

CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 250

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS, AMENDING THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE AS ADOPTED (AND AMENDED) BY ORDINANCE NO. 218 OF THE CITY BY AMENDING (I) SECTION 202, DEFINITIONS, BY ADDING DEFINITIONS, (II) SUBSECTION 907.2.13, HIGH-RISE BUILDINGS, BY REDUCING THE HEIGHT OF A BUILDING USED FOR HUMAN OCCUPANCY THAT IS REQUIRED TO HAVE AN AUTOMATIC SMOKE DETECTION SYSTEM AND OTHER FIRE SYSTEMS, (III) SUBSECTION 1022.9, SMOKEPROOF ENCLOSURES AND PRESSURIZED STAIRWAYS, BY REDUCING THE FLOOR SURFACE HEIGHT OF EACH STORY IN CERTAIN BUILDINGS FOR WHICH EXIT ENCLOSURES MUST BE A SMOKEPROOF ENCLOSURE OR PRESSURIZED STAIRWAY, (IV) SECTION 2302, DEFINITIONS, BY AMENDING THE DEFINITION OF “HIGH-PILED COMBUSTIBLE STORAGE,” (V) SUBSECTION 4604.23 BY REDUCING THE HEIGHT FOR OCCUPIED FLOORS IN CERTAIN BUILDINGS THAT MUST BE PROVIDED WITH LUMINOUS EGRESS PATH MARKINGS, AND (VI) SECTION D0103.6, SIGNS AND STRIPING, REGARDING THE PROVISION OF STRIPING, SIGNS AND OTHER MARKINGS FOR FIRE APPARATUS ACCESS ROADS; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND AN OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lowry Crossing, Texas (“City”) is a Type A general law municipality pursuant to the laws of the State of Texas; and

WHEREAS, the City is authorized by Section 51.012, Tex. Loc. Gov. Code, to adopt an ordinance, law, or regulation, not inconsistent with State law, that is necessary for the interest, welfare, and good order of the City, by Section 342.003, Tex. Loc. Gov. Code, to adopt rules for the prevention and extinguishment of fires as the City Council considers necessary, and by Section 122.005, Tex. Health & Saf. Code, to take any action and to adopt rules necessary or expedient to promote health; and

WHEREAS, in order to help preserve and protect the public health, safety and welfare, the City previously adopted Ordinance No. 218 adopting, with certain amendments, the 2009 Edition of the International Fire Code, as published by the International Code Council, and the City now desires to adopt certain additional amendments to the said International Fire Code as set forth herein; and

WHEREAS, the adoption of this Ordinance is to further the purposes and objectives of and to promote, the health, safety, welfare, convenience and enjoyment of the public, including

to protect the public welfare, and is for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals are true and correct and are incorporated herein and made a part hereof.

Section 2. Amendments to International Fire Code. The 2009 Edition of the International Fire Code, as published by the International Code Council (the "Fire Code"), heretofore adopted pursuant to Ordinance No. 218 of the City of Lowry Crossing, Texas ("City"), is hereby amended in part as follows:

A. Section 202, General Definitions, of the Fire Code is amended by adding the following definitions:

APPROVED CONTAINER. Any non-combustible receptacle of sufficient integrity to main contents and fire in a controlled state.

CUL-DE-SAC. A dead end street with a turnaround at the closed end.

DEAD-ENDS. A street or alley that has no regular exit or outlet. A closed end street.

HIGH-RISE BUILDING. A building having any floors used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

NO BURN DAY. When atmospheric and/or ground conditions are unfavorable for controlled burning, for a 24 hour period beginning at sunrise, as determined by the Collin County Fire Marshal Office or a duly authorized agency, or by the City of Lowry Crossing, Texas or its duly authorized agent or representative.

ORDER OF RESTRICTING OUTDOOR BURNING. When the Collin County Commissioner's Court has determined that the circumstances present in the unincorporated area of the county, or the City Council of the City of Lowry Crossing, Texas has determined that the circumstances present in the corporate limits of the City of Lowry Crossing, create a public safety hazard that would be exacerbated by outdoor burning. The Order bans all outdoor burning in the unincorporated area of the county and/or the corporate limits of the City of Lowry Crossing, as applicable, for seven (7) days from the date of adoption. Thereafter, the burn ban order is reviewed every seven days for consideration of continuing the burn ban or ceasing burning restrictions. This order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for (1) firefighter training; (2) public utility, natural gas pipeline or mining operations; or (3) harvesting of agricultural crops.

B. Chapter 9, Fire Protection Systems, of the Fire Code is amended by amending Section 907.2.13, High-rise buildings, to read as follows (additions are underlined; deletions are ~~struck through~~):

907.2.13 High-rise buildings. Buildings with a floor used for human occupancy located more than 5575 feet (~~16 76422-860~~ mm) 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 communication system in accordance with Section 907.6.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the *International Building Code*.
2. Open parking garages in accordance with Section 406.3 of the *International Building Code*.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the *International Building Code*.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the *International Building Code*.
6. In Group I-I and 1-2 occupancies, the alarm shall sound at a constantly attended location and general occupant notification shall be broadcast by the emergency voice/alarm communication system.

C. Chapter 10, Means of Egress, of the Fire Code is amended by amending Section 1022, Exit Enclosures, by amending subsection 1022.9, Smokeproof enclosures and pressurized stairways, to read as follows (additions are underlined; deletions are ~~struck through~~):

1022.9 Smokeproof 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 5575 feet (~~16 76422-860~~ mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) 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.

D. Chapter 23, High-Piled Combustible Storage, of the Fire Code is amended by amending Section 2302, Definitions, by amending the definition of “high-piled combustible storage” to read as follows (additions are underlined; deletions are ~~struck through~~):

HIGH-PILED COMBUSTIBLE STORAGE. Storage of combustible materials in closely packed piles or combustible materials on pallets, in racks or on shelves where the top of storage is greater than 12 feet (3658 mm) in height. When required by the *fire code official*, *high-piled combustible storage* also includes certain high-hazard commodities,

such as rubber tires, Group A plastics, flammable liquids, idle pallets and similar commodities, where the top of storage is greater than 6 feet (1829 mm) in height.

Any building classified as a group S Occupancy or Speculative Building exceeding 12,000 sq. ft. 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.

E. Chapter 46, Construction Requirements for Existing Buildings, of the Fire Code is amended by amending subsection 4604.23, Egress path markings, , to read as follows (additions are underlined; deletions are ~~struck through~~):

4604.23 Egress path markings. Existing buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 5575 feet (~~16 76422-860~~ mm) 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.

F. Appendix D, Fire Apparatus Access Roads, of the Fire Code is amended by amending subsection 0103.6, Signs, in its entirety to read as follows (but Figure D103.6, Fire Lane Signs, is not amended hereby):

D103.6 Signs and Striping.

Striping, signs, or other markings, when approved by the fire code official, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and repainted, replaced or repaired when necessary to provide adequate visibility.

Where required by the fire code official, fire apparatus access roads shall be marked with signs and/or striping as follows:

Signs. Permanent signs with the words "NO PARKING FIRE LANE" complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

Striping. Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") 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 (4") white letters at 25 feet 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.

Section 3. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or

other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Two Thousand and No/100 Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 4. Savings. This Ordinance shall be cumulative of all other ordinances of the City affecting fire prevention, protection, and safety and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that any complaint, liability, action, cause of action, or claim which, prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to any ordinance or portion of the Code of Ordinances repealed hereby, shall continue to be governed by the provisions of those repealed ordinances or portions of the Code, and for that purposes such ordinances or portions of the Code shall be deemed to remain and shall continue in full force and effect.

Section 5. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 6. Effective Date. That this Ordinance shall be in full force and effect from and after its date of passage and approval, and publication as provided by law.

PASSED AND APPROVED by the City Council of the City of Lowry Crossing, Texas on the _____ day of _____, 2012.

Derek Stephens, Mayor

ATTEST:

Janis Cable, City Secretary