as the *International Fire Code, 2021 Edition*, including Appendix Chapters B, C, D, F, H, and I as published by the International Code Council, except for the portions deleted, modified, or amended by the Travis County Commissioners Court in this chapter.
- (d) "Applicant" means any person who is listed as an applicant on an application for a Building Permit or a System permit in compliance with section 201.951(b)(1), (4), or (5) or their designee.
- (e) "Beginning of Construction" means:
 - (1) the date on which ground is broken for a building, or
 - (2) if no ground is broken, the date on which the first of the following occurs:
 - (A) the first materials are added to the original property, or
 - (B) foundation pilings are installed on the original property, or
 - (C) a manufactured building or relocated structure is placed on a foundation on a foundation on the original property.
- (f) "Beginning of a Substantial Improvement" means the date on which:
 - (1) the repair, restoration, reconstruction, improvement, or remodeling starts; or
 - (2) the change in occupancy classification starts; or
 - (3) materials are first delivered for any purpose in (1) or (2) above.
- (g) "Building" includes a Commercial Establishment, Public Building, or multifamily building consisting of more than three units.
- (h) "Building Permit" means the written authority issued by the Travis County Fire Marshal's Office to begin construction in a manner that complies with this Chapter and the applicable Fire Code and any variance that has been granted by Commissioners Court.
- (i) "Commercial Establishment" means any place in which any phase of commercial or business activity occurs, including where goods and

commodities or services are provided, displayed, exchanged, sold, or bought, but does not include the following:

- (1) A multifamily residential dwelling consisting of less than four units, or
 - (2) Private garages, carports, sheds, or agricultural buildings.
- (j) "Commissioners Court" means the Commissioners Court of Travis County, Texas.
- (k) "County Attorney" means the County Attorney of Travis County, Texas, or their duly authorized representative.
- (l) "County Clerk" means the County Clerk of Travis County, Texas.
- (m) "Fire Marshal" means the Fire Marshal of Travis County, Texas or their duly authorized representative.
- (n) "Person" means an individual, trust, estate, partnership, limited partnership, association, company, or corporation.
- (o) "Public Building" means any structure
 - (1) That is open to the public during normal business hours or
 - (2) To which there is public access as a result of the possession, use, or the nature of the property, without regard to whether access is for business, pleasure, religious worship, the gratification of curiosity or similar purposes, and
 - (3) Includes all structures made open by the occupation of them as government buildings, public schools, taverns, inns, or in any other way.
- (p) "Substantial Improvement" means
 - (1) the repair, restoration, reconstruction, improvement or remodeling of a building for which the cost exceeds 50% of the building's value according to the certified tax appraisal roll for Travis County for the year preceding the year in which the work is begun; or
 - (2) a change in occupancy classification involving a change in the purpose or level of activity in a building, including the renovation of a warehouse into more than three loft apartments; or
 - (3) Any alteration of a building that modifies an exit path, exit door, means of egress, or required fire protection system.
- (q) "System" means a fire alarm, fire extinguishing, or smoke control system.
- (r) "Unincorporated Travis County" means all of the areas of Travis County, Texas except for the areas within the boundaries of the incorporated cities and towns in Travis County, Texas.

If a word or phrase is defined in the 2021 Fire Code, the definitions in that Code as well as the definitions herein apply to that word or phrase when it is used in this chapter.

201.004 Area of Jurisdiction

- (a) This chapter applies within the unincorporated areas of Travis County, Texas.
- (b) This chapter also applies within those incorporated cities or towns or villages that have adopted this chapter and have executed cooperative agreements with Travis County, Texas, for their enforcement.

201.005 Duties and Powers of Fire Marshal

- (a) The Fire Marshal's Office shall enforce the 2003 Fire Code, the 2009 Fire Code, the 2015 Fire Code, and the 2021 Fire Code. The Fire Marshal's Office shall be operated under the supervision of the Commissioners Court.
- (b) The Fire Marshal has the authority of and functions as:
 - (1) The Fire Code Official and Building Code Official serving Travis County, Texas, and
 - (2) The Fire Chief serving Travis County, Texas.
- (c) The Commissioners Court shall appoint the Fire Marshal on the basis of their qualifications.
- (d) The Fire Marshal shall recommend to the Commissioners Court that it employ technical inspectors, who, when approval of the positions is made, shall be selected based on their fitness for the position.
- (e) The County Clerk and the Fire Marshal shall each maintain a complete copy of the Travis County Commissioners Court's orders adopting the 2003 Fire Code, the 2005 Fire Code, the 2015 Fire Code, and this chapter adopting the 2021 Fire Code in their offices for the use of and review by the general public. A complete copy of this chapter includes a copy of the applicable Fire Codes with all appendix chapters incorporated in them by this chapter.

201.006 The 2003 Fire Code, the 2009 Fire Code, the 2015 Fire Code, and the 2021 Fire Code

Solely for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous material, or explosion in Unincorporated Travis County and except as provided in Chapter 11 of the 2021 edition of the International Fire Code, entitled "Construction Requirements for Existing Buildings":

- (1) The 2003 Fire Code remains in effect with respect to construction of or Substantial Improvements to a Building that occurred between February 1, 2005 and May 31, 2010 and Building Permits issued by Travis County during this time period.
- (2) The 2009 Fire Code remains in effect with respect to construction of or Substantial Improvements to a Building that occurred between June 1, 2010 and August 31, 2015 and Building Permits issued by Travis County during this time period.

- (3) The 2015 Fire Code remains in effect with respect to construction of or Substantial Improvements to a Building that occurred between September 1, 2015 and December 31, 2025 and Building Permits issued by Travis County during this time period.

201.007 Building and System Permits Required

- (a) No person may perform or authorize construction or Substantial Improvement of any Building in Unincorporated Travis County without first obtaining a Building Permit.
- (b) Any Substantial Improvement to or construction of a Building in Unincorporated Travis County on or after January 1, 2026 must be made in accordance with the 2021 Fire Code and this chapter.
- (c) No person may perform or authorize any improvements to a Building in Unincorporated Travis County to comply with the requirements of Chapter 11 of the 2021 edition of the International Fire Code, entitled "Construction Requirements for Existing Buildings," without first obtaining a Building Permit.
- (d) Any improvement that is not a Substantial Improvement made to a Building for which a Building Permit was required in Unincorporated Travis County on or after January 1, 2026 must be done in accordance with the 2021 Fire Code.
- (e) A Building Permit issued under this chapter must specify the Systems that the Building must have and the Applicant must obtain a System permit for each required System.

201.008 Establishment of Board of Review and its Duties and Powers

- (a) There shall be a Board of Review to review of recommendations, decisions or determinations made by the Fire Marshal about the application and interpretation of this chapter and the applicable Fire Code in reviewing Building Permit applications for modifications of the requirements of the applicable Fire Code. The Board of Review is hereby created.
- (b) The Commissioners Court appoints the members of the Board of Review. The members of the Board of Review must be qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous condition or fire protections systems and are not employees of County. The members of the board shall consist of five members having the following qualifications:
- (1) One member shall be a practicing design professional registered in the practice of engineering or architecture in Texas.
- (2) One member shall be a qualified engineer, technologist, technician, or safety professional trained in fire protection engineering, fire science, or fire technology. This representative may be a fire protection

contractor or a certified technician engaged in fire protections system design.

- (3) One member shall be a registered industrial or chemical engineer, certified hygienist, certified safety professional, certified hazardous materials manager, or comparably qualified specialist experienced in chemical process safety or industrial safety.
 - (4) One member shall be a contractor regularly engaged in the construction, alteration, maintenance, repair, or remodeling of buildings or building services and systems regulated by this chapter.
 - (5) One member shall be a representative of business or industry not represented by a member from the other categories of board members described in this section.
- (c) Members serve without remuneration or compensation, and may be removed from office before the end of their appointed terms only for cause.
 - (d) Members are appointed for terms of four years. Members shall not be reappointed to serve more than two consecutive full terms. Of the first members appointed, two shall be appointed for a 1-year term, two shall be appointed for a 2-year term, and one shall be appointed for a 3-year term.
 - (e) The Commissioners Court will appoint individuals to fill vacancies for the remainder of the unexpired term in the categories in which original appointments are to be made. Members appointed to fill a vacancy in an unexpired term are eligible for reappointment to two full terms.
 - (f) Members may be removed from the board of review before the end of their terms only for cause. The repeated absences by any member from meetings of the board, may, at the discretion of the Commissioners Court, subject that member to immediate removal from the board.
 - (g) Three members of the board constitute a quorum. In recommending a variance in the application of any provisions of this chapter or the applicable Fire Code or in modifying a recommendation of the Fire Marshal, affirmative votes of at least three members are required.
 - (h) The Fire Marshal is an ex officio member of the board without a vote on any matter before it. The Fire Marshal acts as secretary of the board and shall keep a detailed record of all its proceedings, which shall set forth the reasons for its decisions, the vote of each member, the absence of a member, and any failure of a member to vote.
 - (i) The board shall meet as needed to review recommendations of the Fire Marshal concerning variances and denials of Building Permits. The board of review is authorized to hear evidence from applicants and the Fire Marshal pertaining to the application and intent of this chapter and the applicable Fire Code for the purpose of making recommendations pursuant to these provisions. The board has no authority to waive any requirement of this chapter or the applicable Fire Code.

- (j) Members with a material financial interest in a matter before the board shall declare that interest and refrain from participating in discussions, deliberations, and voting on these matters.
- (k) Every decision of the Board of Review shall be included in the materials provided to Commissioners Court when the application for Building Permit is considered by Commissioners Court. These decisions shall be open to public inspection. A copy shall be sent by mail to the applicant.

201.009 Exemptions from Compliance with this Chapter

This chapter does not apply to an industrial facility that has a fire brigade that conforms to requirements of the Occupational Health and Safety Administration.

201.010 Notice

Any notice that must be given under this chapter must be in writing. The notice is deemed to be given immediately if delivered in person to the *person* required to receive it. The notice is deemed to be given on the third day after mailing if it is placed in the United States Mail, postage prepaid, by registered or certified mail with return receipt requested, addressed to Travis County Fire Marshal, at 314 W. 11th St. Suite 200, Austin, Texas 78701 for the Fire Marshal or addressed in accordance with the information given in an application for the Applicant.

201.011 Construction, Precedents, and Interpretation

- (a) This chapter shall be construed liberally to accomplish its purpose. Where no applicable standards are stated in this chapter or contained in other laws, codes, regulations, ordinances or orders adopted by Commissioners Court, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards approved by the Fire Marshal shall be deemed as prima facie evidence of compliance with the intent of this chapter. Nothing in this chapter shall detract from or lessen the authority of the Fire Marshal to determine compliance with the Fire Code or this Chapter within Unincorporated Travis County. Requirements that are essential for the private or public safety of a building or structure, or for the safety of the occupants of a building or for the general public which are not specifically provided for by this chapter shall be determined by the Fire Marshal.
- (b) This chapter does not authorize or permit any activity that is prohibited under the Texas Penal Code or any other state law. If there is any conflict between this chapter and a state law, a rule adopted under a state law, or a municipal ordinance, the stricter of the two provisions prevails.
- (c) Headings and titles at the beginning of the various sections of this chapter have been included only to make it easier to locate the subject matter

covered by that section or subsection and are not to be used in construing this chapter.

- (d) When any period of time is stated in this chapter, the time shall be computed to exclude the first day and include the last day of the period. If the last day of any period falls on a Saturday, Sunday, or a day declared a holiday for County employees, the period is extended to include the next day that is not a Saturday, Sunday, or that holiday.
- (e) It is the intention of the Commissioners Court that the phrases, clauses, sentences, paragraphs, and sections of this chapter are severable, and if any phrase, clause, sentence, paragraph, or section of this chapter is 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, or sections of this chapter, since the same would have been enacted by the Commissioners Court without incorporation in this chapter of such unconstitutional phrases, clause, sentence, paragraph, or section. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this chapter and the application thereof to other persons and circumstances shall not be affected.
- (f) This chapter shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or order repealed by this order or this Fire Code.
- (g) The Commissioners Court shall resolve any question regarding any interpretation of this chapter.

201.012 Effective Date

This chapter takes effect on January 1, 2026.

[201.013 – 201.020 reserved for expansion]

[Subchapters B & C reserved for expansion]

Subchapter D.

[201.021 – 201.063 reserved for expansion]

201.064 Amendments to the *2021 International Fire Code*

The 2021 Fire Code adopted by the Commissioners Court consists of the codes and standards, known as the International Fire Code, 2021 Edition, including Appendix

Chapters B, C, and D, F, H, and I, with their referenced standards, as published by the International Code Council, with the following amendments:

- (1) In Section 101, Subsection 101.1 is revised as follows:
101.1 Title. These regulations shall be known as the 2021 Fire Code of Travis County, Texas, hereinafter referred to as the “2021 Code” in this subchapter and “this code” in the 2021 Fire Code.
- (2) In Section 101, Subsection 101.2.1 is revised as follows:
101.2.1 Appendices. Appendices B, C, D, F, H, and I are adopted as part of this code.
- (3) In Section 102, Subsection 102.1 is revised as follows:
102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:
 1. Structures, facilities, and conditions arising after December 31, 2025;
 2. Existing structures and facilities that are the subject of a Substantial Improvement as a Commercial Establishment or a Public Building or a multifamily residential dwelling consisting of more than three units in Unincorporated Travis County after December 31, 2025; and
 3. Existing structures, facilities, and conditions where required by Chapter 11 of this code, entitled “Construction Requirements for Existing Buildings.”
- (4) In Section 102, Subsection 102.2 is revised as follows:
102.2 Administrative, operational, and maintenance provisions. The administrative, operational, and maintenance provisions of the 2021 Fire Code shall apply to:
 1. Structures, facilities, and conditions arising after December 31, 2025;
 2. Existing structures and facilities that are the subject of a Substantial Improvement as a Commercial Establishment or a Public Building or a multifamily residential dwelling consisting of more than three units in Unincorporated Travis County after December 31, 2025; and
 3. Existing structures, facilities, and conditions where required by Chapter 11 of this code, entitled “Construction Requirements for Existing Buildings.”
- (5) In Section 102, Subsection 102.4 is revised as follows:
102.4 Application of other codes. The design and construction of Buildings shall comply with the 2021 Fire Code and other codes as applicable.

- (6) In Section 102, Subsection 102.5 is deleted.
- (7) In Section 102, Subsection 102.6 is deleted.
- (8) In Section 103, Subsection 103.1 is deleted.
- (9) In Section 103, Subsection 103.2 is deleted.
- (10) In Section 104, Subsection 104.1 is revised as follows:

104.1 General. The fire code official is hereby authorized to enforce the provisions of this code and shall have authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations and publish bulletins in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations, and bulletins shall comply with the intentions and purposes of this code and shall not have the effect of waiving requirements specifically provided for in this code. The fire code official is authorized to develop administrative rules and publish bulletins to supplement the requirements of this code and adopted codes and standards referenced by this code. Should a conflict occur between this code, a referenced code or standard, or an administrative rule adopted by the fire code official, the requirements of the administrative rule shall govern.
- (11) In Section 104, Subsection 104.8.2 is revised as follows:

104.8.2 Technical Assistance. To determine the acceptability of technologies, processes, products, facilities, materials, and uses attending the design, operation or use of a building or premises subject to inspection by the fire code official, the fire code official is authorized to require the owner or the owner's authorized agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, and laboratory or fire safety specialty organization acceptable to the fire code official and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The fire code official is authorized to require design submittals to be prepared by, and bear the stamp of, a Texas-registered design professional. The fire code official is authorized to require that reports include a certification that the design, operation or use of the building or premises complies with applicable codes, including the International Building Code, International Electrical Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code or Texas Accessibility Standards.
- (12) In Section 104, Subsection 104.9 is revised to read as follows:

104.9 Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the fire code official shall have

the authority to grant modifications in accordance with 104.9.1 or 104.9.2.

104.9.1 Individual cases. The fire code official is authorized to modify the requirements of this code on a case-by-case, provided that in each instance the fire code official approves a modification to a code requirement, the fire code official shall first find that specific circumstances make strict compliance with this code impractical, that the modification of the code requirement would comply with the intent and purpose of this code, and that such modification does not lessen health, life, and fire safety requirements of this code. The fire code official shall cause the details of each action granting a modification to a code requirement to be recorded and entered into the files of the office of the fire code official.

104.9.2 Natural disasters. In preparation for, during and after a natural disaster event, as determined by the fire code official, the fire code official shall have the authority to issue written policies, procedures or rules that modify this code as necessary to protect life and property. Such policies, procedures or rules shall be made available to the public and shall include start and end dates, which can be extended at the fire code official's discretion.

- (13) In Section 104, Subsection 104.12.4 is added to read as follows:

104.12.4 Removal of debris after a fire. Whenever any building or other structure within the jurisdiction is partially or totally burned, the owner or the person in charge or control thereof, shall within ten days after notice of the Fire Marshal, remove all refuse, debris, and charred and partially burned lumber and material from the involved premises; and if such building or other structure shall be burned to such an extent that it is rendered incapable of being repaired, the owner of the property upon which the structure is located, or the person in charge and control thereof, shall within ten days after notice of the Fire Marshal, remove all remaining portions of the building or structure, from the premises. The Fire Marshal may extend the ten-day period of removal of such burned or partially burned structures, when the insurance adjustment, if any, is still pending.

- (14) In Section 105, Subsection 105.3.3 is revised 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 provision of this code have been met.

- (15) In Section 105, Subsection 105.3.5 is revised to read as follows:

105.3.5 Posting the permit. Issued permits and the *approved* stamped plan set shall be kept on the premises designated therein at all times and shall be readily available for inspection by the *fire code official*.

- (16) In Section 105, Subsection 105.5.38 is revised to read as follows:
- 105.5.38 Outdoor assembly event and mass gatherings. An operational permit is required to conduct an assembly event where the planned attendance exceeds 2,500 *persons* or meets any of the definitions of a mass gathering under Chapter 751 of the Texas Health and Safety Code, Texas Mass Gathering Act.
- (17) In Section 105, Subsection 105.6.25 is added to read as follows:
- 105.6.25 Electronic access control systems. A construction permit is required for the installation or modification of an electronic access control system utilizing controlled egress, delayed egress, or electromagnetic locking devices. A separate construction permit is required to install or modify a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this Code is not considered to be a modification and does not require a permit.
- (18) In Section 105, Subsection 105.6.26 is added to read as follows:
- 105.6.26 Underground fire lines/private fire mains. A construction permit is required to install, repair, or modify underground fire lines/private fire mains.
- (19) In Section 106, Subsection 106.1 is revised to read as follows:
- 106.1 Submittals. Construction documents and supporting data shall be submitted as a .pdf file, all layers flattened, with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared and sealed by a Texas-registered design professional. All projects are required to comply with Texas Accessibility Standards (TAS) as applicable by those standards. A TAS project number issued by the Texas Department of Licensing and Regulation prior to submittal of permit application to the fire code official.
- Exception: The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by a Texas-registered design professional if the fire code official finds that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.
- (20) Section 111 is deleted.
- (21) In Section 112, Subsection 112.4 is revised to read as follows:
- 112.4 Violation penalties. Persons who violate a provision of the 2021 Fire Code or who construct, install, alter, repair or work on a structure or appurtenance to such structure in violation of the approved construction documents or directive of the fire code official or of a Building Permit or certificate used under the provisions of the 2021 Fire

Code shall be subject to injunctive relief and civil penalties not to exceed \$500 for each day on which the violation exists.

- (22) In Section 113, Subsection 113.4 is revised to read as follows:

113.4 Failure to comply. Any person who continues 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 subject to injunctive relief and civil penalties not to exceed \$500 for each day on which the violation exists.

- (23) In Section 114, Subsection 114.1 is revised as follows:

114.1 General. If during the inspection of a premises, a building or structure, or any building system, in whole or in part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as the fire code official deems necessary in accordance with this section.

- (24) In Section 201, Subsection 201.4 is revised to read as follows:

201.4 –Terms not defined. Where terms are not defined through this order or the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Merriam Webster's Collegiate Dictionary, 12th Edition, shall be considered as providing ordinarily accepted meanings.

- (25) In Section 202, the definition for Animal Housing or Care Facility is added to read as follows:

ANIMAL HOUSING OR CARE FACILITY. A facility used for twenty-four (24) hour occupancy or permanent housing of animals for the purpose of providing a service, participating in a sport, or for providing general board and care. Animal housing or care facilities include animal shelters, animal breeding facilities, animal grooming facilities, animal daycare facilities, pet resorts, animal hospitals/veterinary clinics, kennels and pounds. Animal housing or care facilities do not include animal or pet care by pet owners for their own animals at their owned or rented residential property, and these facilities do not include Group U agricultural uses for the care and feeding of the agricultural business owner's own livestock.

- (26) In Section 202, the definition for Authorized Emergency Vehicle is added as follows:

AUTHORIZED EMERGENCY VEHICLE. An authorized emergency vehicle shall have the meaning as defined in the Texas Transportation Code Section 541.201(1).

- (27) In Section 202, the definition for Constant Supervision For Group B Animal Housing or Care Facility is added to read as follows:

CONSTANT SUPERVISION FOR GROUP B ANIMAL HOUSING OR CARE FACILITY. Twenty-four (24) hour on-site staff capable or responding to problems or emergencies that could impact the safety or lives of the animals being housed or cared for.

- (28) In Section 202, the definition for Carnival is added to read as follows:
CARNIVAL. An organized program of entertaining or exhibition, which may include merrymaking, feasting, and/or masquerading, either inside or outside a structure.
- (29) In Section 202, the definition for Fair is added to read as follows:
FAIR. A gathering of buyers and sellers at a particular place and time for trade and/or competitive exhibition accompanied with food and/or entertainment.
- (30) In Section 202, the definition for Festival Seating is added to read as follows:
FESTIVAL SEATING. A form of audience/spectator accommodation in which no seating, other than a floor or ground surface, is provided for the audience/spectators gathered to observe a performance.
- (31) In Section 202, the definition for Fire Apparatus Access Road is revised to read as follows:
FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus and/or authorized emergency vehicle access to a facility, building, or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.
- (32) In Section 202, the definition for Fire Chief is revised as follows:
FIRE CHIEF. The chief fire marshal serving the jurisdiction of Unincorporated Travis County.
- (33) In Section 202, the definition for Fire Watch is revised to read as follows:
FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more approved qualified individuals for the purposes of identifying and controlling fire hazards, detection early sign of unwanted fire, raising an alarm of fire and notifying the fire department.
- (34) In Section 202, the definition for High-Rise Building is revised to read as follows:
HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet above the lowest level of authorized emergency vehicle access.

- (35) In Section 202, the definition for Intermodal Shipping Container is added as follows:
- INTERMODAL SHIPPING CONTAINER. A six-sided steel unit originally constructed as general cargo container used for the transport of goods and materials.
- (36) In Section 202, the definition for Mobile Food Preparation Vehicles is revised to read as follows:
- MOBILE FOOD PREPARATION VEHICLES. Vehicles, trailers, or watercraft that contain any heat-producing equipment to cook, fry, or warm products or any cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.
- (37) In Section 202 OCCUPANCY CLASSIFICATION, the following paragraphs under the title "Group B, Business" are revised to read as follows:
- Group B, Business. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including the storage of records and accounts. Business occupancies shall include, but not be limited to, the following:
- Animal housing or care facilities.
- *All other examples remain unchanged.
- (38) In Section 202 OCCUPANCY CLASSIFICATION, the following paragraphs under the title "Residential Group R" are revised to read as follows:
- R-2 Residential occupancies containing sleeping units or more than three dwelling units where the occupants are primarily permanent in nature, including:
- Apartment houses
- Congregate living facilities (nontransient) with more than 16 occupants
- Boarding houses (non-transient)
- Convents
- Dormitories
- Fraternities and sororities
- Monasteries
- Hotels (non-transient)
- Live/work units
- Motels (non-transient)
- Vacation timeshare properties

- (39) In Section 202 OCCUPANCY CLASSIFICATION, [B] Miscellaneous Group U is revised as follows:

Group U, Miscellaneous. Buildings and structures of an accessory character of structures and miscellaneous structures not classified in any specific occupancy regulated by this code shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life safety hazard incidental to their occupancy. Group U shall include, but not be limited to, the following:

Agricultural buildings, including but not limited to barns, livestock shelters, and stables;

Aircraft hangars, accessory to a one- or two-family residence shall comply with Section 412.4 of the International Building Code

Carports;

Non-occupiable Communication equipment structures with a gross floor area of less than 1,500 square feet (139 m²)

Grain silos, accessory to a residential occupancy

Greenhouses not classified as another occupancy

Private garages and carports shall comply with Section 309 of the International Residential Code

Retaining walls more than 4 feet in height

Sheds with a gross floor area of greater than 400 square feet

Tanks

Towers

- (40) In Section 202, the definition for Off site Construction is added to read as follows:

OFF-SITE CONSTRUCTION. A modular building, modular component or panelized system that is wholly or in substantial part fabricated or assembled in manufacturing plants for installation, or assembly and installation, on a separate building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

- (41) In Section 202, the definition for Pier is revised to read as follows:

Pier. A structure extending over the water and supported on a fixed foundation (fixed pier), or on flotation (floating pier), and used as a landing place, pleasure pavilion, or similar purpose.

- (42) In Section 202, the definition for Slip is added to read as follows:

Slip. A berthing space between or adjacent to piers, wharves, or docks.

- (43) In Section 307, Subsection 307.2.1 is revised to read as follows:

307.2.1 Authorization. All outdoor burning shall be done in accordance with Texas Outdoor Burning Rules, 30 Texas Administrative Code, Chapter 111, Subchapter B. If a conflict exists between this code and the Texas Outdoor Burning Rules, the more stringent rule applies. Where required by state or local law or regulations, open burning shall be permitted only with the prior approval from the authority having jurisdiction, provided that all conditions specified in the authorization are followed.

- (44) In Section 307, Subsection 307.4 is revised to read as follows:

307.4 Location. The location for open burning shall not be less than 50 feet (15240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15240 mm) of any structure.

Exceptions: Fires in approved containers that are not less than 25 feet (7620 mm) from a structure.

- (45) In Section 308, Subsection 308.4 is revised to read as follows:

308.4 Group R occupancies. Open flame, fire, and burning in Group R occupancies shall comply with the requirements of Sections 308.1 through 308.1.6.3 and Sections 308.4.1 and 308.4.2.

308.4.1 Group R-2 dormitories. Candles, incense, and similar open-flame-producing items shall not be allowed in sleeping units in Group R-2 dormitory occupancies.

308.4.2 Fire hazard prohibited. In Group R-1, R-2, or R-4 occupancies, a person shall not construct, erect, install, maintain, or use any incinerator, barbeque pit, grill, chiminea, fuel-fired lanterns, heaters, torches, or similar device, nor burn any combustible material so as to constitute or create a fire hazard by the use or burning thereof or as to endanger the life or property of any person. The use or burning of any such devices under the following conditions is deemed to constitute a fire hazard and is prohibited: (1) within ten linear feet of any combustible surface, including but not limited to decks, porches, balconies, walls, or verandas; (2) beneath any balcony, porch, roof overhang, deck, or veranda that is not fully covered by an automatic sprinkler system.

Exception: Outdoor kitchens connected as part of a R-1 or R-2 common recreation area with additional safeguards as approved by the fire code official.

- (46) In Section 319, Subsection 319.1 is revised to read as follows:

319.1 General. Mobile food preparation vehicles shall comply with this section.

- (47) In Section 319, Subsection 319.4 is revised to read as follows:

319.4 Fire protection. When required by the fire code official, fire protection shall be provided in accordance with Sections 319.4.1 and 319.4.2.

- (48) In Section 319, Subsection 319.4.2 is revised to read as follows:

319.4.2 Fire extinguisher. Portable fire extinguishers shall be provided in accordance with Section 906 and shall have a minimum of one (2A10BC) portable fire extinguisher installed in the kitchen area in compliance with this section. Where a generator is in use, one (3A40BC) portable fire extinguisher is required to be accessible from the exterior of the vehicle.

- (49) In Section 319, Subsection 319.8 is revised to read as follows:

319.8 LP-gas systems. Where LP-gas systems provide fuel for cooking appliances, such systems shall comply with Chapter 61 and Sections 319.8.1 through 319.8.8.

- (50) In Section 319, Subsection 319.8.2 is revised to read as follows:

319.8.2 Protection of container. LP-gas containers installed on the vehicle shall be securely mounted and restrained to prevent movement. LP-gas containers shall be located and secured on the exterior of the mobile food preparation vehicle, open to atmosphere, or if container(s) are kept in a compartment, the compartment must be separate from the interior food preparation area. Access must be from the exterior of the unit and compartment floor and exterior door must be vented to the atmosphere.

- (51) In Section 319, Subsection 319.8.6 is added to read as follows:

319.8.6 No Smoking sign. If equipped with LP-gas, a "NO SMOKING" sign must be installed next to or directly above the LP-gas container or compartment where the container is stored and must be visible to the public. Such sign shall be posted with a minimum of four-inch lettering on a contrasting background.

- (52) In Section 319, Subsection 319.8.7 is added to read as follows:

319.8.7 Listed hoses. Any hose used to pipe LP-gas to a device/appliance shall be listed by UL, FM, or other approved agency and listed specifically for LP-gas use. All couplings, fittings, and any other devices shall meet the requirements for LP-gas service as outlined in the International Fuel Gas Code, NFPA 54, and NFPA 58, and any coupling, fitting, or any other device that does not meet these requirements is deemed unapproved and must be removed from service.

- (53) In Section 319, Subsection 319.8.8 is added to read as follows:

319.8.8 LP-gas container location. LP-gas containers shall be located outside the vehicle and a minimum of five feet from the primary means of egress.

- (54) In Section 319, Subsection 319.11 is added to read as follows:

319.11 Baffles. All deep-fat fryers shall have a stainless-steel baffle between the fryer and surface flames of an adjacent appliance or shall maintain a separation distance of at least 16 inches. The baffle, if installed, shall be at least eight inches in height above both surfaces.

- (55) In Section 319, Subsection 319.12 is added to read as follows:

319.12 Egress. A clear, unobstructed height of at least 74 inches from floor to ceiling over the aisle-way portion of the vehicle and a minimum of 30 inches of unobstructed horizontal aisle space is required. All exits must remain unobstructed while the vehicle is occupied.

- (56) In Section 319, Subsection 319.13 is added to read as follows:

319.13 Electrical. Electrical equipment, wiring and systems shall comply with Section 603.

- (57) In Chapter 3, Section 322 titled "Intermodal Shipping Containers" is added with the following subsections:

322.1 General. Intermodal shipping containers that are repurposed for use as buildings or structures, or as a part of buildings or structures shall be constructed, installed, and maintained in accordance with Section 3115 of the International Building Code.

322.2 ICC G5-2019 Guideline for the Safe Use of ISO Intermodal Shipping Containers Repurposed as Buildings and Building Components. The fire code official is authorized to use any or all portions of the publication ICC G5-2019 Guideline for the Safe Use of ISO Intermodal Shipping Containers Repurposed as Buildings and Building Components as a referenced standard for this Chapter.

- (58) In Chapter 3, Section 323 titled "Off-site Construction" is added with the following subsections:

323.1 General. Buildings or structures that are constructed off site and brought into the jurisdiction shall be constructed, installed, and inspected in accordance with ICC/MBI 1205-21: Standard for Off-site Construction: Inspection and Regulatory Compliance.

The fire code official is authorized to use any or all portions of the publication ICC/MBI 1205-21: Standard for Off-site Construction: Inspection and Regulatory Compliance as a referenced standard for this Chapter.

- (59) In Section 403, Subsection 403.2.5 is added to read as follows:

403.2.5 Festival seating. Festival seating shall be prohibited within assembly occupancies, unless the occupant load is 250 or less; or where the occupant load exceeds 250, an approved fire and life safety evaluation has been completed and that evaluation has been reviewed and approved by the fire code official.

- (60) In Section 403, Subsection 403.4.4 is added to read as follows:

403.4.4 Evacuation diagrams. A diagram depicting two evacuation routes shall be posted in each classroom, immediately adjacent to every required egress.

- (61) In Section 403, Subsection 403.11.1 is revised to read as follows:

403.11.1 Fire watch personnel. If the fire code official determines that it is essential for public safety to have one or more fire watch personnel in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent, lessee, or promoter of the event in accordance with the requirements of the fire code official, and the cost of the fire watch shall be the sole responsibility of the owner of the premises, tenant, lessee, or promoter of the event. The fire watch fee is published in the county Fire Marshal's approved fee schedule. Fire watch personnel shall comply with Sections 403.11.1.1 and 403.11.1.2.

- (62) In Section 403, Subsection 403.4.4 is added to read as follows:

403.4.4 Evacuation diagrams. A diagram depicting two evacuation routes shall be posted in each classroom, immediately adjacent to every required egress.

- (63) In Section 404, Subsection 404.2.2 items 4.10 and 4.11 are added to read as follows:

4.10. Fire extinguishing system controls.

4.11 Equipment controls intended to be used by or made available to emergency response personnel.

- (64) In Section 501, Subsection 501.4 is revised to read as follows:

501.4 Timing of installation. Where fire apparatus access roads and/or a water supply for fire protection are required to be installed, such shall be installed, tested, and approved prior to the time at which construction has progressed beyond completion of the foundation of any structure. Such provisions shall be maintained throughout the duration of construction.

Exception: Where alternative methods are approved by the fire code official.

- (65) In Section 503, Subsection 503.2.1 is revised to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, 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.

- (66) In Section 503, Subsection 503.2.3 is revised to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support at least 80,000 pounds of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Approved surfaces are concrete, asphalt, and TXDOT-approved chip seal.

- (67) In Section 503, Subsection 503.2.4 is revised as follows:

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be a minimum of 50 feet outside radius and a minimum of 25 feet clear distance to the inside radius unless approved by the fire code official.

- (68) In Section 503, Subsection 503.3 is revised as follows:

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings stating "NO PARKING FIRE LANE TOW AWAY ZONE" shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Such signs shall conform to Appendix D, Section D103.6 as revised by this Chapter.

- (69) In Section 503, Subsection 503.5 is revised as follows:

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys, or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. In the event of a power failure, the gate or barrier shall be provided with an emergency battery power supply or fail-safe, allowing the gate to be pushed open without the use of special knowledge or equipment. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

- (70) In Section 503, Subsection 503.6 is revised to read as follows:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official prior to installation. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained in an operative condition and

repaired or replaced when defective. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. When required by the fire code official, gates that do not operate properly shall be secured in the open position until repaired.

- (71) In Section 503, Subsection 503.7 is added to read as follows:

503.7 Modification of fire apparatus access roads. Any modification or revision to an existing fire apparatus access road shall require plans to be submitted and approved per Section 106 of this Code prior to initiation of such work.

- (72) In Section 505, Subsection 505.1 is revised to read as follows:

505.1 Address Identification. New and existing buildings shall be provided with approved address and building identification. The address and building identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address and building identification characters shall contrast with their background. Address and building numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches high with a minimum stroke width of ½ inch. Where required by the fire code official, address and building identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a means approved by the fire code official shall be used to identify the structure. Address and building identification shall be maintained.

- (73) In Section 507, Subsection 507.3 is revised to read as follows:

507.3 Fire Flow. Fire-flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B as modified by this chapter.

- (74) In Section 507, Subsection 507.4 is revised as follows:

507.4 Water supply test. Adequacy of the water supply shall be determined by an approved flow test that is conducted on the fire hydrants nearest the project site unless otherwise approved by the fire code official. The fire code official shall be notified prior to a water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the fire test shall be provided to the fire code official as follows:

1. The flow test shall have been conducted no more than six months prior to the date of construction document submittal;
2. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on test information.

3. The flow test shall be conducted in accordance with NFPA 291, Recommended Practice for Fire Flow Testing and Marking of Hydrants, and any other applicable local, state, or national standards and/or requirements;
4. The flow test results shall be submitted with the construction documents;
5. If the water supply piping is not yet constructed, hydraulic calculations for the proposed piping design shall be submitted to the fire code official. The calculations shall be based on the flow test conducted on the fire hydrants nearest the project site and shall verify that the piping design provides the minimum required fire flow at no less than 20 psi residual. Upon completion of construction and prior to final certificate of occupancy, a flow test shall be conducted to verify the results of the calculations.

(75) In Section 507, Subsection 507.5.1.1 is revised to read as follows:

507.5.1.1 Hydrant for automatic sprinkler systems and standpipe systems. Buildings equipped with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, or a standpipe system installed in accordance with Section 905, or both, a fire hydrant shall be located within 100 feet of the Fire Department Connection(s).

Exception: The distance shall be permitted to exceed 100 feet where approved by the fire code official.

(76) In Section 507, Subsection 507.5.1.2 is added as follows:

507.5.1.2 Installation. Hydrants shall be installed in accordance with the local water purveyor standards. Hydrants shall have not less than two (2) 2 ½-inch outlets with National Hose Thread (NHT) and one (1) 4 ½-inch outlet with National Hose Thread (NHT). Hydrants shall be installed with the center of the 4 ½-inch outlet at least 18 inches above the finished adjacent grade. The 4 ½ inch outlet must face the approved fire apparatus access road and must be unobstructed to the street. On public property, the set-back from the face of the hydrant to the back of the adjacent curb shall be the local water purveyor standards. On private property, the set-back shall be two (2) to eight (8) feet unless specifically approved by the fire code official.

(77) In Section 507, Subsection 507.5.7 is added to read as follows:

507.5.7 Public and private roads. Hydrants shall be provided along new public and private roads in the follow locations:

1. Hydrants shall be installed at the intersection of two (2) roads and in between intersections at distances not more than 300 feet between hydrants or as approved by the fire code official.

Exception: The distance between hydrants in single family residential areas may be increased to a maximum of 600 feet.

2. Hydrants shall be installed on both sides of all divided roads. Roads and highways where opposing lanes of traffic are separated by a vehicle obstruction shall be considered a divided road.

- (78) In Section 510, Section 510.1 is revised to read as follows:

510.1 Emergency responder communication coverage in new buildings. Approved in-building two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building within 12 months prior to the completion of construction of the building. This section shall not require improvement of the existing public safety communication systems.

- (79) In Section 510, Section 510.4.2 is revised to read as follows:

510.4.2 System Design. The in-building, two-way emergency responder communication coverage system shall be installed in accordance with Sections 510.5.2. through 510.5.5 and NFPA 1225 – 2022 edition.

- (80) In Section 510, Section 510.5 is revised to read as follows:

510.5 Installation requirements. The in-building, two-way emergency responder communication coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1225 – 2022 edition.

- (81) In Section 603, Subsection 603.1.3 is added to read as follows:

603.1.3 Main Electrical Disconnect. The main electrical disconnects for each building shall be installed outside of the building in an approved location. As an alternative, the fire code official is authorized to accept an approved shunt trip installed in an approved location outside of the building.

- (82) In Section 803, Subsection 803.11 is revised to read as follows:

803.11 Foam plastic materials. Foam plastic materials shall not be used as interior wall and ceiling finish. Foam plastic materials shall not be used as interior trim unless specifically allowed by Subsection 804.2.

Exception: Foam plastic material shall be allowed if it is separated from the interior of the building by an approved thermal barrier in accordance with Subsection 2603.4 of the IBC. Fire-resistant coatings shall not be utilized as an approved thermal barrier.

- (83) Subsection 803.11.1 is deleted.
- (84) Subsection 803.11.2 is deleted.
- (85) In Section 901, Subsection 901.4.1.1 is added to read as follows:
- 901.4.1.1. When a change in use occurs and the installed fire protection systems are no longer necessary or no longer required, the building or facility owner shall maintain the systems in full operation or completely remove them. The building or facility owner shall notify the fire code official of their intentions and receive approval, prior to removing the systems.
- (86) In Section 901, Subsection 901.4.7 is revised to read as follows:
- 901.4.7 Pump and riser room. A dedicated room shall be provided for fire pumps and automatic sprinkler risers. Fire pump rooms and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with a minimum of three (3) feet of working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and automatic sprinkler system riser rooms shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment. Only items that are approved by the fire code official may be stored in the pump or riser room. Fire pump rooms shall comply the construction requirements of NFPA 20.
- Exception: Where alternative arrangements and configurations are approved by the fire code official.
- (87) In Section 901, Subsection 901.4.7.1 is revised to read as follows:
- 901.4.7.1 Access. Automatic sprinkler system risers, fire pumps and controllers shall be provided with ready access.
1. The riser room shall be provided with direct exterior access from an approved fire apparatus access road.
 2. There shall be no structures or landscaping features that obstruct or impede access to the riser room.
 3. A landing and door threshold must be provided at the exterior access door in accordance with the requirements of Subsections 1010.1.5 and 1010.1.6 of this code, unless otherwise approved by the fire code official.
 4. The exterior riser room door shall be permitted to be locked provided that the key is available at all times.

- (88) In Section 901, Subsection 901.7.7 is added to read as follows:
- 901.7.7 Required notification. Where notification of the fire department is required by this section, notification shall be in a manner approved by the fire code official.
- (89) In Section 901, Subsection 901.9 is revised to read as follows:
- 901.9 Termination of monitoring service. For fire alarm systems required to be monitored by this code, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made by the provider of the monitoring service being terminated in a manner approved by the fire code official.
- (90) In Section 903, Subsection 903.1.2 is added to read as follows:
- 903.1.2 Safety factor. All automatic sprinkler systems shall be designed with a minimum safety factor of 5 PSI or 10% of the required pressure, taken at the base of the most hydraulically demanding riser, whichever is greater.
- (91) In Section 903, Subsection 903.2.2 is revised follows:
- 903.2.2 Group B. An automatic sprinkler system shall be provided for Group B occupancies as required in 903.2.2.1 through 903.2.2.2.
- 903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:
1. Four or more care recipients are incapable of self-preservation.
 2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.
- In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.
- 903.2.2.2 Group B – Animal Housing or Care Facilities. An automatic sprinkler system in accordance with Section 903.3 and 903.4 shall be provided in fire areas containing an animal housing or care facility when the animals are not provided with constant supervision.
- Exceptions:
1. An automatic sprinkler system is not required in animal housing or care facilities serving 25 or fewer animals where all of the following conditions are met:

- 1.1 Walls and ceilings have a Class A finish as specified in Section 803; and
 - 1.2 The facility is provided with a supervised fire alarm system in accordance with Section 907.2.2.2.
 2. An automatic sprinkler system is not required in animal housing or care facilities serving 50 or fewer animals where all of the following conditions are met:
 - 2.1 The facility is of one (1) hour fire resistive construction on both sides of the boundary walls of the kennel area;
 - 2.2 Walls and ceilings have a Class A finish as specified in Section 803;
 - 2.3 The facility is provided with a supervised fire alarm system in accordance with Section 907.2.2.2.
- (92) In Section 903, Subsection 903.2.8.5 is added to read as follows:
 903.2.8.5 Townhouses constructed as rental units in multi-family developments. Townhouses constructed with the intended purpose as rental units in multi-family developments shall be protected by an automatic fire sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2.
- (93) In Section 903, Subsection 903.3.1.1.1 is revised to read as follows:
 903.3.1.1.1 Exempt locations. When approved by the fire code official, automatic sprinklers may be omitted from rooms or areas where the application of water constitutes a serious life or fire hazard or where sprinklers are considered undesirable because of the nature of the contents. When automatic sprinkler protection is omitted from a room or area, an approved alternate fire protection system shall be provided.
- (94) In Section 905, Subsection 905.1.1 is added to read as follows:
 905.1.1 Safety factor. All standpipe systems, with the exception of manual standpipes, shall be designed with a minimum safety factor of 5 PSI or 10% of the required pressure, taken at the base of the most hydraulically demanding outlet, whichever is greater. (
- (95) In Section 905, Subsection 905.3 is revised to read as follows:
 905.3 Required installations. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.9. Standpipe systems are allowed to be combined with automatic sprinkler systems.
- (96) In Section 905, Subsection 905.3.9 is added to read as follows:
 905.3.9 Distance. The fire code official is authorized to require installation of an approved Class I or Class III standpipe system where any portion of a building's interior area is located more than 200 feet of

travel, vertically and/or horizontally, from the nearest point of fire department vehicle access. This distance shall be measured along an approved path of travel from the point of vehicle access to the most remote portion of the building.

- (97) In Section 905, Subsection 905.4 number 1 is revised as follows:

In every required interior 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.

Exception: Where approved by the fire code official.

- (98) In Section 907, Subsection 907.2.2.2 is added to read as follows:

907.2.2.2 Animal Housing or Care Facilities. Fire areas containing an animal housing or care facility shall be provided with an electronically supervised automatic smoke detection system. In spaces provided with a source of heat or light but otherwise unconditioned, in lieu of smoke detection, the alarm system may be activated by quick response heat detectors with a response time index (RTI) of less than 100 (e.g. "Quick", "Ultrafast", "V-fast").

Exception: Smoke detectors and/or quick response heat detectors are not required where the building is equipped with an automatic sprinkler system installed in accordance with Sections 903.3 and 903.4 and activation of the automatic sprinkler system activates notification appliances as required by Section 907.2.2.2.1.

907.2.2.2.1 Notification Appliances. Notification appliances shall provide audible and visual alarm signals in office areas and other areas within the fire area where no animals are housed or cared for. Notification appliances within the areas animals are housed or cared for shall provide visual only notification.

- (99) In Section 907, Subsection 907.2.9 is revised as follows and the remainder of Subsections of 907.2 are renumbered as appropriate:

907.2.9 Group R-2 and Group R-4. Fire alarm systems and smoke alarms shall be installed in Group R-2 and Group R-4 occupancies as required in Sections 907.2.9.1 through 907.2.9.3.

- (100) In Section 907, Subsection 907.2.9.1 is revised to read as follows:

907.2.9.1 Manual fire system. A manual fire alarm system which activates the occupant notification system in accordance with Section 907.5 shall be installed in R-2 and Group R-4 occupancies where any of the following conditions apply:

(The remainder of Subsection 907.2.9.1 remains unchanged.)

- (101) In Section 907, the following exception is added to Subsection 907.4.2.1:

Exception: Where construction elements of the building prohibit the proper installation of a manual fire alarm box (e.g. glass walls, interior brick or rock walls), a manual fire alarm box shall be allowed to be located in the normal path of egress, in a location(s) approved by the fire code official.

- (102) In Section 907, Subsection 907.5.2.3.1 is revised to read as follows:

Public use areas, common use areas, and employee work areas. Visible alarm notification appliances shall be provided in public use areas, common use areas, and employee work areas.

Exception: Where employee work areas have audible alarm coverage, the notification appliance circuits serving the employee work areas shall be initially designed with not less than 20-percent spare capacity to account for the potential of adding visible notification appliances in the future to accommodate hearing-impaired employee(s). Visible alarm notification appliances are not required in storage rooms, mechanical spaces, and similar unoccupied areas which do not exceed 100 sq. ft. in floor area.

- (103) In Section 907, Subsection 907.9.1 is added to read as follows:

907.9.1 System component repair, replacement, or upgrade. Where components of a fire alarm system must be replaced, they must be installed in accordance with this code and NFPA 72. Where more than one type of component (control panel, initiation device, or notification device) is replaced, the fire alarm system must be brought into compliance with this code.

Exception: Components replaced in accordance with 901.10 must comply with the code in place at the time of the original installation of the fire alarm system.

- (104) In Section 910, exceptions 2 and 3 of Subsection 910.2 are revised to read as follows:

2. Automatic smoke and heat removal shall not be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. When required by the fire code official, an approved manual smoke exhaust system shall be installed.
3. Automatic smoke and heat removal shall not be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m \times s)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. When required by the fire code official, an approved manual smoke exhaust system shall be installed.

- (105) In Section 912, Subsection 912.2.3 is added to read as follows:

912.2.3 FDC placement and type. Automatic sprinkler system fire department connections shall be as follows

1. For buildings with a building height greater than 20 feet, the FDC shall be located remotely.
2. Remote FDCs shall be located not less than two feet and not more than eight feet, from the face of the curb of a fire apparatus access road. Remote FDCs shall be located within 100 feet of an approved fire hydrant measured by hose lay, except for R-2 Apartments for which the fire department connection shall be within 250 feet of an approved fire hydrant measured by hose lay.
3. Remote FDC shall be a minimum of two feet above finished grade and a maximum of four feet above finished grade for standard inlets and minimum of 30 inches at lowest point above finished grade and maximum of four feet above finished grade for the 5-inch "Storz" inlet.
4. Fire department connections must be physically protected against impact per the requirements of Section 312 of this code, or other means approved by the fire code official.
5. Where provided, the 5-inch "Storz" inlet shall be installed at a 30-degree angle pointing down.
6. Remote fire department connections shall be located on the same side of the fire apparatus access road as the fire hydrant serving the FDC.
7. The size (5-inch "Storz" or 2 ½ inch) and number of the fire department connections will be determined by required flow testing and system demand and approved by the fire code official.

(106) In Section 1009, Subsection 1009.1 is revised to read as follows:

1009.1 Accessible means of egress required. Accessible means of egress shall comply with this section. Accessible spaces shall be provided with not less than one accessible means of egress. Where more than one means of egress are required by Section 1006.2 or 1006.3 from any accessible space, each accessible portion of the space shall be served by not less than two accessible means of egress. Accessible means of egress shall comply with both this section and the Architectural Barriers Act, Article 9102, of the Texas Civil Statutes (Texas Accessibility Standards or TAS). The fire code official is authorized to require the owner, applicant or agent to provide a technical report from a qualified person certifying TAS compliance.

(107) In Section 1103, Subsection 1103.5.3 is revised to read as follows:

1103.5.3 Group I-2, Condition 2. In addition to the requirements of Section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The automatic sprinkler system shall be installed by a date agreed to in writing by the fire code official.

(108) In Section 1103, Subsection 1103.7.7 is added to read as follows:

1103.7.7 Animal Housing or Care Facilities. An electronically supervised automatic smoke detection system complying with Section 907.2.2.2 shall be installed in all fire areas containing an existing Group B Animal Housing or Care Facility without constant supervision no later than January 1, 2028.

(109) In Section 1201, Subsection 1201.1 is revised to read as follows:

1201.1 Scope. The provisions of this chapter shall apply to the installation, operation, maintenance, repair, retrofitting, testing, commissioning and decommissioning of energy systems used for generating or storing energy. Energy storage systems regulated by Section 1207 shall comply with this chapter, as appropriate, and NFPA 855.

(110) In Section 1207, Subsection 1207.1.7 is added to read as follows:

1207.1.7 New technology. Where specific battery types are not addressed in this section, or where new or revised energy storage systems are proposed, or where new information or testing of energy storage systems is available, the fire code official is authorized to use applicable codes, standards, or test reports to determine requirements for such systems.

(111) In Section 2401, Subsection 2401.2 is revised to read as follows:

2401.2 Nonapplicability. This chapter shall not apply to spray finishing utilizing flammable or combustible liquids that do not sustain combustion, including:

1. Liquids that do not have a fire point when tested in accordance with ASTM D92.
2. Liquids with a flashpoint greater than 95°F in a water miscible solution or dispersion with a water and inert (noncombustible) solids content of more than 80 percent by weight.

The owner and operator are required to notify the fire code official of any changes to the materials used in the spray finishing operation, including but not limited to spray booths, spray rooms, and spraying spaces.

- (112) In Section 3604, Subsections 3604.1 and 3604.2 are revised as follows:
- 3604.1 General. Piers, marinas and wharves with facilities for mooring and servicing vessels and marine motor fuel-dispensing facilities shall be equipped with fire protection equipment in accordance with the Travis County Fire Marshal Marina Fire Protection Standard.
- 3604.2 Standpipes. Piers, marinas and boatyards shall be equipped throughout with an approved standpipe system. Systems shall be provided with hose connections located such that no point on the marina, pier or float system exceeds 150 feet from a standpipe hose connection.
- (113) In Section 5601, Subsection 5601.2.4.2 is revised to read as follows:
- 5601.2.4.2 Fireworks display. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the *fire code official* for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. In accordance with the Texas Occupation Code, the applicant for any display shall submit evidence of a general liability insurance policy in the amount of \$1 million.
- (114) In Section 5609, Subsection 5609.1 is revised to read as follows:
- 5609.1 General. The sale, storage, and display of Fireworks 1.4G is subject to the authority of the fire code official, including the authority to inspect and determine the presence of fire hazards.
- (115) In Section 5609, Subsection 5609.1.1 is added to read as follows:
- 5609.1.1 Applicability. This Section 5609 provides standards for the design and construction of buildings in which Fireworks 1.4G are to be stored, sold, or displayed. Such design and construction shall comply with this section and the Texas Fireworks Rules, current edition, as promulgated by the Texas State Fire Marshal.
- (116) In Section 5609, Subsection 5609.1.2 is added to read as follows:
- 5609.1.2 Compliance with Fire Code. All structures used for the storage or sale of consumer fireworks 1.4G shall comply with the applicable provisions of the Travis County Fire Code for new structures, and with applicable sections of this sub-section.
- (117) In Section 5609, Subsection 5609.1.3 is added to read as follows:
- 5609.1.3 Fire Code Permit and Inspections Any structure that is erected, occupied, or moved into or within the jurisdiction is considered new construction and requires a Fire Code permit and an inspection to ensure compliance with the adopted code.
- (118) In Section 5609, Subsection 5609.2 is added to read as follows:

5609.2 Definitions.

5609.2.1 Temporary Structure. Any structure that is erected, occupied, or moved into or within the jurisdiction, for a period of less than 180 days.

5609.2.2 Permanent Structure. Any structure that is erected, or moved into or within the jurisdiction, for a period of more than 180 days.

5609.2.3 Fireworks Control Area. Spaces within a building where quantities of fireworks 1.4G, not exceeding the maximum allowable quantities, are stored, dispensed, used or handled.

(119) In Section 5609, Subsection 5609.3 is added to read as follows:

5609.3 Conflict between provisions. If there is a conflict between the provisions of this section and the Fireworks Rules, the more stringent of the provisions shall apply.

(120) In Section 5609, Subsection 5609.3.1 is added to read as follows:

5609.3.1 Limit of authority. This section does not limit the authority of the County Fire Marshal to inspect any retail site location or storage facility or to require additional fire protection measures.

(121) In Section 5609, Subsection 5609.4 is added to read as follows:

5609.4 Requirements for all retail sales, displays, and storage sites and facilities. All Fireworks 1.4G retail sales sites, storage buildings, and control areas, including temporary storage facilities such as trailers, semi-trailers, or metal shipping containers must conform to the minimum standards of this section.

(122) In Section 5609, Subsection 5609.4.1 is added to read as follows:

5609.4.1 Physical Address and Emergency Contact. All retail sales sites and storage facilities must have the physical address and a 24-hour emergency contact number prominently posted on the outside of each site, close to the main entrance, in numbers at least 4 inches in height and ½ inch stroke in width on a contrasting background, and visible from the street or road fronting the property.

(123) In Section 5609, Subsection 5609.4.2 is added to read as follows:

5609.4.2 Residential Storage. Fireworks 1.4G retail storage buildings shall not be used for residential occupancies. Use of a residential building for the storage of fireworks in excess of 125 pounds of pyrotechnic material shall be considered a change in occupancy.

(124)_ In Section 5609, Subsection 5609.4.3 is added to read as follows:

5609.4.3 Maximum allowable quantity. No more than 125 pounds of pyrotechnic material may be stored or displayed in any control area. In the absence of documentation approved by the fire code official, 25

percent of the gross weight of the fireworks, including all packaging, will be used to determine the 125-pound limitation.

Exception:

1. The maximum allowable quantities can be increased 100 percent if the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.
2. The maximum allowable quantities may be greater than allowed by this section, subject to approval by the County Fire Marshal, if the building meets all requirements for a Group H-3 occupancy and Section 5609.4.

The aggregate quantity in use and storage shall not exceed the quantity listed for storage in the Application for Permit.

- (125) In Section 5609.4, Subsection 5609.4.4 is added to read as follows:

5609.4.4 Minimum separation distances. Except as specified elsewhere in this section, structures shall be located in accordance with the requirements of Table 5609.4.1.

Table 5609.4.1 Minimum Separation Distances of Fireworks 1.4G Retail Sales Buildings, including Trailers, Semi-trailers, and Metal Shipping Containers

| Type of Structure | Minimum Distance |
|---|------------------|
| From other trailers or semi-trailers | 0 ft. |
| From Vehicles | 10 ft. |
| From other buildings | 20 ft. |
| From combustibles | 30 ft. |
| From cooking equipment of any type, or any open-flame equipment-Food Trailers, grills or BBQ- pits. | 50 ft. |
| Motor vehicle fuel-station dispensers or Retail propane dispensing station dispensers. | 100 ft. |

- (126) In the ICC section of Chapter 80, Section 322 is added as a referenced code section of the International Building Code.

- (127) In the ICC section of Chapter 80, the following is added as a referenced standard of subsection 322.2:

ICC G5-2019 Guideline for the Safe Use of ISO Intermodal Shipping Containers Repurposed as Buildings and Building Components

- (128) In the ICC section of Chapter 80, the following is added as a referenced standard of subsection 323.1:
- ICC/MBI 1205-21: Standard for Off-site Construction: Inspection and Regulatory Compliance
- (129) In the NFPA section of Chapter 80, the following is added as a referenced standard of subsection 507.4:
- 291-22: Recommended Practice for Water Flow Testing and Marking of Hydrants
- (130) In the NFPA section of Chapter 80, the following is added as a referenced standard of subsection 1201.1:
- 855-23: Standard for the Installation of Stationary Energy Storage Systems
- (131) In the NFPA section of Chapter 80, the following is added as a referenced standard of subsection 510.4.2:
- 1225-22: Standard for Emergency Services Communications
- (132) In Appendix B, subsection B105.1 revised as follows
- B105.1 One- and two-family dwellings, Group R-3 and R-4 buildings and townhouses.** The minimum fire-flow and flow duration requirements for one and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be 1,000 gallons per minute for 1 hour. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than the flow specified in Table B105.1(2).
- Exception:** The Fire Code Official is authorized to approve a reduction in required fire-flow when the building is equipped with an approved automatic fire sprinkler system. Table B105.1(1) may be utilized for determining fire flow reduction when approved by the Fire Code Official.
- (133) In Appendix B, subsection B105.2 is revised as follows:
- B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses.** The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Table B105.1(2).
- Exception:** The Fire Code Official is authorized to approve a reduction in required fire-flow when the building is equipped with an approved automatic fire sprinkler system. Table B105.2 may be utilized for determining fire flow reduction when approved by the Fire Code Official.
- (134) In Appendix D, section D103.1 is revised as follows:

Access road width with a fire hydrant. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 25 feet (7925mm), exclusive of shoulders. See Figure D103.1.

Exception: Widths less than 25 feet as approved by the fire code official.

- (135) In Appendix D, the exception to section D103.2 is revised as follows:

Exception: Grades from 10 percent to 12 percent must have Type C asphalt surface. Grades of 13 to 15 percent must have Type C Asphalt surface with Grade 5 Chipseal. Grades steeper than 15 percent are not allowed.

- (136) In Appendix D, section D103.3 is revised as follows:

Turning radius: The turning radius shall be a minimum of 25 feet inside and 50 feet outside.

Exception: Radius less than 25 feet inside or 50 feet outside when approved by the fire code official.

- (137) In Appendix D, section D103.6 is revised as follows:

Signs and markings. Where curb and gutter exists, all curbs of fire apparatus access roads shall be painted red and be conspicuously and legibly marked with the warning “NO PARKING -- FIRE LANE – TOW AWAY ZONE” in white letters at least three inches tall, at intervals not exceeding 35 feet.

Where no curb and gutter exists, fire apparatus access roads shall be marked with permanent NO PARKING -- FIRE LANE – TOW AWAY ZONE signs at intervals not exceeding 50 feet. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus access road as required by Section D103.6.1 or D103.6.2.

- (138) In Appendix D, the exception to section D104.2 is revised as follows:

Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems or as approved by the fire code official when topography does not allow a secondary means of fire apparatus access.

- (139) In Appendix D, section D105.1 is revised as follows:

D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided on two sides of the building. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched

roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

[201.065 – 201.950 reserved for expansion]

[Subchapters E – W reserved for expansion]

Subchapter X. Building Permit Application Process

201.951 Information Required for Building Permit Application

- (a) The Fire Marshal is authorized to promulgate forms and implement software systems for Building Permit and System permit applications and any other forms and software systems the Fire Marshal determines are necessary for administering and enforcing this chapter.
- (b) Each Applicant must provide the following information in the method prescribed by the Fire Marshal and any other information the Fire Marshal determines is reasonably necessary to process the application:
 - (1) The name, date of birth, mailing address, residential street address, and business street address of every owner of the Building;
 - (2) The street address of the Building and the page and volume number or document number of the Official Public Records of Travis County, Texas where the most recent deed to the property on which the proposed Building was recorded;
 - (3) The exact legal description of the property on which the Building is located;
 - (4) If any *person* listed in response to 201.951(b)(1) is a partnership, the name, date of birth, mailing address, residential street address, and business street address for each general member of the partnership and any limited partners who own at least a ten percent (10%) interest in the partnership;
 - (5) If any *person* listed in response to 201.951(b)(1) is a corporation, the name, date of birth, mailing address, residential street address, business street address of the corporation's registered agent and the address for service of process on the registered agent of the corporation;
 - (6) The type of Commercial Establishment or Public Building or multifamily residential dwellings consisting of more than three units that is being proposed; and
 - (7) Proposed alternative means of compliance/variance requested, if any.

201.952 Supporting Documents Required for Building Permit Application

- (a) The Applicant shall follow the instructions listed in the Travis County Fire Marshal's Information Bulletin titled IB 001 – Plan Submittal Requirements.
- (b) If the Applicant is not the owner in fee simple of the proposed Commercial Establishment or Public Building or multifamily residential dwellings consisting of more than three units, a properly executed power of attorney or other written evidence of the agency agreement between the Applicant and the owner must be submitted.
- (c) After the Applicant receives notice that the plans have been reviewed and approved for construction by the fire code official and/or their designee, the Applicant shall make the reviewed and approved stamped construction and site plans available at the construction site during requested or required inspections.
- (d) Prior to issuance of the Certificate of Compliance and/or Conditional Certificate of Compliance, the Applicant shall provide the fire code official or their designee with an "As Built" set of plans in pdf format.

201.953 Building Permit Application Procedure

- (a) A person may apply for a Building Permit or System permit under this chapter by providing the following to the Fire Marshal:
 - (1) An application,
 - (2) Supporting documentation, and
 - (3) A permit fee in accordance with 201.954.
- (b) If any person wishes to have a variance to any provision of this chapter or the Fire Code, that person may request the variance at the time of filing the application or at the time the applicant is notified that the Fire Marshal is recommending denial of the Building Permit. A request for a variance must be based on the proposal of an equivalent method of protection or safety, a claim that the interests of this chapter or the rules legally adopted under it have been incorrectly interpreted, or a claim that the provisions of this chapter do not fully apply. If the applicant requests a variance, the Fire Marshal shall review the application and supporting documentation, consider the information in support of the variance provided by the applicant, and recommend the denial or granting of the variance. Variances may be granted only if the following criteria are met:
 - (1) the applicant has shown good and sufficient cause, which involves more than economic hardship;
 - (2) it has been determined that failure to grant the variance would result in an exceptional hardship to the applicant;

- (3) granting the variance would not result in increased risks of fire, additional threats to public safety, or extraordinary public expense, would not create nuisances, and would not cause fraud or victimization of the public; and
 - (4) the variance is the minimum necessary exception to this chapter or the Fire Code, considering the fire hazard, to afford relief to the Applicant.
- (c) If the Fire Marshal determines that a Building Permit should be denied or that the variance as requested should not be recommended and the Applicant does not agree with that determination, the Fire Marshal shall submit a request for review to the Board of Review.
 - (1) The Board of Review shall consider reasons for denial of the Building Permit or the request for a variance.
 - (2) The Fire Marshal shall give the Applicant at least three days' notice before the request for review is considered by the Board of Review.
 - (3) The Applicant may make a presentation to the Board of Review in support of the Building Permit or the variance as proposed.
 - (4) After considering the information provided by the Fire Marshal and the Applicant, the Board of Review shall render all recommendations and findings in writing to the Applicant with a duplicate copy to the Fire Marshal.
 - (5) The Fire Marshal shall include a copy of these in the materials provided to Commissioners Court for consideration in making its decision.
- (d) Within thirty days after the date the Fire Marshal receives an application and fee in accordance with 201.953 (a) the Commissioners Court shall:
 - (1) Issue the Building Permit if the application complies with the 2021 Fire Code or if the Commissioners Court determines that a variance should be made to the 2021 Fire Code; or
 - (2) Deny the Building Permit if the plan does not comply with the 2021 Fire Code and the Commissioners Court determines that a variance should not be made to the 2021 Fire Code.
- (e) If the Commissioners Court has not issued or denied the Building Permit within 30 days after the Fire Marshal receives an application and the fee, the building or System is approved for the purpose of this chapter.
- (f) If the Commissioners Court grants a variance, the terms of the variance shall be specifically stated in the Building Permit issued and the permittee shall conform the Building or Substantial Improvements to all applicable provisions of this chapter except those sections for which the variance is specifically granted.

201.954 Fees

- (a) The applicant shall pay the total amount of the fees applicable to the services being requested based on the fee schedule approved by the Commissioners Court.
- (b) The Fire Marshal shall deposit all fees received under this chapter in a special fund in the County treasury, and money in that fund shall be used only for the administration and enforcement of this chapter.

[201.955 – 201.960 reserved for expansion]

Subchapter Y. Methods of Enforcement**201.961 Inspection; Certification of Compliance, Fire Alarm Certificate of Compliance**

- (a) The Fire Marshal shall inspect any building or System subject to this chapter to determine if it complies with the 2003 Fire Code, the 2009 Fire Code, the 2015 Fire Code, or the 2021 Fire Code, as applicable.
- (b) The Fire Marshal may enter and perform inspections at reasonable times at any stage of a building's construction and after completion of the building.
- (c) On or before the date that construction of a building or System subject to this chapter is completed, the Applicant shall request in writing that the Fire Marshal inspect the building or System for compliance with the 2003 Fire Code, the 2009 Fire Code, the 2015 Fire Code, or the 2021 Fire Code, as applicable.
- (d) The Fire Marshal shall begin the inspection of the building or System within two business days after the written inspection request is received; otherwise, the building or System is considered approved for the purpose of this chapter.
- (e) If, after inspection of the completed System, the Fire Marshal determines that the System complies with the 2003 Fire Code, the 2009 Fire Code, the 2015 Fire Code, or the 2021 Fire Code, as applicable, the Fire Marshal shall issue an appropriate final Certificate of Compliance to the owner of the subject property.
- (f) If, after inspection of the permitted construction, the Fire Marshal determines that all required Systems have been approved and that the subject property complies with the applicable Fire Code, the Fire Marshal shall issue a final Certificate of Compliance for the subject property.

201.962 Injunction

The County Attorney may seek injunctive relief in district court to prohibit violations or threatened future violations of this Chapter.

201.963 Civil Penalties

- (a) The Travis County Attorney may file a civil action in a court of competent jurisdiction to recover a civil penalty in an amount not to exceed Two Hundred Dollars (\$200.00) for each day on which violations exist for:
 - (1) Violations of the 2003 Fire Code, the 2009 Fire Code, the 2015 Fire Code, or the 2021 Fire Code, as applicable;
 - (2) Violations of or failures to comply with any order made under them;
 - (3) Construction or installation of any structures or systems in violation of any detailed statement of specifications or plans submitted and approved pursuant to the Fire Code, or any certificate or Building Permit issued pursuant to the Fire Code, and from which no appeal has been taken; or
 - (4) Failure to comply with an order pursuant to the Fire Code as affirmed or modified by a court of competent jurisdiction within the required time.
- (b) In determining the penalties payable under 201.963 (a), the court will consider the seriousness of the violations. The imposition of civil penalties for any violations shall not excuse the violations or allow the violations to continue.
- (c) All penalties collected under this Section shall be used for the purposes set out in 201.954(b).
- (d) The application of the civil penalties in this section shall not prevent the enforced removal of prohibited structures, systems, or conditions that violate the Fire Code.
- (e) The County Attorney may not institute suit without the specific authorization of the Commissioners Court.

201.964 Contempt of Commissioners Court

- (a) The Commissioners Court may sanction contempt by fine or confinement under Texas Local Government Code Section 81.023. Any person securing a permit under this chapter does so on the representation to Commissioners Court that the *person* will comply with the terms of the Building Permit and with these requirements and other County regulations. Violation of these representations to Commissioners Court constitutes contempt of Commissioners Court.
- (b) The Commissioners Court has the power to enforce its Orders by civil contempt. If the Commissioners Court finds any *person* guilty of contempt, it may enter Orders consistent with general law as it deems appropriate to sanction the *person* guilty of contempt and enter any other orders enforceable by civil and criminal contempt and consistent with its authority under general laws as Commissioners Court deems necessary to enforce and protect its jurisdiction over the matter, and to uphold the integrity of this chapter.

Procedures for contempt proceedings before Commissioners Court are consistent with procedures in action before other courts in this state for enforcement of court orders, and for their protection of the jurisdiction of Courts by the process of contempt.

[201.965 – 201.970 reserved for expansion]

Subchapter Z. Appeal Process

201.971 Appeal Procedure

The applicant may appeal from the decision of the Commissioners Court to the district court within 30 days after the date of the decision appealed in the following circumstances:

- (1) When the Commissioners Court disapproves an application,
- (2) When the Commissioners Court refuses to grant a Building Permit applied for,
- (3) When it is claimed that the provisions of the code do not apply, or
- (4) When it is claimed that the true intent and meaning of the code have been misconstrued or wrongly interpreted.

[201.972 – 201.980 reserved for expansion]