

ORDINANCE NO. 06-2022

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

NOW THEREFORE, 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" and Attachment "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 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 9th day of September, 2021.

After passage on first reading, a notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 6th day of February, 2022, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 10th day of February, 2022, to permit the public to be heard.

PASSED ON SECOND AND FINAL READING this 10th day of February, 2022.

ATTEST:


Shawna Atkinson, City Secretary


Anthony Williams, Mayor

APPROVED:


Stanley Smith, City Attorney



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EXHIBIT " A "

ABILENE CODE

DIVISION 1. GENERALLY

Replace Sec. 10-46 as follows:

Sec. 10-46. Adopted.

The International Fire Code, 2021 Edition, published by the International Code Council, Inc., together with the Abilene Fire Code booklet 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 Abilene Fire Code booklet, 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.

ATTACHMENT "A"

ABILENE FIRE CODE

The following chapters and appendices of the 2021 International Fire Code are adopted in their entirety:

Chapters: 2, 4, 7, 8, 10, 11, 12, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 80.

Appendices: B, C, D, E, F, G, H, I, M, N.

Appendices A, J, K, and L are deleted in their entirety.

Chapters 1, 3, 5, 6, 9, 33 and Appendix D of the 2021 International Fire Code are adopted 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 Creation of Agency. *{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 two deputy fire marshals, other related technical officers, inspectors, and other employees.

~~**{Delete Section 111}**~~
SECTION 111
APPEALS

~~*{Delete in its entirety}*~~

SECTION 112
VIOLATIONS

112.4 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 113
STOP WORK ORDER

113.4 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 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.

308.1.7 Religious ceremonies. *{Delete in its entirety.}*

**SECTION 319
MOBILE FOOD PREPARATION VEHICLES**

319.1 General. *{Amend to read as follows.}* Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors shall comply with this section. The extinguishing system is only required over the cooking surface areas. Existing vehicles will be afforded a grace period of 36 months to become compliant with Sections 319.3 and 319.4.1. This period shall begin with the initial adoption of the 2021 IFC.

**Chapter 4
EMERGENCY PLANNING AND PREPAREDNESS**

403.11.3 Crowd Managers. *{Amend to read as follows}* Where facilities or events involve a gathering of more than 1,000 people, crowd managers shall be provided in accordance with Sections 403.11.3.1 through 403.11.3.3. Employees or volunteers of the entity responsible for the event may serve as crowd managers even if they are performing other duties consistent with their employment or appointment as volunteers at the event.

403.11.3.1 Number of crowd managers. *{Amend to read as follows}* Not fewer than two trained crowd managers, and not fewer than one crowd manager for each 1,000 persons or portion thereof, shall be provided for the gathering.

**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. *{Amend to read as follows.}* An engineered road shall be 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 Identification. *{Amend to read as follows.}* 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. Marking 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 or other city approved equal. 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 503.3.1}

503.3.1 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 506
KEY BOXES**

506.1 Key Boxes. *{Add following sentence.}* Any structure that is 12,000 square feet or more, or contains a fire protection or detection device will be required to have a key box installed.

506.1 Installation. *{Add following sentences.}* Where required, a key box will be installed on the right hand side not less than 60 inches (5feet) from the main entrance of the structure. The key box placement is required to be between 60 inches and 72 inches (between 5 and 6 feet) above the finished floor or as approved by the fire code official.

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 510 EMERGENCY RESPONDER COMMUNICATION COVERAGE

510.1 Emergency responder communication coverage in new buildings. *{Amend Exception to read as follows.}*

Exceptions:

2. Where it is determined by the fire code official that the radio coverage system is not needed. This occurs when the fire department radio system provides adequate coverage throughout the building.

510.2 Emergency responder communication coverage in existing buildings. *{Add Exception to read as follows.}*

Exception:

1. Where it is determined by the fire code official that the radio coverage system is not needed. This occurs when the fire department radio system provides adequate coverage throughout the building.

Chapter 6 BUILDING SERVICES AND SYSTEMS

**SECTION 605
FUEL-FIRED APPLIANCES**

605.5 Portable unvented heaters. *{Amend to read as follows.}* Rooms or areas where listed and approved portable unvented fuel-fired heating equipment is allowed 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 exception1}*

**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 first sentence to read.}* 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.

Exception 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.

Exception 4. *{Delete Number 4 in its entirety.}*

907.6.6.2 MIY Monitoring. *{Amend to read as follows.}* Direct transmission of alarms associated with Monitor it Yourself (MIY) transmitters to a public safety answering point (PSAP) shall not be permitted.

**SECTION 3107
OPERATIONAL REQUIREMENTS**

3107.17.2 Crowd managers. *{Amend to read as follows}* There shall be trained crowd managers at a ratio of one crowd manager for every 1,000 occupants, as approved.

SECTION 3305

PRECAUTIONS AGAINST FIRE

3305.5.1.1 Fire Watch during Construction. *{Amend to read as follows.}* A Fire Watch shall begin once the structure has exceeded the 50,000 square footage and 40 foot height above lowest adjacent grade threshold and shall be provided during non-working hours. Fire Watch shall remain in effect until acceptance tests meet NFPA requirements for the fire alarm system, and has been approved by the fire code official.

Exceptions:

1. Fire Watch will not be required for buildings of Type I and Type II construction.
2. Buildings of Type III, Type IV, and Type V construction that provide equivalent protection to a Fire Watch, including, but not limited to:
 - a. secured perimeter fencing, nighttime lighting, limited access to the site at all times, posted warning signs, and
 - b. monitored camera surveillance or contracted security with hourly perimeter checks

APPENDIX D – SECTION D107

ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments. *{Add Exception}*

Exceptions:

3. The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will be increased in width, as determined by the fire code official. A minimum of 24' of unobstructed clearance shall be maintained for fire apparatus. Dwelling increases of up to 99 units are authorized under this exception.