

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE III, "FIRE PREVENTION CODE", DIVISION 1, SEC. 10-46 OF THE ABILENE MUNICIPAL CODE BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1. That Chapter 10, Article III, Division I, Sec. 10.46 of the Abilene Municipal Code be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.
- PART 2. That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3. That any person, firm or corporation violating any of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable as provided in section 1-9 of this Code. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 12th day of May A.D., 2011.

After passage on first reading, a notice of the time and place said ordinance would be given a public hearing and consideration for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene. The same being more than 24 hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on its second and final hearing.


PASSED ON SECOND AND FINAL READING this 24th day of May A.D., 2011.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 17-2011

EXHIBIT "A"

ABILENE CODE

DIVISION 1. GENERALLY

Replace Sec. 10-46 as follows:

Sec. 10-46. Adopted.

The International Fire Code, 2009 Edition, published by the International Code Council, Inc., together with a fire code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the fire code for the City of Abilene, and is here by incorporated herein. The fire code pamphlet, along with the International Fire Code, are on file in the Fire Marshal's and City Secretary's Offices.

Any cross-reference to other codes contained herein shall be construed to mean those codes as adopted by the City of Abilene and amended by local ordinance.

Any cross-reference to specific state agencies tasked with duties or oversight under the International Fire Code shall be construed to mean the agency in the state of Texas then tasked with the duties or oversight referenced, even if such agency might change from time to time.

ABILENE FIRE CODE

Adopt the *2009 International Fire Code* in its entirety, with the following amendments:

**Chapter 1
ADMINISTRATION**

**SECTION 101
GENERAL**

101.1 Title. *{Amend to read as follows.}* These regulations shall be known as the *Fire Code* of the City of Abilene, hereinafter referred to as "this code."

**{Amend Section 103 heading as follows.}
SECTION 103
DIVISION OF FIRE PREVENTION**

103.1 General. *{Amend to read as follows.}* The division of fire prevention is established within the fire department under the direction of the fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this code.

103.2 Appointment. *{Amend to read as follows and add sentence at the end.}* The fire code official shall be appointed by the fire chief. The fire code official shall also be known as fire marshal.

103.3 Deputies. *{Amend to read as follows.}* In accordance with the prescribed procedures of the fire department and with the concurrence of the fire chief, the fire code official shall have the authority to appoint an assistant fire marshal, other related technical officers, inspectors and other employees.

**SECTION 105
PERMITS**

105.1.1 Permits required. *{Delete the second sentence.}* Permits required by this code shall be obtained from the fire code official. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

{Amend Section 108 heading as follows}

SECTION 108

APPEALS

108.1 *{Delete in its entirety and add the following.}* **Appeals.** The Board of Building Standards as established in Chapter 8, Sec. 8-361, et. seq. of the City Code of the City of Abilene, Texas is charged with hearing appeals arising from any decision of the fire code official concerning this code, determining the suitability of alternate materials and methods of construction and providing reasonable interpretation of this code.

Any reference to the board of appeals in this code shall be construed to mean and does mean the Board of Building Standards as established in Chapter 8, Sec. 8-361, et. seq. of the City Code of the City of Abilene, Texas. In the event the board should be of the opinion that any provisions of this code need to be amended, it shall make such recommendation to the City Council for consideration.

SECTION 109

VIOLATIONS

109.3 Violation penalties. *{Amend to read as follows.}* 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 code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Class C Misdemeanor, punishable by a fine of not more than five hundred dollars (\$500).

SECTION 111

STOP WORK ORDER

111.4 Failure to comply. *{Amend to read as follows.}* 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 liable for a fine of not more than five hundred dollars (\$500).

Chapter 3

GENERAL PRECAUTIONS AGAINST FIRE

SECTION 303

ASPHALT KETTLES

303.4 Attendant. *{Add the following exception.}*

Exception: Thermostatically controlled kettles.

**SECTION 308
OPEN FLAMES**

308.1.4 Open-flame cooking devices. *{Amend to read as follows.}* Charcoal burners and other open-flame cooking devices shall not be operated or located on combustible balconies or within 10 feet (3048 mm) of combustible construction.

**Chapter 5
FIRE SERVICE FEATURES**

**SECTION 503
FIRE APPARATUS ACCESS ROADS**

503.2.1 Dimensions. *{Amend to read as follows.}* Fire apparatus access roads shall have an unobstructed width of not less than 24 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.

503.2.2 Authority. *{Amend to read as follows.}* The fire code official shall have the authority to require an increase in the minimum access widths and vertical heights where they are inadequate for fire or rescue operations.

503.2.3 Surface. An engineered road constructed of asphalt, concrete, processed road base material or other approved driving surface capable of supporting the imposed loads of a fire apparatus. The road shall be properly graded to drain so as to prevent the road from failing to support the fire apparatus imposed load during a rainfall event.

503.3 *{Amend to read as follows.}* **Identification.** Where required by the fire code official, approved markings and/or signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Markings and signs shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

{Add Subsection 503.3.1}

503.3.1 Markings. Markings shall consist of a red stripe not less than six inches wide along both borders of a fire apparatus access road. The words "FIRE LANE NO PARKING" shall be marked on the stripes in white letters not less than four inches high at intervals of not more than 25 feet. The stripe and words shall consist of traffic paint. The markings shall be applied to the vertical face of curbs if adjacent to the fire apparatus access road. If curbs are not present, then the markings shall be applied to the pavement.

{Add Subsection 503.3.2}

503.3.2 Signs. Signs shall be not less than 12 inches wide and 18 inches high. Signs shall consist of a white background bordered by a red stripe not less than 3/8 inch wide with the words "FIRE LANE NO PARKING" in red letters not less than two inches high. The sign face shall be retro-reflective. Signs shall be permanently affixed to stationary posts or, where approved by the fire code official, buildings or walls. The bottom of signs shall be not less than seven feet above grade. Signs shall be placed at intervals of not more than 50 feet.

**SECTION 507
FIRE PROTECTION WATER SUPPLIES**

507.5.4 Obstruction. *{Amend to read as follows}*. Unobstructed access to fire hydrants, fire department inlet connections, or fire protection system control valves shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

**SECTION 508
FIRE COMMAND CENTER**

508.1.1 Location and access. *{Amend to read as follows.}* The location and accessibility of the fire command center shall be approved by the fire code official.

**Chapter 6
BUILDING SERVICES AND SYSTEMS**

**SECTION 603
FUEL-FIRED APPLIANCES**

603.4 Portable unvented heaters. *{Amend to read as follows}* *Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, E, I, R-1, R-2, R-3 and R-4.* Rooms or areas where listed and approved portable unvented fuel-fired heating equipment is operated shall be provided with a means of ventilation capable of supplying required combustion air and preventing the accumulation of toxic products of combustion. **Exceptions:** *{Delete exception 1}*

**Chapter 9
FIRE PROTECTION SYSTEMS**

**SECTION 903
AUTOMATIC SPRINKLER SYSTEMS**

903.2.8 Group R *{add following}*
Exception: 1 and 2 Family Dwellings.

903.3.1.1.1 Exempt locations. *{Amend to read as follows.}* Where approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

3. *{Amend to read as follows.}* Generator and transformer rooms under the direct control of a public utility and separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

4. *{Delete number 4 in its entirety.}*

903.6 Existing buildings. *{Delete in its entirety.}*

**SECTION 907
FIRE ALARM AND DETECTION SYSTEMS**

907.3 Where required in existing buildings and structures. *{Delete in its entirety.}*

912.2; 912.2.1; 912.3; & 912.3.2 – *{replace fire chief with fire code official.}*

**Chapter 10
MEANS OF EGRESS**

1008.1.7 Thresholds: Exception: *{Amend the first sentence to read as follows.}* The threshold height shall be limited to 7-7/8 inches (197 mm) where the occupancy is Group R-2 or R-3

1008.1.9.3 Lock and latches.

3. *{Add the following sentence to end of this paragraph.}* This provision is not applicable when 2.2 of this section is applied, provided the manually operated flush bolts are operable or released without the use of a key or tool. A sign as stated in 2.2 shall be placed on both active and inactive doors.

1008.1.9.4 Bolt locks: *{Exceptions: *{Add Exception 6 as follows}*}:}*

6. In occupancy Group A having an occupant load of 300 or less, Groups B, F, M, and S and in churches, where egress doors are used in pairs and the active door leaf(s) that is keyed or has panic hardware, exceeds the requirements stated in the code for required exit width and/or number of required exits for that building, then manually operated edge or surface-mounted bolts are permitted on the inactive leaf.

1018.1 Construction. *{Add Exception 5.}*

5. In Group B Office building, corridor walls and ceilings need not be of fire-resistive construction within office spaces of a single tenant when the space is equipped with an approved automatic smoke-detection system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor. The smoke-detection system shall be connected to the building's fire alarm system where such a system is provided.

**Chapter 12
DRY CLEANING**

**SECTION 1208
FIRE PROTECTION**

1208.2 Automatic sprinkler system. *{Add the following exception.}*

Exception: Dry cleaning plants in which the quantity of combustible liquids in storage and/or use does not exceed the maximum allowable quantity per control area found in Table 2703.1.1(1).

Chapter 14
FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

SECTION 1410
ACCESS FOR FIRE FIGHTING

1410.1 Required access. *{Amend to read as follows.}* Approved vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 150 feet (45 270 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

Appendix A - *{Delete in its entirety.}*