

ORDINANCE NO. 246.

AN ORDINANCE PROVIDING FOR LIFE SAFETY IN EXISTING NURSING, DAY NURSERIES, CONVALESCENT AND OLD AGE HOMES, AND IN BUILDINGS CONVERTED TO SUCH OCCUPANCY; AND PRESCRIBING A PENALTY FOR VIOLATION THEREOF.

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

SECTION 1. License Required.

convalescent,  
No nursing, day nurseries, /or old age home, as defined in Section 2 of this Ordinance, shall be operated except under a license from the State Department of Health. Such license shall be issued for one year from the date of issue and shall be revocable for cause. Application for license shall be made on the form provided for the purpose and, where deemed necessary, shall include plans showing details of the construction, exit facilities and fire protection equipment. No license shall be issued until the provisions of this ordinance have been complied with and approval has been obtained from the Chief of the Fire Department and/or the Fire Marshal.

SECTION 2. Definitions.

(a) "A nursing, day nurseries, convalescent, or old age home" shall mean a building or buildings used for the lodging, boarding or nursing care of four or more infants or children, convalescents or aged persons, but shall not include hospitals and mental or correctional institutions.

(b) "Approved" shall mean accepted by the enforcing official as a result of his investigation and experience, or by reason of test, listing or approval by Underwriters' Laboratories, Inc., the National Bureau of Standards, the American Gas Association Laboratories or other nationally recognized testing agencies.

(c) "Automatic fire detection system" shall mean a system which automatically detects a fire condition and actuates a fire alarm signal device.

(d) "Person" shall mean and include person, persons, children, infants, firm, corporation or co-partnership.

SECTION 3. Occupancy.

(a) The number of persons in any room or area used as sleeping quarters shall not exceed the proportion of one adult for each 75 square feet, one child for each 50 square feet, one infant for each 25 square feet.

(b) No occupancy not under the control of, or necessary to, the administration of a nursing, day nursery, convalescent, or old age home shall be contained in any building used as sleeping quarters for such occupancy.

(c) The basement shall be considered as a story if one-half or more of its clear height is above the average elevation of the ground adjoining the building on all sides. An unoccupied attic or roof space shall not be considered as a story.

#### SECTION 4. Firestopping.

Exterior walls of frame construction and interior stud partitions shall be fire-stopped so as to cut off all concealed draft openings both horizontal and vertical between any cellar or basement and the first floor. Such firestopping may consist of suitable noncombustible material or of wood at least 2 inches thick.

#### SECTION 5. Hazardous Areas and Combustible Storage.

(a) Heating apparatus and boiler or furnace rooms shall be separated from other areas by construction having a fire resistance rating of not less than 1 hour.

(b) Hazardous areas such as basements or attics used for the storage of combustible material, workrooms, such as carpenter shops, paint shops and upholstery shops, central storerooms such as for furniture, mattresses and miscellaneous storage, and similar occupancies intended to contain combustible materials which will either be easily ignited, burn with an intense flame or result in the production of dense smoke and fumes, shall be separated from other areas by construction having a fire resistance rating of not less than one hour or shall be protected by an approved automatic fire detection or automatic sprinkler system.

(c) The use of attics or basements for the storage of unnecessary combustible materials shall be prohibited.

#### SECTION 6. Required Exit Facilities.

(a) At least two exit ways, remote from each other, shall be provided for every occupied story of a building.

(b) Exit doorways shall be of such number and so located that the distance of travel from the door of any occupied room to an exit doorway from that floor shall not exceed 50 feet in an unsprinklered building nor 75 feet in a sprinklered building, except where buildings are constructed and protected to comply with all

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requirements applicable to new buildings used for institutional occupancy.

(c) The aggregate width of exit stairs and ramps shall be such as to provide sufficient 22-inch exit units, at the rate of 15 persons per exit unit, for the maximum number of persons that may occupy any floor, except where buildings are constructed and protected to comply with all requirements applicable to new buildings used for institutional occupancy.

(d) Each occupied room shall have at least one doorway opening directly to the outside, or to a corridor leading directly or by a stairway or ramp to the outside, or to an adjacent room which has such access to the outside.

**SECTION 7. Stairways and Vertical Openings.**

(a) Stairs and ramps serving in required exit ways shall be not less than 36 inches wide in existing nursing, day nurseries, convalescent, and old age homes and not less than 40 inches wide in existing buildings hereafter converted to such use.

(b) At least one required exit doorway from each floor above or below the first floor shall lead directly, or through an enclosed corridor, to the outside. A second or third required exit doorway, where a more direct exit is impractical, may lead to a first floor lobby having ample and direct exits to the outside.

(c) In buildings hereafter converted to use as a nursing, day nursery, convalescent, or old age home, all floor openings, such as interior stairways, laundry chutes and dumbwaiter shafts, extending to cellar or basement and between occupied floors shall be enclosed in partitions having a fire-resistance rating of not less than one hour, except that in sprinklered buildings such enclosures may be of any construction having a fire-resistance rating of not less than one-half hour or may be wired glass in metal framework.

(d) In existing buildings used for nursing, day nurseries, convalescent, or old age homes all floor openings shall be enclosed as required by Section 7 (c), except that stairway enclosures may be either at the head or foot of each stairway from one floor to another.

**SECTION 8. Corridors and Passageways.**

(a) Corridors and passageways in a required exit way shall be at least 36 inches wide.

(b) Corridors and passageways in a required exitway shall be unobstructed and shall not lead through any room or space used for a purpose that may obstruct free passage. Corridors and passageways which lead to the outside from any required stairway shall be enclosed as required for stairways.

**SECTION 9. Doorways.**

(a) Exit doorways shall be at least 30 inches wide.

(b) All doorways to stairways, vertical openings, passageways or hazardous areas, which are required to be enclosed, shall be provided with fire doors or self-closing smoke-resistive doors (see Section 10 (b)).

(c) All exits shall be accessible at all times and shall never be locked or fastened by a key or device of any kind. Exception to this particular requirement may be granted in writing by the enforcing authority to the building occupant and operator, when in his opinion, there is good reason and justification for his doing so. All doors must open outwardly where feasible.

**SECTION 10. Division of Floor Openings.**

(a) In buildings of other than fire-resistive (fireproof or semifireproof) construction, all floors above the first floor occupied by persons under care and exceeding 3,000 square feet in area shall be divided into separate areas by smoke barriers so located as to provide ample space on each side for the total number of beds on the floor. Doors provided in such smoke barriers, shall be smoke-resistive doors, as described in Section 10 (b), so installed that they <sup>may</sup> normally be kept in open position, but will close automatically or may be released manually to self-closing action.

(b) Smoke barriers shall have a fire-resistance rating of not less than  $\frac{1}{2}$  hour. Metal, metal-covered or 1-3/8-inch thick solid core flush-type wood doors, so hung as to be reasonably smoke-tight, may be accepted as smoke-resistive doors. Openings in either smoke barriers or smoke-resistive doors shall be glazed with wired glass.

**SECTION 11. Exit Signs.**

Signs bearing the word "Exit" in plain legible block letters shall be placed at each exit doorway, except at doors directly from rooms to corridors or passageways and except at doors leading obviously to the outside from the entrance floor. Additional signs

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shall be placed in corridors and passageways wherever necessary to indicate the direction of exit. Letters of signs shall be at least 6 inches high, except that the letters of internally illuminated exit signs may be not less than 4½ inches high. All exit and directional signs shall be maintained clearly legible by electrical illumination or other acceptable means when natural light fails.

SECTION 12. Interior Finish and Decorative Materials.

(a) Wall and ceiling surfaces of all occupied rooms and of all exit ways therefrom shall be of such material or so treated as not to have a flame spread classification of more than 75 according to the method for the "Fire Hazard Classification of Building Materials" of Underwriters' Laboratories, Inc., unless the building is sprinklered.

(b) All combustible decorative and acoustical material, including textile floor coverings and curtains located in corridors, passageways or stairway enclosures and in lobbies or other rooms or spaces for use by occupants or visitors, shall be rendered and maintained flame-resistant. A material shall be deemed to be flame-resistant if it will not ignite and allow flame to spread over the surface when exposed to a match flame test applied to a piece removed from the material and tested in a safe place. The piece shall be held vertically and the bottom edge exposed to a flame from a common match held in a horizontal position, one-half inch underneath the piece, and at a constant location for minimum of 15 seconds.

SECTION 13. Heating, Lighting and Other Service Equipment.

(a) The heating of buildings occupied as nursing, day nurseries, convalescent or old age homes shall be restricted to steam, hot water or warm air systems employing central heating plants with installation such as to safeguard the inherent fire hazard. The use of portable heaters of any kind is hereby prohibited.

(b) Installation of heating and ventilating systems and equipment in accordance with the Code for the Installation of Heat Producing Appliances, Heating, Ventilating, Air Conditioning, Blower and Exhaust Systems recommended by the National Board of Fire Underwriters shall be deemed prima facie evidence of compliance with the requirement that installation be such as to safeguard the inherent fire hazard.

(c) Lighting shall be restricted to electricity. Electric wiring, motors, and other electrical equipment shall be installed

in accordance with nationally recognized safe practice. Compliance with the Standards of the National Board of Fire Underwriters known as the National Electrical Code shall be deemed prima facie evidence of compliance with nationally recognized safe practice.

**SECTION 14. Extinguishing Equipment.**

Approved-type extinguishers shall be provided on each floor, so located that a person will not have to travel more than 100 feet from any point to reach the nearest extinguisher. An additional extinguisher shall be provided in, or adjacent to, each kitchen or basement storage room.

**SECTION 15. Automatic Sprinkler Protection.**

(a) Buildings which are not of fire-resistive (fireproof or semifireproof) construction shall be protected throughout by an approved automatic sprinkler system.

(b) Sprinkler systems shall be provided with an approved water flow alarm.

**SECTION 16. Alarm Systems.**

(a) A manually operated fire alarm system shall be provided, except:-

1. Where the entire building is protected by an automatic sprinkler system equipped with a water flow alarm; or
2. Where the entire building is protected by an automatic fire-detection system.

(b) Fire alarm systems shall be <sup>of</sup> approved type. At least one fire alarm sending station shall be provided on each story, located at a readily accessible point in the natural path of escape from fire. The system shall be so arranged that the operation of any sending station will sound an alarm which is audible throughout the building, or where advisable because of the type of occupancy, the system may be so arranged that the initial alarm signal will sound only at some central point where 24-hour service is maintained.

(c) Automatic fire-detection systems shall be approved supervised systems. Where fixed temperature devices are used they shall be constructed to operate at 165 degrees Fahrenheit or less, except that in spaces where high temperature is normal devices having a higher operating point may be used. Operation of a thermostatic device shall cause an alarm which is audible throughout the building, or where advisable because of the type of occupancy, the system may be so arranged that the initial alarm signal will sound only at some central point where 24-hour service is maintained. (See Section 5 (b) ).

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SECTION 17. Attendants.

Every nursing, day nursery, convalescent, or old age home shall have at least one attendant on duty, awake and dressed therein at all times, and, in addition one stand-by attendant within hearing distance and available for emergency service. These attendants shall be at least 18 years of age and capable of performing the required duties of evacuation. No person other than the management or a person under management control shall be considered as an attendant.

SECTION 18. Evacuation Plan.

(a) Every nursing, day nursery, convalescent, or old age home shall formulate a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan. (See also Section 10).

(b) Every mattress shall be provided with strong canvas or leather handles so that it may serve as a stretcher when necessary for evacuation.

SECTION 19. Smoking.

Smoking may be permitted in nursing, day nurseries, convalescent or old age homes only where proper facilities are provided. Smoking shall not be permitted in sleeping quarters, except at such times as supervision is provided.

SECTION 20. Inspections.

Every building coming within the scope of this ordinance shall be inspected periodically by representatives of the agencies named in Section 1 in order to insure proper compliance with the provisions of this ordinance.

SECTION 21. Compliance to Codes.

Any rule, regulation or requirement not specifically contained herein, but contained in the "National Building Code" and the "Fire Prevention Code" as adopted by the City of Mesquite shall be in effect.

SECTION 22. Penalties for Violation.

Any and all persons who shall violate any of the provisions of this ordinance or fail to comply therewith, or who shall violate or fail to comply with any order or regulation made thereunder, or who shall build in violation of any detailed statement of specifications

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or plans submitted and approved thereunder shall be guilty of an (offense and penalty established by State law) and upon conviction shall pay a penalty not to exceed Two Hundred Dollars (\$200.00).

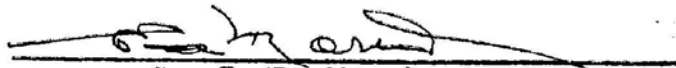
SECTION 23. Repeal of Conflicting Ordinances.

Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 24. Date of Effect.

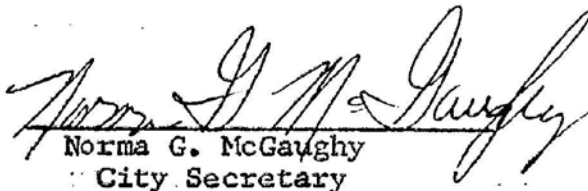
This ordinance shall take effect and be in force from and after its passage and legal publication.

PASSED AND ADOPTED THIS 10th day of July, 1959 AD.



E. R. Morris  
Mayor Pro Tem

ATTEST:



Norma G. McGaughey  
City Secretary