

## ORDINANCE NO. 2256

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF MESQUITE BY ADOPTION OF THE UNIFORM BUILDING CODE, 1985 EDITION; BY PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID UNIFORM BUILDING CODE; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY:

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

SECTION 1. That Chapter 5 of the Code of the City of Mesquite is hereby amended effective January 1, 1986 as follows, in all other respects to remain in full force and effect:

1. Section 5-4 of Chapter 5 is amended by changing the phrase, "Uniform Building Code, 1982 Edition" to Uniform Building Code 1985 Edition".

Provided, however, the Uniform Building Code, 1985 Edition adopted herein and Section 5-5 of Chapter 5 of the Code of the City of Mesquite is hereby amended as follows, in all other respects to remain in full force and effect:

Section 5-5 Deletions and Amendments:

A. Deletions. The following provisions of the Uniform Building Code, 1985 Edition, are hereby deleted:

Section 304;  
Section 1807, paragraph (m), subparagraphs 4 and 5;  
3310 (b)  
3802 (A)  
3806 (b)

B. Amendments. The Uniform Building Code, 1985 Edition, heretofore adopted by the City of Mesquite, is amended as follows:

414. The next to the last paragraph in Section 414 is amended to read:

MEZZANINE or MEZZANINE FLOOR is an intermediate floor placed in any story or room. A mezzanine floor shall be considered as constituting an additional story. The clear height above or below a mezzanine floor construction shall be not less than seven (7) feet.

503. Section 503 (d) Exceptions 3 to read as follows:

3. In the one-hour occupancy separation between a Group R3 and M Occupancy, the separation may be limited to the installation of not less than one-half inch thickness gypsum board construction on the garage side and a weather-stripped door will be permitted in lieu of a one-hour fire assembly. Fire dampers shall not be required in ducts piercing this separation for ducts constructed of not less than No. 26 gauge galvanized steel.

507. Section 507 is amended by adding a third exception to read:

3. Apartments, condominiums and townhouses shall be limited to three (3) stories not to exceed thirty-five (35) feet in height as measured from the lowest level of fire department vehicle access to the top plate of the upper most story.

1202. Section 1202 (b) is amended by changing the third paragraph (first paragraph before the Exception) to read as follows:

Every apartment house three (3) stories in height and every hotel three (3) stories or more in height shall have an approved fire alarm system.

3202. Section 3202 (b) (2) is amended to read:

2. Fire retardant Class C roof coverings are required on all multi-family and townhouse units regardless of the size and height of the units. Fire retardant Class C roofing materials are defined as any roofing material which meets ASTM E-108 Fire Test Specifications for roofing and has been tested and approved by a nationally recognized testing laboratory.

In those cases where it proves necessary to replace all or part of an ordinary wood shingle roof, Class C composition shingles may be overlaid on the wood shingles.

3202. Section 3202 (b) (3) is hereby deleted.

3304. Section 3304 (c) is amended to include a third exception to read:

3. In Group R, Division 3 Occupancy exits which are not required by Table 33-A may be provided with dead bolts and similar devices which are openable from the inside with the use of a key. Such devices must be mounted at a height not to exceed forty-eight (48) inches above the finished floor.

3310. Section 3310 (b) is hereby amended to read:

(b) Where a floor of any story is located more than thirty-five (35) feet above the highest grade, one of the required exits shall be a smokeproof enclosure.

3802. Section 3802 (a) is amended to read:

(a) Where Required. An automatic sprinkler system shall be installed throughout all buildings of more than three (3) stories, or those whose height exceeds thirty-five (35) feet as measured from the lowest level of fire department vehicle access to the top plate of the uppermost story and an automatic fire extinguishing system shall be installed in the occupancies and locations as set forth in this section.

For special provisions on hazardous chemicals and magnesium, and calcium carbide, see the Fire Code.

3806. Section 3806 (b) is amended to read:

(b) Every building six (6) stories or more in height shall be provided with not less than one Class I standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than thirty-five (35) feet in height above grade. Such standpipe shall be provided with fire department inlet connections as accessible locations adjacent to usable stairs. Such standpipe systems shall be extended as construction progresses to within one (1) floor of the highest point of construction having secured decking or flooring.

In each floor there shall be provided a two and one-half (2 1/2) inch valve outlet for fire department use. Where construction height requires installation of Class II standpipe, fire pumps and water main connections shall be provided to serve the standpipe.

All other amendments heretofore adopted in Section 5-5 shall remain in full force and effect.

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance, shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1973.

SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.

SECTION 7. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health and welfare the inhabitants of the City of Mesquite creates an urgency and an emergency and necessitates that this ordinance become effective immediately from and after its date of passage and the publication of its caption as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 2nd day of December A.D., 1985.

  
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Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Lyon Prugel  
City Secretary

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Elland Archer  
City Attorney