

ORDINANCE NO. 4189

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MESQUITE BY DELETING SECTIONS 6-1 THROUGH 6-6 IN THEIR ENTIRETY AND ADDING NEW SECTIONS 6-1 THROUGH 6-6 THEREBY ADOPTING THE INTERNATIONAL FIRE CODE, 2009 EDITION, BY PROVIDING CERTAIN AMENDMENTS AND DELETIONS THERETO; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

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

SECTION 1. That Chapter 6 of the Code of the City of Mesquite, Texas, is hereby amended by deleting Sections 6-1 through 6-6 in their entirety and adding new Sections 6-1 through 6-6 to read as follows, in all other respects said Code and Chapter to remain in full force and effect.

Sec. 6-1. Adoption of the International Fire Code, 2009 Edition.

The *International Fire Code*, 2009 Edition, including Appendix B, Appendix C and Appendix D attached thereto, as published by the International Code Council (I.C.C.), and as amended as set forth in Section 6-6 below, is hereby adopted and designated as the official fire code of the City of Mesquite, Texas, to the same extent as if such code were copied verbatim in this Chapter 6, subject to the amendments prescribed in Section 6-6 below. A copy of the *International Fire Code*, 2009 Edition, including Appendix B, Appendix C and Appendix D attached thereto and all amendments thereto adopted pursuant to Section 6-6 below shall be maintained in the office of the City Secretary as an original document and ordinance of the City of Mesquite, Texas. All italicized terms used in this Chapter 6 and not otherwise defined herein shall have the meanings set forth in the *International Fire Code*, 2009 Edition.

Sec. 6-2. Duties of Fire Prevention Division.

- (1) The *International Fire Code* shall be enforced by the Fire Prevention Division of the Fire Department of the City of Mesquite, Texas, made up of the Fire Marshal and Inspectors under the supervision of the Chief of the Fire Department.
- (2) The Fire Marshal in charge of the Fire Prevention Division shall be appointed by the Chief with the consent and approval of the City Manager.
- (3) The Chief of the Fire Department may detail such members of the Fire Department as Inspectors as shall from time to time be necessary.

Secs. 6-3 – 6-5. Reserved.

Sec. 6-6. Amendments to the International Fire Code, 2009 Edition.

The following amendments are made to the *International Fire Code*, 2009 Edition and all references in this Section 6-6 to the term "*International Fire Code*" shall be deemed to refer to the *International Fire Code*, 2009 Edition, as published by the I.C.C. and as adopted by Section 6-1 above and amended by this Section 6-6:

(1) **General Terms.**

- (a) **JURISDICTION.** All references to "*jurisdiction*" shall mean the City of Mesquite, Texas, located in the County of Dallas, the County of Kaufman and in the State of Texas.
- (b) **CITY.** All references to "*City*" shall mean the City of Mesquite, Texas located in the County of Dallas, the County of Kaufman and in the State of Texas.
- (c) **PERSON or PERSONS.** All references to "*person*" or "*persons*" as used herein shall mean and include every *person* as defined in Chapter 2, Section 202 of the *International Fire Code* and shall also include every "person" as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended.

(2) **Chapter 1, Scope and Administration.**

- (a) **Section 101.1.** Section 101.1 shall be amended by inserting the name "City of Mesquite, Texas" as the "Name of Jurisdiction" and accordingly, Section 101.1 shall be amended to read as follows:

101.1 Title. These regulations shall be known as the *Fire Code* of the City of Mesquite, Texas, hereinafter referred to as "this code."

- (b) **Section 102.1.** Section 102.1 shall be amended by deleting #3 in its entirety and adding a new #3 to read as follows:

3. Existing structures, facilities and conditions when required in Chapter 46 or in specific sections of this code.

- (c) **Section 102.4.** Section 102.4 shall be amended by deleting Section 102.4 in its entirety and adding a new Section 102.4 to read as follows:

102.4 Application of building and other codes. The design and construction of new structures shall comply with this code, the *International Building Code*, 2009 Edition, as amended and adopted by the City (hereinafter the "*International Building Code*"), and all other codes now and hereafter adopted by the City and any *alterations*, additions, changes in use or changes in structures required by this code which are within the scope of this code, the *International Building Code*

and other codes adopted by the *City* shall be made in accordance therewith.

- (d) **Section 102.7.** Section 102.7 shall be amended by deleting Section 102.7 in its entirety and adding a new Section 102.7 to read as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 47 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

- (e) **Section 105.1.4.** Section 105 shall be amended by adding a new Section 105.1.4 to read as follows:

105.1.4 Permit fees. A *permit* fee shall be paid prior to conducting activities as follows:

1. **Fire alarm systems.** The installation, addition to or alteration of a fire alarm system.
2. **Fire sprinkler systems.** The installation, addition to or alteration of a fire sprinkler system.
3. **Fire suppression systems.** The installation of, addition to or alteration of a fire suppression system.
4. **Underground storage tanks.** The installation, removal, addition to or alteration of underground storage tanks and piping for the storage of hazardous materials especially *flammable liquids*.
5. **Aboveground storage tanks.** The installation, removal, addition to or alteration of aboveground storage tanks and piping for the storage of hazardous materials especially *flammable liquids*.
6. **Open burning.**
7. **Fireworks displays.** To conduct *fireworks* and *pyrotechnics* displays.
8. **Access control gates.** To install new or alter existing access control gates across access roads and *fire lanes*.

9. **Explosive materials.** The storage, use or *detonation* of *explosive materials*.

Exception: *Permit* fees shall not be required on work on any building or structure, the title to which is directly vested in the federal government, state, county, city or a public school district.

- (f) **Section 105.1.5.** Section 105 shall be amended by adding a new Section 105.1.5 to read as follows:

105.1.5 Permit fee schedule.

1. **Permit fee schedule.** The following *permit* fee schedule shall be charged for the installation, addition to or alteration of the following:

a. **Fire sprinkler systems:**

1 – 19 heads	\$100.00
20 – 100 heads	\$150.00
100 – 200 heads	\$200.00

Fire Sprinkler Systems exceeding 200 heads will be \$200.00 plus \$0.50 for each additional head. An additional fee of \$50.00 shall be charged for each test exceeding one per *permit*. The testing fee shall be paid prior to conducting the test.

b. **Fire alarm systems:**

1 – 10 devices	\$100.00
11 – 25 devices	\$150.00
26 – 100 devices	\$200.00

Fire Alarm Systems exceeding 100 devices shall be \$200.00 plus \$1.00 for each additional device. An additional fee of \$50.00 shall be charged for each test exceeding one per *permit*. The testing fee shall be paid prior to conducting the test.

c. **Fire suppression systems:** \$75.00 per system.

d. **Underground or aboveground storage tanks** (does not include temporary tanks or residential propane):

- i. \$100.00 per tank for installation of or removal of underground tanks.
 - ii. \$100.00 for the *permit* and inspection of underground piping.
 - e. **Access control gates** (across a *fire lane*). The installation of or alteration of an access control gate across a *fire lane* or access road shall be \$100.00 per gate.
 - f. *Open burning/trench burning*.
 - i. \$50.00 per day.
 - ii. A *permit* fee is not required for a campfire, flag retirement ceremony or similar event.
 - g. *Explosive materials*. See fee for *fireworks* and *pyrotechnics* displays in 105.1.5 (2) below.
- 2. **Permit fees.** A fee of \$50.00 shall be charged for the following *permits*:
 - a. *Fireworks* and *pyrotechnics* displays.
 - b. Temporary aboveground tanks to include:
 - i. Propane exchange stations.
 - ii. Residential propane.
 - iii. Temporary tank at a construction site.
 - c. *Reinspections*. A \$50.00 reinspection fee shall be charged for each reinspection of a fire alarm system, fire sprinkler system, fire suppression system, underground storage tank and aboveground storage tanks.
- 3. **Investigation fee.** An investigation shall be made whenever any work for which a *permit* is required by this code has commenced without first obtaining a *permit*. An investigation fee, in addition to the *permit* fee, shall be collected whether or not a *permit* is subsequently issued. The payment of such investigation fee shall not exempt any *person* from compliance with all other provisions of this code nor from any penalty prescribed by law. The

investigation fee shall be equal to the amount of the *permit* fee required by this code not to exceed \$2,000.00.

4. **Third party review fee.** A third party review fee shall be paid in addition to the *permit* fee where an impartial third party reviews a *permit* submittal and makes code-related comments. The third party shall be selected by the *fire code official* and have extensive experience and knowledge in the field to be reviewed. This review process shall be utilized for *permit* submittals with fire system technology not normally permitted. The third party review fee shall be the cost of the review plus associated shipping or courier cost.
5. **Inspection after normal business hours fee.** Inspections may be conducted after hours or on Saturdays at the request of a contractor if inspection personnel are available. The fee for such inspections shall be \$100.00 per hour per inspector with a two-hour minimum per inspector.

- (g) **Section 105.3.3.** Section 105.3.3 shall be amended by deleting Section 105.3.3 in its entirety and adding a new Section 105.3.3 to read as follows:

105.3.3 Occupancy prohibited before approval. The building or structure shall not be occupied prior to the *fire code official* issuing a *permit* when required and conducting associated inspections indicating the applicable provisions of this code have been met.

- (h) **Section 105.7.15.** Section 105 shall be amended by adding a new Section 105.7.15 to read as follows:

105.7.15 Smoke control or exhaust systems. Construction *permits* are required for smoke control or exhaust systems as specified in Section 909 and Section 910 respectively. Maintenance performed in accordance with this code is not considered a modification and does not require a *permit*.

- (i) **Section 105.7.16.** Section 105 shall be amended by adding a new Section 105.7.16 to read as follows:

105.7.16 Electronic access control systems. Construction *permits* are required for the installation or modification of an electronic access control system, as specified in Section 503 and Section 1008. A separate construction *permit* is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a *permit*.

- (j) **Section 108.** Section 108 shall be amended by deleting Section 108 in its entirety and adding a new Section 108 to read as follows:

108.1 The Building Standards Board established and created by ordinance of the *City* shall hear all appeals of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code.

1. **Building Standards Board.** The *City* has created and established a board known as the Building Standards Board composed of seven (7) regular voting members who are appointed by the City Council and that are qualified through their individual experience to pass upon matters pertaining to building and fire code related issues (the "*Building Standards Board*"). The appointed members of the *Building Standards Board* are residents of, or own or operate businesses located within, the *City*, and are not employees of the *City*. The building official of the *City* (the "*building official*") and the *fire code official* are ex-officio, non-voting members of the building standards board.
2. **Scope and authority of the *Building Standards Board*.** The *Building Standards Board* shall hear and decide all appeals of orders, decisions or determinations made by the *fire code official* relating to the application and interpretation of this code.
3. **Appeal procedure.** An appeal to the *Building Standards Board* shall be filed within 30 calendar days after the date the determination or decision of the *fire code official* is made. If the 30th day falls on a Saturday, Sunday or *City* holiday, the time for filing the appeal shall be extended to the next day following the 30th day which is not a Saturday, Sunday or *City* holiday. The appeal shall be filed with the Fire Department of the *City* at the office of the *Fire Chief*, and such notice of appeal shall specify the grounds of such appeal stating the reasons why the appellant feels the *fire code official's* order, decision or determination should be overturned. The application for appeal shall state how the *fire code official's* order, decision or determination should be modified or reversed. The decisions and findings of the *Building Standards Board* shall be rendered in writing to the appellant with a duplicate copy to the *fire code official*.
4. **Terms.** The members of the *Building Standards Board* are appointed by the City Council to serve without compensation for two-year terms and until their successors are appointed and qualified. Four members shall be appointed to two-year terms on or about January 1st of

even-numbered years, and three members shall be appointed to two-year terms on or about January 1st of odd-numbered years.

5. **Vacancies.** The City Council shall fill all vacancies by the appointment of a suitable person to serve the unexpired term.
 6. **Meetings.** Meetings of the *Building Standards Board* are held upon call by the Chairman, the *fire code official* or the *building official*, or at such other times as the *Building Standards Board* may determine. All meetings are open to the public. The *Building Standards Board* shall keep minutes of its meetings and all records are open to the public. The *Building Standards Board* shall establish such rules and regulations as it deems appropriate and appoint a chairman from among its members.
 7. **Quorum.** Four (4) members shall constitute a quorum. A concurring vote of four (4) members of the *Building Standards Board* shall be necessary to render a decision in favor of the Appellant.
 8. **Differences.** Where differences occur between this ordinance and the *City's* ordinance creating and establishing the *Building Standards Board*, the *Building Standards Board* ordinance shall apply.
 9. **Limitations on appeals.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The *Building Standards Board* shall have no authority to waive or modify any of the requirements of this code.
- (k) **Section 109.3.** Section 109.3 shall be amended by deleting Section 109.3 in its entirety and adding a new Section 109.3 to read as follows:

109.3 Violation Penalties. Any *person* who shall violate a provision of this code or shall fail to comply with any of the requirements of this code or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a Class C Misdemeanor and upon conviction, shall be subject to a fine not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense, provided, however, if the maximum penalty provided for by this code for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty

for violation of this code for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this code continues shall constitute a separate offense.

- (l) **Section 111.4.** Section 111.4 shall be amended by deleting Section 111.4 in its entirety and adding a new Section 111.4 to read as follows:

111.4 Failure to comply. 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 upon conviction not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense, provided, however, if the maximum penalty provided for by this code for disobeying a stop work order is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this code for disobeying a stop work order shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this code continues shall constitute a separate offense.

- (3) **Chapter 2, Definitions.**

- (a) **Section 202.** Section 202 shall be amended by deleting the definitions of “*fire watch*”, “*ambulatory health care facility*,” and “*atrium*” in their entirety and replacing them with the definitions set forth below and adding definitions for “*addressable fire detection system*,” “*analog addressable fire detection system*,” “*high-rise building*,” “*self service storage facility*” and “*standby personnel*” as new definitions to the existing list of definitions in Section 202 to read as follows:

1. **ADDRESSABLE FIRE DETECTION SYSTEM.** Any system capable of providing identification of each individual alarm-initiating device. The identification shall be in plain English and as descriptive as possible to specifically identify the location of the device in alarm. The system shall have the capability of alarm verification.
2. **AMBULATORY HEALTH CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to individuals who are rendered incapable of self-preservation. This group may include but not be limited to the following:
 - Dialysis centers
 - Sedation dentistry
 - Surgery centers

- Colonic centers
 - Psychiatric centers
3. **ANALOG ADDRESSABLE FIRE DETECTION SYSTEM.** Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be capable of compensating for long-term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.
 4. **ATRUIM.** An opening connecting three or more stories other than enclosed *stairways*, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505 of the *International Building Code*.
 5. **FIRE WATCH.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or *standby personnel* when required by the *fire code official*, for the purpose of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.
 6. **HIGH-RISE BUILDING.** A building having any floors used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access.
 7. **SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.
 8. **STANDBY PERSONNEL.** Qualified fire service personnel, *approved* by the *Fire Chief*. When utilized, the number required shall be as directed by the *Fire Chief*. Charges for utilization shall be as normally calculated by the *jurisdiction*.

(4) **Chapter 3, General Requirements.**

- (a) **Section 307.2.** Section 307.2 shall be amended by deleting Section 307.2 in its entirety and adding a new Section 307.2 to read as follows:

307.2 Permit required. A *permit* shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or *open burning*. Application for such approval shall only be presented by and *permits* issued to the *owner* of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality guidelines and/or restrictions.
2. State, county or local temporary or permanent bans on *open burning*.
3. Local written policies as established by the *fire code official*.

- (b) **Section 307.4.** Section 307.4 shall be amended by deleting the first paragraph of Section 307.4 in its entirety and adding a new first paragraph in Section 307.4 to read as follows:

307.4 Location. The location for *open burning* shall not be less than 300 feet from any structure and provisions shall be made to prevent the fire from spreading to within 300 feet of any structure.

The Exceptions set forth in Section 307.4 remain unchanged.

- (c) **Section 307.4.3.** Section 307.4.3 shall be amended by deleting the Exception in its entirety and adding new Exceptions to Section 307.4.3 to read as follows:

Exceptions:

1. Portable outdoor fireplaces used at one- and two-family *dwelling*s.
2. Where buildings, balconies and decks are protected by an *approved automatic sprinkler system*.

- (d) **Section 307.4.4.** Section 307 shall be amended by adding a new Section 307.4.4 to read as follows:

307.4.4 Trench burns. Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

- (e) **Section 307.5.** Section 307.5 shall be amended by deleting Section 307.5 in its entirety and adding a new Section 307.5 to read as follows:

307.5 Attendance *Open burning, trench burns, bonfires or recreational fires* shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other *approved* onsite fire-extinguishing equipment such as dirt, sand, water barrel, garden hose or water truck shall be available for immediate utilization.

- (f) **Section 308.1.4.** Section 308.1.4 shall be amended by deleting Section 308.1.4 including all Exceptions stated therein in their entirety and adding a new Section 308.1.4 to read as follows:

308.1.4 Open-flame cooking devices. Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks or within 10 feet of combustible construction.

Exceptions:

1. One-and-two family *dwelling*s, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP gas capacity] with an aggregate LP gas capacity not to exceed 100 lbs (5 containers).
 2. Where buildings, balconies and decks are protected by an *approved automatic sprinkler system*, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP gas capacity], with an aggregate LP gas capacity not to exceed 40 lbs (2 containers).
 3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].
- (g) **Section 308.1.6.2.** Section 308.1.6.2 shall be amended by deleting Exception #3 in its entirety and adding a new Exception #3 to Section 308.1.6.2 to read as follows:
3. Torches or flame-producing devices in accordance with Section 308.1.3.

- (h) **Section 311.5.** Section 311.5 shall be amended by deleting Section 311.5 in its entirety and adding a new Section 311.5 to read as follows:

311.5 Placards The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

Sections 311.5.1 through 311.5.5 remain unchanged.

(5) **Chapter 4, Emergency Planning and Preparedness.**

- (a) **Section 401.3.4.** Section 401 shall be amended by adding a new Section 401.3.4 to read as follows:

401.3.4 Fire alarms and nuisance alarms. *False alarms* and *nuisance alarms* shall not be given, signaled or transmitted, or caused or permitted to be given, signaled or transmitted in any manner.

(6) **Chapter 5, Fire Service Features.**

- (a) **Section 501.4.** Section 501.4 shall be amended by deleting Section 501.4 in its entirety and adding a new Section 501.4 to read as follows:

501.4 Timing of installation. When *fire apparatus access roads* or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and *approved* prior to the time of which construction has progressed beyond completion of the foundation of any structure.

- (b) **Section 503.1.1.** Section 503.1.1 shall be amended by adding two sentences at the end of the first paragraph of Section 503.1.1 to read as follows:

Except for one- or two-family *dwelling*s, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway around the external walls of the structure.

An existing *fire lane* shall not be altered, abandoned or obstructed without the approval of the *fire code official* and only upon a showing that adequate fire protection will not be compromised.

- (c) **Section 503.2.1.** Section 503.2.1 shall be amended by deleting Section 503.2.1 in its entirety and adding a new Section 503.2.1 to read as follows:

503.2.1 Dimensions. *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.

Exception: Vertical clearance may be reduced provided such reduction does not impair access by fire apparatus and *approved* signs are installed and maintained indicating the established vertical clearance when *approved*.

- (d) **Section 503.2.2.** Section 503.2.2 shall be amended by deleting Section 503.2.2 in its entirety and adding a new Section 503.2.2 to read as follows:

503.2.2 Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

- (e) **Section 503.3.** Section 503.3 shall be amended by deleting Section 503.3 in its entirety and adding a new Section 503.3 to read as follows:

503.3 Marking. Striping *approved* by the *fire code official* shall be provided for *fire apparatus access roads* as required. In addition to striping, signs or other *approved* notices shall be provided for *fire apparatus access roads* to identify such roads or prohibit the obstruction thereof where deemed necessary by the *fire code official* for clear identification of a *fire apparatus access road*. Signs or notices and striping shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

1. **Striping.** *Fire apparatus access roads* shall be marked by painted lines of red traffic paint six inches in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four-inch white letters at 25-foot intervals on the red border markings along both sides of the *fire lanes*. Where a curb is available, the striping shall be on the vertical face of the curb.
2. **Signs.** Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12 inches wide and 18 inches high. Signs shall be painted on a white background with letters and borders in red using not less than two-inch lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches above finished grade. Signs shall be spaced not more than 50 feet apart along both sides of the *fire lane*. Signs may be installed on permanent buildings or walls or as *approved* by the *Fire Chief*.

- (f) **Section 503.4.** Section 503.4 shall be amended by deleting Section 503.4 in its entirety and adding a new Section 503.4 to read as follows:

503.4 Obstruction of fire apparatus access roads. *Fire apparatus access roads* shall not be obstructed in any manner including the parking, stopping, standing, loading or unloading of vehicles. The minimum widths and clearances established in Section 503.2.1 and any area marked as a *fire lane* as described in Section 503.3 shall be maintained at all times. The installation of speed reducing devices (speed bumps, speed humps, etc.) across *fire lanes* shall require the approval of the *Fire Chief*.

- (g) **Section 503.4.1.** Section 503 shall be amended by adding a new Section 503.4.1 to read as follows:

503.4.1 Loading zone. A loading zone cannot coexist with a *fire lane*. A loading zone shall not be established within a *fire lane*.

- (h) **Section 503.6.** Section 503.6 shall be amended by adding the following text at the end of Section 503.6 to read as follows:

Security gates across access roads shall meet the requirements of Mesquite Fire Department Rules and Regulations, Gates Across Fire Lanes. A Mesquite Fire Department *permit* is required prior to the installation of a gate across an access road.

- (i) **Section 505.1.** Section 505.1 shall be amended by deleting Section 505.1 in its entirety and adding a new Section 505.1 to read as follows:

505.1 Address identification. *Approved* numerals of a minimum six-inch height and of a color contrasting with the background designating the address shall be placed on all new and existing building or structures in a position as to be plainly visible and legible from the street or road fronting the property and from all rear alleyways/access.

Where buildings do not immediately front a street, *approved* six-inch in height building numerals or addresses and three-inch height suite/apartment numerals of a color contrasting with the background of the building shall be placed on all new and existing buildings or structures. Numerals or addresses shall be posted on a minimum 20-inch by 30-inch background on border.

Address numbers shall be Arabic numerals or alphabet letters. The minimum stroke width shall be 0.5 inches.

Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.

Exception: R-3 Single Family occupancies shall have *approved* numerals of a minimum 3½ inches in height and a color contrasting with the background clearly visible and legible from

the street fronting the property and rear alleyway where such alleyway exists.

- (j) **Section 506.1.2.** Section 506 shall be amended by adding a new Section 506.1.2 to read as follows:

506.1.2 Key box. A *key box* shall be provided on each occupancy with a fire alarm system or fire sprinkler system that initiates an *automatic* fire department response. The *key box* shall contain keys for each locked doorway within the building and each elevator. The keys shall be identified as to the corresponding locks.

- (k) **Section 507.4.** Section 507.4 shall be amended by deleting Section 507.4 in its entirety and adding a new Section 507.4 to read as follows:

507.4 Water supply test date and information. The water supply test used for hydraulic calculation of fire protection system shall be conducted in accordance with NFPA 291 "Recommended Practice for Fire Flow Testing and Marking of Hydrants" and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*, as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as *approved* by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the *fire protection system* based on this fluctuation information, as per the applicable referenced NFPA standard.

- (l) **Section 507.5.4.** Section 507.5.4 shall be amended by deleting Section 507.5.4 in its entirety and adding a new Section 507.5.4 to read as follows:

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, *trash*, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or *fire protection system* control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

- (m) **Section 509.1.1.** Section 509 shall be amended by adding a new Section 509.1.1 to read as follows:

509.1.1 Sign requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of two (2) inches when located inside a building and four (4) inches when

located outside, or as *approved* by the *fire code official*. The letters shall be of a color that contrasts with the background.

(7) **Chapter 6, Building Services and Systems.**

- (a) **Section 603.3.2.1.** Section 603.3.2.1 shall be amended by deleting the Exception set forth in Section 603.3.2.1. in its entirety and replacing it with an Exception that reads as follows:

Exception: The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356 L) in accordance with all requirements of Section 3404.2.9.5.1 and Chapter 34.

- (b) **Section 603.3.2.2.** Section 603.3.2.2 shall be amended by deleting Section 603.3.2.2 in its entirety and adding a new Section 603.3.2.2 to read as follows:

603.3.2.2 Restricted use and connection. Tanks installed in accordance with Section 603.3.2 shall be used only to supply fuel oil to fuel-burning equipment installed in accordance with Section 603.3.2.4. Connections between tanks and equipment supplied by such tanks shall be made using closed piping systems.

(8) **Chapter 7, Fire-Resistance-Rated Construction.**

- (a) **Section 704.1.** Section 704.1 shall be amended by deleting Section 704.1 in its entirety and adding a new Section 704.1 to read as follows:

704.1 Enclosure. Interior vertical shafts, including but not limited to *stairways*, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 46. New floor openings in existing buildings shall comply with the *International Building Code*.

(9) **Chapter 8, Interior Finish, Decorative Materials and Furnishings.**

- (a) **Section 807.4.3.2.** Section 807.4.3.2 shall be amended by deleting Section 807.4.3.2 in its entirety and adding a new Section 807.4.3.2 to read as follows:

807.4.3.2 Artwork. Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area and on the walls of classrooms to not more than 50 percent of each wall area. Such materials shall not be continuous from floor to ceiling or wall to wall.

Curtains, draperies, wall hangings and other *decorative material* suspended from the walls or ceilings shall meet the flame propagation

performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: *Corridors* protected by an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

- (b) **Section 807.4.4.2.** Section 807.4.4.2 shall be amended by deleting Section 807.4.4.2 in its entirety and adding a new Section 807.4.4.2 to read as follows:

807.4.4.2 Artwork. Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area and on the walls of classrooms to not more than 50 percent of each wall area. Such materials shall not be continuous from floor to ceiling or wall to wall.

Curtains, draperies, wall hangings and other *decorative material* suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: *Corridors* protected by an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(10) **Chapter 9, Fire Protection Systems.**

- (a) **Section 901.6.1.1.** Section 901 shall be amended by adding a new Section 901.6.1.1 to read as follows:

901.6.1.1 Standpipe Testing. Building *owners/managers* must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every five years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There

is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.

3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with *approved* caps, the contractor shall install such caps for all FDC's as required by the *fire code official*.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local authority having jurisdiction (*fire code official*) shall be followed.
7. Additionally, records of the testing shall be maintained by the *owner* and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an *approved* cap and chain when approval is given to remove hose by the *fire code official*.

- (b) **Section 901.7.** Section 901.7 shall be amended by deleting Section 901.7 in its entirety and adding a new Section 901.7 to read as follows:

901.7 Systems out of service. Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the Fire Department and the *fire code official* shall be notified immediately

and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shutdown until the *fire protection system* has been returned to service.

Where utilized, *fire watches* shall be provided with at least one *approved* means for notification of the Fire Department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

- (c) **Section 901.10.** Section 901 shall be amended by adding a new Section 901.10 to read as follows:

901.10 Discontinuation or change of service. Notice shall be made to the *fire code official* whenever contracted alarm services for monitoring of any fire alarm system is terminated for any reason, or a change in alarm monitoring provider occurs. Notice shall be made in writing to the *fire code official* by the building *owner* and alarm service provider prior to the service being terminated.

- (d) **Section 903.1.1.** Section 903.1.1 shall be amended by deleting Section 903.1.1 in its entirety and adding a new Section 903.1.1 to read as follows:

903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as *approved by the fire code official*.

- (e) **Section 903.1.2.** Section 903 shall be amended by adding a new Section 903.1.2 to read as follows:

903.1.2 Residential systems. The installation of NFPA 13R sprinkler systems is prohibited. Where such reference is found in this code, NFPA 13 sprinkler system materials, design and installation shall be installed instead of NFPA 13R. Sprinkler coverage of voids between floors as required by NFPA 13 may be omitted when replacing a NFPA 13R system.

- (f) **Section 903.2.** Section 903.2 shall be amended by deleting the first paragraph of Section 903.2 in its entirety and adding a new first paragraph in Section 903.2 to read as follows:

903.2 Where required. *Approved automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

- (g) **Section 903.2.** Section 903.2 shall be amended by deleting the Exception in Section 903.2 in its entirety. Sections 903.2.1 through 903.2.1.5 remain unchanged.

- (h) **Section 903.2.9.3.** Section 903 shall be amended by adding a new Section 903.2.9.3 to read as follows:

903.2.9.3 Self-service storage facility. An *automatic sprinkler system* shall be installed throughout all self-service storage facilities.

Exception: One-story self-service storage facilities that have no interior *corridors* with a one-hour *fire barrier* separation wall installed between every storage compartment.

- (i) **Section 903.2.11.3.** Section 903.2.11.3 shall be amended by deleting Section 903.2.11.3, including the Exception set forth in Section 903.2.11.3, in their entirety and adding a new Section 903.2.11.3 to read as follows:

903.2.11.3 Buildings 35 feet or more in height. An *automatic sprinkler system* shall be installed throughout buildings with a floor level other than penthouses in compliance with Section 1509 of the *International Building Code*, that is located 35 feet or more above the lowest level of fire department vehicle access.

Exception: Open parking structures in compliance with Section 406.3 of the *International Building Code*.

- (j) **Section 903.2.11.7.** Section 903 shall be amended by adding a new Section 903.2.11.7 to read as follows:

903.2.11.7 High-piled combustible storage. For any buildings with a clear height exceeding 12 feet, see Chapter 23 to determine if those provisions apply.

- (k) **Section 903.2.11.8.** Section 903 shall be amended by adding a new Section 903.2.11.8 to read as follows:

903.2.11.8 Spray booths and rooms. New and existing spray booths and spraying rooms shall be protected by an *approved automatic fire-extinguishing system*.

- (l) **Section 903.2.11.9.** Section 903 shall be amended by adding a new Section 903.2.11.9 to read as follows:

903.2.11.9 Buildings over 6,000 square feet. An *automatic sprinkler system* shall be installed throughout all buildings with a building area over

6,000 square feet. For the purpose of this provision, *fire walls* shall not define separate buildings.

Exception: *Open parking garages* in compliance with Section 406.3 of the *International Building Code*.

- (m) **Section 903.3.1.1.1.** Section 903.3.1.1.1 shall be amended by deleting Section 903.3.1.1.1 in its entirety and adding a new Section 903.3.1.1.1 to read as follows:

903.3.1.1.1 Exempt locations. When *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.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents when *approved* by the *fire code official*.
3. Generator and transformer rooms, under the direct control of a public utility, 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 two hours.
4. Elevator machine rooms, machinery spaces, and hoistways.

- (n) **Section 903.3.1.2.** Section 903.3.1.2 shall be amended by deleting Section 903.3.1.2 in its entirety and adding a new Section 903.3.1.2 to read as follows:

903.3.1.2 NFPA 13R sprinkler systems. The installation of NFPA 13R sprinkler systems is prohibited. Where such reference is found in this code, NFPA 13 sprinkler system materials, design and installation shall be installed instead of NFPA 13R. Sprinkler coverage of voids between floors as required by NFPA 13 may be omitted when replacing a NFPA 13R system.

- (o) **Section 903.3.1.3.** Section 903.3.1.3 shall be amended by deleting Section 903.3.1.3 in its entirety and adding a new Section 903.3.1.3 to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Where allowed, *automatic sprinkler systems* installed in one- and two-family *dwelling*s and *townhouses* shall be installed throughout in accordance with NFPA 13D or in accordance with state law.

- (p) **Section 903.3.5.** Section 903.3.5 shall be amended by adding the following text at the end of Section 903.3.5 to read as follows:

The water supply required for *automatic sprinkler systems* shall be provided in conformance with the supply requirements of the respective standards; however, every *fire protection system* shall be designed with a 10 psi safety factor.

- (q) **Section 903.3.7.** Section 903.3.7 shall be amended by adding the following text at the end of Section 903.3.7 to read as follows:

The fire department connection shall be located within 50 feet of a *fire apparatus access road*.

- (r) **Section 903.4.** Section 903.4 shall be amended by adding a paragraph after the Exceptions in Section 903.4 to read as follows:

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to an *automatic sprinkler system* and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a *supervisory signal* at the central station upon tampering. Sprinkler systems in multi-story buildings shall be designed to identify a water flow for each floor and *attic*. A separate and distinct signal shall be transmitted to an *approved* central station, remote supervisory station or proprietary supervising station as defined in NFPA 72 to identify each floor and *attic* area.

- (s) **Section 903.4.2.** Section 903.4.2 shall be amended by adding the following text at the end of Section 903.4.2 to read as follows:

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

- (t) **Section 903.6.3.** Section 903 shall be amended by adding a new Section 903.6.3 to read as follows:

903.6.3. Spray booths and rooms. New and existing spray booths and spray rooms shall be protected by an *approved automatic fire-extinguishing system* in accordance with Section 1504.

- (u) **Section 905.2.** Section 905.2 shall be amended by deleting Section 905.2 in its entirety and adding a new Section 905.2 to read as follows:

905.2 Installation standards. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

- (v) **Section 905.3.8.** Section 905 shall be amended by adding a new Section 905.3.8 to read as follows:

905.3.8 Building area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

Exception: Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.

- (w) **Section 905.4.** Section 905.4 shall be amended by deleting Item #5 in its entirety and adding a new Item #5 to Section 905.4 to read as follows:

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of a *stairway* with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

- (x) **Section 905.4.** Section 905.4 shall be amended by adding a new Item #7 to Section 905.4 to read as follows:

7. When required by this Chapter, standpipe connections shall be placed adjacent to all required *exits* to the structure and at two hundred feet (200') intervals along major *corridors* thereafter.

- (y) **Section 905.9.** Section 905.9 shall be amended by adding the following text after the Exceptions in Section 905.9 to read as follows:

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to an *automatic sprinkler system* and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a *supervisory signal* at the central station upon tampering. Sprinkler systems in multi-story buildings shall be designed to identify a water flow for each floor

and *attic*. A separate and distinct signal shall be transmitted to an *approved* central station, remote supervisory station or proprietary supervising station as defined in NFPA 72 to identify each floor and *attic* area.

- (z) **Section 906.1.** Section 906.1 shall be amended by deleting Item #1 in its entirety and adding a new Item #1 to Section 906.1 to read as follows:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exception: In R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each *dwelling unit* is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C.

- (aa) **Section 907.1.4.** Section 907 shall be amended by adding a new Section 907.1.4 to read as follows:

907.1.4 Design standards. All alarm systems new or replacement shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 18 months of permit application.

- (bb) **Section 907.2.1.** Section 907.2.1 shall be amended by deleting Section 907.2.1 including the Exception stated therein in their entirety and adding a new Section 907.2.1 to read as follows:

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with new Section 907.6 shall be installed in Group A occupancies having an *occupant load* of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy. Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than one-foot candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

- (cc) **Section 907.2.3.** Section 907.2.3 shall be amended by deleting the first paragraph and Exception “1” in Section 907.2.3 in their entirety and adding a new first paragraph and Exceptions “1” and “1.1” to Section 907.2.3 to read as follows:

907.2.3 Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An *approved* smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100 feet of open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm *occupant load* consideration and interconnection of alarm systems.

Exceptions:

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an *occupant load* of less than 50 when provided with an *approved automatic sprinkler system*.
 - 1.1 Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2½ or less years of age, see Section 907.2.6.)

Exceptions 2 and 3 remain unchanged.

- (dd) **Section 907.2.13.** Section 907.2.13 shall be amended by deleting the first paragraph and Exception “3” in Section 907.2.13 in their entirety and adding a new first paragraph and Exception “3” in Section 907.2.13 to read as follows:

907.2.13 High-rise buildings. Buildings with a floor used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communications system in accordance with Section 907.6.2.2.

Exceptions:

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International*

Building Code, when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.

- (ee) **Section 907.5.2.6.** Section 907 shall be amended by adding a new Section 907.5.2.6 to read as follows:

907.5.2.6 Type. Manual alarm initiating devices shall be an *approved* double-action type.

- (ff) **Section 907.7.1.1.** Section 907 shall be amended by adding a new Section 907.7.1.1 to read as follows:

907.7.1.1 Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All initiating circuit conductors shall be Class "A" wired with a minimum of six feet separation between supply and return circuit conductors. IDC – Class "A" Style D; SLC - Class "A" Style 6; NAC - Class "B" Style Y. The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the distance from the addressable device is within 10 feet of the suppression system device.

- (gg) **Section 907.7.5.2.** Section 907 shall be amended by adding a new Section 907.7.5.2 to read as follows:

907.7.5.2 Communication requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.

- (hh) **Section 907.10.** Section 907 shall be amended by adding a new Section 907.10 to read as follows:

907.10. Storage Group S occupancies. All Storage Group S occupancies two- or more stories in height that are open to the general public shall have a fire alarm system.

- (ii) **Section 910.1.** Section 910.1 shall be amended by deleting Exception "2" in its entirety and adding a new Exception "2" in Section 910.1 to read as follows:

2. Where areas of buildings are equipped with early suppression fast response (ESFR) sprinklers, only manual

smoke and heat vents shall be required within these areas.
Automatic smoke and heat vents are prohibited.

- (jj) **Section 910.2.3.** Section 910 shall be amended by adding a new Section 910.2.3 to read as follows:

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet in single floor area.

Exception: Buildings of noncombustible construction containing only non-combustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3 and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only non-combustible materials.

- (kk) **Section 910.2.4.** Section 910 shall be amended by adding a new Section 910.2.4 to read as follows:

910.2.4 Exit access travel distance increase. Buildings and portions thereof used as a Group F-1 or S-1 occupancy where the maximum *exit access* travel distance is increased in accordance with Section 1016.3.

- (ll) **Table 910.3.** Table 910.3 shall be amended by deleting the title of the first row of the table in Table 910.3 in its entirety and adding a new title to the first row of the table in Table 910.3 to read as follows:

Group H, F-1 and S-1.

- (mm) **Section 910.3.2.2.** Section 910.3.2.2 shall be amended by adding the following text at the end of Section 910.3.2.2 to read as follows:

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees Fahrenheit (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

- (nn) **Section 912.2.3.** Section 912 shall be amended by adding a new Section 912.2.3 to read as follows:

912.2.3 Hydrant distance. An *approved* fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays.

- (oo) **Section 913.1.** Section 913.1 shall be amended by adding the following text and Exception to Section 913.1 to read as follows:

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than three feet in width and six feet eight inches in height, regardless of any interior doors that are provided. A *key box* shall be provided at this door as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the *corridor* leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room or as *approved* by the *fire code official*. Access keys shall be provided in the *key box* as required by Section 506.1.

(11) **Chapter 10, Means of Egress.**

- (a) **Section 1004.1.1.** Section 1004.1.1 shall be amended by deleting the Exception in its entirety.
- (b) **Section 1007.1.** Section 1007.1 shall be amended by adding a new Exception #4 to read as follows:

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.

- (c) **Section 1008.1.9.3.** Section 1008.1.9.3 shall be amended by deleting Item #3 in Section 1008.1.9.3 in its entirety and adding a new Item #3 to Section 1008.1.9.3 to read as follows:

3. Where egress doors are used in pairs, *approved* automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.

3.1 Where egress doors are used in pairs and positive latching is required, *approved* automatic flush bolts shall be permitted to be used, provided that both leaves achieve positive latching regardless of the closing sequence and the door leaf having the automatic flush bolts has no doorknobs or surface mounted hardware.

- (d) **Section 1008.1.9.4.** Section 1008.1.9.4 shall be amended by deleting Exception #3 and Exception #4 in Section 1008.1.9.4 in their entirety and adding a new Exception #3 and Exception #4 in Section 1008.1.9.4 to read as follows:

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy, manually operated edge- or surface-mount bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.
4. Where a pair of doors serves a Group B, F, M, or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.

- (e) **Section 1008.1.9.8.** Section 1008.1.9.8 shall be amended by deleting the first paragraph in Section 1008.1.9.8 in its entirety and adding a new first paragraph in Section 1008.1.9.8 to read as follows:

1008.1.9.8 Electromagnetically locked egress doors. Doors in the *means of egress* that are not otherwise required to have panic hardware in buildings with an occupancy in Group A, B, E, I-1, I-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with *listed* hardware that incorporates a built-in switch and meet the requirements below:

The requirements listed as numbers 1, 2, 3 and 4 in Section 1008.1.9.8 remain unchanged.

- (f) **Section 1015.7.** Section 1015 shall be amended by adding a new Section 1015.7 to read as follows:

1015.7 Electrical rooms. For electrical rooms, special existing requirements may apply. Reference the electrical code as adopted.

- (g) **Section 1016.3.** Section 1016 shall be amended by adding a new Section 1016.3 to read as follows:

1016.3. Roof vent increase. In buildings that are one story in height, equipped with automatic heat and smoke roof vents complying with Section 910 and equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, the maximum *exit access* travel distance shall be 400 feet (122 m) for occupancies in Group F-1 or S-1.

- (h) **Section 1018.1.** Section 1018.1 shall be amended by adding an Exception "5" to Section 1018.1 to read as follows:

5. In Group B office buildings, *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 fire alarm system with *corridor* smoke detection. 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.

- (i) **Section 1018.6.** Section 1018.6 shall be amended by deleting the first paragraph in Section 1018.6 in its entirety and adding a new first paragraph in Section 1018.6 to read as follows:

1018.6 Corridor continuity. All *corridors* shall be continuous from the point of entry to an *exit*, and shall not be interrupted by intervening rooms.

The Exception set forth in Section 1018.6 remains unchanged.

- (j) **Section 1022.1.** Section 1022.1 shall be amended by adding an Exception #8 and Exception #9 to Section 1022.1 to read as follows:

8. In other than occupancy Groups H and I, a maximum of 50 percent of egress *stairways* serving one adjacent floor are not required to be enclosed, provided at least two *means of egress* are provided from both floors served by the unenclosed *stairways*. Any two such interconnected floors shall not be open to other floors.

9. In other than occupancy Groups H and I, interior egress *stairways* serving only the first and second stories of a building equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 are not required to be enclosed, provided at least two *means of egress* are provided from both floors served by the unenclosed *stairways*. Such interconnected stories shall not be open to other stories.

- (k) **Section 1022.9.** Section 1022.9 shall be amended by deleting the first paragraph in Section 1022.9 in its entirety and adding a new paragraph in 1022.9 to read as follows:

1022.9 Smoke-proof enclosures and pressurized stairways. In buildings required to comply with Section 403 or 405 of the *International Building Code*, each of the *exit enclosures* serving a story with a floor surface

located more than 55 feet above the lowest level of fire department vehicle access or more than 30 feet below the finished floor of a *level of exit discharge* serving such stories shall be a *smokeproof enclosure* or pressurized *stairway* in accordance with Section 909.20 of the *International Building Code*.

Sections 1022.9.1 and 1022.9.2 and their Exceptions remain unchanged.

- (l) **Section 1024.1.** Section 1024.1 shall be amended by deleting the first paragraph in Section 1024.1 in its entirety and adding a new first paragraph in Section 1024.1 to read as follows:

1024.1 General. *Approved* luminous egress path markings delineating the *exit* path shall be provided in *buildings* of Groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet above the lowest level of fire department vehicle access in accordance with Sections 1024.1 through 1024.5.

The Exceptions in Section 1024.1 remain unchanged.

- (m) **Section 1026.6.** Section 1026.6 shall be amended by deleting Exception #4 in Section 1026.6 in its entirety and adding a new Exception #4 in Section 1026.6 to read as follows:

4. Separation from the open-ended *corridors* of the building is not required for *exterior ramps* or *stairways* connected to open-ended *corridors*, provided that Items 4.1 through 4.4 are met:

4.1. The building, including *corridors* and *ramps* and *stairs*, shall be equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2.

4.2. The open-ended *corridors* comply with Section 1018.

4.3. The open-ended *corridors* are connected on each end to an *exterior exit ramp* or *stairway* complying with Section 1026.

4.4. At any location in an open-ended *corridor* where a change of direction exceeding 45 degrees (0.79 rad) occurs, a clear opening of not less than 35 square feet (3.3 m²) or an *exterior ramp* or *stairway* shall be provided. Where clear openings are provided, they shall be located so as to minimize the accumulation of smoke or toxic gases.

- (n) **Section 1030.2.** Section 1030.2 shall be amended by deleting Section 1030.2 in its entirety and adding a new Section 1030.2 to read as follows:

1030.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the *fire code official*.

(12) **Chapter 15, Flammable Finishes.**

- (a) **Section 1501.2.** Section 1501.2 shall be amended by deleting Section 1501.2 in its entirety.
- (b) **Section 1504.4.** Section 1504.4 shall be amended by deleting Section 1504.4 in its entirety and adding a new Section 1504.4 to read as follows:

1504.4 Fire protection. New and existing spray booths and spray rooms shall be protected by an *approved* automatic fire-extinguishing system complying with Chapter 9. Protection shall also extend to exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.

Section 1504.4.1 remains unchanged.

(13) **Chapter 22, Motor Fuel-Dispensing Facilities and Repair Garages.**

- (a) **Section 2202.1.** Section 2202.1 shall be amended by deleting the definition of "Repair Garage" in Section 2202.1 in its entirety and adding a new definition of "Repair Garage" to read as follows:

2202.1 Repair garage. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

- (b) **Section 2204.1.** Section 2204.1 shall be amended by deleting Section 2204.1 in its entirety and adding a new Section 2204.1 to read as follows:

2204.1 Supervision of dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant; and/or
2. Shall be under the supervision of a qualified attendant; and/or

3. Shall be an unattended self-service facility in accordance with Section 2204.3.

At any time the qualified attendant of Item #1 or #2 above is not present, such operations shall be considered as an unattended, self-service facility and shall also comply with Section 2204.3.

- (c) **Section 2206.2.1.2.** Section 2206 shall be amended by adding a new Section 2206.2.1.2 to read as follows:

2206.2.1.2 Aboveground tanks. The following provisions shall apply to the dispensing of Class I, Class II and Class IIIA liquids from an aboveground tank:

1. There shall be no dispensing to the general public.
2. Tanks shall not be located within 100 feet of the property line of any occupancy Group A, E, I or R.
3. For the purposes of this provision, used motor oil that has not been contaminated by other flammable or combustible substances shall be classified as a Class IIIB liquid.

(14) **Chapter 23, High-Piled Combustible Storage.**

- (a) **Section 2302.1.** Section 2302.1 shall be amended by adding the following text to the definition of "High-Piled Combustible Storage" to read as follows:

Any building classified as a Group S Occupancy or Speculative Building exceeding 6,000 square feet that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities to the maximum pile height.

- (b) **Table 2306.2.** Table 2306.2 shall be amended by deleting the text of Footnote (j) in its entirety and adding a new Footnote (j) to read as follows:

- j. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

(15) **Chapter 33, Explosives and Fireworks.**

- (a) **Section 3301.1.1.** Section 3301.1.1 shall be amended by adding a sentence at the end of Section 3301.1.1 to read as follows:

The manufacture of *explosives* is prohibited.

- (b) **Section 3301.1.3.** Section 3301.1.3 shall be amended by deleting Section 3301.1.3 including the Exceptions stated in Section 3301.1.3 in their entirety and adding a new Section 3301.1.3 to read as follows:

3301.1.3 Fireworks. The possession, manufacturing, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Only when *approved* for fireworks displays, storage and handling of fireworks as allowed in Sections 3304 and 3308.
 2. The use of fireworks for *approved* displays as allowed in Section 3308.
- (c) **Section 3302.1.** Section 3302.1 shall be amended by deleting the first paragraph of the definition of “Fireworks” in Section 3302.1 in its entirety and adding a new first paragraph of the definition for “Fireworks” to Section 3302.1 to read as follows:

3302.1 Fireworks. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, *detonation* and/or activated by ignition with a match or other heat-producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

The remainder of the definition of “Fireworks” in Section 3302.1 titled “Fireworks, 14.G” and “Fireworks, 13G” remain unchanged.

(16) **Chapter 34, Flammable and Combustible Liquids.**

- (a) **Section 3403.6.** Section 3403.6 shall be amended by adding a sentence at the end of Section 3403.6 to read as follows:

An *approved* method of secondary containment shall be provided for underground tank and piping systems.

- (b) **Section 3404.2.9.5.1.** Section 3404 shall be amended by adding a new Section 3404.2.9.5.1 to read as follows:

3404.2.9.5.1 Combustible liquid storage tanks inside of buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected

aboveground tanks complying with Section 3404.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;
2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;
3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1; *and*
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an *approved* closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 2703.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

- (c) **Section 3404.2.11.5.** Section 3404.2.11.5 shall be amended by adding a sentence at the end of Section 3404.2.11.5 to read as follows:

An *approved* method of secondary containment shall be provided for underground tank and piping systems.

- (d) **Section 3404.2.11.5.2.** Section 3404.2.11.5.2 shall be amended by deleting Section 3404.2.11.5.2 in its entirety and adding a new Section 3404.2.11.5.2 to read as follows:

3404.2.11.5.2 Leak detection. Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 3404.2.11.5.3.

- (e) **Section 3404.2.11.5.3.** Section 3404 shall be amended by adding a new Section 3404.2.11.5.3 to read as follows:

3404.2.11.5.3 Observation wells. *Approved* sampling tubes of a minimum six inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of four sumps. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation

and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

- (f) **Section 3404.2.13.1.4.** Section 3404.2.13.1.4 shall be amended by deleting Section 3404.2.13.1.4 in its entirety and adding a new Section 3404.2.13.1.4 to read as follows:

3404.2.13.1.4 Tanks abandoned in place. Tanks shall not be permitted to be abandoned in place.

Exception: Removal is not possible due to the proximity to a building foundation or another tank, or other practical constraints. In such case, the tanks shall be abandoned as follows:

1. Flammable and *combustible liquids* shall be removed from the tank and connected piping.
 2. The suction, inlet, gauge, vapor return and vapor lines shall be disconnected.
 3. The tank shall be filled completely with an *approved* inert solid material.
 4. Remaining underground piping shall be capped or plugged.
 5. A record of tank size, location and date of abandonment shall be retained.
 6. All exterior above-grade fill piping shall be permanently removed when tanks are abandoned or removed.
- (g) **Section 3406.5.4.5.** Section 3406.5.4.5 shall be amended by deleting Section 3406.5.4.5 in its entirety and adding a new Section 3406.5.4.5 to read as follows:

3406.5.4.5 Commercial, industrial, governmental or manufacturing. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted provided such dispensing operations are conducted in accordance with Sections 3406.5.4.5.1 through 3406.5.4.5.3.

- (h) **Section 3406.5.4.5.1.** Section 3406 shall be amended by adding a new Section 3406.5.4.5.1 to read as follows:

3406.5.4.5.1 Site requirements.

1. Dispensing may occur at sites that have been permitted to conduct mobile fueling.

2. A detailed site plan shall be submitted with each application for a *permit*. The site plan must indicate:
 - a. All buildings, structures and appurtenances on site and their use or function;
 - b. All uses adjacent to the property lines of the site;
 - c. The locations of all storm drain openings, adjacent waterways or wetlands;
 - d. Information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and
 - e. The scale of the site plan.
 3. The *fire code official* is authorized to impose limits upon the times and/or days during which mobile fueling operations are allowed to take place and specific locations on a site where fueling is permitted.
 4. Mobile fueling operations shall be conducted in areas not generally accessible to the public.
 5. Mobile fueling shall not take place within 15 feet of buildings, property lines or combustible storage.
- (i) **Section 3406.5.4.5.2.** Section 3406 shall be amended by adding a new Section 3406.5.4.5.2 to read as follows:

3406.5.4.5.2 Refueling operator requirements.

1. The *owner* of a mobile fueling operation shall provide to the *jurisdiction* a written response plan which demonstrates readiness to respond to a fuel spill, carry out appropriate mitigation measures, and to indicate its process to properly dispose of contaminated materials when circumstances require.
2. The tank vehicle shall comply with the requirements of NFPA 385 and Local, State and Federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.
3. Signs prohibiting smoking or open flames within 25 feet of the tank vehicle or the point of fueling shall be prominently

posted on three sides of the vehicle including the back and both sides.

4. A fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.
5. The dispensing nozzles and hoses shall be of an *approved* and *listed* type.
6. The dispensing hose shall not be extended from the reel more than 100 feet in length.
7. Absorbent materials, non-water absorbent pads, a 10-foot-long containment boom, an *approved* container with lid and a non-metallic shovel shall be provided to mitigate a minimum five-gallon fuel spill.
8. Tanker vehicles shall be equipped with a *fuel limit switch* such as a count-back switch, limiting the amount of a single fueling operation to a maximum of 500 gallons (1893 L) between resetting of the limit switch.

Exception: Tankers utilizing *remote emergency shut-off device* capability where the operator constantly carries the shut-off device which, when activated, immediately causes flow of fuel from the tanker to cease.

9. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill. Training records shall be maintained by the dispensing company and shall be made available to the *fire code official* upon request.
10. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.

- (j) **Section 3406.5.4.5.3.** Section 3406 shall be amended by adding a new Section 3406.5.4.5.3 to read as follows:

3406.5.4.5.3 Operational requirements.

1. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.

2. Prior to beginning dispensing operations, precautions shall be taken to assure ignition sources are not present.
3. The engines of vehicles being fueled shall be shut off during dispensing operations.
4. Night time fueling operations shall only take place in adequately lighted areas.
5. The tank vehicle shall be positioned with respect to vehicles being fueled so as to preclude traffic from driving over the delivery hose and between the tank vehicle and the motor vehicle being fueled.
6. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.
7. Motor vehicle fuel tanks shall not be topped off.
8. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the tank vehicle.
9. The *fire code official* and other appropriate authorities shall be notified when a reportable spill or *unauthorized discharge* occurs.

(17) **Chapter 38, Liquefied Petroleum Gases.**

- (a) **Section 3803.2.1.8.** Section 3803 shall be amended by adding a new Section 3803.2.1.8 to read as follows:

3803.2.1.8 Jewelry repair, dental labs and similar occupancies. Where natural gas service is not available, portable LP-gas *containers* are allowed to be used to supply *approved* torch assemblies or similar appliances. Such containers shall not exceed 20-pound water capacity. Aggregate capacity shall not exceed 60-pound water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

Exception: Propane shall not be used for this purpose within a covered mall.

- (b) **Section 3804.2.** Section 3804.2 shall be amended by renumbering the Exception stated in Section 3804.2 as Exception “1” and adding a new Exception “2” to Section 3804.2 to read as follows:

Exceptions:

1. In particular installations, this capacity limit shall be determined by the *fire code official*, after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.
 2. Except as permitted in Sections 308 and 3804.3.2, LP-gas containers are not permitted in residential areas.
- (c) **Section 3804.3.2.** Section 3804 shall be amended by adding a new Section 3804.3.2 to read as follows:

3804.3.2 Spas and pool heaters and other listed devices. Where natural gas service is not available, a LP-gas container is allowed to be used to supply spa and pool heaters and other *listed* devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 3804.3 for location of containers. A Mesquite Fire Department *permit* is required prior to installation.

Exception: Lots where LP can be off loaded wholly on the property where the tank is located; may install 500 gallon above ground or 1,000 gallon underground *approved* containers.

- (d) **Section 3805.3.** Section 3805 shall be amended by adding a new Section 3805.3 to read as follows:

3805.3 Restricted uses of LP gas. New installations of LP gas shall not be allowed for building services to include heating, water heater, cooking, etc., in areas other than zoned Agricultural. LP-gas is allowed in Agricultural zoning if natural gas service is not available.

(18) **Chapter 46, Construction Requirements for Existing Buildings.**

- (a) **Section 4603.7.3.** Section 4603.7.3 shall be amended by deleting Section 4603.7.3 including the Exceptions stated in Section 4603.7.3 in their entirety and adding a new Section 4603.7.3 to read as follows:

4603.7.3 Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection. Locations where smoke alarms are permitted to be solely battery operated shall utilize a lithium type battery or equivalent with a functional life expectancy of ten (10) years or more. All lithium battery or equivalent smoke alarms shall be one in which the

battery is sealed within the smoke alarm and cannot be removed from the smoke alarm without damage to the smoke alarm. No damaged or inoperative smoke alarm shall meet the requirements of this section. Mass-market battery powered smoke alarms including those powered by 9 volt batteries or lithium batteries (or equivalent) not sealed within the smoke alarm do not comply with the requirements of this section for required smoke alarms. Smoke alarms must be equipped with a hush feature. A permit for each smoke alarm permitted by this Section shall be required pursuant to Section 4601.3 of this code.

Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing area of buildings undergoing *alterations* or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available which could provide access for building wiring without the removal of interior finishes.

- (b) **Section 4603.7.4.** Section 4603 shall be amended by adding a new Section 4603.7.4 to read as follows:

4603.7.4 Maintenance. The *fire code official* shall have the right to conduct regular inspections of all smoke alarms including, without limitation, all smoke alarms in dwelling units and all smoke alarms shall be operational at the time of inspection.

- (c) **Table 4604.7.** Table 4604.7 shall be amended by deleting Footnote “a” in its entirety and adding a new Footnote “a” to read as follows:

a. Buildings constructed under the 2003 or 2006 *International Building Code* and equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2.

- (d) **Section 4604.23.** Section 4606.23 shall be amended by deleting Section 4604.23 including the Exception stated therein in their entirety and adding a new Section 4604.23 to read as follows:

4604.23 Egress path markings. Existing buildings of Groups A, B, E, I, M, and R-1 having occupied floors located more than 55 feet above the

lowest level of fire department vehicle access shall be provided with luminous egress path markings in accordance with Section 1024.

Exception: Open, unenclosed stairwells in historic buildings designated as historic under a state or local historic preservation program.

- (19) **Appendices.** Amend by adding Appendix B, Appendix C and Appendix D attached to the *International Fire Code*, 2009 Edition, to the same extent as if Appendix B, Appendix C and Appendix D were copied verbatim and set forth herein. Appendix A, Appendix E, Appendix F, Appendix G, Appendix H, Appendix I and Appendix J shall be deleted in their entirety.


SECTION 2. That all ordinances or portions thereof 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 are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

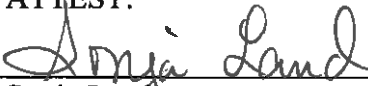
SECTION 4. That any person as defined in Chapter 2, Section 202 of the *International Fire Code*, 2009 Edition and any person as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended, violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 5. That this ordinance shall take effect immediately on and after December 21, 2011.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of November, 2011.



John Monaco
Mayor

ATTEST:


Sonja Land
City Secretary

APPROVED:


B. J. Smith
City Attorney