

AN ORDINANCE AMENDING SECTION ONE OF AN ORDINANCE STYLED "AN ORDINANCE REGULATING THE CONSTRUCTION, ALTERATION, MAINTENANCE, REPAIR AND REMOVAL OF BUILDING WITHIN THE CITY OF ABILENE, TEXAS, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, AND CARRYING AN EMERGENCY." PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS ON THE 6TH DAY OF APRIL, A. D. 1923, RE-ESTABLISHING AND FIXING FIRE LIMITS TO SAID CITY AND AMENDING AN ORDINANCE, BEARING THE ABOVE CAPTION PASSED ON THE 16TH DAY OF OCTOBER, A. D. 1926, AMENDING SECTION 1 OF SAID ORDINANCE; CREATING A PRIMARY FIRE ZONE AND A SECONDARY FIRE ZONE; AND AMENDING AN ORDINANCE PASSED ON THE 19TH DAY OF MARCH, 1926 ENTITLED "AN ORDINANCE REGULATING THE CONSTRUCTION, ALTERATION, MAINTENANCE, REMOVAL AND REPAIR OF BUILDINGS WITHIN THE CITY OF ABILENE, TEXAS, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND SPECIALLY REPEALING SECTION 4 AND SECTION 8, OF AN ORDINANCE STYLED, "AN ORDINANCE REGULATING THE CONSTRUCTION, ALTERATION, MAINTENANCE, REPAIR AND REMOVAL OF BUILDINGS IN THE CITY OF ABILENE, TEXAS AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND CARRYING AN EMERGENCY." BY ADDING THERETO, SECTIONS 2a and 2b.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF

ABILENE:

That Section 1, of "an ordinance regulating the construction, alteration, maintenance, repair and removal of buildings within the City of Abilene, Texas, and prescribing penalties for violations thereof, repealing all ordinances in conflict therewith, and carrying an emergency," passed and approved by the Board of Commissioners on the 6th day of April, A. D. 1923 and Section 1 of an amendment to said ordinance passed on the 16th day of October, 1926 be and the same is hereby amended to read as follows:

SECTION 1: There is hereby created a PRIMARY FIRE ZONE. The provisions of this ordinance shall apply to and be co-extensive with the territory within the boundaries now designated or which may hereafter be established as the fire limits of the City of Abilene, except such provisions as are

by special references made applicable to all the territory within the corporate limits of said city, and the said fire limits as now established are hereby declared to be as follows:

Beginning at the centerline intersection of North 8th and Walnut Streets;

Thence South along the centerline of Walnut Street to the centerline intersection of North 6th and Walnut Streets; Thence East along the centerline of North 6th Street to the centerline intersection of North 6th Street and the alley between Walnut and Mesquite Streets;

Thence South along the centerline of the alley between Walnut and Mesquite Streets to the centerline intersection of the alley between Walnut and Mesquite Streets and North 4th Street;

Thence East along the centerline of North 4th Street to the centerline intersection of North 4th Street and the alley between Plum and Ash streets;

Thence South along the centerline of the alley between Plum and Ash Streets to the centerline intersection of North 3rd Street and the alley between Plum and Ash Streets;

Thence East along the centerline of North 3rd Street to the centerline intersection of North 3rd and Ash Streets;

Thence South along the centerline of Ash Street to the centerline intersection of North 2nd Street and Ash Street;

Thence West along the centerline of North 2nd Street to the centerline intersection of North 2nd and Plum Streets;

Thence in a southwesterly direction across the Texas and Pacific Railroad right of way to the centerline intersection of South 1st and Locust Streets;

Thence South along the centerline of Locust Street to the centerline intersection of Locust and South 4th Streets;

Thence West along the centerline of South 4th Street to the centerline intersection of South 4th and Pecan Streets;

Thence South along the centerline of Pecan Street to the centerline intersection of Pecan and South 5th Streets;

Thence West along the centerline of South 5th Street to the centerline intersection of South 5th and Sycamore Streets;

Thence North along the centerline of Sycamore Street to the centerline intersection of Sycamore and South 3rd Streets;

Thence West along the centerline of South 3rd Street to the centerline intersection of South 3rd and Butternut Streets;

Thence North along the centerline of Butternut Street to the centerline intersection of South 2nd and Butternut Streets;

Thence West along the centerline of South 2nd Street to the centerline intersection of South 2nd and Poplar Streets;

Thence North along the centerline of Poplar Street across the Texas and Pacific Railroad right of way to the centerline intersection of North first Street and Poplar Street prolonged;

Thence West along the centerline of North first Street to the centerline intersection of North first and Beech Streets;

Thence North along the centerline of Beech Street to the centerline intersection of Beech Street and the alley between North first and North second Streets;

Thence East along the centerline of the alley between North first and North Second Streets to the centerline intersection of Orange Street and the alley between North first and North Second Streets;

Thence North along the centerline of Orange Street to the centerline intersection of Orange and North 5th Streets;

Thence East along the centerline of North 5th Street to the centerline intersection of North 5th and Cedar Streets;

Thence North along the centerline of Cedar Street to the centerline intersection of North 6th and Cedar Streets;

Thence East along the centerline of North 6th Street

to the centerline intersection of North 6th and Cypress Streets;

Thence North along the centerline of Cypress Street to the centerline intersection of North 8th and Cypress Streets;

Thence East along the centerline of North 8th Street to the centerline intersection of North 8th and Walnut Street, the point of beginning.

And by adding Sections 1a, 1b, and 1c as follows;

SECTION 1a: There is hereby created a SECONDARY FIRE ZONE, which is exclusive of the PRIMARY FIRE ZONE, in which all buildings and structures shall conform to the provisions of said Ordinance passed on the 6th day of April, 1926,

referred to in the Caption of this Ordinance. All buildings in the SECONDARY FIRE ZONE shall be of non-combustible construction and located as hereinafter defined. Said Secondary Fire Zone is described by metes and bounds as follows, to-wit:

Beginning at the centerline intersection of North 9th and Walnut Streets;

Thence South along the centerline of Walnut Street to the centerline intersection of North 8th and Walnut Streets;

Thence East along the centerline of North 8th Street to the centerline intersection of North 8th Street and the alley between Walnut and Mesquite Streets;

Thence South along the centerline of the alley between Walnut and Mesquite to the centerline intersection of North 7th Street and the alley between Walnut and Mesquite Streets;

Thence East along the centerline of North 7th Street to the centerline intersection of North 7th Street and the alley between Plum and Ash;

Thence South along the centerline of the alley between Plum and Ash Streets to the centerline intersection of North 6th Street and the alley between Plum and Ash;

Thence East along the centerline of North 6th Street

to the centerline intersection of North 6th and Magnolia Streets;

Thence South along the centerline of Magnolia Street

to the centerline intersection of North 4th and Magnolia Streets;

Thence East along the centerline of North 4th Street

to the centerline intersection of North 4th Street and the

alley between Magnolia and Cottonwood Streets;

Thence South along the centerline of the alley between

Magnolia and Cottonwood Streets to the centerline intersection

of the alley between Magnolia and Cottonwood Streets and

North first Street;

Thence South across the Texas and Pacific Railroad

right of way to the centerline intersection of South first

and China Streets;

Thence South along the centerline of China Street to

the centerline intersection of South 2nd and China Streets;

Thence West along the centerline of South 2nd Street

to the centerline intersection of South 2nd and Willow Streets;

Thence South along the centerline of Willow Street to

the centerline intersection of South 3rd and Willow Streets;

Thence West along the centerline of South 3rd Street

to the centerline intersection of South 3rd and Cherry Street;

Thence South along the centerline of Cherry Street to

the centerline intersection of South 4th and Cherry Streets;

Thence West along the centerline of South 4th Street

to the centerline intersection of South 4th Street and the

alley between Locust and Cherry Streets;

Thence South along the centerline of the alley between

Cherry and Locust Streets to the centerline intersection of

the alley between Cherry and Locust Streets and South 5th Street;

Thence West along the centerline of South 5th Street

to the centerline intersection of South 5th and Pecan Streets;

Thence South along the centerline of Pecan Street to

the centerline intersection of Pecan and South 6th Streets;

Thence West along the centerline of South 6th Street to the centerline intersection of South 6th and Elm Streets;

Thence North along the centerline of Elm Street to the centerline intersection of Elm and South 4th Streets;

Thence West along the centerline of South 4th Street to the centerline intersection of South 4th and Poplar Streets;

Thence North along the centerline of Poplar Street to the centerline intersection of South 2nd and Poplar Streets;

Thence West along the centerline of South 2nd Street to the centerline intersection of South 2nd and Palm Streets;

Thence North along the centerline of Palm Street to the centerline intersection of South first and Palm Streets;

Thence in a northwesterly direction across the Texas and Pacific Railroad right of way to the centerline intersection of North first and Mulberry Streets;

Thence North along the centerline of Mulberry Street to the centerline intersection of North 2nd and Mulberry Streets;

Thence East along the centerline of North 2nd Street to the centerline intersection of North 2nd and Beech Streets;

Thence North along the centerline of Beech Street to the centerline intersection of North 6th and Beech Streets;

Thence East along the centerline of North 6th Street to the centerline intersection of North 6th and Cedar Streets;

Thence North along the centerline of Cedar Street to the centerline intersection of Cedar and North 8th Streets;

Thence East along the centerline of North 8th Street to the centerline intersection of North 8th and Cypress Streets;

Thence North along the centerline of Cypress Street to the centerline intersection of Cypress and North 9th Streets;

Thence East along the centerline of North 9th Street to the centerline intersection of North 9th and Walnut Streets;

the point of beginning.

The area within the above defined limits is the secondary fire zone exclusive of the primary fire zone.

(a) Non-combustible construction, shall conform to the rules and regulations of the National Board of Fire Underwriters and shall be that in which all structural members, including wall framing, roofs and their supports, shall be of steel, iron, or of other non-combustible materials, and in which the exterior of the building is of steel, iron or other metal, or of asbestos, masonry, reinforced concrete, or other non-combustible materials, that may not meet the requirements of more fire-resistive types of construction but which shall provide a durable, weather-proof exterior. The surface of such walls shall be painted, galvanized, enameled or protected by covering or treatment that meets with the approval of the building inspector and which conforms to the regulations of the National Board of Fire Underwriters, when, in his opinion, such protection of the materials used is necessary.

(b) Structural members of non-combustible construction need not be fire protected except as specifically required elsewhere in the building code.

(c) No building of non-combustible materials hereafter erected or altered shall exceed 20 feet or one story in height.

(d) No building of non-combustible materials hereafter erected or altered, within the secondary fire zone, shall exceed 5000 sq. feet area, except when equipped with an approved system of automatic sprinklers, which shall be inspected by the fire marshal at least once each month, and if not found in proper working order the owner shall properly repair same and keep it in good working order.

(e) No building of non-combustible materials hereafter altered or erected shall be located nearer than 5 feet to the property line, except when property line is adjacent to street or alley, in which case it may be located on the property line.

(f) No building of non-combustible materials hereafter

erected or altered shall be located nearer than 5 feet to any other building of non-combustible materials, except fire proof buildings described in section 4 of the present building code, in which case they may be directly adjacent to each other.

All provisions of the present building code shall apply to buildings erected or altered in the secondary fire zone, with the above exceptions.

SECTION 1b: That all parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION 1c: That this ordinance shall be in force and effect from and after its passage.

That an ordinance passed by the Board of Commissioners on the 19th day of March, 1926, bearing the Caption in the caption hereof, be and the same is hereby amended by adding thereto Sections 2a and 2b, reading as follows, to-wit:

SECTION 2a: It shall be the duty of the Building Inspector to inspect all buildings or structures in course of building, alteration or repair as often as he thinks necessary, to see that the same is being done in keeping with the plans and specifications and for this purpose he is hereby granted the authority to enter any building under construction, alteration or repair in the city of Abilene in the performance of this duty and if he should find that the work is not being done in keeping with said plans and specifications, then he shall order work thereon suspended and said work shall remain suspended until said Building Inspector shall permit the work to proceed in keeping with said plans and specifications. If the holder of said building permit shall fail or refuse to proceed with the structure, alteration, or repair of the building according to the plans and specifications, the building inspector shall report the same to the Board of Commissioners, which said Board after a

notice to applicant and a hearing thereon, may revoke the building permit. And in case of suspension of the work on the building by the building inspector, the holder of the permit may appeal from said decision to said Board, whose action after a notice and hearing thereon, shall be final. The provisions of this section shall not affect the right of appeal to the Board of Adjustment, which may be had under the provisions of "THE ZONING ORDINANCE OF THE CITY OF ABILENE OF 1946" and Amendments thereto; but the remedy herein provided for the enforcement of the building ordinances and regulations of said city shall be cumulative to the provisions of said Zoning Ordinance.

SECTION 2b: If any part of this ordinance shall be held invalid, such holding shall not affect the valid portions thereof.

Passed on its first reading this the 9th day of

August A. D. 1946.

Passed on its second and final reading this the 30th day of August A. D. 1946.

ATTEST:

Eda Jean Martin
City Secretary

Approved as to form before passage.

Edwards Lewis
Corporation Counsel