

ORDINANCE NO. 2023-01  
TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 6

AN ORDINANCE TO AMEND AND RESTATE ORDINANCE 2019-01 (FIRE CODE) TO ESTABLISH AN AMENDED FIRE CODE, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Commissioners of the District are authorized, pursuant to Tex. Health & Safety Code §775.036 to adopt and enforce a fire code;

WHEREAS, pursuant to Ordinance 2019-01 the Commissioners of the District previously amended the District's Fire Code to include the 2015 International Fire Code with local amendments; and

WHEREAS, the Commissioners of the District desire to further amend the District Fire Code to include the 2021 International Fire Code with local amendments.

It is, therefore, ORDAINED, RESOLVED, AND ORDERED that:

**Section 1: Amendment of Code**

Ordinance No. 2019-01 is hereby amended and restated in its entirety to provide as set forth in this Ordinance.

**Section 2: Adopted Codes**

A. The following are hereby adopted as the Fire Code of the District (hereinafter sometimes referred to as "**TCESD No. 6**", "**Lake Travis Fire Rescue**", "**LTFR**", "**Fire Department**", or "**District**"), in the State of Texas, regulating and governing the safeguarding of life and property from fire, medical and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore, and providing for penalties for violations as if fully set out in this Ordinance, with the specific additions, insertions, deletions and changes set forth in this Ordinance:

1. The 2021 International Fire Code (the "**IFC**") and appendices B and D promulgated by the International Code Council, Inc., as amended by deletions, modifications, and amendments provided in this Ordinance.
2. The provisions of any International Code (e.g., Building, Plumbing, Mechanical, Electrical, and other such codes) referred to in portions of the IFC hereby adopted (as amended herein) are incorporated in this Ordinance as though fully set out herein, and compliance with such provisions of such other International Codes is

required to the extent and in the manner that compliance therewith is required or allowed in the IFC.

3. Chapters 2, 3, 4, 5, 6, 7, 8, and 30 of the 2021 International Building Code (the "IBC"), published by the International Code Council, Inc.
- B. The Travis County Emergency Services District No. 6 - Lake Travis Fire Rescue FIRE PROTECTION CRITERIA MANUAL appended hereto and incorporated herein are regulations for the implementation, administration, and enforcement of the Fire Code and are hereby adopted and ratified.
1. The Fire Chief is authorized from time to time to promulgate additional regulations as amendments, deletions, or additions to the Fire Protection Criteria Manual consistent with the Fire Code as authorized by Section 104.1 of the IFC for the purpose of implementation, administration, enforcement, and compliance with the Fire Code.
  2. This Ordinance and the Fire Code will, to the extent reasonable, be construed in a manner consistent with the IFC. If there is a conflict between this Ordinance and the IFC, this Ordinance will prevail.
- C. As used in this Ordinance, the term "Fire Code" shall refer to this Ordinance and the documents referred to in subsection (A) of this Section 2.

### **Section 3: Administration**

- A. The Fire Chief of TCESD No. 6, together with such assistants and agents as the Fire Chief may designate, are authorized to enforce this Fire Code, to take all actions required or authorized in the Fire Code, and to conduct all inspections, investigations, review all plans and accept all applications for a permit or approval authorized or required by the terms of the Fire Code.
- B. The Fire Chief or his designated agent shall maintain monthly activity reports covering inspection, investigation, review, and enforcement activities conducted by LTFR. The Fire Chief or his designated agent shall keep an accurate account of all fees, fines, and other funds collected and received pursuant to the Fire Code, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.
- C. Approved plans, specifications, and other reports required by the Fire Code shall be maintained in the central offices of TCESD No. 6 for a period of not less than five years, or as otherwise may be required by other regulations, following the date such document was submitted to TCESD No. 6 or prepared by the District, as applicable.

#### **Section 4: Right of Entry**

- A. Whenever necessary to make an inspection to enforce any of the provisions of the Fire Code for the prevention of fires and medical emergencies, or whenever the Fire Chief or his/her designated agent has reasonable cause to believe that there exists in any building or upon any premises any condition in violation of the Fire Code, the Fire Chief or his/her designated agents may enter such building or premises at all reasonable times to inspect same or to perform any duty imposed on the Fire Chief or his/her designated agents by the Fire Code; provided that if such building or premises is occupied, they shall first present proper credentials and request entry; and, except during construction of the improvement to be inspected, if such building or premises are unoccupied, the agent of the District shall make a reasonable effort to locate the owner or other person(s) having charge or control of the building or premises and request entry. If such entry is refused, the Fire Chief or his/her designated agent shall have recourse to every remedy provided by law to secure entry.
- B. No owner or occupant or any other person having authority to control access to any building or premises shall fail or neglect, after request for entry is made as provided in this Section 4, to promptly permit entry therein by the Fire Chief or his/her designated agent for the purpose of inspection and examination pursuant to the Fire Code. Any person violating this section shall be guilty of a Class C Misdemeanor.

#### **Section 5: Stop Work Orders**

Whenever any work or construction is being done contrary to the provisions of the Fire Code or without any permit or approval required by the Fire Code, the Fire Chief or his/her designated agents may order the work or construction stopped by notice in writing served on any person(s) engaged in performing or causing such work to be performed. Whenever work or construction is stopped in accordance with this Section 5, a written notice to stop work issued by the District shall be posted on the property in a manner reasonably visible to any person to perform any work on the property. All persons shall then cease all work or construction on the property until authorized to proceed by the Fire Chief or his/her designated agent. Any person failing to comply with a notice to stop work, or removing any notice to stop work from any premises without permission of the Fire Chief or his/her designated agent shall be guilty of a Class C Misdemeanor, as defined in Texas Penal Code 12.23.

#### **Section 6: Permit Required/Procedure**

A permit shall be required for any of the following activities in the territory of the District:

- 1. Any construction, enlargement, alteration, repair, move, demolition, or change in the occupancy classification of a building, structure, facility, or condition regulated by this code. Regarding an existing structure, Substantial Improvements shall comply with this code, except that Chapter 11 of this code shall apply to all structures.

**Exceptions:**

1. Structures used for residential purposes and comprised of fewer than three separate living units.
2. Site development for residential uses with three or fewer single-family or two-family dwellings.
3. De minimis construction, enlargement, alteration, repair, movement, and demolition as determined by the Fire Code Official.
2. A subdivision of land affected by the filing of an application for subdivision with the County of Travis or with a combined office between the County of Travis and any municipality in whose extraterritorial jurisdiction the subdivision is proposed to occur and located in the territory of the District that includes provision for one or more new road(s) or street(s) or the extension of any existing road or street, either for private use by owners of one or more lot(s) in the subdivision for access to such lot(s), or intended for dedication to the public use;
3. Permits listed in Sections 105.5 and 105.6 and required by the Fire Protection Criteria Manual.

As used in this Section 1, a "substantial improvement" shall mean an enlargement, alteration, or repair, either a: (1) the cost of which is equal to more than 50% of the most recent appraised value of the structure as determined by the Travis County Appraisal District; or (2) the total area repaired, altered or enlarged is equal to more than 50% of the total area of such structure before the work. The total area shall be determined by the measurement of exterior walls.

4. An application for a permit shall be made on a form promulgated by the District and shall include all information necessary to evaluate compliance with all applicable provisions of the Fire Code, including a PDF of construction drawings, together with information identifying the applicant, the owner of the affected property and such other information reasonably necessary for considering and acting on the application. All applications for any permit and all requests for any approval required by the terms of the Fire Code shall be submitted in writing to the central administrative offices of the District along with payment of the applicable fee. The fees applicable for permits, approvals, and inspections shall be established from time to time by the Commissioners of the District in an ordinance therefore.
5. A permit authorizing construction, repair, alteration, moving, removal, or demolition of an improvement shall expire 180 days after issuance of the permit unless the work permitted has commenced prior to such date, and such work continues without interruption until completed.



6. A permit for handling, storing, processing, or using any hazardous material or hazardous process shall expire after three years on the date such permit was issued.
7. Subject to the right of appeal provided in the Fire Code, the Fire Chief or his/her designated agent of the District shall determine and decide the issuance of all permits and approvals, the duration of any use permit, subject to the maximum duration authorized by this section and compliance with all provisions of the Fire Code.
8. A permit or approval shall be issued in cases where compliance with all applicable provisions of the Fire Code has been demonstrated. Not more than 30 days after all required information and application fees have been submitted, the Fire Chief or his/her designated agent shall approve an application for an activity that complies with applicable provisions of the Fire Code, deny an application for an activity that is not in compliance with applicable provisions of this Fire Code, or, in cases in which the Fire Code specifically gives the Fire Chief or his/her designated agent authority to allow alternate means of compliance, approve or deny any such alternate means of compliance.

#### **Section 7: Identification of District, Commissioners, Fire Code Official, and Fire Code**

- A. Whenever the terms "jurisdiction," "authority having jurisdiction," "department," or "department of fire prevention" are used in the IFC, same shall be a reference to Travis County Emergency Services District No. 6 - Lake Travis Fire Rescue. Whenever the term "Fire Code Official" is used in the IFC, the same shall be a reference to the District's Fire Chief or his/her designated agent, except that for the purpose of promulgating any regulation pursuant to IFC Section 104.1, the term "Fire Code Official" shall refer only to the District's Fire Chief or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative. All regulatory authority established by the provisions of the IFC incorporated in this Ordinance is established for the District.
- B. Any reference in the provisions of the IFC incorporated in this Ordinance to the "executive body" shall be a reference to the Commissioners of the District.
- C. Any reference in the IFC or in this Ordinance to the "Fire Code" shall be a reference to the provisions of the Fire Code as that term is defined in this Ordinance, as same may be amended from time to time.

#### **Section 8: Deletions to the International Fire Code**

The following provisions of the IFC are not incorporated in this Ordinance or the Fire Code and are deleted from the provisions of the IFC incorporated herein:

1. The entirety of Section 111 Means of Appeals.

2. Section 507.5.1 Exceptions (1) and (2). This IFC section is further amended in Section 9 of this Ordinance.
3. The entirety of Section 905.3.4.1 Hose and cabinet.
4. The entirety of Section 905.5.3 Class II system 1-inch hose.
5. The entirety of Sections D101, D102, D103, and Figure D103.1 of Appendix D FIRE APPARATUS ACCESS ROADS.

#### **Section 9: Amendments to the International Fire Code**

The following sections of the IFC are hereby added or amended, and other amendments provided below are adopted as follows:

The existing section below shall be amended to read as follows:

**Section 101.1 Title.** These regulations shall form a part of the Fire Code of Travis County Emergency Services District No. 6, hereinafter referred to as "the Fire Code."

The existing section below shall be amended to read as follows:

**Section 104.1 General.** The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code and to adopt policies, procedures, rules, and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules, and regulations shall be in compliance with the intent and purpose 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 to supplement the requirements of this code and standards referenced by this code. Should a conflict occur between this Code, a referenced standard, or an administrative rule adopted by the fire code official, the requirements of the administrative rule shall govern.

The existing section below shall be amended to read as follows:

**Section 104.11 Fire Investigations.** The Fire Chief or his/her designated agent shall have the authority to investigate the origin, cause, and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.

The new section below shall be added:

**Section 106.2.2.3 Code Footprint.** All building permit applications shall include a Code Footprint plan sheet. The required contents of this plan sheet are detailed in Travis County ESD No.6's Fire Protection Criteria Manual.

The new section below shall be added:

**Section 105.6.25 Electronic access control systems.** A construction permit is required for the installation or modification of an electronic access control system. An electronic access control system is defined as a system installed in accordance with Sections 1010.2.11, 1010.2.12, 1010.2.13, or 1010.2.14. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

The new section below shall be added:

**Section 105.6.26 Emergency call box systems.** A construction permit is required for the installation or modification of an emergency call box system installed to comply with the two-way communication system requirement in Sections 1009.6.5 and 1009.8. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

The new section below shall be added:

**Section 105.6.27 Static water tanks.** A construction permit is required for the installation or modification of a static water tank for a fire protection water supply that is installed in accordance with Section 507.2.2. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

The existing section below shall be amended to read as follows:

**Section 112.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official or of a permit or certificate used under provisions of this code, shall be guilty of a Class C Misdemeanor, as defined in the Texas Penal Code § 12.23. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to criminal enforcement provisions of this section, the District shall be entitled to bring a civil action for the enforcement of this code in any court of competent jurisdiction to enjoin any violation of this code or to impose a civil penalty in an amount of \$2,000 per day that a violation of this Code continues.

The existing section below shall be amended to read as follows:

**Section 113.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a Class C Misdemeanor, as defined in the Texas Penal Code § 12.23. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to criminal enforcement provisions of this section, the District shall be entitled to bring a civil action for the enforcement of this code in any court of competent jurisdiction to enjoin any violation of this code or to impose a civil penalty in an amount of \$2,000 per day that a violation of this Code continues.

The following definition is added to Section 202:

**ANIMAL HOUSING OR CARE FACILITY.** Facilities used for temporary or permanent housing of animals for the purpose of providing a service, participating in a sport, or providing general board and care. Animal housing or care facilities do not include animal or pet care by pet owners caring for their own animals at their owned or rented residential property, horse stables, facilities used for equestrian purposes, or Group U agricultural facilities for the care and feeding of the agricultural business owner's own livestock.

The following definition replaces existing definition within Section 202:

**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.

The following definition is added to Section 202:

**SLIP.** A berthing space between or adjacent to piers, wharves, or docks; the water areas associated with boat occupation.

The existing section below shall be amended to read as follows:

**Section 307.2.1.** All outdoor burning shall be done in accordance with the Texas Outdoor Burning Rule, Title 30, Texas Administrative Code (TAC), and Sections 111.201 through 111.221, the IFC, and TCESD No. 6 Fire Protection Criteria Manual. Where a conflict may arise, the more stringent rule shall apply. Where required by state, local law or other regulations, open burning shall only be permitted upon prior approval from the state, local jurisdiction, or other air and water quality management authority, provided that all conditions specified in the permit are followed.

The existing section below shall be amended to read as follows:

**Section 308.1.4 Cooking devices.** Charcoal burners and other fuel-burning cooking devices shall not be operated on balconies and patios or within 10 ft. of combustible construction. Propane cooking devices and LP gas cylinders shall not be stored on balconies, patios, inside residential units, or attached garages.

**Exception:** One- and two-family dwellings.

The existing section below shall be amended to read as follows:

**Section 503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section, Appendix D of this code, and design standards approved by the fire code official. Access roads shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior



of the building or facility.

**Exception:** The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on the property, topography, waterways, non-negotiable grades, or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

The existing section below shall be amended to read as follows:

**Section 503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 25 feet, except for approved security gates in accordance with IFC Section 503.6, and an unobstructed vertical clearance of not less than 14 feet 0 inches.

**Exception:** Widths as narrow as 20 feet as approved by the Fire Chief or his/her designated agent for good cause based on special circumstances or characteristics of the affected property and not just economic hardship to the applicant if the decreased width, with any other special arrangements, would not result in an increased risk of fire, an additional threat to public safety, and would not result in the necessity of extraordinary public expense or the creation of a nuisance.

The existing section below shall be amended to read as follows:

**Section 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 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 1/2 inch. Where required by the fire code official, address and building identification shall be provided in additional approved locations to facilitate emergency response. Address and building identification shall be maintained. Where access is by means of a private road and/or the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure as approved by the District's Fire Chief or his/her designated agent.

The new section below shall be added:

**Section 506.2.1 Existing Key Boxes/Locks/Key Switches.** Existing Key Boxes/Locks/Key Switches shall be allowed to remain.

**Exception:** Where a premises requires an inspection/permit from LTFR for the purpose of remodeling, renovation, addition, change of owner, occupant/tenant, or occupancy type; older Key Boxes/Locks/Key Switches not conforming to current District specifications for such equipment shall be replaced with a new Key Box/Lock/Key Switch meeting the District's current specifications.

The existing section below shall be amended to read as follows:

**Section 507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, additional fire hydrants and mains shall be provided so that all exterior portions of buildings are within 300 feet of one hydrant and 500 feet of a second hydrant. This distance is measured as travel distance around the exterior of the building and along fire apparatus access roads (the distance is not a radius.)

The existing section below shall be amended to read as follows:

**Section 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 or a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 100 feet (30 480 mm) of the fire department connections.

**Exception:** The distance shall be permitted to exceed 100 feet (30 480 mm) where approved by the fire code official.

The new section below shall be added:

**Section 507.5.1.2 Installation.** Hydrants shall be installed in accordance with local water utility standards. Hydrants shall have not less than two (2) 2 ½-inch outlets with National Hose Thread and one (1) 4½-inch pumper outlet with National Hose Thread. Hydrants shall be installed with the center of the four-and-a-half (4 1/2) inch outlet at least 18 inches above the finished grade. The four-and-a-half (4 1/2) inch outlet must face the driveway or street and must be unobstructed to the street. Set back from the face of the hydrant to the back of the curb shall be per local utility authority standards except that on private property, set back shall be three (3) to six (6) feet to avoid vehicular damage unless specifically approved by the fire code official.

The new section below shall be added:

**Section 507.6 Public and private streets.** Hydrants shall be provided along new public and private streets in the following locations:

1. Hydrants shall be installed at the intersection of two (2) streets 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 and highways. Roads and highways where opposing lanes of traffic are separated by a vehicle obstruction shall be considered a divided road or highway:

The new section below shall be added:

**Section 507.7 Marking.** Hydrants shall be painted silver, and the bonnet and caps shall be painted the designated color per the gallons per minute (GPM) as follows:

1. The bonnet and caps for hydrants capable of flowing 1,500 GPM or greater with 20 psi residual pressure shall be painted light blue.
2. The bonnet and caps for hydrants capable of flowing 1,000 - 1,499 GPM with 20 psi residual pressure shall be painted green.
3. The bonnet and caps for hydrants capable of flowing 500 - 999 GPM with 20 psi residual pressure shall be painted orange.
4. The bonnet and caps for hydrants capable of flowing less than 500 with 20 psi residual pressure shall be painted red.

**Exceptions:**

1. Privately-owned fire hydrants shall be painted red with the bonnet and caps painted as prescribed above.
2. Out-of-service fire hydrants shall be painted black.

The new section below shall be added:

**Section 509.3 Main electrical disconnect.** The main electrical disconnect for each building shall be installed on the exterior of the building in an approved location. As an alternative, the fire code official is authorized to accept an approved remote shunt trip installed in an approved location.

The existing section below shall be amended to read as follows:

**Section 510.4.2 System design.** 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 the 2022 version of NFPA 1225.

The existing section below shall be amended to read as follows:

**Section 510.5 Installation requirements.** The installation of the inbuilding, two-way emergency responder communication coverage system shall be in accordance with the 2022 version of NFPA 1225 and Sections 510.5.2 through 510.5.5.

The existing section below shall be amended to read as follows:

**Section 901.4.7 Pump and riser rooms.** Dedicated rooms shall be provided for all fire pumps and automatic sprinkler system risers. Fire pump rooms and automatic sprinkler system riser rooms shall have an exterior door that faces a fire apparatus access road. 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 sufficient 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.

The new section below shall be added:

**Section 903.2.13 Animal housing or care facilities.** An automatic sprinkler system in accordance with section 903.3 shall be provided throughout 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 50 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 of the 2021 International Building Code, and
  - 1.2. The facility is provided with an electronically supervised automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 and as amended by Section 907.2.2.2.1.
2. An automatic sprinkler system is not required in animal housing or care facilities where every animal has immediate and unobstructed access to an exterior area of safety approved by the fire code official, and the facility is provided with an electronically supervised automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 and as amended by Section 907.2.2.2.1.



The new section below shall be added:

**Section 903.7** A safety factor of 10 psi shall be added to the minimum required water supply calculation for automatic sprinkler systems, applied at the endpoint of the hydraulic calculations, excluding any required flow for hose streams.

**The entirety of Section 905.3.4.1** Hose and cabinet is deleted.

**The entirety of Section 905.5.3** Class II system 1-inch hose is deleted.

The existing section below shall be amended to read as follows:

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

**Exception:** Where subject to freezing and in accordance with NFPA 14. Manual dry standpipe systems shall be electronically supervised by a fire alarm system with seven (7) psi of air pressure. If a listed air pressure monitoring system requires an air pressure other than seven (7) psi, the system shall be monitored by the air pressure required by the listed air pressure monitoring system.

The new section below shall be added:

**Section 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 that activates the occupant notification system in accordance with Section 907.5 and as amended by Section 907.2.2.2.1. 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 of less than 100. This includes RTI classifications of “Quick”, “Ultra Fast”, and “V-Fast”.

**Exception:** Smoke detectors and/or quick response heat detectors are not required where the building is equipped throughout with an automatic sprinkler system installed per section 903.3 and activation of the automatic sprinkler system activates the occupant notification system in accordance with Section 907.5.

The new section below shall be added:

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

The new section below shall be added:

**Section 1103.7.7 Animal housing or care facilities.** An electronically supervised automatic smoke detection system complying with Section 907.2.2.2 that activates the occupant notification

system in accordance with Section 907.5 and as amended by Section 907.2.2.2.1 shall be installed in all fire areas containing an existing Group B Animal housing or care facility without constant supervision.

The new section below shall be added:

**Section 1103.11 Carbon dioxide detection.** Carbon dioxide systems used in beverage dispensing systems shall be in accordance with Section 5307.

The existing section below shall be amended to read as follows:

**Section 3103.2 Approval required.** Tents and membrane structures having an area in excess of 1,200 feet shall not be erected, operated, or maintained for any purpose without first obtaining a permit and approval from the fire code official.

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides that comply with all of the following:
  - 2.1. Individual tents having a maximum size of 1,200 square feet.
  - 2.2. The aggregate area of multiple tents placed side by side without a firebreak clearance of 12 feet (3658 mm), not exceeding 1200 square feet total.
  - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents.

The existing section below shall be amended to read as follows:

**Section 3601.1 Scope.** Marina facilities shall be in accordance with this chapter and NFPA 303.

The existing section below shall be amended to read as follows:

**Section 3604.1 General.** Piers, marinas, and wharves with facilities for mooring or servicing twenty or more vessels or which exceed 13,000 square feet in total area shall be equipped with fire protection equipment in accordance with Sections 3604.2 through 3604.6. The total area shall be determined by the fire code official. This requirement applies to:

1. The installation of new Piers.
2. Extensions to existing Piers. All extensions shall fully comply with this code.
3. Modifications and construction on existing Piers (replacement of docks and similar modifications). All modifications and construction shall fully comply with this code.

**Exceptions:**

1. Piers that existed before February 1, 2005, which have not been extended or modified;
2. Marinas and Piers, which do not contain more than 20 slips or which exceed 13,000 square feet in total area.
3. A docking facility associated with a single-family dwelling unit designed for use by the owners or residents of the dwelling unit.

The existing section below shall be amended to read as follows:

**Section 3604.2 Standpipes.** Class I standpipe systems in accordance with NFPA 303, shall be provided for piers, bulkheads, and buildings where the hose lay distance from the fire apparatus exceeds 150 ft (45 m). Multiple FDCs shall be provided, and the location and quantity of FDCs shall be determined by the fire code official.

**Section 10: Amendments to NFPA Standards**

The existing section below shall be amended to read as follows:

**NFPA 303 Section 6.2.1.1.** Buildings in excess of 500 sq ft (46 m<sup>2</sup>) that are constructed on piers shall be protected by an approved automatic fire-extinguishing system unless otherwise permitted by 6.2.1.2 or 6.2.1.3.

**Section 11: Building Official**

Any provision in the IFC or other provision incorporated in this Ordinance by reference that refers to any act to be referred to or conducted by a building official shall be a reference to the District's Fire Chief or his/her designated agent.

**Section 12: Permit Fees**

The fees applicable for permits, approvals, and inspections shall be established from time to time by the Commissioners of the District in an Ordinance therefore.

**Section 13: Appeals**

1. The Commissioners of the District shall appoint five residents or owners of businesses in the territory of the District to serve as members of an Appeals Commission to hear and decide the complaint of any person aggrieved by a decision of the Fire Chief or his/her designated agent, regarding any request for a permit or approval, any decision to stop work, or stop use, and any decision to abate, repair, rehabilitate, demolish or remove an unsafe structure or premises. Three members of the Appeals Commission shall constitute a

quorum for the purpose of hearing and deciding an appeal. Any Commissioner may serve as a member of the Appeals Commission. Members of the Appeals Commission shall serve for a period of two years or until their successor is appointed.

2. An appellate panel of not less than three members of the Appeals Commission shall hear the timely appeal of any decision of the Fire Chief or other authorized official described in Subsection A. A request to appeal such a decision shall be submitted in writing addressed to the President of the Commissioners of the District and forwarded to the District's Administrative Offices not more than 30 days after the date of the decision or action that is the subject of the appeal. A request to appeal shall include the mailing address of the appellant for the purpose of receiving notice of a hearing on the appeal. A notice of appeal shall not stay the decision or action from which the appeal is taken.
3. The appellate panel shall hear an appeal not later than 31 days following receipt of a timely notice of appeal.
4. Except as provided in Subsection G of this Section 12, the Commissioners, or the President of the Commissioners, as applicable, shall serve written notice of the date, time, and place of the appeal hearing not less than ten (10) days prior to the date of the hearing.
5. An appellant shall be entitled to present evidence in support of the appeal and to cross-examine opposing witnesses. The Fire Chief or his/her designated agent shall be entitled to present evidence in support of such decision or action and to cross-examine witnesses. At the start of the hearing, the members of the Appellate Panel shall appoint from among them a presiding officer, who, with the advice of the other members of the Appellate Panel, shall make all determinations regarding the admissibility of evidence and may make reasonable rulings regarding the conduct of the hearing and the manner that evidence is presented. The Appellate Panel may be assisted by legal counsel for the District in making evidentiary rulings and determining reasonable procedures for the conduct of the hearing. The Appellate Panel shall determine the credibility of all witnesses and other evidence presented at the hearing.
6. The Appellate Panel may affirm, reverse or modify the decision from which an appeal is taken. The decision of the majority of the Appellate Panel shall be the decision of the Appellate Panel. The panel may reverse a decision only if, in the opinion of the majority, 1) the decision appealed is manifestly unjust, or 2) special circumstances make strict application of the rule that is the basis of the original decision impractical and the reversal of the decision is in conformity with the intent and purpose of this Ordinance, and 3) such reversal would not result in a greater threat of danger to life or property in or near the District.
7. If the Fire Chief or his/her designated agent determines in a written order served on the owner of property that a structure constitutes an imminent threat to the life or safety of any person, the Fire Chief or his/her designated agent may require the demolition or removal of such structure not later than ten days following the date notice of such order is served



on the owner of the affected property. Such owner may request an emergency appeal of such decision in writing delivered to the Administrative Offices of the District at any time prior to the expiration of such ten-day period. In such event, the President of the Commissioners is authorized to appoint an Appellate Panel and schedule a hearing of such appeal as soon as practicable and serve notice of the time, date, and place of such appeal on such owner not less than two days prior to the date of the hearing of such appeal.

#### **Section 14: Offenses/Penalties**

1. A person commits an offense if the person: 1) undertakes any action or commences any construction or development for which a permit or approval is required pursuant to the Fire Code or the Fire Protection Criteria Manual without first obtaining the requisite permit or approval; 2) uses or occupies any property, or affects the development or construction of any improvement to real property in the territory of the District that is not in compliance with any condition of a permit or approval given pursuant to the Fire Code and the Fire Protection Criteria Manual; 3) uses or occupies any property, or affects the development or construction of any improvement to real property in the territory of the District that is not in compliance with any provision of the Fire Code and the Fire Protection Criteria Manual, except as allowed pursuant to any variance, modification or alternative means approved in a permit or approval given pursuant to the Fire Code; 4) violates any other provision of the Fire Code or the Fire Protection Criteria Manual.
2. An offense described in Subsection A shall be a Class C Misdemeanor. A separate offense shall occur each day that a violation of the Fire Code or the Fire Protection Criteria Manual continues.
3. In addition to the criminal enforcement provisions of this section, the District shall be entitled to bring a civil action for the enforcement of the Fire Code and the Fire Protection Criteria Manual in any court of competent jurisdiction to enjoin any violation of the Fire Code or the Fire Protection Criteria Manual or to impose a civil penalty in an amount of up to \$200 per day that a violation of the Fire Code continues.

#### **Section 15: Conflicts**

All Ordinances that are in conflict with the provisions of this Ordinance or the Fire Code are hereby repealed, and all other ordinances of the District not in conflict with the provisions of this Ordinance remain in full force and effect.

#### **Section 16: Severability/Enforceability**

Should any section, subsection, sentence, clause, or phrase of the Fire Code or this Ordinance for any reason be held to be void or unenforceable, such decision shall not affect the validity of the remaining portions of this Ordinance and the Fire Code. The Board of Commissioners hereby declares that each provision of this Ordinance and the Fire Code is severable and that the Board of Commissioners would have passed this Ordinance, and each section, subsection, clause, or phrase

included therein or incorporated by reference, irrespective of the fact that any one or more of such sections, subsections, sentences, clauses, and phrases be declared void or unenforceable.

Notwithstanding anything else to the contrary herein, in the event that applicable law, including but not limited to the provisions of Texas Local Government Code Chapter 245, exempts from any provision of this Ordinance or the Fire Code a project or development that is pending or existing on the effective date of this Ordinance, the most recent regulations adopted by the District that may lawfully be applied to such pending or existing project or development shall remain in effect for the purpose of regulating such project or development.


#### **Section 17: Maintenance of Ordinance**

A copy of this Ordinance together with all provisions incorporated herein and the Fire Protection Criteria Manual, shall be maintained at the Administrative Offices of the District for inspection and use by interested persons. The District shall inform any person inquiring where copies of the IFC and other provisions incorporated in this Ordinance may be purchased from the publisher thereof.

#### **Section 18: Effective Date**

This Ordinance shall be effective immediately upon adoption.

Passed and Approved the 26<sup>th</sup> day of September, 2023.

  
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Shiloh Newman  
President