

**TOWN OF FLOWER MOUND, TEXAS**  
**ORDINANCE NO. 23-22**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES, ENTITLED "FIRE PREVENTION AND PROTECTION" TO PROVIDE FOR ADOPTION OF THE INTERNATIONAL FIRE CODE, 2021 EDITION AND LOCAL AMENDMENTS THERETO: REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the *International Code Council* (ICC) has developed a set of comprehensive and coordinated national model construction codes (known as the "International Codes") and the *International Fire Code* has been prepared by the ICC and reviewed by the North Central Texas Council of Governments (NCTCOG) and by Town staff; and,

**WHEREAS** the current fire prevention code in the Town is the 2018 edition of the International Fire Code, and the Town's fire prevention code should be updated to the most current published fire prevention code available: and,

**WHEREAS** the 2021 edition of the International Fire Code is the most current published code available that establishes provisions to permit and control all outside activities or processes that can cause a fire to start and allows citizens to burn, cook, and work outdoors with their safety, and the safety of their neighbors, in mind and addresses general design, construction, and fire safety aspects of all structures in the Town: and,

**WHEREAS**, the Town Council has determined that it is in the best interest of the citizens of the Town of Flower Mound to update and adopt the 2021 edition of the International Fire Code and has determined that this will promote the public health, safety, and welfare of the citizens of the Town of Flower Mound and the general public: and,

**WHEREAS** the Town Council of the Town of Flower Mound further desires to adopt certain local amendments to such Code reflecting the unique needs to the Town of Flower Mound.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**

**SECTION 1**

All of the above premises are found to be true and correct factual and legislative determinations of the Town of Flower Mound and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

## **SECTION 2**

The Town of Flower Mound hereby adopts the International Fire Code, 2021 edition, including Appendix Chapters B, C, D, E, F, G, H, I, K, L, M, and N, as amended herein.

## **SECTION 3**

From and after the effective date of this Ordinance, each section of Chapter 38 of the Code of Ordinances of the Town of Flower Mound, Texas, entitled "*Fire Prevention and Protection*" is hereby deleted and replaced with, or amended to add as appropriate, the following provision sections:

### **"CHAPTER 38 - FIRE PREVENTION AND PROTECTION"**

#### **Sec. 38-1. International Fire Code Adopted**

The International Fire Code, 2021 edition, including Appendix Chapters B, D, E, F, G, H, I, K, L, M, and N, copies of which are on file in the office of the town secretary, are hereby adopted and designated as the Fire Code of the town, the same as though the provisions of the International Fire Code, 2021 edition, were copied at length in this section, subject to the deletions, amendments and additions provided in section 38-5.

#### **Sec. 38-2. Temporary restricted areas.**

- (a) *Designation; marking.* The chief of the fire department and his designated assistants may from time to time designate temporary restricted areas in case of an ongoing fire, arson investigation, or temporary emergencies which endanger life or property. Such restricted areas shall be visibly marked by three-inch wide yellow tapes placed on the ground surrounding such restricted areas, which tapes shall contain the words "DO NOT CROSS."
- (b) *Entry prohibited, exceptions.* It shall be unlawful for any person other than a member of the fire department or a member of the police department or other law enforcement agency or emergency medical personnel to cross such tapes and enter into such restricted areas.

#### **Sec. 38-3. Enforcement.**

The Fire Chief, or his designee, is hereby authorized and directed to enforce all provisions of the Fire Code within the Town's corporate limits and the Town's extraterritorial jurisdiction and in accordance with the Code of Ordinances of the Town of Flower Mound, Texas.

The Fire Code shall be administered and enforced by the Fire Prevention Division, also known as the Fire Marshal's Office, of the Fire Department of the Town of Flower Mound, said division is hereby established and shall be operated under the supervision of the Fire Chief.

The Fire Chief may appoint, with collaboration from the Fire Marshal, such qualified persons to the Fire Marshal's Office as shall be necessary to serve as Inspectors. Each inspector so assigned shall be authorized to enforce the provisions of the Fire Code as set forth in Section 103 of the International Fire Code. The Fire Chief may recommend to the Town Manager the employment of technical specialists, who, if such authorization is made, shall be appointed based on proper qualifications.

Members of the Fire Marshal's Office shall inspect, as often as may be necessary, any building, property, place, or thing in the Town in accordance with Section 104 of the International Fire Code and other relevant sections of the Fire Code.

**Sec. 38-4. Definitions.**

The following words, terms, and phrases, when used in the Fire Code adopted in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) Whenever the word "jurisdiction" is used in the International Fire Code, 2021 Edition, it shall mean the corporate limits of the Town of Flower Mound, Texas.
- (b) Whenever the phrase "Code Official" or "Fire Code Official" is used in the International Fire Code, 2021 Edition, it shall mean the Fire Chief of the Flower Mound Fire Department or his designee, the Fire Marshal.

**Sec. 38-5. Amendments to the International Fire Code, 2021 edition.**

The regional amendments to the International Fire Code, 2021 Edition, recommended by the North Central Texas Council of Governments ("NCTCOG Amendments") to repeal and reenact or add sections to the International Fire Code, 2021 Edition, which amendments are attached hereto as Attachment A are hereby adopted by the Town of Flower Mound, Texas, and incorporated herein by reference just as though such amendments were set forth herein in their entirety, to amend the International Fire Code, 2021 Edition. In addition, the following amendments further repeal and reenact or add sections to the International Fire Code, 2021 Edition, adopted in this article for the purpose of consistency with specific past practices and the recommendations of the North Central Texas Council of Governments, and all sections not expressly amended remain in full force and effect as adopted:

- (1) ***Section 101.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**101.1 TITLE.** These regulations shall be known as the Fire Code of the Town of Flower Mound, hereinafter referred to as "this code."

- (2) ***Section 102.1 of the International Fire Code, 2021 edition, is hereby amended to change subparagraph 3 to read as follows and add a new subparagraph number 5 as follows:***

3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code.
5. The provisions of this code apply to buildings built under the IRC and the IBC.

**(3) Section 102.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

Delete the exception.

**(4) Section 102.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**102.4 APPLICATION OF OTHER CODES.** The design and construction of new structures shall comply with this code and other codes as applicable, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the International Building Code shall be made in accordance therewith.

**(5) Sections 103.1, 103.2, and 103.3 of The International Fire Code, 2021 edition, are hereby amended to read as follows:**

**103.1 GENERAL.** The Fire Code shall be enforced by the Fire Prevention Division, also known as Fire Marshal's Office (FMO). The Prevention Division is hereby established as a division of the Fire Department of the Town of Flower Mound, Texas and shall operate under the direction of the Fire Marshal of the Fire Department. The function of this division shall be the implementation, administration, and the enforcement of the provisions of this Code.

**103.2 APPOINTMENT.** The Fire Marshal in charge of the Fire Marshal's Office (FMO) shall be appointed by the Fire Chief of the Town of Flower Mound on the basis of proper qualifications.

**103.2.1 FIRE MARSHAL'S OFFICE PERSONNEL.** The members of the Fire Marshal's Office, being duly sworn officers for The State of Texas, shall have the powers and rights of a police officer in performing their duties under this code and for the Town of Flower Mound.

**(6) Section 104.1 of the International Fire Code, 2021 edition, is hereby amended to add a second paragraph to read as follows:**

Under the Fire Chief's direction, the Fire Marshal's Office is authorized to enforce all ordinances of the Town pertaining to:

1. the prevention of fires.
2. the suppression or extinguishment of dangerous or hazardous fires.

3. the storage, use, and handling of hazardous materials.
4. the installation and maintenance of automatic, manual, and other private fire alarm systems and fire-extinguishing equipment.
5. the maintenance and regulation of fire escapes.
6. the elimination of fire hazards on land and in buildings, structures, and other property, including those under construction.
7. the maintenance of means of ingress and egress.
8. the investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials; and
9. the investigation of the cause, origin, and circumstances of explosions.

(7) ***Section 104.3.1 of The International Fire Code, 2021 edition, is hereby amended adding a sentence to the end of the paragraph to read as follows:***

**104.3.1 WARRANT. (Preceding text remains unchanged).** The Fire Marshal or authorized representative is authorized to obtain a warrant for the inspection of a building or premises pursuant to Texas Code of Criminal Procedure article 18.05, as amended.

(8) ***Section 104.12 of the International Fire Code, 2021 edition, is hereby amended by adding Sections 104.12.4, 104.12.5, and 104.12.6, to read as follows:***

**104.12.4 UTILITIES.** The Chief or any member of the Fire Department shall have the authority, in time of emergency, to order the disconnection of gas or electrical utilities to a building or structure when deemed necessary for the public safety, without liability therefor.

**104.12.5 EVACUATION.** The Chief or any member of the Fire Department shall have the authority, in time of emergency, to order the evacuation of a building or structure when deemed necessary for the safety of occupants thereof, and it shall be unlawful for any person to refuse to evacuate upon such order, or to resist or obstruct the evacuation of other persons.

**104.12.6 DISASTER AUTHORITY.** The Chief or any members of the Fire or Police Department shall have the authority during the period of a federal, state or town emergency or disaster declaration to evacuate areas, control traffic or take other action, or take no action as necessary to deal with a situation when such action or inaction may save lives, prevent human suffering, or mitigate property damage. An action or inaction is "effective" if it in any way contributes or can reasonably be thought to contribute to preserving lives or property or prevent human suffering.

(9) ***Section 105.5 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**105.5. REQUIRED OPERATIONAL PERMITS.** The Fire Code Official is authorized to issue operational permits for the operations set forth in Sections 105.5.1 through 105.5.54.

**(10) Section 105.5.29 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**105.5.29 LP-GAS.** An operational permit is required for:

1. Storage and use of LP-Gas.

**Exception:** a permit is not required for individual containers with a 20-gallon (9.0 kg) water capacity or less serving occupancies in Group R-3.

2. Operation of cargo tankers that transport LP-Gas.

**(11) Section 105.5.49 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**105.5.49 TEMPORARY MEMBRANE STRUCTURES AND TENTS.** An operational permit is required to operate an air-supported temporary membrane structure, a temporary special event structure or a tent having an area of 400 square feet or greater.

**Exceptions:**

Tents used exclusively for recreational camping purposes.

{Remaining exceptions deleted}

**(12) Section 105.5.49 of the International Fire Code, 2021 edition, is hereby amended by adding 105.5.49.1 to read as follows:**

**105.5.49.1 COOKING TENT.** An operational permit is required for the operation of a cooking tent.

**(13) Section 105.5 of the International Fire Code, 2021 edition, is hereby amended by adding the following:**

**105.5.53 MODEL ROCKETRY.** An operational permit is required for the demonstration and use of model rockets, in accordance with NFPA 1122.

**105.5.54 FIRE FIGHTER AIR REPLENISHMENT SYSTEM.** An operational permit is required to maintain a FARS.

**(14) Section 105.6 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**105.6 REQUIRED CONSTRUCTION PERMITS.** The Fire Code Official is authorized to issue construction permits for work set forth in Sections 105.6.1 through 105.6.27.

- (15) ***Section 105.6 of the International Fire Code, 2021 edition, is hereby amended by adding sections 105.6.24 through 105.6.27 to read as follows:***

**105.6.24 TEMPORARY MEMBRANE STRUCTURES AND TENTS.** A construction permit is required to erect an air-supported temporary membrane structure, a temporary special event structure or a tent having an area of 400 square feet or greater.

**Exceptions:**

Tents used exclusively for recreational camping purposes.

**105.6.25 ELECTRONIC ACCESS CONTROL SYSTEMS.** Construction permits are required for the installation or modification of an electronic access control system, as specified in Chapter 10. 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.

**105.6.26 FIRE FIGHTER AIR REPLENISHMENT SYSTEM.** A construction permit is required for installation of or modification to a FARS. The construction permit application shall include documentation of an acceptance and testing plan as specified in Section L105.

**105.6.27 EMERGENCY AND STANDBY GENERATORS.** Construction permits are required for the installation or modification of an emergency or standby generator, as specified in Section 1203.

- (16) ***Section 107.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

*Delete this section in its entirety.*

- (17) ***Section 107.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**107.4 WORK COMMENCING BEFORE PERMIT ISSUANCE.** Any person, firm, partnership, corporation, association, or other entity who commences any work, activity, or operation regulated by this code before obtaining the necessary permits shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in the sum of not more than \$2,000.00, and each day work continues shall constitute a separate and distinct violation.

**(18) Section 108.2.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**108.2.1. INSPECTIONS REQUEST.** It shall be the duty of the permit holder or his duly authorized agent to notify the Fire Marshal when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. The permit holder shall schedule all necessary inspections at least 48 hours in advance. If the inspection fails to pass and a return inspection is necessary the return inspection shall constitute a re-inspection, and an additional fee will be assessed on the second re-inspection and each subsequent re-inspection in accordance with Section 38-10, "Schedule of Fees," Table 107, of Chapter 38, Fire Prevention and Protection, re-inspection fee.

**(19) Section 108.2 of the International Fire Code, 2021 edition, is hereby amended by adding a new Section 108.2.3 to read as follows:**

**108.2.3 INSPECTION FEES APPLICABILITY.** The Fire Chief or his designated representative shall inspect all buildings, premises, or portions thereof as often as may be necessary. Inspection fees shall be in accordance with Section 38-10 "Schedule of Fees," of Chapter 38, Fire Prevention and Protection. If the Fire Chief or his designee is required to make follow-up inspections after the initial inspection and re-inspection to determine whether a violation or violations observed during the previous inspection have been corrected, a fee shall be charged. The occupant, lessee, or person making use of the building or premise shall pay said fee or fees within thirty (30) days of being billed as a condition to continued lawful occupancy of the building or premise.

**(20) Section 111.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**111.1 APPEALS.** Whenever the Fire Code Official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of this Code do not apply or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the code official to the Fire Chief within thirty (30) days from the date of the decision appealed.

**(21) Section 112.3.5 of the International Fire Code, 2021 edition, is hereby amended by adding a new Section 110.3.5 to read as follows:**

**112.3.5 CITATIONS.** It is the intent of this department to achieve compliance by the traditional means of inspection, notification, granting of reasonable time to comply and re-inspection. After all reasonable means to gain compliance have failed, or when a condition exists that causes an immediate and/or extreme threat



to life, property or safety from fire or explosion, the Fire Chief or his designee who has the discretionary duty to enforce a code or ordinance may issue a notice to appear (citation) for the violation. Citations shall be issued only by qualified personnel as designated by the Fire Chief.

Notwithstanding any other provision of this Code or of the International Fire Code a citation may be issued without prior notice and the opportunity to correct the condition or violation.

**(22) Section 112.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**112.4 VIOLATION PENALTIES.** Any person, firm, partnership, corporation, association, or other entity violating any provision of this article or of any Code provision adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$2,000.00, and when not otherwise specified, each day that prohibited conditions are allowed, kept, or maintained shall constitute a separate and distinct violation.

**(23) Section 112.4 of the International Fire Code, 2021 edition, is hereby amended by adding a new Section 112.4.2 to read as follows:**

**112.4.2 APPLICABILITY.** A person, firm, partnership, corporation, association, or other entity shall be presumed to be the violator if the person, firm, partnership, corporation, association, or other entity is the owner of occupant of the subjected property, exercises actual or apparent control over the subject property, or is listed as the water customer of the Town for the subject property.

**(24) Section 112.4 of the International Fire Code, 2021 edition, is hereby amended by adding a new Section 112.4.3 to read as follows:**

**112.4.3 VIOLATION PENALTIES.** Members of the Fire Prevention Division may issue citations or file complaints in Municipal Court as necessary for violations of the Fire Code or this article. Each day a violation continues shall be deemed a separate offense. Said violations shall be punishable by payment of a fine not to exceed \$2,000.00 dollars as determined by the judge or jury of the Town of Flower Mound Municipal Court.

**(25) Section 113.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**113.4 FAILURE TO COMPLY.** Any person, firm, partnership, corporation, association, or other entity who shall continue any work after having been served with a stop work order, except any work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum of not more than \$2,000.00,

and each day such violation continues shall constitute a separate and distinct violation.

- (26) ***Section 202 of the International Fire Code, 2021 edition, is hereby amended to add certain new definitions to be inserted in the existing list of definitions in alphabetical order and to amend certain of the current definitions, in whole or in part, to read as follows:***

**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.

**AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided. This group may include, but not limited to, the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

**ANALOG INTELLIGENT 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.

**ATRIUM.** An opening connecting three or more stories... *{remaining text unchanged}*

**BONFIRE** is a large outdoor fire utilized for recreational or ceremonial purposes.

**COOKING TENT.** A tent or multiple tents without sidewalls or drops, with an aggregate area of no greater than 200 square feet that is used to cover cooking appliances or devices and is not occupied by the public. Cooking tents shall meet NFPA 701.

**DEFEND IN PLACE.** A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency.

Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

**FIRE CODE OFFICIAL.** the Fire Marshal or other designated authority appointed by the Fire Chief with the duties of administration and enforcement of the code, or a duly authorized representative.

**FIRE DEPARTMENT.** the Town of Flower Mound Fire and Emergency Services Department.

**FIRE MARSHAL'S OFFICE (FMO).** The Fire Prevention Division within the Town's Department of Fire and Emergency Services.

**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.

**FIREWORKS.** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purpose 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... {remainder of text unchanged}.

**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 exceeding 4,000 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 storage height.

**HIGH-RISE BUILDING.** A building with an occupied floor located more than 55 feet above the lowest level of fire department vehicle access.

**JURISDICTION.** Is the Town of Flower Mound, Texas.

**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 a lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

**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.

**SINGLE-FAMILY RESIDENTIAL, ATTACHED DWELLING UNIT.** A single-family attached residential unit is a building on an individual lot or tract of land intended for occupancy by one family that shares one or more common walls with similar adjacent units, also on individual lots such as townhomes, condominiums, or brownstones.

**STANDBY PERSONNEL.** Qualified fire service personnel approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief or his designee. Charges for utilization shall be as normally calculated by the jurisdiction.

**UPGRADED OR REPLACED FIRE ALARM SYSTEM.** A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware.

**WORK AREA.** The portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this or other codes.

**(27) Section 202 is hereby amended by adding the following sentence to the end of the current definition of "Manual Dry" under the heading "STANDPIPE, TYPE OF":**

The system must be supervised as specified in Section 905.2.

**(28) Section 301.1 of the International Fire Code 2021 edition, is hereby amended to read as follows:**

**301.1. SCOPE.** The provisions of this chapter shall govern the occupancy and maintenance of all structures, premises, and property for precautions against fire, the spread of fire, and life safety and the general requirements of fire and life safety.

- (29) ***Section 302.1 of the International Fire Code, 2021 edition, is hereby amended, in part, to add to and revise the existing definitions contained in Section 302.1 by inserting the following definitions, in alphabetical order:***

**BONFIRE** is a large outdoor fire utilized for recreational or ceremonial purposes.

**INCINERATOR BURNING** shall be defined as the burning of natural materials within an enclosed combustion chamber constructed of brick, concrete, hollow tile, metal, or other fire resistive material and shall be equipped with a spark arrestor.

- (30) ***Section 305 of the International Fire Code 2021 edition, is hereby amended to add a new Section 305.6 and Section 305.6.1 to read as follows:***

**305.6 OUTDOOR WELDING.** All welding processes within the Town of Flower Mound shall require an operational permit as established in Section 105.6. A 30-foot radius shall be established that is free of all combustible materials. A fire watch shall be established. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as a water barrel, garden hose or water truck with a ready water supply, shall be available for immediate utilization.

**305.6.1. WEATHER CONDITIONS.** Outdoor welding shall not be performed when the wind speed is 15 miles per hour (mph) or greater. The relative humidity at the time work is being performed must be 25 percent or higher.

- (31) ***Section 305 of the International Fire Code 2021 edition, is hereby amended to add a new Section 305.7 read as follows:***

**305.7. OUTDOOR FIRE PITS.** All fire pits shall be constructed in a manner consistent with good engineering and construction practices. The fire pit shall not be installed within 10 feet of adjoining property lines, 15 feet from a residence and 10 feet from other combustible materials. The maximum diameter of a fire pit shall be 3 feet, unless approved by the Fire Marshal.

**Exception:**

Natural gas fueled fire pits may be installed closer than 15' from residence if approved by the Fire Code Official.

- (32) ***Section 307.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**307.1 GENERAL.** A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5 of this code and Sec 38-12 entitled “*General Requirements for Outdoor Burning*” of Chapter 38, *Fire Prevention and Protection*.

**(33) Section 307.1.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**307.1.1 PROHIBITED OPEN BURNING.** Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

**Exception:** {No change.}

**(34) Section 307.2 of the International Fire Code, 2021 edition, is hereby amended 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 (TCEQ) 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.

**(35) Section 307.2 of the International Fire Code, 2021 edition, is hereby amended by adding a new Section 307.2.2 to read as follows:**

**307.2.2. PERMIT TIMELINES.** Open burning permits shall be in effect for a period of four (4) weeks from the date of issuance. A two-week extension may be obtained by requesting the permit time be extended prior to the expiration date of the then existing permit. For a tract of land, under common ownership, of 40 acres or larger; the permit shall be in effect for a period of two (2) months. An extension of one month for a 40-acre tract of land may be obtained by requesting the permit time to be extended prior to the permit expiring.

Recreational burn permits shall be in effect for the time specified on the permit not to exceed one week.

Incinerator permits shall last 90 days from the date of issuance and an extension of 90 days may be obtained by requesting an extension prior to the expiration date.

- (36) ***Section 307.3. of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**307.3 EXTINGUISHMENT AUTHORITY.** The Fire Code Official is authorized to order the extinguishment by the permit holder, another person responsible, or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

- (37) ***Section 307.3 of the International Fire Code, 2021 edition, is hereby amended by adding a new Section 307.3.1 to read as follows:***

**307.3.1 ENFORCEMENT OF OUTDOOR OR OPEN BURNING VIOLATIONS.** When conduct involving outdoor or open burning violates both a provision of this Fire Code and an applicable rule of the Texas Commission on Environmental Quality, such conduct may only be prosecuted or enforced under this Fire Code if the violation is the first such violation and does not involve the burning of heavy oils, asphaltic materials, potentially explosive materials, or chemical wastes. Second or subsequent violations as well as violations involving the burning of substances described by this Section shall be enforced under the following state law provisions, as applicable: Texas Water Code Section 7.187, as amended; Texas Health and Safety Code Section 382.018, as amended; and Title 30, Texas Administrative Code, Chapter 111, Subchapter B, as amended.

- (38) ***Section 307.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**307.4. LOCATION.** The location for open burning shall be not less than 500 feet from any structure, fence, property line, or other combustibles. Provisions shall be made to prevent the fire from spreading to within 500 feet of any structure, fence, property line, or other combustibles; and conditions which could cause a fire to spread within 500 feet of a structure, fence, property line, or other combustibles shall be eliminated prior to the issuance of the permit. The size of any burn pile shall not exceed 5 feet in diameter and 5 feet in height.

Exception: Fires in approved incinerators that are not less than 20 feet from a structure or other combustible materials.

- (39) ***Section 307.4.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**307.4.1. BONFIRES.** A bonfire shall not be conducted within the Town's corporate limits.

- (40) ***Section 307.4.3, of the International Fire Code, 2021 edition, is hereby amended to add Exception #2 to read as follows:***

**Exceptions:**

2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system.

**(41) Section 307.4 of the International Fire Code, 2021 edition, is hereby amended to add Sections 307.4.4 and 307.4.5 and 307.4.6 to read as follows:**

**307.4.4. PERMANENT OUTDOOR FIRE PIT.** Permanently installed outdoor fire pits for recreational fire purposes shall not be installed within 10 feet of structure or combustible material.

**Exception:**

Permanently installed outdoor fireplaces constructed in accordance with the International Building Code.

**307.4.5. TRENCH BURNS.** Shall not be allowed in The Town of Flower Mound.

**307.4.6. INCINERATOR FIRES.** A fire within an incinerator shall not be conducted within 20 feet of a structure or other combustible material. Conditions which could cause a fire to spread within 20 feet of a structure or other combustible material shall be eliminated prior to ignition. Burning in an incinerator shall not be permitted on lots or tracts of land less than two acres in size. Fire must be entirely contained within the approved container with a spark arrestor in place at all times.

**(42) Section 307.5 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**307.5. ATTENDANCE.** Open burning, recreational fires, and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. Not fewer than one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water, barrel, garden hose, or water truck, shall be available for immediate utilization.

**(43) Section 307 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 307.6 to read as follows:**

**307.6. BURN BAN.** If it is determined that atmospheric conditions i.e., ozone action days, extended drought, or other conditions exist that make it necessary to limit outdoor processes which may cause a fire, a burn ban can be instituted. The Fire Chief or his authorized representative under an executive order shall issue an emergency declaration instituting a burn ban for all properties within the Town of Flower Mound. The burn ban shall prohibit all outdoor activities and/or processes that may start a fire. Such outdoor activities and/or processes shall include but are not limited to open burning, incinerator burning, recreational burning, outdoor



welding, outside use of torches or other cutting devices that emit sparks, charcoal grills, fireworks, and outdoor fireplaces or fire pits.

**(44) Section 307 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 307.7 to read as follows:**

**307.7. POSTING A DECLARATION OF A BURN BAN.** The emergency declaration specified in section 307.6 shall be posted or published in the following locations:

- Official Town of Flower Mound Newspaper
- Town of Flower Mound website
- Denton County Emergency Services website

**(45) Section 307 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 307.8 to read as follows:**

**307.8. VIOLATION.** Persons who violate a burn ban by igniting a fire, engaging in one of the prohibited activities or allowing a prohibited activity to be carried out on property under his or her control shall be guilty of a misdemeanor offense, punishable by a fine of not less than \$500.00 or more than \$2,000.00 for each offense. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**(46) Section 308.1.4 of the International Fire Code, 2021 edition, is amended 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, sidewalks or within 10 feet (3048 mm) of combustible construction or opening to a building.

**Exceptions:**

Where the cooking device is gas-fueled and meets one of the following conditions:

1. One- and two-family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pounds (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100lbs. (5 containers). All LP-gas containers shall be stored outside, as per Chapter 61.
2. Multifamily dwellings, where buildings, balconies and decks are protected by an approved automatic sprinkler system, and 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). All LP-gas containers shall be stored outside, as per Chapter 61.

3. {no change}

**(47) Section 308.1.5; of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**308.1.5 LOCATIONS NEAR COMBUSTIBLES.** Open flames such as from candles, lanterns, kerosene heaters, and gas-fired heaters shall not be located on or near decorative material or similar combustible materials. Luminaria Bags with candles are prohibited.

**(48) Section 308.1.6.2 of the International Fire Code, 2021 edition, Exception #3 is hereby amended to read as follows:**

**Exceptions:**

4. Torches or flame producing devices in accordance with Section 308.1.3.

**(49) Section 308.1.6.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**308.1.6.3 SKY LANTERNS.** A person shall not release or cause to be released any untethered unmanned free-floating devices containing an open flame or other heat source such as, but not limited to, a sky lantern.

**(50) Section 311.5 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**311.5 PLACARDS.** The Fire Code Official is authorized to require marking of any vacant or abandon 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.

**(51) Section 401 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 401.9 to read as follows:**

**401.9 FALSE ALARMS AND NUISANCE ALARMS.** False alarms and nuisance alarms shall not be permitted to be given, signaled, or transmitted in any manner.

- (52) ***Section 401 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 401.9.1 to read as follows:***

**401.9.1 VIOLATIONS.** False alarms as defined by this ordinance and the Texas Penal Code, Section 46.02, shall be enforced according to the corresponding legal procedures. False alarms as defined by the Code of Ordinances of the Town of Flower Mound, Texas, Sec 38-6 " False Fire Alarms" shall be governed by said ordinance.

- (53) ***Section 403.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**403.4 GROUP E OCCUPANCIES.** An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both Group E occupancies and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Section 403.4.1 through 403.4.3.

- (54) ***Section 404.2.2 of the International Fire Code, 2021 edition, is hereby amended to add a new subsection 4.10 to read as follows:***

4.10 Fire extinguishing system controls.

- (55) ***Section 405.5 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**405.5 TIME.** The Fire Code Official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying condition to simulate the unusual conditions that occur in case of fire.

**Exceptions:**

1. No Change
2. No Change
3. Notification of teachers/staff having supervision of light- or sound-sensitive students/occupants, such as those on the autism spectrum, for the protection of those students/occupants, shall be allowed prior to conducting a drill.

- (56) ***Section 501.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**501.4 TIMING OF INSTALLATION.** When fire apparatus access roads or 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.

- (57) ***Section 503.1.1 of the International Fire Code, 2021 edition, is hereby amended to insert the following language beginning in a new paragraph situated between the end of the current paragraph and the list of exceptions:***

For purpose of design, measurements shall not utilize arterial/thoroughfare, or collector/distributor roads as apparatus access roads.

Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten foot (10') wide unobstructed level pathway around the external walls of the structure and all barriers. Pathway shall be a level and traversable surface and shall not exceed 3% grade. A continuous row of parking between the fire lane and the structure shall be considered a barrier. Landscaping and screening may also be considered a barrier based upon the location of type. Fire apparatus access roads shall not travel under or through an area covered with an awning, canopy, carport, porte-cochere, or covered structure.

The provisions of this section notwithstanding, fire lanes may be required to be located within thirty feet (30') of a building if deemed to be reasonably necessary by the Fire Chief to enable proper protection of the building.

- (58) ***Section 503.1.2. of the International Fire Code, 2021 edition, is hereby amended to add a sentence to read as follows:***

The Fire Code Official is also hereby authorized and empowered to establish and designate fire lanes as deemed necessary for the proper ingress and egress of emergency vehicles. Any fire lane designated by the Fire Marshal shall become effective as of the date so designated.

- (59) ***Section 503.1 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 503.1.4 to read as follows:***

**503.1.4. EXISTING FIRE LANES.** Any fire lane that has been established prior to passage of the ordinance from which this article is derived and designated by the Fire Marshal or that has been established by a separate ordinance shall be a fire lane for all intents and purposes and shall be maintained as required by this code.

- (60) ***Section 503.1 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 503.1.5 to read as follows:***

**503.1.5 RESIDENTIAL SUBDIVISIONS.** The maximum dead-end cul-de-sac length shall not exceed seven hundred and fifty feet (750') as measured from the centerline of the intersecting street to the center point of the radius.

**Exception:**

Where an approved automatic fire suppression system is installed per Section 903 is provided.

(61) **Section 503.2.1 of the International Fire Code, 2021 edition, is hereby amended 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 16 feet. Where a fire hydrant is situated on or adjacent to a fire lane, or a fire apparatus access road, the minimum unobstructed width of the fire lane or fire apparatus access road shall be 26 feet. Fire lanes where there is "opposed" parking shall have an unobstructed width of not less than 26 feet.

Fire lane dimensions established by Appendix D, or other sections of this Code, shall be superseded by the criteria established by this section.

The requirement of Section D105 shall remain unchanged.

(62) **Section 503.2.2 of the International Fire Code, 2021 edition, is hereby amended 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 response or where they are necessary to meet public safety objectives of the jurisdiction.

(63) **Section 503.2.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**503.2.3 SURFACE.** Construction of all fire lanes shall be in accordance with the current Town of Flower Mound Street Design Manual and this section.

Fire lanes shall be constructed of a surface capable of supporting the imposed loads of an 85,000 lb. fire apparatus. The design shall be based on standards as published in Chapter 32 of the most current version of the Engineering Design Criteria and Construction Standards for the Town of Flower Mound. In no event shall speed bumps, speed humps, or other "traffic-calming" devices be placed, installed, or located in the fire lane or fire apparatus access road unless approved by the Fire Code Official.

All fire lanes shall be maintained and kept in a good state of repair at all times by the owner and the Town of Flower Mound shall not be responsible for the maintenance thereof. It shall further be the responsibility of the owner to ensure that all fire lane markings required by Section 503.3 be kept so that they are easily distinguishable by the public.

(64) **Section 503.2.3 of the International Fire Code, 2021 edition, is hereby amended to add Section 503.2.3.1 to read as follows:**

**503.2.3.1 MAINTENANCE GENERALLY.**

- 1. The Fire Code Official shall report any damaged, worn or poorly maintained surface conditions, markings, or signs to the owner or person in control of property upon which a fire lane exists and shall issue instructions for repair.
- 2. It shall be unlawful for the owner or person in control of property upon which a fire lane has been designated or exists to fail to maintain the surface of the fire lane in good condition, free of potholes and other non-approved obstructions.
- 3. It shall be unlawful for the owner or person in control of property upon which a fire lane has been designated or exists to fail to maintain any marking of the fire lane as required by this code in a condition that is not clearly legible.

**(65) Section 503.2.4 of the International Fire Code, 2021 edition, is hereby amended as follows:**

**503.2.4. TURNING RADIUS.** The required turning radius of a fire apparatus access road shall be a minimum of 25 feet inner radii and 45 feet exterior radii or as determined by the Fire Code Official.

**(66) Section 503.2.5 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**503.2.5 DEAD ENDS.** Dead-end fire apparatus access roads shall be provided with an approved fire apparatus turn around.

**(67) Section 503.2.7 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**503.2.7. GRADE.** The grade of the fire apparatus access road shall be no greater than 8% percent in grade based on the fire department's apparatus.

**(68) Section 503.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**503.3 MARKING.** 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 shall be replaced or repaired when necessary to provide adequate visibility.

- 1. 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-

foot (25') intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on both the horizontal and vertical faces of the curb.

2. Signs - Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be twelve inches (12") wide and eighteen inches (18") high. Signs shall be painted on a white background with letters and borders in red, using not less than two-inch (2") lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6' 6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart. Signs may be installed on permanent buildings or walls or as approved by the Fire Code Official.

**(69) Section 503.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**503.4. OBSTRUCTION OF FIRE APPARATUS ACCESS ROADS.** Fire apparatus access roads shall not be obstructed in any manner, including parking, stopping, or standing or by any non-emergency vehicle, whether attended or unattended. 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 operator of a premise shall maintain, free of obstruction, all fire lanes on his premises. No person may mark, post, or otherwise identify a non-fire lane private vehicular passageway as a fire lane or in such a manner as tends to create confusion as to whether the passageway is a fire lane. Any unauthorized vehicle in a fire lane is:

1. Subject to removal from the premises by the operator of the premises, with the expense of removal and storage to be borne by the registered owner of the vehicle.
2. Subject to citation, as well as removal from the premises, by the Fire Marshal, or his designee or a police officer, with the expense of removal and storage to be borne by the registered owner of the vehicle; and
3. Prima facie evidence that the person in whose name the vehicle is registered is guilty of a violation of the parking provisions of this section.

**(70) Section 503.4.2 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**503.4.2 FIRE LANE VIOLATIONS**

1. The registered owner of a vehicle parked or standing in a fire apparatus access road shall be presumed to be the violator and may be held jointly and severally liable for the violation.
2. A person, firm, partnership, corporation, association, or other entity shall be presumed to be the violator and may be held jointly and severally liable for the violation if the person, firm, partnership, corporation, association, or other entity is the owner of, custodian of, or otherwise

exercises actual or apparent control over equipment, materials, or other objects obstructing a fire apparatus access road.

3. The owner, occupant, or leaseholder of the property or business directly adjacent to the portion of the fire apparatus access road obstructed shall be presumed to be the violator and may be held jointly and severally liable.

**(71) Section 503.6 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**503.6 SECURITY GATES AND BARRICADES.** The installation of security gates across a fire apparatus access road shall be approved by the Fire Code Official or his designee. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F 2200. Where permitted by the fire code official, to allow the incorporation of limited access control gates across dedicated or designated fire lane easements, to ensure that emergency access routes are maintained unobstructed and that emergency vehicles are not delayed entering these properties, a separate permit must be applied for each security gate and/or barricade and must comply with the following, existing gates and or barricades shall have no greater than 12 months to comply with Sections 503.6.1 – 503.6.3.3.8

**503.6.1 PERMIT REQUIRED.** Prior to the installation of a gate system that extends across a fire lane, the owner or person in charge of the property must obtain a permit from the fire code official. Plans for gate systems shall be submitted to the Fire Marshal's Office for review and approval before a permit is issued. Such plans shall be of standard blueprint quality, drawn to a standard scale, listing all details, specifications, or diagrams necessary to provide a description of the work to be done and the gates mechanical operation. The permit may be revoked if the permit holder fails to maintain the gate system(s) in good working order, which may cause the delay or obstruction of emergency services gaining immediate access to the property. The fire code official may require the gates to remain open if any of the required devices are not working in accordance with Section 503.

**503.6.2 DEFINITIONS.** Unless otherwise expressly stated, the following words and terms shall, for purposes of subsection 503.6, have the meanings set forth below:

**SECURITY GATE/PRIVACY GATE/LIMITED ACCESS GATES.** Any vehicle access way from a public street to private property which has an access gate that limits or controls vehicle access onto the property.

**GATE SYSTEM.** A gate system includes each drive gate, pedestrian gate, operating mechanism, receiver, electrical system, chain, belt, pulley, all hardware



appliances and all other types of equipment or items necessary for each gate to function as intended and described herein.

**PRIMARY DRIVE GATE TYPE.** The primary drive gate type that may be installed across fire lanes shall be the sliding type. If the installation of sliding gates is not possible due to the layout of the property or buildings thereon, alternate types of gate installations may be considered.

**MAIN GATE.** The gate and entryway designed as the primary entrance for guests, residents, deliveries, employees, patrons, etc.

**OWNER.** A person, corporation partnership, association, or any other similar entity.

**PRIMARY EMERGENCY ACCESS.** The drive or access point designed as the primary point or one of several primary points of ingress/egress for emergency vehicles.

**SECONDARY EMERGENCY ACCESS.** The drive or access point designed as a secondary or back-up means of ingress/egress for emergency vehicles.

**503.6.3 GENERAL REQUIREMENTS.** All limited access drives from public streets shall be designed to accommodate emergency service vehicles (fire- police-medical). All limited access drives will be designated as either a primary or secondary emergency access way, as determined by the fire code official. The primary means of gate operation shall be by an approved GTT Opticom® light attenuated opening device. The light attenuated device shall be located on top of the gate or in a location not less than 9 feet tall as to prevent tampering with the equipment. An exit loop shall be provided a minimum of 14 feet from the gate if an exit loop is installed. Commercial buildings shall adhere to these requirements also. In the event of an operation failure, the gate shall open by means of the key switch that is mounted on the keypad or other approved location. Upon activation of the key switch, the affected gate shall automatically open to a lock-open and disabled condition. The gates shall remain open for a period of 20 minutes after emergency activation. Numeric keypads shall be installed at a readily accessible location at each automated drive gate for public safety personnel who may require entry in other emergencies. The numbers making up the entry code shall be determined by the fire Marshal and shall be consistent on all gate systems installed throughout the Town. The numbers shall not be changed unless ordered by the Fire Marshal verbally or by written means.

**503.6.3.1 FINAL SYSTEM ACCESS (BACK-UP) ELECTRICAL DISCONNECT / CHAIN ACCESS.** In the event of an Opticom or key switch failure, the gate shall open by means of an electrical power disconnect switch in a weatherproof box secured by Knox padlock. The gate shall be capable of being physically disconnected from the operator mechanism from either side of the gate. Slider gate chains shall be accessible to be cut and release the gate from the opener mechanism from either side. Swing gates shall have a Pin-Lock Too™ in the

swing arm mechanism secured by a Knox padlock. The padlock shall be accessible from either side of the gate.

**503.6.3.2. ELECTRICAL EQUIPMENT PROTECTION.** All electrical and electronic equipment shall be protected from physical damage and weather by approved watertight boxes or housings.

**503.6.3.3 PERFORMANCE TESTS.** Gates and gate systems shall be tested upon completion of the installation of a gate or gate system or when required by the fire department. Failure of a gate or gate system test will require that all affected gates shall be chained and locked in the open position until repaired and retested.

**503.6.3.3.1 PERFORMANCE TEST OBSERVATION.** The Fire Marshal's Office shall observe all required tests.

**503.6.3.3.2 APPLICATION FOR KNOX COMPANY EQUIPMENT (KEY BOX, KEY SWITCH, PADLOCK)** Key boxes, key switches and padlocks must be obtained from the Knox Company. Flower Mound receives no payment or gratuity from the Knox Company for this franchise.

**503.6.3.3.3 OPTICOM GATE OPENINGS SYSTEM.** All primary emergency access gates shall be equipped to operate with an approved GTT Opticom® light attenuated opening device, "Knox" key switch and fail-safe manual back-up or automatic release in the event of a failure of the electrical or mechanical system. The key switch shall be located on a keypad pedestal or call box as approved by the fire code official. All drive gates shall be equipped with a numeric keypad programmed with a code determined by the Fire Marshal.

**503.6.3.3.4. AUTOMATED SECONDARY EMERGENCY ACCESS GATES.** All automated secondary emergency access gates shall be equipped to operate with the Knox key switch mounted on a keypad pedestal and have an electrical disconnect contained within an approved box secured by a Knox padlock to allow manual opening of the gate by emergency personnel. All manual secondary emergency access gates shall open by means of a Knox padlock.

**503.6.3.3.5 ACCOMMODATION OF OTHER SERVICES.** Provisions shall be made to accommodate other services including, but not limited to, Flower Mound Police, Public Works, Sanitation Services and Utility Services Departments, as well as the United States Postal Service.

**503.6.3.3.6 SPECIFIC REQUIREMENTS.** The minimum clear opening width shall be not less than 24 feet and a minimum unobstructed height of 16 feet shall be maintained.

**503.6.3.3.6.1 LIMITED ACCESS GATES.** Limited access gates shall be designed and constructed in a workman-like manner. Gate materials shall be approved by the fire code official. Pedestrian gates shall open fully with a minimum clear span of 48 inches and be provided with a latch or other means of securing them in the open position. Automated pedestrian gates shall open freely upon loss of power. When required by the Fire Marshal, one or multiple pedestrian gates shall be released by a Knox Lock or by a key switch mounted in an approved box.

**503.6.3.3.7 PRIMARY SYSTEM ACCESS (EMERGENCY) - OPTICOM SYSTEM.**

Emitter receivers shall be located at each primary access gate or point as deemed necessary by the fire code official. Upon receiving the transmission of the emitter signal at any drive gate the affected gate shall automatically open.

**503.6.3.3.8 SECONDARY SYSTEM ACCESS (BACK-UP) KEY SWITCH.** In the event of power failure, the gate shall open by means of a battery back-up system. The gate may either open automatically or be designed to provide multiple openings through a battery powered system.

**(72) Section 503.7 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**503.7 PREEMPTION DEVICE.** When mechanically operated gates or barriers are provided, or required, across a fire apparatus access road, an approved bidirectional emergency vehicle traffic preemption device shall be provided compatible with the fire department's apparatus.

**(73) Section 505.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**505.1. ADDRESS IDENTIFICATION.** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the Fire Code Official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 6 inches (152.4 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, or other sign with approved 6-inch (152.4 mm) height building numerals or addresses and 4-inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20-inch (508 mm) by 30-inch (762 mm) background on border. Address numbers shall be maintained.

**Exception:**

R-3 Single Family occupancies shall have approved numerals of a minimum 3-1/2 inches (88.9 mm) 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.

(74) **Section 505 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 505.4 to read as follows:**

**505.4 ADDRESS MARKING IN PARKING GARAGES.** An approved sign displaying the building name and address with a minimum 1-inch-high letters and numerals on a contrasting background in new and existing parking garages. The signs shall be located in each elevator lobby and at the entrance to each stairwell.

(75) **Section 506.1 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 506.1.3 to read as follows:**

**506.1.3 KNOX BOX LOCATIONS.** The key box shall be provided at the entrance to the sprinkler riser room and fire pump room. Additional key boxes shall be placed at the main entrance and other locations of large buildings when determined by the Fire Code Official if it is necessary due to the size and remoteness from the fire sprinkler riser room and/or fire pump room.

(76) **Section 507.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**507.4 WATER SUPPLY TEST DATE AND INFORMATION.** The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 "Recommended Practice for Fire Flow Testing and Marking of Hydrants" and within six months of the fire sprinkler plan submittal. The Fire Code Official shall be notified prior to the water supply test. Water supply tests may 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. Reference Section 903.3.5 for additional design requirements.

(77) **Section 507.5.4 of the International Fire Code, 2021 edition, is hereby amended 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.

- (78) ***Section 507.5 of the International Fire Code, 2021 edition, is hereby amended to add a new section 507.5.7 to read as follows:***

**507.5.7. WHERE REQUIRED.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a fire hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Code Official. A minimum of one fire hydrant shall be located within 50 feet of the fire department connection and on the same side of the roadway as the facility or building. Fire hydrants shall be located 5 feet (5') back from fire lane and shall not be located in the bulb of a cul-de-sac or within a turning radius. Dead end lines for hydrant leads shall not exceed more than 50 feet (50') from the underground water main.

**Exception:**

For Group R-3 and Group U occupancies, the distance requirement shall be 500 feet between fire hydrants along an approved route.

- (79) ***Section 509.1 of the International Fire Code, 2021 edition, is hereby amended to add a new section 509.1.2 to read as follows:***

**509.1.2 SIGN REQUIREMENTS.** Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as approved by the Fire Code Official. The letters shall be of a color that contrasts with the background.

- (80) ***Section 509 of the International Fire Code, 2021 edition, is hereby amended to add a new section 509.3 to read as follows:***

**509.3 SIGNAGE SPECIFICATIONS.** Where signage is required by this section, other provisions of this code, or where required by the Fire Code Official, the construction and design shall comply with Section 512. All required signage shall be approved by the Fire Code Official prior to installation.

- (81) ***Chapter 5 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 511" Radio Signal Booster System Specification" to read as follows:***

**SECTION 511**

**Radio Signal Booster System Specification**

**511.1. COMMUNICATIONS.** In all new and existing buildings in which the type of construction or distance from an operational emergency services antenna or dispatch site does not provide adequate frequency or signal strength as determined by the Fire Code Official, the building owner shall be responsible for providing the equipment, installation, and maintenance of said equipment in a manner to strengthen the radio signal. The radio signal shall meet the minimum

input/output strengths according to the emergency radio system's provider and system manager. All large structures built after the effective date of this code shall be evaluated prior to the issuance of a certificate of occupancy for adequacy of emergency communications inside the structure. If the evaluation fails, the building owner shall at his expense install an approved communications system that will allow emergency responders (fire and police) to communicate from within the building to other responders outside the building. The communication system shall meet the requirements set forth in Section 510 of the current adopted and amended fire code.

(82) *Chapter 5 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 512 "Fire Protection & Building Signage" is hereby adopted to read as follows:*

**SECTION 512  
Fire Protection & Building Signage**

**512.1 SCOPE.** The provisions of this chapter shall apply to the installation of directional, equipment and fire protection signage. All outdoor signage shall be secured by mechanical means, adhesives tapes or glues are prohibited.

**512.2 REQUIREMENTS.** All buildings and structures provided with an approved fire protection system, hazardous materials, high piled storage, fire department access or required by other provisions of this code or the Fire Code Official, shall be provided with signage in the locations set forth in Sections 511.3 through 511.19 and shall be approved by the Fire Code Official prior to installation.

**Exception:**

This section shall not require existing buildings to be provided with the required signage unless the building is renovated, altered, or as otherwise required by the Fire Code Official or other provisions of this code.

**512.3 SIGN SPECIFICATIONS.** All signs required by this section shall be in accordance with the following specifications, unless otherwise noted:

1. Minimum size of 12 in. x 12 in.
2. Constructed of a minimum 0.080 aluminum sheet with a minimum 0.75 radius corners.
3. Font style shall be Arial, with all letters capitalized, minimum 3 in. lettering and 1/2 in. width.
4. Sign face shall be traffic red.
5. Lettering and/or graphics shall be white and reflective.

**Exception:** The Fire Code Official may approve alternate methods and material.

**512.4 FIRE DEPARTMENT CONNECTION.** All buildings provided with an approved automatic fire sprinkler system or standpipe requiring a Fire Department Connection (FDC), shall indicate the location of the FDC with appropriate signage as follows:

1. Building and structures in which multiple FDC's will be located within the same subdivision, shall also indicate numerical address, suite numbers served, or other description as approved by the Fire Code Official.
2. When multiple FDC's are provided at a common location to serve different types of fire protection systems, the sign shall further indicate the type of fire protection system served.
3. Where the FDC does not serve the entire building, a sign shall be provided indicating the portions of the building served.

**512.4.1 VAULT MOUNTED FDC.** Vault mounted FDC's shall have a sign mounted facing the apparatus access road.

1. Signs shall be mounted on the vault facing the apparatus access road.
2. The numerical street number shall be included
3. The letters FDC shall be 4" tall minimum and the address letters & numbers shall be 2" tall minimum white reflective
4. The remote audio/visual alarm device shall be mounted to the vault.

**512.4.2 REMOTE MOUNTED FDC.** For fire protection systems supplied by a remotely located FDC, a sign shall be permanently mounted as following:

1. Sign shall be located directly adjacent to the FDC.
2. Shall be mounted on a signpost that extends a minimum of 7 feet above grade.
3. The numerical street number shall be included.
4. An Audio/Visual device shall be mounted at the top of the signpost.

**512.4.3 FDC PROTECTION.** All FDC's shall have a minimum 8-in. x 12 in. red sign with 1 ½ in. white lettering that reads "DO NOT BLOCK - BY ORDER OF THE FIRE MARSHAL" placed directly under the FDC.

**512.5 FIRE PROTECTION EQUIPMENT ROOMS.** Room containing fire sprinkler riser assemblies and control equipment shall be identified with a 12-in. x 12 in. sign that reads "RISER ROOM STORAGE PROHIBITED". In the fire alarm system control panel and/or other fire protection equipment is located within the same room, the sign shall include lettering identifying all equipment located therein.

**512.5.1. MULTIPLE RISER IDENTIFICATION.** When multiple risers are located within the same room, or in different locations within the same building, signs shall be provided to indicate the zone or floor served by the riser assembly, or the type of system serving the zone or floor. Signs shall be 8 in. X 8 in. with 2 in. lettering.

**512.6 FIRE PUMP TEST HEADER.** When a fire pump is provided as part of the fire protection system, a sign shall be provided to differentiate the test header from other equipment. Signs shall be red, a minimum 8 in. x 8 in. with 2 in. white lettering that reads "FIRE PUMP TEST HEADER".

**512.7 ROOF ACCESS.** For buildings and structures where roof access is not provided from the exterior of the building, a sign shall be provided on the door or room containing the access point. Sign shall be red 8 in. x 8 in. with 2 in. white lettering that reads "ROOF ACCESS".

**512.8 WALL & POST INDICATOR VALVES.** When a Wall or Post Indicator Valve (PIV) is provided as part of the fire protection system, signs shall be provided to indicate the riser and/or zone controlled by the valve. Signs shall be located directly adjacent to the control valve and shall be either mounted on a signpost or affixed to the exterior of the building.

**512.9 FIRE DEPARTMENT ACCESS.** In the event that fire department access is so located in an area that is not readily identifiable, or as required by the Fire Code Official, signs shall be provided and located as directed by this section or the Fire Code Official.

**512.9.1 ACCESS GATES.** When pedestrian access gates are provided, or otherwise required, in order to provide access to a building or facility, a minimum 8 in. x 6 in. red sign with 2 in. white lettering shall be provided on the gate that reads "F.D. ACCESS".

**512.9.2 AUTOMATIC ACCESS GATES.** When automatic or manual access gates are provided across a fire lane or entry/egress points to a residential subdivision, or otherwise required, in order to provide access to a building, facility or residential subdivision, a minimum 8 in. x 6 in. red sign with 2 in. white lettering shall be provided on the gate that reads "F.D. ACCESS".

**512.9.3 EMERGENCY ACCESS EASEMENTS.** When automatic or manual access gates are provided across an emergency access easement or fire lane to a residential subdivision, or otherwise required a minimum 8 in. x 6 in. red sign with 2 in. white lettering shall be provided on the gate that reads "F.D. ACCESS".

**512.10 HAZARDOUS MATERIALS.** When required by other sections of the Fire Code, or the Fire Code Official, an NFPA 704 diamond shall be posted at a location on the premise as approved by the Fire Code Official. The entire sign shall be made of a reflective material.

**Exception:**



Construction requirements of this section shall not apply, with the exception the sign must be reflective and a minimum of 12 in. x 12 in.

**512.11 HIGH-PILED STORAGE.** When high piled combustible storage, in accordance with Chapter 23, is present within a building or structure, marking shall be provided as set forth in Sections 512.11.1 through 512.11.3.

**512.11.1 STRIPING.** A painted red 6-in. wide traffic stripe with 4 in. painted white lettering shall be provided in all areas in which storage exceeds 12 ft., or as required by the Fire Code Official, around the perimeter of the designed storage area. The top of the stripe shall indicate the maximum storage height and shall read as follows "NO STORAGE PERMITTED ABOVE THIS LINE" at 25 ft. intervals.

**Exception:**

When permitted by the Fire Code Official, a 6 in. wide red stripe with no text may be allowed on the rack structures for non-publicly accessible areas where permanent signs are provided along the walls and racks per Section 511.11.2.

**512.11.2 SIGNS.** Permanent signs shall be placed on the ends of alternative racks to indicate "MAX. STORAGE HEIGHT XX FEET" and "NO STORAGE ABOVE THIS SIGN", for racks and areas in which a wall is not adjacent to the storage array. Signs shall be 12 in. x 12 in. with 2 in. lettering.

**512.12 FLAMMABLE AND COMBUSTIBLE LIQUIDS.** When required by this section or other sections of the Fire Code, signs shall be provided as follows to identify the content of the material stored or used. Signs shall be 8 in. x 8 in. with 2 in. lettering.

**512.13 FIRE COMMAND ROOM.** When a fire command room is provided, an 8-in. x 8 in. red sign with 2 in. white lettering shall be provided to read "FIRE COMMAND ROOM".

**512.14 ELECTRICAL ROOM.** When an interior electrical room is provided, an 8 in. X 8 in. red sign with 2 in. white lettering shall be provided to read "ELECTRICAL ROOM".

**512.15 FIRE ALARM CONTROL PANEL.** When the main fire alarm control panel is not located within the riser room, fire command room, or at the main entrance, an 8-in. x 8 in. red sign with 2 in. white lettering shall be provided to read "FIRE ALARM PANEL LOCATED IN"

**512.16 SUPPLEMENTARY SIGNS.** When supplementary fire alarm system control panels, such as power supplies, special hazards or similar is provided, an 8 in. x 8 in. red sign with 2 in. white lettering shall be provided to read "FIRE ALARM PANEL WITHIN" shall be provided on the entry door.

**512.16.1 MECHANICAL ROOM.** When an interior mechanical room is provided, an 8 in. X 8 in. red sign with 2 in. white lettering shall be provided to read "MECHANICAL ROOM".

**512.17 MISCELLANEOUS SIGNS.** Whenever a sign not specifically outlined in this section is required by the Fire Code Official, it shall be constructed in accordance with this section.

**512.18. UTILITY SHUT OFF & IDENTIFICATION.** Approved numerals of minimum one- inch (1") in height and of a color contrasting with the background shall be placed on gas and electrical meters serving all new and existing buildings or structures except R-3 occupancies. Signs identifying the utility service shall be red background with white letters secured by mechanical means above the applicable disconnect. Signs shall be a minimum 8 in. x 8 in. with 2 in. lettering - reflective.

**512.19 STAIRWELL IDENTIFICATION.** Stairwell identification signs shall be provided in buildings that are four (4) or more stories in height, or as required by this section. The signs shall be installed in stairways to identify each stair landing and indicate the upper and lower termination of the stairway. Signs within the stairways shall be located above the floor landing in a position that is readily visible when the door is in the open or closed position. Stairway identification signs shall indicate the numerical and/or location of the stair in a minimum 2-inch lettering and shall be constructed in accordance with Section 511.3.

**Exception:**

For signs located within a high-rise installed in accordance with Section 1024 of the International Building Code.

**512.19.1 OCCUPANCY SIDE OF DOORS.** Signs shall be located at each level on the occupancy (tenant) side of all enclosed stairways, regardless of the height of the building.

**512.19.2 FLOOR LEVEL.** The floor level number shall be displayed on the stairwell identification sign.

**512.19.3 REENTRY.** Where stairway doors are locked from the stairway side to prohibit entry to a floor, "NO RE-ENTRY" shall be placed at the bottom of the sign in a minimum 1-inch lettering.

**(83) Chapter 5 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 513 "Automatic External Defibrillator (AED) Requirements" is hereby adopted to read as follows:**

**SECTION 513**

**Automated External Defibrillator (AED) Requirements**

**513.1 DEFINITIONS.** Unless otherwise expressly stated, the following words and terms shall, for purposes of this Section 512, have the meanings set forth below:

**AUTOMATED EXTERNAL DEFIBRILLATOR (AED).** A heart monitor and defibrillator that meet the requirements of the Texas Health and Safety Code and applicable federal law.

**AED OWNER.** A person or entity that owns or possesses an Automatic External Defibrillator. Vendors or dealers that own or possess AEDs solely for resale are not included as owners for the purposes of this Ordinance.

**513.1.1 PURPOSE.** The purpose of this section is to promote public health, safety, and welfare by improving emergency care response times to those suffering from sudden cardiac arrest, thereby improving chances of survival. The requirements of this section are intended to provide for faster emergency response in large buildings, multi-story buildings, and/or buildings with large numbers of occupants where first responder access may be impeded due to building use, occupancy, location, layout, construction, or other reasons. This section is not intended to create a new standard of care.

**513.2 DUTIES OF AED OWNER.** Any person who presently owns or acquires an AED on or after the effective date of this ordinance, other than vendors or dealers of AEDs owning or possessing AEDs solely for resale purposes, shall:

**513.2.1 REGISTRATION.** Register the AED with the fire department Emergency Medical System Coordinator or the Fire Chief. The registration shall include information about AED location and type. A means to register the AED will be provided by the fire department.

**513.2.2 INSPECTION AND MAINTENANCE.** Inspect, test, store, maintain and service the AED in accordance with Texas Health and Safety Code 779.003 and in accordance with any standards established by the AED manufacturer. Documentation shall be maintained by the owner for the past 3 years of the unit being in service.

**513.2.3 NOTIFICATION OF USE.** Notify the fire department as soon as possible, but in no event any later than 24 hours following any use of the AED (excluding hospitals or other end-care facilities), and provide the fire department with information relevant to the incident, including but not limited to the date, time and location of use, name of person the AED was used upon, the printout from the AED, and the nature of other emergency response to the incident, including the name and address of any hospital, clinic, or medical provider to which the person was transported following the AED use. A form will be provided by the fire department.

**513.2.4 TRAINING UNIT.** Any AED possessed and used solely for demonstration or training purposes, and which would not be operational in an actual emergency use situation, shall be exempt from the registration requirements of this section. Any such AED shall be clearly marked on its exterior and readily identifiable as not appropriate for emergency use.

**513.3 OCCUPANCIES REQUIRED TO HAVE AN AED.** AEDs are required pursuant to Texas Education Code 38.017, Texas Occupations Code 258.1556, and Texas Administrative Code Title 40 TAC 19.35.

**513.3.1 NEW CONSTRUCTION REQUIRING AED.** At the time work begins on the site, an AED is required to be on site. Prior to issuance of Fire approval,

an AED shall be placed in all Group A "Assembly" buildings with an occupancy load of 150 or more. In all other Occupancy Use categories, an AED will be placed in buildings with an occupancy load of 200 or more.

**Exceptions:**

1. Single- or Multi-family dwelling units.
2. Parking Garages.

**513.3.2 CHANGE OF OWNERSHIP/EXSISTING CONSTRUCTION REQUIRING AED.** For any occupancy described herein; at the time of the change of ownership or at the time work begins for any remodel on the site, an AED is required to be on site. Prior to issuance of Fire approval, an AED shall be placed in all Group A "Assembly" buildings with an occupancy load of 150 or more. In all other Occupancy Use categories, an AED will be placed in buildings with an occupancy load of 200 or more.

**Exceptions:**

1. Single- or Multi-family dwelling units.
2. Parking Garages.

**513.4 PLACEMENT.** AEDs shall be conspicuously placed and readily accessible in the event of an emergency. AEDs shall be mounted such that the top of the AED is no more than 5 feet above the floor level.

**513.5 LOCATION.** AEDs shall be located in buildings to optimally achieve a three-minute response time to the person in need of emergency care using the AED. To achieve this separation, the first unit shall be placed in the following locations and other units placed accordingly to meet the intent of this code:

1. One AED shall be placed at the main entrance of every floor of the building.
2. AEDs shall be located on each floor such that the maximum length of travel measured from the most remote point on the floor to the AED shall not exceed 300 feet.
3. AEDs shall be located on each floor such that the maximum length of travel between any two AEDs shall not exceed 600 feet.

**(84) Section 603.6.4 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 603.6.4.1 to read as follows:**

**603.6.4.1 PLUG ADAPTORS.** Grounded plug adaptors shall not be allowed.

- (85) **Section 603 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 603.11 to read as follows:**

**603.11. APPLIANCES.** All appliances that heat and cool shall be plugged directly into an approved receptacle.

- (86) **Section 605.4 through 605.4.2.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**605.4 FUEL OIL STORAGE SYSTEMS.** Fuel oil storage systems shall be installed and maintained in accordance with this code. Tanks and fuel-oil piping systems shall be installed in accordance with Chapter 13 of the *International Mechanical Code* and Chapter 57.

**605.4.1 FUEL OIL STORAGE IN OUTSIDE, ABOVE-GROUND TANKS.** Where connected to a fuel-oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660 gallons (2498 L). The storage of fuel oil above ground in quantities exceeding 660 gallons (2498 L) shall comply with NFPA 31 and Chapter 57.

**605.4.1.1 APPROVAL.** Outdoor fuel oil storage tanks shall be in accordance with UL 142 or UL 2085, and also listed as double wall/secondary containment tanks.

**605.4.2 FUEL OIL STORAGE INSIDE BUILDINGS.** Fuel oil storage inside buildings shall comply with Sections 605.4.2.2 through 605.4.2.8 and Chapter 57.

**605.4.2.1 APPROVAL.** Indoor fuel oil storage tanks shall be in accordance with UL 80, UL 142 or UL 2085.

**605.4.2.2 QUANTITY LIMITS.** One or more fuel oil storage tanks containing Class II, or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all tanks shall not exceed the following:

1. 660 gallons (2498 L) in unsprinklered buildings, where stored in a tank complying with UL 80, UL 142 or UL 2085, and also listed as a double-wall/secondary containment tank for Class II liquids.
2. 1,320 gallons (4996 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in a tank complying with UL 142 or UL 2085. The tank shall be listed as a secondary containment tank, and the secondary containment shall be monitored visually or automatically.
3. 3,000 gallons (11 356 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in protected above-ground tanks complying with UL 2085 and Section 5704.2.9.7. The tank shall be listed as a secondary containment tank, as required by UL 2085, and the secondary containment shall be monitored visually or automatically.

- (87) **Section 606.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**606.2 WHERE REQUIRED.** A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors, including but not limited to cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, or any form of roofed enclosure, as required by the Fire Code Official.

**Exceptions:**

1. {No change to existing Exception.}
2. {No change to existing Exception.}
3. {No change to existing Exception.}
4. {No change to existing Exception.}
5. Tents, as provided for in Chapter 31.

Additionally, fuel gas and power provided for such cooking appliances shall be interlocked with the extinguishing system, as required by Section 904.13.2. Fuel gas containers and piping/hose shall be properly maintained in good working order and in accordance with all applicable regulations.

**(88) Section 807.5.2.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**807.5.2.2 ARTWORK IN CORRIDORS.** Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the 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 (50%) of the wall area.

**(89) Section 807.5.2.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**807.5.2.3 ARTWORK IN CLASSROOMS.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. 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.

- (90) ***Section 807.5.5.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**807.5.5.2 ARTWORK IN CORRIDORS.** Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the 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 (50%) of the wall area.

- (91) ***Section 807.5.5.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**807.5.5.3 ARTWORK IN CLASSROOMS.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. 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.

- (92) ***Section 901.4.7 of the International Fire Code, 2021 edition, is hereby amended by adding the following sentence to the end of the existing paragraph to read as follows:***

{Current text inserted without change.} Minimum riser room size shall be 36 sq. ft., with the minimum dimension being 6 ft.

- (93) ***Section 901.4.7.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**901.4.7.1 ACCESS.** Fire pump and automatic sprinkler system riser rooms shall be directly accessible from the exterior of the structure. Access doors shall be a minimum of 3 feet (3') in width and six-feet eight-inches (6'8") in height. 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 on 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.

- (94) ***Section 901.4.7.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**901.4.7.2 MARKING ON ACCESS DOOR.** Access doors for automatic sprinkler system riser rooms and fire pump rooms shall be labeled in accordance with the standards set forth in section 512.

- (95) ***Section 901.4.7.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**901.4.7.4 LIGHTING.** Permanently installed artificial illumination with a minimum 90-minute battery backup shall be provided in the automatic sprinkler system riser room and fire pump rooms.

- (96) ***Section 901.4.7 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 901.4.7.5 to read as follows:***

**901.4.7.5 FIRE PROTECTION EQUIPMENT ONLY.** Fire pump and automatic sprinkler system riser rooms shall be limited to equipment that is intended for fire protection and operations.

- (97) ***Section 901.5 of the International Fire Code, 2021 edition, is hereby amended by adding the following language to the end of the current text:***

**901.5 INSTALLATION ACCEPTANCE TESTING.** {Current text inserted without change.} All required tests shall be conducted by and at the expense of the owner or his representative. The Fire Department shall not be held responsible for any damages incurred in such test. Where it is required that the Fire Department witness any such test, such test shall be scheduled with a minimum of 48-hour notice to the Fire Chief or his representative.

- (98) ***Section 901.6.1 of the International Fire Code, 2021 edition, is hereby amended by adding a new Section 901.6.1.1 to read as follows:***

**901.6.1.1 STANDPIPE TESTING.** Building owners/managers must utilize a licensed fire protection company to maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 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



contractor 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, or farthest interior outlet, to verify that each inlet connection functions properly. There are 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 locking caps, the contractor shall install such locking caps for all FDC's as required by the Fire Code Official.
5. Upon successful completion of standpipe test, the contractor shall 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 as 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 nighttime 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.

**(99) Section 901.6 of the International Fire Code, 2021 edition, is hereby amended by adding a new Section 901.6.4 to read as follows:**

**901.6.4 FALSE 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.

**(100) Section 901.7 of the International Fire Code, 2021 edition, is hereby amended to replace the first paragraph 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 shut down until the fire protection system has been returned to service... {Remaining text unchanged}

**(101) Section 901.8.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**901.8.2 REMOVAL OF EXISTING OCCUPANT-USE HOSE LINES.** The Fire Code Official is authorized to permit the removal of existing occupant-use hose lines and hose valves where all of the following conditions exist:

1. The hose line(s) would not be utilized by trained personnel or the fire department.
2. If the occupant-use hose lines are removed, but the hose valves are required to remain as per the Fire Code Official, such shall be compatible with local fire department fittings.

**(102) Section 901.9 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**901.9. TERMINATION OF MONITORING SERVICE.** Notice shall be made to the Fire Code Official whenever contracted alarm services for monitoring of any fire alarm system are 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 monitoring service provider prior to the service being terminated.

**(103) Section 902 of the International Fire Code, 2021 edition, is hereby amended, in part, to add to and revise the existing definitions contained in Section 902.1 by inserting the following definitions, in alphabetical order:**

**SINGLE-FAMILY RESIDENTIAL, ATTACHED DWELLING UNIT.** A single-family attached residential unit is a building on an individual lot or tract of land intended for occupancy by one family that shares one or more common walls with similar adjacent units, also on individual lots such as townhomes, condominiums, or brownstones.

**(104) Section 903.1.1 of the International Fire Code, 2021 edition, is hereby amended 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 were recognized by the applicable standard, or as approved by the Fire Code Official.

**(105) Section 903.1.2 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**903.1.2 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 Chapter 9.

**(106) Section 903.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows and delete the exception:**

**903.2 WHERE REQUIRED.** {Existing text remains unchanged.}

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. 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."

Delete the exception.

**(107) Section 903.2.6 of the International Fire Code, 2021 Edition, is hereby amended to amend Exception #2 to read as follows:**

2. An automatic sprinkler system is not required where in-home residential Group I-4 daycare facilities are at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door.

**(108) Section 903.2.8 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**903.2.8 GROUP R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be installed throughout all buildings with a Groups R fire area, including single-family residential, attached dwelling units of three (3) or more.

**(109) Section 903.2.8.5 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**903.2.8.5 STORAGE ROOMS.** Within Group R occupancies, storage areas that are leased or rented shall comply with Section 903.2.9.5.

**(110) Section 903.2.9.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

Delete the exception in its entirety.

**(111) Section 903.2.9 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 903.2.9.5 to read as follows:**

**903.2.9.5 SELF-SERVICE STORAGE FACILITY.** An approved automatic sprinkler system shall be installed throughout all self-service storage facilities.

**(112) Section 903.2.9.5 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 903.2.9.5.1 to read as follows:**

**903.2.9.5.1. VERTICAL STORAGE LIMITS.** A screen shall be installed at eighteen inches (18") below the level of the sprinkler heads to restrict storage above that level. This screen shall be a mesh of not less than one inch (1") nor greater than six inches (6") in size. The screen and its supports shall be installed such that all elements are at least eighteen inches (18") below any sprinkler heads, measured from the level of the sprinkler deflector.

**(113) Section 903.2.11.3 and the associated exceptions of the International Fire Code, 2021 edition, are hereby amended to read as follows:**

**903.2.11.3 BUILDINGS MORE THAN 35 FEET IN HEIGHT.** An automatic sprinkler system shall be installed throughout buildings that have one or more stories, other than penthouses in compliance with Section 1511 of the International Building Code, located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access measured to the finished floor.

**(114) Sections 903.2.11.7 through Section 903.2.11.9 of the International Fire Code, 2021 edition, are hereby added to read as follows:**

**903.2.11.7 HIGH-PILED COMBUSTIBLE STORAGE.** For any building with a clear height exceeding 12 feet (4,572 mm), see Chapter 32 to determine if those provisions apply.

**903.2.11.8 SPRAY BOOTHS AND ROOMS.** New and existing spray booths and spraying rooms shall be protected by an approved automatic sprinkler system and/or an approved automatic fire extinguishing system in accordance with Chapter 9 and Section 1504.

**903.2.11.9. BUILDINGS OVER 4,000 SQ. FT.** An automatic sprinkler system shall be installed throughout all buildings with a building area 4,000 sq. ft. or greater and in all existing buildings that are enlarged to be 4,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the International Building Code where all the following conditions apply:

- a. The structure is freestanding.
- b. The structure does not contain any mixed uses, accessory uses, storage rooms, electrical rooms, elevators, or spaces used or occupied for anything other than motor vehicle parking.
- c. The structure does not exceed 3 stories.
- d. An approved fire apparatus access road is provided around the entire structure.

**(115) Section 903.3.1 is hereby amended to add the following language at the end of the current text in such section:**

**903.3.1 STANDARDS.** {Retain existing text unchanged.} For any structure or building, for which a specific use, lease, or tenant cannot be identified, such as a speculative retail or office building, the sprinkler system shall be designed to Ordinary Hazard Group II, or as permitted by the Fire Code Official.

For any structure or building with a clear height in excess of 12 feet, the sprinkler system shall be designed to provide a minimum of Ordinary Hazard Group II.

For any structure or building with a clear height in excess of 12 feet, and with a primary use of storage or warehouse, the sprinkler system shall be designed to protect Class IV Commodities to the maximum storage height.

All buildings 2 or more stories in height shall be provided with floor control valves.

Exception: If a commodity type and storage height can be determined, the sprinkler system shall be designed accordingly to the approved commodity class and storage height.

**(116) Section 903.3.1.1.1 of the International Fire Code, 2021 edition, is hereby amended 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... {text unchanged} ... 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 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 2 hours.
4. {Delete}
5. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete.}

**(117) Section 903.3.1.1.3 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**903.3.1.1.3 RESIDENTIAL SYSTEMS.** In Group R occupancies, an NFPA 13 fire sprinkler system installed in accordance with 903.3.1.1 shall be required where the building is designed to exceed the maximum allowable factors of Tables 504.3, 504.4, or 506.2 of the 2021 International Building Code for the occupancy classification and construction type. For the purposes of this provision, fire walls shall not define separate buildings.

**(118) Section 903.3.1.2 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**903.3.1.2 NFPA 13R SPRINKLER SYSTEMS.** Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is 35 feet (10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is 35 feet (10668 mm) or less below the lowest level of fire department vehicle access.

{No change to remainder of section.}

**(119) Section 903.3.1.2.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**903.3.1.2.1 BALCONIES AND DECKS.** Sprinkler protection shall be provided for exterior balconies, decks, and ground floor patios of dwelling units and sleeping units. {delete the remaining}

**(120) Section 903.3.1.2.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**903.3.1.2.2 CORRIDORS AND BALCONIES.** Sprinkler protection shall be provided in all corridors and for all balconies. {delete the rest of this section.}

**(121) Section 903.3.1.2.3 of the International Fire Code, 2021 edition, is hereby replaced to read as follows:**

**903.3.1.2.3. ATTICS AND ATTACHED GARAGES.** Sprinkler protection is required in attached garages, and in the following attic spaces.

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
2. Where fuel fired equipment is installed in an un-sprinkled attic, not fewer than one quick-response intermediate temperature sprinkler shall be installed above the equipment.
3. Attic spaces of buildings two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by item 1 or 3 to have sprinklers shall comply with one of the following:
  - 4.1 Provide automatic sprinkler system protection.
  - 4.2 Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.
  - 4.3 Construct the attic using noncombustible materials.
  - 4.4 Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the International Building Code.
  - 4.5 Fill the attic with noncombustible insulation.

**(122) Section 903.3.1.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows.**

**903.3.1.3 NFPA 13D SPRINKLER SYSTEMS.** Where allowed, automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

**(123) Section 903.3.1.3.1 of the International Fire Code, 2021 edition is hereby added to read as follows:**

**903.3.1.3.1 DESIGN CRITERIA.** In addition to design criteria, 13D systems shall be designed as follows:

1. Piping shall be run vertically inside interior walls and horizontally between floors and unheated garages.
2. Garages shall be protected when a living space or portion thereof is provided above.
- 3.

**(124) Section 903.3.1.4 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**903.3.1.4 FREEZE PROTECTION.** Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

**903.3.1.4.1 ATTICS.** Only dry-pipe, pre-action, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

**903.3.1.4.2 HEAT TRACE/INSULATION.** Heat trace/insulation shall only be allowed where approved by the Fire Code Official for small sections of large diameter water-filled pipe.

**(125) Section 903.3.5 of the International Fire Code, 2021 edition is hereby amended to add a second paragraph immediately following the current paragraph to read as follows:**

Water supply as required for such 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. Reference Section 507.4 for additional design requirements.



- (126) ***Section 903.3.7 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**903.3.7. FIRE DEPARTMENT CONNECTIONS.** The fire department connection shall be located within five feet of the fire lane and shall be within 50 feet of a fire hydrant and on the same side of the roadway. All fire department connections shall be remotely located away from the building. The height of shall be between 18" and 36". The FDC shall be equipped with a Knox brand 5" Storz Connection, a 30 degree down angle, and locking Knox cap, unless otherwise approved. The Fire Marshal shall approve the location.

- (127) ***Section 903.4 of the International Fire Code, 2021 edition is hereby amended to add a second paragraph immediately after the existing paragraph to read as follows:***

{Existing text to remain unchanged.} Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. Additionally, the detectors shall identify the fire area of the alarm. All control valves in the sprinkler and standpipe systems, including accessible backflow preventers; and, except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

- (128) ***Section 903.4.2 of the International Fire Code, 2021 edition is hereby amended to add a second paragraph immediately following the current paragraph to read as follows:***

{Existing text to remain unchanged.} 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. One device shall be located at the riser room and one device shall be located as close as practicable to the fire department connection. If needed the strobe shall be pole mounted no more than 5 feet from the FDC.

- (129) ***Section 903.6 of the International Fire Code, 2021 edition is hereby amended to add a add a new section 903.6.1 to read as follows:***

**903.6.1 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 2404.

- (130) ***Sections 905.3.9 and 905.3.9.1 of the International Fire Code, 2021 edition are hereby added to read as follows:***

**905.3.9. BUILDINGS EXCEEDING 10,000 SQUARE FEET.** In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior is more than 200 feet (60960 mm) of travel, vertically or horizontally, from the nearest point of fire department vehicle access, Class 1 automatic wet standpipes shall be provided.

**Exceptions:**

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

**(131) Section 905.4 Items 1, 3, and 5 of the International Fire Code, 2021 edition are hereby amended, and Item 7 is hereby added to read as follows:**

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the Fire Code Official.
2. {No change.}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

**Exception:** Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a {remainder of text unchanged}

4. {No change.}
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 to serve the roof or at the highest landing of an interior exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
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, or as otherwise approved by the fire code official.

- (132) ***Section 905.8 of the International Fire Code, 2021 edition is hereby added to read as follows:***

**905.8 DRY STANDPIPES.** Dry standpipes shall not be installed.

**Exception:** Where subject to freezing and in accordance with NFPA 14. Additionally, 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 Supervisory alarm.

- (133) ***Section 905.9 of the International Fire Code, 2021 edition is hereby amended to add a second controlling paragraph after the Exceptions to the existing paragraph to read as follows:***

{Existing text to remain unchanged.} Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the 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 electronically supervised to initiate a supervisory signal at the central station upon tampering.

- (134) ***Section 906.1 of the International Fire Code, 2021 edition is hereby added to read as follows:***

906.1 (1) delete exception 3 in its entirety.

- (135) ***Section 907.1.4 of the International Fire Code, 2021 edition is hereby added to read as follows:***

**907.1.4 DESIGN STANDARDS.** Where a new or replacement fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

**Exception:**

Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 12 months of permit application.

- (136) ***Section 907.1 of the International Fire Code, 2021 edition is hereby amended to add a new Section 907.1.5 to read as follows:***

**907.1.5. REQUIRED INSTALLATIONS.** All commercial occupancies shall be protected by an approved manual and automatic fire alarm system. The system shall be monitored by an approved remote supervising station. Approved systems shall include full audio/visual notification services and manual pull stations at all exits. There shall be only one fire alarm control panel allowed per business address or per building.

**(137) Section 907.2 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**907.2. WHERE REQUIRED.** An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in all commercial buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide the occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

Manual fire alarm boxes shall be located at every exit to the building/structure and be provided in an approved location and installed in accordance with Section 907.4.2. The manual fire alarm boxes shall initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow for the elimination of the fire alarm boxes due to sprinkler installation, the requirements of this section shall supersede all other exceptions.

**(138) Section 907.2.1 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**907.2.1 GROUP A.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 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 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.
3. The occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

{Delete the exception in its entirety.}

**(139) Section 907.2.3 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**907.2.3 GROUP E.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5.2.2 and installed in accordance with 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 one hundred feet (100') 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. 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 2 1/2 or less years of age, see Section 907.2.6.)

{Exception 2 remains unchanged.}

{Delete exception 3 in its entirety.}

{Delete exception 4 in its entirety.}

**(140) Section 907.2.6.4 of the International Fire Code, 2021 edition is added to read as follows:**

**907.2.6.4 GROUP I-4 OCCUPANCIES.** Group I-4 occupancies shall be equipped with a manual fire alarm system and automatic smoke detection system installed for occupants and staff. The system shall be activated in accordance with Section 907.4.

**907.2.6.4.1 MANUAL FIRE ALARM BOX.** Manual fire alarm boxes are required to be located in accordance with Sections 907.4.2 and at staff-attended locations.

**907.2.6.4.2 OCCUPANT NOTIFICATION.** Occupant notification shall be required as per Section 907.5.

**(141) Section 907.2.10 of the International Fire Code, 2021 edition is added to read as follows:**

**907.2.10 GROUP S.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies for interior corridors and interior common areas. Visible notification appliances are not required within storage units. The occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

{Delete the exception in its entirety.}

**(142) Section 907.2.13, Exception 3 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**907.2.13. HIGH-RISE BUILDINGS.** Buildings having any 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 fire alarm system and an emergency voice alarm communications system in accordance with Section 907.2.12.3.

**Exceptions:**

1. {no change}
2. {no change}
3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the International Building Code; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.
4. {no change}
5. {no change}
6. {no change}

**(143) Section 907.4.2 of the International Fire Code, 2021 edition is hereby amended to amend section 907.4.2.1 to read as follows:**

**907.4.2.1 LOCATION.** Manual fire alarm boxes shall be located at every exit of the building, this placement also includes manual fire alarm boxes at the top of the stairs as the exit from stories other than ground level of the building. Manual fire alarm boxes shall be located not more than 5 feet (1524 mm) from each exit.

**(144) Section 907.4.2 of the International Fire Code, 2021 edition is hereby amended to add section 907.4.2.7 to read as follows:**

**907.4.2.7 TYPE.** Manual alarm actuating devices shall be an approved double action type. In a building or strip of buildings consisting of multiple suites or businesses, each occupancy shall have manual actuating devices installed.

**(145) Section 907.5 of the International Fire Code, 2021 edition is hereby amended to add section 907.5.3 to read as follows:**

**907.5.3 OCCUPANT NOTIFICATION.** Occupant notification in accordance with this section and 907.5 shall be required for all new construction, or existing construction complying with the International Building Code, for renovations to existing buildings, tenant spaces, changes in occupancy, replacement, or modification of the existing fire alarm system, or as required by the Fire Code

Official, for all buildings or spaces provided with an approved automatic sprinkler system.

**(146) Section 907.6.1.1 of the International Fire Code, 2021 edition is hereby added to read as follows:**

**907.6.1.1 WIRING 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 signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from an addressable input (monitor) module may be wired Class B, provided the distance from the addressable module to the initiating device is ten feet or less.

**(147) Section 907.6.3 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

Delete all four exceptions.

**(148) Section 907.6.3 of the International Fire Code, 2021 edition is hereby amended to add a new Section 907.6.3.2 to read as follows:**

**907.6.3.2 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.

**(149) Section 907.6.6 of the International Fire Code, 2021 edition is hereby amended to add a sentence to the final paragraph to read as follows:**

See 907.6.3 for the required information transmitted to the supervising station.

**(150) Section 907.6.7 of the International Fire Code, 2021 edition is hereby amended to add a new section to read as follows:**

**907.6.7 WATERFLOW NOTIFICATION.** When required by Section 903.4.2, an exterior audible and visible notification device shall be provided on the exterior of the building at the riser room; an exterior audible and visible device shall also be located above the Fire Department Connection, either on the aboveground

enclosure or pole mounted. The notification device shall operate on a waterflow alarm only, shall be non-silenceable and shall continue to operate after the panel is silenced on the condition the alarm was a waterflow alarm only. The notification device shall be wired from the fire alarm control panel as a dedicated latching circuit. Minimum candela rating for the notification device shall be 75 (cd) candelas.

**(151) Section 907.11 of the International Fire Code, 2021 edition is hereby amended to add a new section to read as follows:**

**907.11 FIRE EXTINGUISHING SYSTEMS.** Automatic fire-extinguishing systems shall be connected to the building fire alarm system where a fire alarm system is required by another section of this code or is otherwise installed.

**(152) Section 907.12 of the International Fire Code, 2021 edition is hereby amended to add a new section to read as follows:**

**907.12 INTERCONNECTION.** Fire alarm systems installed in multi-building developments which share a common address shall be interconnected. Each building shall be provided with a fire alarm panel which reports back to a common location for signal transmission to the monitoring station. Each building shall be provided with full command and control of its system without the need to reset from the common signal transmitting location. All alarms shall annunciate at a normally occupied location per 907.6.3.

**(153) Section 909.23 of the International Fire Code, 2021 edition is hereby amended to add a new section to read as follows:**

**909.23 STAIRWAY OR RAMP PRESSURIZATION ALTERNATIVE.** Where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and the stair pressurization alternative is chosen for compliance with Building Code requirements for a smokeproof enclosure, interior exit stairways or ramps shall be pressurized to a minimum of 0.10 inches of water (25 Pa) and a maximum of 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect. Such systems shall comply with Section 909, including the installation of a separate fire-fighter's UL-listed smoke control panel as per Section 909.16, and a Smoke Control Permit shall be required from the fire department as per Section 105.6.

**909.23.1 VENTILATING EQUIPMENT.** The activation of ventilating equipment for the stair or ramp pressurization system shall be by smoke detectors installed at each floor level at an approved location at the entrance to the smokeproof enclosure. When the closing device for the stairway or ramp shaft and vestibule doors is activated by smoke detection or power failure, the mechanical equipment shall activate and operate at the required performance levels. Smoke detectors shall be installed in accordance with Section 907.3.



**909.23.1.1 VENTILATION SYSTEMS.** Smokeproof enclosure ventilation systems shall be independent of other building ventilation systems. The equipment, control wiring, power wiring and ductwork shall comply with one of the following:

1. Equipment, control wiring, power wiring and ductwork shall be located exterior to the building and directly connected to the smokeproof enclosure or connected to the smokeproof enclosure by ductwork enclosed by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
2. Equipment, control wiring, power wiring and ductwork shall be located within the smokeproof enclosure with intake or exhaust directly from and to the outside or through ductwork enclosed by not less than 2-hour barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
3. Equipment, control wiring, power wiring and ductwork shall be located within the building if separated from the remainder of the building, including other mechanical equipment, by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

**Exceptions:**

1. Control wiring and power wiring utilizing a 2-hour rated cable or cable system.
2. Where encased with not less than 2 inches (51 mm) of concrete.
3. Control wiring and power wiring protected by a listed electrical circuit protective system with a fire-resistance rating of not less than 2 hours.

**909.23.1.2 STANDBY POWER.** Mechanical vestibule and stairway and ramp shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 2702 of the Building Code.

**909.23.1.3 ACCEPTANCE AND TESTING.** Before the mechanical equipment is approved, the system shall be tested in the presence of the Fire Code Official to confirm that the system is operating in compliance with these requirements.

**(154) Section 910.2, Exceptions 2 and 3 of the International Fire Code, 2021 edition are hereby amended to read as follows:**

2. Only manual smoke and heat removal shall be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.

3. Only manual smoke and heat removal shall be required in areas of buildings equipped with control mode special application sprinklers with a response time index of  $50(m^*S)^{1/2}$  or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

**(155) Section 910.2.3 of the International Fire Code, 2021 edition is hereby added 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 (1,394 m<sup>2</sup>) in single floor area.

**Exception:** Buildings of noncombustible construction containing only noncombustible 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 noncombustible materials.

**(156) Section 910.3.4, 910.3.4.1, and 910.3.4.2 of the International Fire Code, 2021 edition are hereby added to read as follows:**

**910.3.4 VENT OPERATION.** Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.4.1 through 910.3.4.2.

**910.3.4.1 SPRINKLERED BUILDINGS.** Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

**Exception:** Manual only systems per Section 910.2.

**910.3.4.2 NON-SPRINKLERED BUILDINGS.** Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

**Exception:** Listed gravity-operated drop out vents.

**(157) Section 910.4.3.1 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**910.4.3.1 MAKEUP AIR.** Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m<sup>2</sup> per 0.4719 m<sup>3</sup>/s) of smoke exhaust.

**(158) Section 910.4.4 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**910.4.4 ACTIVATION.** The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by an approved fire detection system. Individual manual controls shall also be provided.

**Exception:** Manual only systems per Section 910.2.

**(159) Section 912.2.1 of the International Fire Code, 2021 edition is hereby amended by adding the following text to the end of the current text:**

**912.2.1 VISIBLE LOCATION.** The FDC shall be remotely located on the street side of buildings or facing approved fire apparatus access roads; and, set back 5 feet from the back of curb or fire lane and provided with vehicle impact protection in accordance with Section 312. FDCs shall be fully recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access or as otherwise approved by the Fire Code Official.

**(160) Section 912 of the International Fire Code, 2021 edition is hereby amended to add Section 912.2.3 and 912.2.4 to read as follows:**

**912.2.3 FDC IDENTIFICATION.** New and existing fire department connections shall be identified in accordance with Section 512. Additionally, the barrel shall be painted traffic red.

**912.2.4. HYDRANT DISTANCE.** An approved fire hydrant shall be located within 50 feet, on same side of the fire lane of the fire department connection as the fire hose lays along an unobstructed path unless approved by the Fire Marshal.

**(161) Section 912.4 of the International Fire Code, 2021 edition is hereby amended to add the following text to the end of the current text:**

**912.4 ACCESS.** {Current text unchanged.} A minimum clear and unobstructed pathway of 10 feet shall be provided to access the fire department connection.

- (162) **Section 912.5 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**912.5 SIGNS.** Signs shall be provided on all fire department connections serving automatic sprinklers, standpipes, or fire pump connections. Where the fire department connection does not serve the entire building, the sign shall indicate the portions of the building served. All signs shall comply with Section 512.

- (163) **Section 913.2.1 of the International Fire Code, 2021 edition is hereby amended to add a second paragraph and add an exception 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 3 feet in width and 6-8 feet 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.

- (164) **Section 914.3.1.2 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**914.3.1.2 WATER SUPPLY TO REQUIRED FIRE PUMPS.** In buildings that are more than 120 feet (128 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

**Exception:** {No change to exception.}

- (165) **Section 916.9 of the International Fire Code, 2021 edition is hereby amended by adding the following text to the end of the current text:**

**916.9 SIGNAGE.** {Current text unchanged.} Signs shall comply with Section 512.

- (166) **Section 1006.2.1 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**1006.2.1 EGRESS BASED ON OCCUPANT LOAD AND COMMON PATH OF EGRESS TRAVEL DISTANCE.** Two exits or exit access doorways from any space shall be provided where the design occupant load or the common path of egress

travel distance exceeds the values listed in Table 1006.2.1. The cumulative occupant load from adjacent rooms, areas or space shall be determined in accordance with Section 1004.2.

**Exceptions:**

- 1. {No change.}
- 2. {No change.}
- 3. Unoccupied rooftop mechanical rooms and penthouses are not required to comply with the common path of egress travel distance measurement.

**(167) Section 1006.2.2.7 of the International Fire Code, 2021 edition is hereby added to read as follows:**

**1006.2.2.7 ELECTRICAL ROOMS.** For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

**(168) Section 1009.1 of the International Fire Code, 2021 edition is hereby amended by adding Exception 3 to read as follows:**

- 3. 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 1009 and Chapter 11.

**(169) Section 1009.8 of the International Fire Code, 2021 edition is hereby amended to add an Exception 7 to read as follows:**

**Exceptions:**

- {Exceptions 1-6 No Change.}
- 7. 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 1009 and Chapter 11.

**(170) Section 1010.2.5 Exceptions 3 and 4 of the International Fire Code, 2021 edition are hereby amended to insert a sentence at the beginning of each such Exception to read as follows:**

**Exceptions:**

- 3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy. {Remainder unchanged}
- 4. Where a pair of doors serves a Group A, B, F, M or S occupancy {Remainder unchanged}

**(171) Section 1010.2.11, Item 5 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

5. Panic or fire exit hardware shall be required, and operation of the panic or fire exit hardware shall release the electric lock.

**(172) Section 1020.2 of the International Fire Code, 2021 edition is hereby amended by adding Exception 6 to read as follows:**

**Exceptions:**

{Exceptions 1-5 No Change.}

6. In unsprinklered group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector shall activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors shall be connected to an approved automatic fire alarm system where such system is provided.

**(173) Section 1023.12 of the International Fire Code, 2021 edition of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**1023.12. SMOKEPROOF ENCLOSURES.** In buildings required to comply with Section 403, 405, or 412 of The International Building Code, each of the exits of a building that serves stories where any floor surface is located more than 55 feet above the lowest level of fire department vehicle access or more than 30 feet below the level of exit discharge serving such floor levels shall be a smoke proof enclosure or pressurized stairway in accordance with Section 909.20 of the International Building Code.

**(174) Section 1025.1 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**1025.1 GENREAL.** Approved luminous egress path markings delineating the exit path shall be provided in high-rise buildings in accordance with this section.

**(175) Section 1030.1.1.1 of the International Fire Code, 2021 edition is hereby deleted in its entirety.**

**(176) Section 1032.2 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**1032.2 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 another emergency. An exit or exit passageway shall not be used for any purpose that interferes with a means of egress. Security devices affecting means of egress shall be subject to approval of the Fire Code Official.

**(177) Section 1102 of the International Fire Code, 2021 edition is hereby amended by adding the following definition:**

**WORK AREA.** The portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this or other codes.

**(178) Section 1103.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**1103.2 EMERGENCY RESPONDER RADIO COVERAGE IN EXISTING BUILDINGS.** Existing buildings that do not have approved radio coverage for emergency responders within the building, based on the existing coverage levels of the public safety communications system of the jurisdiction at the exterior and all portions of the interior of the building, shall be equipped with such coverage according to one of the following:

{Conditions remain unchanged.}

**(179) Section 1103.3 of the International Fire Code, 2021 edition, is hereby amended by adding a sentence to the end of paragraph to read as follows:**

Provide emergency signage as required by Section 604.4.

**(180) Section 1103.5.1 of the International Fire Code, 2021 edition, is hereby amended to add a sentence to read as follows:**

**GROUP A2.** Fire sprinkler addition shall be completed within 24 months from the date of notification by the Fire Code Official.

**(181) Section 1103.5.6 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**1103.5.6 SPRAY BOOTHS AND ROOMS.** Existing spray booths and spray rooms shall be protected by an approved automatic fire extinguishing system in accordance with Section 2404.

**(182) Sections 1103.7.7 and 1103.7.7.1 of the International Fire Code, 2021 edition, are hereby added to read as follows:**

**1103.7.7 FIRE ALARM SYSTEM DESIGN STANDARDS.** Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

Exception: Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

**1103.7.7.1 COMMUNICATION REQUIREMENTS.** Refer to Section 907.6.3.2 for applicable requirements.

**(183) Section 1104.25 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

**1104.25 EGRESS PATH MARKINGS.** Existing high-rise buildings shall be provided with luminous egress path markings in accordance with Section 1025.

**(184) Section 1107 'MODIFICATION AND ALTERATIONS' is hereby added to the International Fire Code, 2021 edition, to read as follows.**

**SECTION 1107  
MODIFICATION AND ALTERATIONS**

**1107.1 AUTOMATIC SPRINKLER SYSTEMS.** Automatic sprinkler systems shall be provided throughout a building per Section 903 where:

1. The work area is required to be provided with automatic sprinkler protection in accordance with this Code; and,
2. The work area exceeds, or 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; or, in multi-level buildings work area exceeds or 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.

**1107.1.1 FOUR THOUSAND (4,000) SQUARE FEET.** An automatic fire protection system shall be installed throughout existing buildings enlarged to 4,000 square feet or greater, regardless of its current square footage. For the purpose of this provision, new and/or existing fire walls shall not define separate buildings. Building area is defined by the reflection of the roof, commonly referred to as "drip line."

**1107.2 STANDPIPES.** Standpipe systems shall be provided throughout a building where:

1. The work area is required to be provided with automatic sprinkler protection per this section, and
2. Standpipes would be required in accordance with this Code.

**1107.3 FIRE ALARM AND DETECTION.** An approved fire alarm and detection systems shall be installed where:

1. The work area is required to be provided with fire alarm and detection system in accordance with this Code; or,
2. The work area exceeds, or 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; or, in multi-level buildings work area exceeds or 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.

**1107.4 CUMULATIVE WORK.** Where the cumulative work over a period of time is greater than or equal to 50 percent of the building's initial floor area, the provisions of this section shall apply. Initial building floor area shall be determined by the building's original, or oldest available, building permit construction documents.

**1107.5 CHANGE OF USE.** Where a change of use or hazard occurs, all provisions of this Code shall be required consistent with the new use.

**(185) Section 1203 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**1203.1.3 INSTALLATION.** Emergency power systems and standby power systems shall be installed in accordance with the International Building Code, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

**1203.1.5 LOAD DURATION.** Emergency power systems and standby power systems shall be designed to provide the required power for a minimum

duration of 2 hours without being refueled or recharged, unless specified otherwise in this code.

**Exception:** Where the system is supplied with natural gas from a utility provider and is approved.

**1203.1.10 CRITICAL OPERATIONS POWER SYSTEMS (COPS).** For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

**1203.2 WHERE REQUIRED.** Emergency and standby power systems shall be provided where required by Sections 1203.2.1 through 1203.2.26 or elsewhere identified in this code or any other referenced code.

**1203.2.4 EMERGENCY VOICE/ALARM COMMUNICATIONS SYSTEMS.** Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

- Covered and Open Malls, Section 907.2.20 and 914.2
- Group A Occupancies, Sections 907.2.1 and 907.5.2.2
- Special Amusement Areas, Section 907.2.12 and 914.7
- High-rise Buildings, Section 907.2.13 and 914.3
- Atriums, Section 907.2.14 and 914.4
- Deep Underground Buildings, Section 907.2.19 and 914.5

**1203.2.15 MEANS OF EGRESS ILLUMINATION.** Emergency power shall be provided for means of egress illumination in accordance with Sections 1008.3 and 1104.5.1. (90 minutes)

**1203.2.16 MEMBRANE STRUCTURES.** Emergency power shall be provided for exit signs in temporary tents and membrane structures in accordance with Section 3103.12.6. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the International Building Code. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4.

**1203.2.18 SMOKE CONTROL SYSTEMS.** Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11:

- Covered Mall Building, *International Building Code*, Section 402.7
- Atriums, *International Building Code*, Section 404.7
- Underground Buildings, *International Building Code*, Section 405.8

- Group I-3, *International Building Code*, Section 408.4.2
- Stages, *International Building Code*, Section 410
- Special Amusement Areas (as applicable to Group A's), *International Building Code*, Section 411
- Smoke Protected Seating, Section 1030.6.2

**(189) Section 1203.2.19 is hereby amended to read as follows:**

**1203.2.20 COVERED AND OPEN MALL BUILDINGS.** Emergency power shall be provided in accordance with Section 907.2.19 and 914.2.3.

**1203.2.21 AIRPORT TRAFFIC CONTROL TOWERS.** A standby power system shall be provided in airport traffic control towers more than 65 ft. in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment, and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

**1203.2.22 SMOKEPROOF ENCLOSURES AND STAIR PRESSURIZATION ALTERNATIVE.** Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.6.2.

**1203.2.23 ELEVATOR PRESSURIZATION.** Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

**1203.2.24 ELIMINATION OF SMOKE DAMPERS IN SHAFT PENETRATIONS.** Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

**1203.2.25 COMMON EXHAUST SYSTEMS FOR CLOTHES DRYERS.** Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code*, Section 504.10, Item 7.

**1203.2.26 MEANS OF EGRESS ILLUMINATION IN EXISTING BUILDINGS.** Emergency power shall be provided for means of egress illumination in accordance with Section 1104.5 when required by the Fire Code Official. (90 minutes in I-2, 60 minutes elsewhere.)

**(186) Section 1203.7 of the *International Fire Code*, 2021 edition, is hereby amended to read as follows:**

**1203.7 ENERGY TIME DURATION.** Unless a time limit is specified by the Fire Code Official, in this chapter or elsewhere in this code, or in any other referenced

code or standard, the emergency and standby power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

**Exception:** Where the system is supplied with natural gas from a utility provider and is approved.

**(187) Section 2304.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**2304.1 SUPERVISION OF DISPENSING.** The dispensing of fuel at motor fuel-dispensing facility 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 2304.3.

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 2304.3.

**(188) Section 2401.2 of the International Fire Code, 2021 edition, is hereby deleted in its entirety.**

**(189) Section 3103.3.1 of the International Fire Code, 2021 edition, is hereby deleted in its entirety.**

**(190) Table 3206.2, footnote h of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

h. Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of  $50 (m \cdot s)^{1/2}$  or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke removal systems shall be required within these areas.

**(191) Section 3311.1 of the International Fire Code, 2021 edition, is hereby amended to add the following language at the end of the current text:**

**3311.1 REQUIRED ACCESS.** Approved vehicle access for firefighting and emergency response shall be provided to all construction or demolition sites.

Vehicle access shall be provided to within 50 feet (15 240 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, access shall be approved prior to the time which construction has progressed beyond completion of the foundation of any structure. Whenever the connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign.

**(192) Section 5003.3.1.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**5003.3.1.4. RESPONSIBILITY FOR HAZARDOUS MATERIAL(S) INCIDENT.** Any party(ies) who accidentally, negligently, or intentionally causes or is responsible for a hazardous material(s) incident within the Town shall institute and complete all actions necessary to abate and remediate the effects of such an event at its sole cost. In addition, any such party(ies) shall be liable for the payment of all costs incurred by the fire department, police department, health department, public works department, or other departments or agencies which respond to or assist to abate such an event. The remedy provided by this section shall be in addition to any other remedies provided by law.

**(193) Section 5003.3.1.4 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 5003.3.1.4.1 and Section 5003.3.1.4.2 to read as follows:**

**5003.3.1.4.1. COSTS INCURRED.** Costs incurred by the fire department, police department, health department, public works department, or other departments of the Town shall include, but not be limited to, expenses attributable to the abatement or cleanup of any hazardous materials incident, including costs of personnel, costs of equipment operations, costs of materials and supplies, costs of specialists, experts or other contract labor not in the full-time employment of the Town, disposal costs, overhead costs, overtime costs and any other incidental costs incurred by the Town. Basic costs associated with the fire department services shall be \$400.00 per hour for each engine or truck company and \$ 250.00 per hour for each medical unit or utility vehicle. The responsible party(ies) shall be billed for the recovery of the costs described above as follows:

1. For the first hour of an incident, measured from the time the first fire department vehicle arrives at the incident scene, only the cost of materials, supplies, disposal, and specialists/experts not in the full-time employment of the Town shall be billed.

2. Beginning one hour after the first fire department vehicle arrives at the incident scene, all costs described in this section shall be billed.

**5003.3.1.4.2. LEGAL ACTION AND COLLECTION OF DAMAGES.**

Notwithstanding any penal provision of this article, the Town Attorney is authorized to file suit on behalf of the Town, the Fire Chief, or his authorized representative or both as may be necessary to enforce the provisions of this chapter and for the collection of damages as provided herein.

**(194) Section 5601.1.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**5601.1.3 FIREWORKS.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The presence or use of fireworks within the jurisdiction of the Town of Flower Mound in violation of this Ordinance is hereby declared to be a common and public nuisance. The restrictions of this section shall be applicable and in force throughout the territory of the Town of Flower Mound, Texas. The owner, lessee or occupant of the property or structure where fireworks are being stored or used shall be deemed responsible for violating this section.

**Exceptions:**

1. Only when approved for fireworks displays, storage and handling of fireworks as allowed in Section 5604 and 5608.
2. The use of fireworks for approved display as allowed in Section 5608.
3. Pursuant to 217.042(c) of the Texas Local Government Code, the sale of fireworks outside of the Town's limits does not fall within the definition of and is not prohibited as a common and public nuisance outside of the Town's corporate limits only.

**(195) Section 5601.1.4 of the International Fire Code, 2021 edition, is hereby amended by adding the following sentences to read as follows:**

The use of model and high-power rockets ("Rockets"), to the extent allowed or authorized, shall be subject to the issuance of a permit by the Fire Code Official. The storage, operation and use of Rockets shall be performed in strict compliance with criteria obtained from the Fire Code Official.

**(196) Section 5601.7.1 of the International Fire Code, 2021 edition, shall be added to read as follows:**

**5601.7.1 DOCUMENTATION.** The Fire Chief or his designee may seize and destroy illegal fireworks prior to a court appearance and photographs of such

seized and destroyed fireworks will provide sufficient evidence of a violation of Section 5601.1.3 for the municipal court.

**(197) Section 5605.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**5605.1. GENERAL.** The manufacture, assembly, and testing of explosives, ammunition, blasting agents, and fireworks are prohibited within the limits of the Town.

**Exception:** The hand loading of small arms ammunition prepared for personal use and not offered for resale.

{remainder of exceptions deleted}

**(198) Section 5608 of the International Fire Code, 2021 edition, is hereby amended to add a new Section 5608.11 to read as follows:**

**5608.11. IGNITION.** Aerial shells shall be ignited by lighting the tips of fuses by an electrical ignition source. Operators shall not place any part of their bodies over the throat of the mortar.

**(199) Section 5703.6 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**5703.6 PIPING SYSTEMS.** Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with Sections 5703.6.1 through 5703.6.11. An approved method of secondary containment shall be provided for underground tank and piping systems.

**(200) Section 5704.2.9.5 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**5704.2.9.5 ABOVE-GROUND TANKS INSIDE OF BUILDINGS.** Aboveground tanks inside of buildings shall comply with Sections 5704.2.9.5.1 through 5704.2.9.5.3.

**(201) Section 5704.2.11.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**5704.2.11.4 LEAK PREVENTION.** Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An approved method of secondary containment shall be provided for underground tank and piping systems.

- (202) ***Section 5704.2.11.4.2 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**5704.2.11.4.2 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 5704.2.11.4.3.

- (203) ***Section 5704.2.11.4.3 of the International Fire Code, 2021 edition, is hereby added to read as follows:***

**5704.2.11.4.3 OBSERVATION WELLS.** Approved sampling tubes of a minimum 4 inches (4") 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 (12") 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 (4) sumps. Sampling tubes shall be placed in the product line excavation within 10 feet (10') of the tank excavation and one every 50 feet (50') routed along product lines towards the dispensers, and a minimum of two (2) are required.

- (204) ***Section 5706.3 of the International Fire Code, 2021 edition, is hereby amended to read as follows:***

**5706.3. WELL DRILLING AND OPERATING.** Wells for oil and natural gas shall be drilled and operated in accordance with Sections 5706.3.1 through 5706.3.8 and Town Ordinance No. 26-03, as amended.

- (205) ***Section 5707.4 of the International Fire Code, 2021 edition, is hereby amended adding a second paragraph to read as follows:***

Mobile fueling sites shall be restricted to commercial, industrial, governmental, or manufacturing where the parking area having such operations is primarily intended for employee vehicles. Mobile fueling shall be conducted for fleet fueling or employee vehicles only, not the general public. Commercial sites shall be restricted to office-type or similar occupancies that are not primarily intended for use by the public.

- (206) ***Section 6103.2.1.8 of the International Fire Code, 2021 edition, is hereby added to read as follows:***

**6103.2.1.8 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 (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each



device shall be separated from other containers by a distance of not less than 20 feet (20').

**(207) Section 6104.2 of the International Fire Code, 2021 edition, is hereby amended to add exception 2 to read as follows:**

**Exceptions:**

1. {existing text unchanged.}
2. Except as permitted in Sections 308.3 and 6104.3.2, LP-gas containers are not permitted in residential areas.

**(208) Section 6104.3.3 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**6104.3.3 SPAS, POOL HEATERS AND OTHER LISTED DEVICES.** Where natural gas service is not available, LP-Gas containers are allowed to be used to supply spa and pool heaters or other listed devices.

Such containers shall not exceed 250-gallon water capacity. See Table 6104.3 for location of containers.

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

**(209) Section 6107.4 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**6107.4 PROTECTING CONTAINERS FROM VEHICLES.** Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators, and piping shall be protected in accordance with Section 312.

**(210) Section 6109.13 of the International Fire Code, 2021 edition, is hereby amended to delete the Exception in its entirety.**

**(211) Chapter 80 of the International Fire Code, 2021 edition, is hereby amended to add the following sentence to the introductory paragraph to read as follows:**

All reference standards from the National Fire Protection Association (NFPA), Batterymarch Park, Quincy, MA, will be referenced in the fire code from the NFPA's latest published edition for compliance within the fire code.

**(212) Section B105.2 of the International Fire Code, 2021 edition, is hereby amended by adding an Exception to read as follows:**

**Exception:** A reduction in required fire-flow of up to 50 percent (50%), as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1.

**(213) Table B105.2 of the International Fire Code, 2021 edition, is hereby amended by amending Footnote a. to read as follows:**

a. The reduced fire-flow shall not be less than 1,500 gallons per minute.

**(214) Appendix D of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**D102.1. ACCESS AND LOADING.** Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road. Fire lanes shall be constructed of a surface capable of supporting the imposed loads of an 85,000 lb. fire apparatus. The design shall be based on standards as published in Chapter 32 of the most current version of the Engineering Design Criteria and Construction Standards for the Town of Flower Mound. In no event shall speed bumps, speed humps, or other “traffic-calming” devices be placed, installed, or located in the fire lane or fire apparatus access road unless approved by the Fire Code Official.

**D103.2. GRADE.** Fire apparatus access roads shall not exceed 8 percent in grade.

**Exception:** Grades steeper than 8 percent shall be approved by the Fire Code Official.

**D103.3. TURNING RADIUS.** The required turning radius of a fire apparatus access road shall be a minimum of 25 feet inner radii and 45 feet exterior radii or as determined by the Fire Code Official.

**D103.4 Dead ends.** Dead-end fire apparatus access roads shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4**  
**REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS**

<b>LENGTH</b> <b>(feet)</b>	<b>WIDTH</b> <b>(feet)</b>	<b>TURNAROUNDS REQUIRED</b>
0–150	26	120-foot Hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac in accordance with Figure D103.1
151–500	26	120-foot Hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501–750	26	120-foot Hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

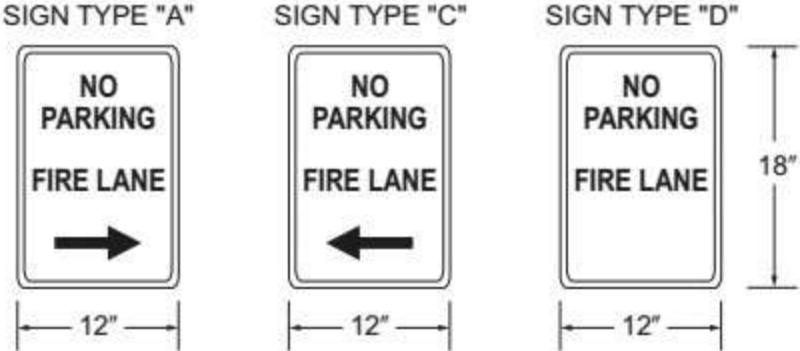
**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 24 feet (7315.2 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm).

**D103.6 Marking.** 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 be replaced or repaired when necessary to provide adequate visibility.

- (1) **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.
- (2) **Signs** – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high (See Figure D103.6). Signs shall have red letters on a white reflective background, using not

less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.



**D104.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

**D105.3 Proximity to building.** Unless otherwise approved by the fire code official, one or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building and shall be positioned parallel to two entire sides of the building. The sides of the building on which the aerial fire apparatus access road are positioned shall be *approved* by the *fire code official*.

**D106.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

**(215) Section L101.1 of the International Fire Code, 2021 edition, is hereby amended to read as follows:**

**L101.1 Scope.** A fire fighter air replenishment systems (FARS) shall be provided in all new construction when any one of the following conditions occur:

1. Any new building 5 or more stories in height from the lowest level of fire department access.
2. Any building determined to be a high-rise.
3. Any new building with 2 or more stories below grade.
4. Any new building with a total area of 500,000 square feet or more in size.
5. Any new R-2 occupancy, or mixed-use occupancy, in which the total fire area exceeds 400,000 square feet and is 4 stories or more from the lowest level of fire department access.

Each stairwell shall have a supply riser. SCBA fill panels shall be located on odd numbered floors commencing at the first level in the primary stairwell and on even numbered floors commencing at level 2 in the remaining stairwells. Fill panels in buildings over 500,000 square feet shall be located adjacent to each standpipe connection.

**(216) Section L103 of the International Fire Code, 2021 edition, is hereby amended to add Section 103.2.1 to read as follows:**

**L103.2.1 SUBMITTALS.** Plans and specifications shall be from a Firefighter Air Replenishment company and sealed by a Texas licensed PE.

**(217) Section L104.5 of the International Fire Code, 2021 edition, is amended to read as follows:**

**L104.5 BREATHING AIR SUPPLY.** The FARS shall be supplied by a minimum of one external mobile air connection in accordance with Section L104.14. Additional external mobile air connection may be required depending on the size of the facility and complexity. A stored pressure air supply shall be supplied by an external mobile air connection providing a means to bypass the stored pressure air supply located at the external mobile air connection.

**(218) Section L104.5.3 of the International Fire Code, 2021 edition, is hereby added to read as follows:**

**L104.5.3 LOCATION.** Stored pressure air supply shall be located in the fire protection equipment room or other approved location as determined by the Fire Code Official.

**(219) Section L104.13.1 of the International Fire Code, 2021 edition is hereby amended to read as follows:**

Delete this section in its entirety.

**(220) Section L104 of the International Fire Code, 2021 edition, is hereby amended to add Section L104.13.4 to read as follows:**

**L104.13.4 IDENTIFICATION.** In large area buildings the supporting column where the fill stations are located shall be identified with a White 4-inch 3M Diamond Grade reflective striping at the ceiling and floor levels.

**(221) Section L104.14 of the International Fire Code, 2021 edition, is hereby amended by adding a paragraph after the first paragraph to read as follows:**

The external mobile air connection shall be located with approved separation from the Fire Department Connection (FDC) to allow functionality of both devices by first responders; shall be visible from and within 50ft. of a fire apparatus access road along an unobstructed path; and shall be located in an approved signed, secured cabinet. If the cabinet is susceptible to vehicle impact, bollards shall be supplied for vehicle impact protection.

**(223) Section L104.15 of the International Fire Code, 2021 edition, is hereby amended by adding a sentence to the end of the paragraph to read as follows:**

Air monitoring shall be required at a location approved by the Fire Code Official.

**Sec. 38-6. Registration required.**

1. It shall be unlawful for any person, firm, or corporation to install, alter, repair, replace, or remodel any system specified by this chapter, or regulated by the fire code, without having first registered with the town. Registration shall be upon forms supplied by the fire marshal and shall expire on December 31 of each year.
2. All contractors performing work regulated by the International Fire Code, 2021 edition, including adopted amendments shall be registered prior to obtaining a permit or performing work in the Town.

**Exception:**

1. Contractors covered under Texas Insurance Code Title 20 Chapter 6003 are not required to register and are exempt from registration fees. However, a copy of your state license is required to be on file with the Fire Marshal's Office.
2. Contractor covered under Texas Occupations Code Title 10 Chapter 1702 shall register with the Fire Marshal's Office but are exempt from annual registration fees.

**Sec. 38-7. Construction or repair permits required.**

No person shall begin any work set forth in the International Fire Code, 2021 edition, including adopted amendments without having first obtained a separate fire department construction permit and paid the appropriate fees for these building installation features as set forth in Section 38-11, "Schedule of Fees", of this Code for new and remodel construction.

**Sec. 38-8. Penalty.**

Any person who violates any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in section 1-13. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

**Sec. 38-9. Hazardous Materials and Cost Recovery.**

**HAZARDOUS MATERIAL RELEASE:** Any party(ies) who accidentally, negligently, or intentionally causes or is responsible for a spill of hazardous material as defined in the Code which affects public or private property within the Town, shall be liable for the payment of all costs incurred by the Town in the effort to mitigate and abate the hazard. The remedy provided by this section shall be in addition to any other remedies provided by law.

**RECOVERABLE COSTS:** For the purposes of this chapter, costs incurred by the Town shall include, but not be limited to, all actual out-of-pocket expenses attributable to the abatement or cleanup of the hazardous material(s), including costs of equipment operations, costs of materials utilized, costs of third-party specialists, experts, or contract labor not in the full-time employment of the Town, overhead costs, overtime costs and any other incidental costs incurred by the town. Basic costs associated with Fire Department services shall be \$400.00 per hour for each engine or truck company and \$250.00 per hour for each medical unit or utility vehicle.

Recovery costs relative to hazardous materials incidents

1. Engine or truck, per hour - \$400.00
2. Medic unit, Utility vehicle, per hour - \$250.00
3. Personnel costs – Shall include wages, retirement, employee compensation, etc.
4. Equipment/supplies cost – Actual cost to replace utilized equipment and supplies.

**Sec. 38-10. Excessive False Fire Alarms.**

*Definitions.* As used in this section, the following words and terms shall have the following meanings:

**ENFORCEMENT OFFICIAL.** The Fire Chief, Fire Marshal, or designee.

**FALSE FIRE ALARM.** The activation of any alarm which results in the response of the fire department caused by the negligence or intentional misuse of a fire alarm system by the owner/occupant or employees, servants, or agents, or by any other activation not caused by heat, smoke, or fire, exclusive of a fire alarm malfunction. An alarm is not considered a false fire alarm if the alarm is activated due to obvious malicious causes beyond the control of the owner/occupant.

**FALSE ALARM MALFUNCTION.** The activation of any alarm which results in the response of the fire department caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance or any other response for which the fire department personnel are unable to gain access to the premises for any reason or are unable to determine the apparent cause of the alarm activation.

**FEE.** The assessment of a monetary charge payable to the Town of Flower Mound, authorized pursuant to this section, to defray the expenses of responding to a false alarm or malfunction.

**FIRE ALARM SYSTEM.** Any mechanical, electrical, or radio-controlled device which is designated to emit a sound or transmit a signal or message when activated or any such device which emits a sound and transmits a signal or message when activated because of smoke, heat, or fire. Without limiting the generality of the foregoing, alarm systems shall be deemed to include audible alarms at the site of the installation of the detection device, proprietor alarms and automatic telephone direct dial services or digital alarm communicator systems. A single station alarm device shall not be deemed to be a fire alarm system under this section.

**FIRE ALARM TECHNICIAN.** Any person who inspects, installs, repairs, or performs maintenance on fire alarm systems and who is licensed by the State of Texas or works under a state licensed alarm contractor.

**NUISANCE ALARM.** An alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.

**NOTIFICATION.** Communication, whether verbal or written, made to the owner/occupant or authorized representative established by their emergency contact information provided via the alarm monitoring company.

**OWNER/OCCUPANT.** Any persons or authorized representative who own, lease, operate, occupy, or manage the premises in which a fire alarm system is installed.

**PREMISES.** Any building or structure, or combination of buildings or structures, including residential dwellings, and tenant or lease spaces located wholly or partially inside such buildings or structures classified by the International Fire Code as a group A, B, E, F, H, I, M, R, S, or U occupancy, where a fire alarm system is installed.

**REQUIRED FIRE ALARM SYSTEM.** A fire alarm system which the owner/occupant of premises is required to install and maintain in an operative condition pursuant to this code.

**SERVE.** The hand-delivery of written notification by a representative of the fire department to the owner/occupant or authorized representative who responds to the



premises upon activation of a fire alarm system. In the event that the owner/occupant or authorized representative fails to respond to the premises within 30 minutes of the activation of the fire alarm system, “serve” shall also mean the placement of written notification, form or other documentation within the postal system operated by the United States Postal Service, addressed to the most current or last known address of the owner/occupant or authorized representative.

**OWNER/OCCUPANT RESPONSIBILITY, RESPONSE, AND NOTIFICATION.**

1. The responsibility for fire alarm system activation shall be that of the owner/occupant of the premises in which the fire alarm system is installed.
2. The owner/occupant shall respond and report to the premises within 30 minutes of notification by fire and/or police dispatch personnel of a fire alarm system activation. Failure of the owner/occupant to appear at said premises within 30 minutes after being notified shall result in an assessment fee by the town issued to the owner/occupant of the premises in the amount identified in the fee schedule found in Section 38-11, “Schedule of Fees,” of this Code.
3. The owner/occupant shall be served with a copy of a “Fire Alarm Activation Report.” Such report shall indicate if the fire alarm activation was either a false fire alarm or false alarm malfunction.
4. Once a false fire alarm of fire alarm malfunction has been responded to by the fire department, it shall be unlawful for the alarm panel to be reset by the owner/occupant of the premises, until authorization from the enforcement official has been obtained.

**FALSE FIRE ALARM AND FIRE ALARM MALFUNCTIONS FEE CHARGES.**

1. All fees charged to an owner/occupant regarding false fire alarms and false alarm malfunctions shall be billed and collected by the Town finance department.
2. No fee shall be assessed for the first three false fire alarms or fire alarm malfunctions, or any combination thereof, (collectively referred to as “false alarm” or “false alarms”) at the same premises within one calendar year. Beginning with the fourth false alarm and continuing through the seventh such false alarm within a single calendar year, a fee in the amount identified in the fee schedule found in Section 38-11, “Schedule of Fees,” of this Code shall be paid by the owner/occupant for each false alarm located in a group A, B, E, F, H, I M, U. R-1, and S occupancy. After the seventh false alarm has occurred at the premises within a single calendar year, the fee for each additional false alarm located in a group A, B, E, F, H, I M, U. R-1, and S occupancy during the remainder of the then current calendar year shall be an amount identified in the fee schedule found in Section 38-11, “Schedule of Fees,” of this Code.
3. No fees shall be assessed for the first three false alarms at a group R-3 occupancy premises during each calendar year. Beginning with the fourth false alarm and continuing through the seventh such false alarm within a single calendar year, a fee

in the amount identified in the fee schedule found in Section 38-11, "Schedule of Fees," of this Code shall be paid by the owner/occupant for each false alarm. After the seventh false alarm has occurred at the premises within a single calendar year, the fee for each false alarm during the remainder of the then current calendar year shall be in the amount identified in the fee schedule found in Section 38-11, "Schedule of Fees," of this Code.

- 4. False alarms activated by any components connected to the fire alarm system shall be included to compute the total number of false alarms for purposes of this section.
- 5. Should any fee assessed pursuant to this section remain unpaid in excess of 60 days from the date the charge is billed, a collection fee will be charged, in the amount identified in the fee schedule found in Section 38-11, "Schedule of Fees", of this Code. And interest in the amount of 12 percent per annum shall be assessed on the outstanding balance and shall be payable by the owner/occupant of the premises in addition to the original fee. The owner/occupant shall also be responsible for any legal fees or cost incurred by the town in the enforcement of this section.

**Sec. 38-11. Schedule of Fees.**

**GENERAL.** All fees assessed for fire code permits and other applicable fees shall be in accordance with this section.

**APPLICATION FEE.** Application fees shall be assessed on all applications in accordance with this section, or as outlined in Table 107. Application fees shall be paid at the time of application.

**CONSTRUCTION PERMIT FEE.** Construction Permit fees shall be assessed in accordance with this section, or as outlined in Table 107 and in accordance with section 105.6 of the International Fire Code, 2021 edition. Any construction permit fees assessed shall be paid prior to the release of permit. A permit is not issued until released by the Flower Mound Fire Department's Fire Marshal's Office and all fees are paid. Work performed on systems that have not been paid in full shall be considered as working without a permit and subject to fees in accordance with this section, or as outlined in Table 107. No person shall begin any of the following listed activities without having first obtained a separate fire department construction permit and paid the appropriate fees for these building installation features as set forth in this chapter for new and remodel construction

- 1. Applicable permit fees shall be doubled for any system required to be permitted by this code in which the installation of said fire protection system has commenced without the issuance of a permit(s); also known as "working without a permit."
- 2. Applicable permit fees shall be doubled for any system that has been permitted and in operation without first obtaining a final acceptance inspection from the Flower Mound Fire Marshal's Office; also known as "release of system prior to approval."

**OPERATIONAL PERMIT FEE.** Operational Permit fees shall be assessed in accordance with this section, or as outlined in Table 107 and in accordance with section 105.5 of the International Fire Code, 2021 edition. All operational permit fees are assessed and mailed by January 1 of the calendar year. All operational permit fees assessed shall be paid within thirty (30) days of issuance from the Flower Mound Fire Department’s Fire Marshal’s Office (FMFD-FMO). Fees that are not contested or paid within the thirty (30) days shall be subject to penalty as follows:

- 1. The first late notice (30 days late) a penalty shall be added to the permit fee by the sum equal to half the total amount due.
- 2. The second late notice (60 days late) operational permit fees shall be doubled of the total amount due.
- 3. The third late notice (90 days late) a Fire Marshal’s “Stop Work Order” shall be issued until all fees are paid in full.

**REGISTRATION REQUIRED**

- 1. It shall be unlawful for any person, firm, or corporation to install, alter, repair, replace, or remodel any system specified by this chapter, or regulated by the fire code, without having first registered with the town. Registration shall be upon forms supplied by the fire marshal and shall expire on December 31 of each year. Annual contractor registration fee shall be \$200.00 per calendar year.
- 2. All contractors performing work regulated by the International Fire Code, 2021 edition, including adopted amendments shall be registered prior to obtaining a permit or performing work in the Town.

**Exception:**

- 1. Contractors covered under Texas Insurance Code Title 20 Chapter 6003 are not required to register and are exempt from registration fees. However, a copy of your state license is required to be on file with the Fire Marshal’s Office.
- 2. Contractors covered under Texas Occupations Code Title 10 Chapter 1702 shall register with the Fire Marshal’s Office but are exempt from annual registration fees.

**INSPECTION FEE.** Inspection fees shall be assessed in accordance with this section, or as outlined in Table 107.

- 1. Fee of \$100 will be assessed for any inspections in which the contractor does not show up.
- 2. Fee of \$100 will be assessed for any inspection that is not cancelled within 24 hours prior to the scheduled inspection.
- 3. A fee of \$125.00 will be assessed for any re-inspection.

**PLAN REVIEW FEES.** Plan review fees shall be assessed in accordance with this section, or as outlined in Table 107 of this Chapter.

1. Plan reviews (second and subsequent submittals) required by changes, additions or revisions shall be assessed a fee of \$100. No fees shall be charged for any subsequent plan review of changes, additions, or revisions to plans which plan review was initiated solely by the Fire Chief, or his designee, for items that the Fire Chief failed to identify on a previous plan review.
2. Use of outside consultants for plan review, inspections, or both: Actual costs.

**FEE TABLE AND STANDARD FEES.** Unless stipulated elsewhere in this section, a minimum fee of \$100.00 (to include application fee) shall be assessed for any plan review and/or permits issued.

**TABLE 107  
FIRE DEPARTMENT FEE SCHEDULE**

<b>APPLICATION FEE<sup>a</sup></b> Required at time of application	<b>FEE</b>
Permit Applications	\$100.00
<b>CONTRACTOR REGISTRATION (per calendar year)</b>	<b>FEE</b>
Annual Contractor Registration	\$200.00
<b>CONSTRUCTION PERMIT FEES<sup>b</sup></b> Required after review and before the release of permit	<b>FEE</b> In addition to application fee
Aboveground Fuel Storage Tank	\$75.00 per tank
Access Controlled Egress Doors	\$100.00 per floor
Automatic Fire-Extinguishing Systems	\$100.00 (per riser) Plus, see Table 107.1, Valuation Fee Scale
Commercial Hood Suppression System	\$100.00 per system
Compressed Gases (incl. CO2 beverage dispensing) <sup>c</sup>	\$100.00
Cryogenic Fluids	\$100.00
Emergency Responder Communication Coverage System (ERRS)	\$100.00 (per donor antenna) Plus, see Table 107.1, Valuation Fee Scale

Energy Systems (Battery, Generator, Solar, etc.) IFC Chapter 12 Systems	\$100.00 per system type
Fire Alarm and Detection Systems and Related Equipment	\$100.00 (per addressable panel) Plus, see Table 107.1, Valuation Fee Scale
Fire Lane Modification/Repair	Application fee only
Fire Pumps and Related Equipment	\$100.00 (per pump) Plus, see Table 107.1, Valuation Fee Scale
Fire Service Underground Water Line	\$100.00 (per main tap) Plus, see Table 107.1, Valuation Fee Scale
Flammable and Combustible Liquids	Application Fee Only
Firefighter Air Replenishment System (FARS) <sup>c</sup>	\$100.00 Plus, see Table 107.1, Valuation Fee Scale
Foam	\$100.00
Gas Detection Systems	\$100.00
Gaseous Agent Suppression System	\$100.00
Gates and Barricades Across Fire Apparatus Access Roads	\$100.00 per gate
Hazardous Materials <sup>c</sup>	\$100.00
High-Piled Combustible Storage <sup>c</sup>	\$100.00
Hydrant Flow Test	Application Fee Only
Industrial Ovens <sup>c</sup>	\$100.00
LPG <sup>c</sup>	\$100.00
Mass Notification System	\$100.00
Motor Vehicle Repair Rooms and Booths	\$100.00
Private Fire Hydrants	\$100.00 per hydrant
Remote Fire Department Connection	\$100.00
Smoke Control or Smoke Exhaust Systems	\$100.00
Special Event Structure	\$150.00
Spray or Dipping (Paint) Booth <sup>c</sup>	\$100.00
Standpipe Systems (Stand-alone)	\$100.00 per riser

Temporary Membrane Structures and Tents <sup>c</sup>	\$100.00 per tent
Underground Storage Tank (UGST) Installation	\$250.00 per tank
Underground Storage Tank (UGST) Removal/Abandonment	\$100.00 per tank
Approved system modifications/alterations, repairs, (i.e., Automatic Fire-Extinguishing, Commercial Hood, ERRS, Energy Systems, Fire Alarm, Fire Pumps, FARS, Gates, Smoke Control, Standpipes)	Application Fee Plus, see Table 107.1, Valuation Fee Scale

Footnotes:

- a. For applications submitted for the review of Construction Permits as required by the IFC.
- b. Fee is in addition to application fee and is assessed per permit issued.
- c. Requires additional operational permits

<b>OPERATIONAL PERMIT FEE<sup>b</sup></b> permits for use and valid for a limited time	<b>RENEWAL PERIOD</b>	<b>FEE</b>
Aerosol products (105.6.1)	Annually	\$100.00
Amusement buildings (105.6.2)	Per Use	\$100.00
Aviation facilities (105.6.3)	Annually	\$100.00
Carnival and fairs (105.6.4)	Per Use	\$100.00
Compressed gases (105.6.8) (incl. CO2 beverage dispensing)	Annually	\$100.00
Cooking Tents	Per Use	\$100.00
Cryogenic Fluids (105.6.10)	Annually	\$100.00
Dry cleaning (105.6.12)	Annually	\$100.00
Explosives (105.6.14)	Annually	\$100.00
Firefighter Air Replenishment System (105.6.53)	Annually	\$100.00
Flammable and combustible liquids (105.6.16)	Annually	\$100.00

Fumigation and Insecticide Fogging (106.6.19)	Per Use	\$100.00
Hazardous Materials (105.6.20)	Annually	\$100.00
High-piled (combustible) storage	Annually	\$100.00
Hot work operation (105.6.23)	Per Use	\$100.00
Industrial ovens (105.6.24)	Annually	\$100.00
Liquid- or gas- fueled vehicles or equipment in assembly buildings (105.6.26)	Annually	\$100.00
LP-Gas (105.6.27) [LPG, above and underground] [LPG, retail exchange]	Annually	\$100.00
Miscellaneous Combustible Storage (105.6.29)	Annually	\$100.00
Mobile food preparation vehicles (105.6.30) [Food Trucks]	Annually	\$100.00
Model Rocketry (105.6.51)	Per Use	\$100.00
Motor Fuel Dispensing Facilities (105.6.31)	Annually	\$100.00
Open burning [Burn] (105.6.32)	Annually	\$100.00
Open flames and candles (105.6.34)	Per Use	\$100.00
Parade floats (105.6.52)	Per Use	\$100.00
Places of Assembly (105.6.37)	Annually	\$100.00
Pyrotechnic special effects material (105.6.39)	Per Use	\$400.00 + Actual overtime cost of employee(s) – minimum 4 hours
Refrigeration equipment (105.6.42)	Annually	\$100.00
Repair garages (105.6.43)	Annually	\$100.00
Rooftop heliports (105.6.44)	Annually	\$100.00
Spraying or dipping [Paint Spray/Finished Booths] (105.6.45)	Annually	\$100.00
Storage of scrap tires and tire by-products (105.6.46)	Annually	\$100.00

Temporary membrane structures and tents	Per tent/per use	\$100.00
<b>INSPECTIONS AND TESTING FEES (no application fee)</b>	<b>FEE</b>	
After-hours (when staffing allows)	Actual overtime cost of employee(s) Minimum of 2 hours	
Annual Inspection (Suites, Buildings, and Occupancies 1-5000 Sq. Ft.)	\$75.00	
Annual Inspection (Suites, Buildings, and Occupancies 5001- 50,000 Sq. Ft.)	\$150.00	
Annual Inspection (Suites, Buildings, and Occupancies 50,001- 100,000 Sq. Ft.)	\$275.00	
Annual Inspection (Suites, Buildings, and Occupancies 100,001 Sq. Ft. or greater)	\$300.00	
Certificate of Occupancy	\$100.00	
Flammable and Combustible Liquid Pipeline Repair	\$100.00	
Re-inspection	\$125.00	
Contractor fails to show up for scheduled inspection (15 min leeway)	\$100.00	
Fail to cancel inspection within 24 hours	\$100.00	
State Licensed Facilities (Licensed Nursing Homes, Licensed Assisted Living or Board and Care Facilities, School/Educational Facilities, Head Start Programs, Daycare Facilities, Licensed Foster Homes with seven or more children)	\$150.00 includes annual inspection and annual permit. Re-inspection fees shall apply.	
<b>OTHER FEES (no application fee)</b>	<b>FEE</b>	
Working without a permit	Two times the permit fee	
Release of system prior to approval	Two times the permit fee	
<b>FALSE FIRE ALARM (per calendar year)</b>	<b>FEE</b>	
False Fire Alarm 1 <sup>st</sup> through 3 <sup>rd</sup>	No Fee	



False Fire Alarm 4 <sup>th</sup> through 7 <sup>th</sup>	\$250.00 per fire alarm
False Fire Alarm 7 <sup>th</sup> and above through the remainder of the year	\$500.00 per fire alarm
Refusal to Respond	\$75.00 per fire alarm
<b>FIREWATCH STANDBY</b>	<b>FEE</b>
Special Events	Actual overtime cost of employee(s) Minimum of 4 hours
Fireworks Shows	Actual overtime cost of employee(s) Minimum of 4 hours
System Impairments	Actual overtime cost of employee(s) Minimum of 4 hours
Open Burning	Cost of the utility vehicle @ \$250.00 per hour

**TABLE 107.1 Valuation Fee Scale**

<b>VALUATION</b>	<b>FEE</b>
\$1 to \$500	\$20.00
\$501 to \$2,000	\$20.00 for the first \$500; plus, \$2.50 for each addition \$100.00 or fraction thereof up to and including \$2,000.00
\$2,001 to \$25,000	\$50.00 for the first \$2,000; plus, \$10.00 for each additional \$1,000.00 or fraction thereof up to and including \$25,000.00
\$25,001 to \$50,000	\$280.00 for the first \$25,000; plus, \$8.00 for each addition \$1,000.00 or fraction thereof up to and including \$50,000.00
\$50,001 to \$100,000	\$680.00 for the first \$50,000.00; plus, \$6.00 for each additional \$1,000.00 or fraction thereof up to and including \$100,000.00
\$100,001 to \$500,000	\$980 for the first \$100,000; plus, \$4.00 for each additional \$1,000.00 or fraction thereof up to and including \$500,000.00

\$500,001 to 1,000,000	\$2,580.00 for the first \$500,000; plus, \$3.00 for each additional \$1,000.00 or fraction thereof up to and including \$1,000,000.00
\$1,000,001 and over	\$4,080.00 for the first \$1,000,000; plus, \$2.00 for each additional \$1,000.00 or fraction thereof

**Sec. 38-12. General Requirements for Outdoor Burning**

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this article. There are local ordinances or county burn ban regulations that must be met. Under ALL of the exceptions, the burning must not create a nuisance or traffic hazard, and you must comply with all applicable local rules or ordinances.

**Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

**OPEN BURNING.** The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudgepots and similar devices associated with safety or occupational uses typically considered open flames or recreational fires. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues, or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

**RECREATIONAL FIRE.** An outdoor fire, burning materials other than rubbish, where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of three feet (914 mm) or less in diameter and two feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth, or similar purposes.

**BONFIRE.** An outdoor fire utilized for ceremonial purposes.

**Enforcement.**

1. The Fire Chief, or his designated representative, is hereby authorized and directed to enforce all provisions of this article. Enforcement may be by the filing of a complaint in municipal court, by legal proceedings to enjoin nuisances, or in any other manner authorized by law. An official of the fire department or of the police department is authorized to issue citations for a violation of this article.
2. It shall be a violation of this article for any person being issued a citation for a violation of this article, to be filed in municipal court or any civil proceeding, to fail intentionally

or knowingly to give the fire department official or police department official his or her true name and address or to intentionally or knowingly fail to appear in accordance with the terms of a citation issued by the fire department official or police department official. For purposes of this section, a person shall be in violation upon failure to provide the requisite identification information upon a request for identification being issued by a person known to be a fire department official or police department official.

3. The owner, lessee or occupant of the property or structure where a violation of this article takes place shall be deemed responsible for such violation.
4. If the individual who is to receive the citation is not present, the fire department official or police department official may send the citation to the owner of the property by certified or registered mail, return receipt requested. If said citation should come back unclaimed, the citation shall be sent regular mail. If this regular mailing does not come back unclaimed, then service shall be deemed completed.

**Rules**

1. You may not burn in the incorporated Town limits unless you have been issued a burn permit.
2. A burn permit must be obtained by submitting a burn permit application for the specific area you wish to burn to the Flower Mound Fire Marshal's Office
3. ONLY dry plant growth natural to the burn site can be burned.
4. The burn site must be at least 500 feet from any residential, recreational, commercial, or industrial area, property line, structure, tree line, or other appurtenances.

**Exceptions:**

- a) Fires in approved containers that are not less than 25 feet from a structure.
5. There must be a fire break of 50 feet around the material to be burned.
6. A competent person of at least 18 years of age must be in attendance of the site during the burn.
7. An adequate supply of water to control the burn is required at the site.
8. If complaints are received and the complaint is valid (to be determined by the Fire Marshal, Fire Department or Law Enforcement Officer), burning shall cease.
9. Hours of burning are from sunrise to sunset as set forth by the United States Naval Observatory tables available from the National Weather Service.
10. Hauling of materials, brush, or vegetation onto the site from another property will render this permit invalid.
11. NO Burn Days are determined by the Denton County Emergency Services Office:
  - a) <https://apps.dentoncounty.gov/website/publicburncontrol/>
  - b) 940.349.2840
  - c) If Denton County Commissioners Court in-acts a "Burn Ban" on all outdoor burning.

**Permit Required.**

Unless otherwise specified herein, a permit shall be required in accordance with Section 105 of the 2021 Edition of the International Fire Code, as amended. A permit constitutes permission to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permission shall not be construed as authority to violate, cancel, or set aside any of the provisions of this article. Such permit shall not take the place of any license required by law. The following provisions shall apply to permits:

1. A permit shall be obtained from the fire department prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, recreational fire, or a bonfire. 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. Application for permits shall be made by the fire department in such form and detail as prescribed by the fire prevention division.
2. Any permit required by the 2021 Edition of the International Fire Code, Section 105, as amended, shall be issued only upon payment of the permit fee in an amount established, and as amended by ordinance of the Town Council, or as stated herein.
3. A permit shall continue until revoked or for such a period of time as designated therein at the time of issuance or as may be specified by this article, as it may be amended. Permits shall not be transferable. Any change in use, occupancy, operation, or ownership shall require a new permit.
4. As determined by the Fire Code Official, standby personnel and/or standby apparatus may be required for the duration of the open burning and a permit fee assessed in accordance with Chapter 38, "Fire Prevention and Protection," of Section 38-11, "Schedule of Fees," to the Code of Ordinances, Town of Flower Mound, Texas.

**Compliance with state regulations.**

Open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed. Open burning shall be conducted in accordance with rules promulgated by the Texas Commission on Environmental Quality, as amended, including but not limited to chapter 111, subchapter b, outdoor burning, and chapter 106, subchapter v, section 106.496(d), trench burning, and pertinent town ordinances, including but not limited to chapter 6 of the Code of Ordinances of the Town of Flower Mound, entitled "air pollution control," relative to permissible emissions under the direction and control of the director of public works and the air quality control board. Nothing herein shall require that the Town verify the existence of the requisite permits, licenses, and site visits, mandated by other agencies.

**Open Burning.**

1. *General.* Open burning that is offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. The fire department official is authorized to order the

extinguishment by the permit holder, another person responsible or the fire department of open burning which creates or adds to a hazardous or objectionable situation.

- 2. *Location.* The location for open burning shall not be less than 500 feet from any residential, recreational, commercial, or industrial area, property line, structure, tree line, or other appurtenances, and provisions shall be made to prevent the fire from spreading to within 500 feet from any residential, recreational, commercial, or industrial area, property line, structure, tree line, or other appurtenances.
- 3. *Exception to location.* Fires in approved containers that are not less than 25 feet from a structure.

**Bonfires and Trench Burns.**

Bonfires and Trench Burns are not allowed within Town limits.

**Recreational fires.**

Recreational fires shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a container approved by the Fire Code Official. Conditions which could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.

**Portable outdoor fireplaces.**

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure of combustible material.

**Permanent outdoor fireplaces.**

- 1. *Permanent outdoor fireplace.* Permanently installed outdoor fireplaces shall not be located within 15 feet of a structure or combustible material.
- 2. *Fireplace appliance.* When a UL listed gas fired appliance is installed, and constructed of non-combustible materials, and non-combustible materials extend a minimum 12 inches past any structures or combustible materials, it is permitted to be located closer than 15 feet to a structure or combustible material with approval by the Fire Code Official.

**Attendance.**

Any open burning shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher, with a minimum 4-A rating, or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization. The Fire Code Official is authorized to require greater precautions when deemed necessary by the Fire Code Official in his or her discretion, under existing or anticipated circumstances, and such additional precautions shall be addressed prior to the issuance of the permit.

**Penalty.**

Any person who violates any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13. Each day any such violation or violations exist shall constitute a separate

offense and shall be punishable as such.

**SECTION 4**

All ordinances, orders or resolutions heretofore passed and adopted by the Town of Flower Mound, Texas, are hereby repealed to the extent that said ordinances, orders, or resolutions, or parts thereof, are in conflict herein.

**SECTION 5**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, as if the same had been enacted by the Town Council without the incorporation of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 6**

Any person, firm, or corporation who shall violate any of the provisions of the *International Fire Code* adopted by this Ordinance, or who shall do or attempt to do work without first securing the permit prescribed herein for such work, or who shall in any other manner violate the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00, and each day or fraction of a day that an offense hereunder is committed or permitted to exist shall constitute a separate offense and shall be punishable as such hereunder.

**SECTION 7**

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

**SECTION 8**

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Flower Mound, Texas.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 18TH DAY OF APRIL, 2022.

**APPROVED:**



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Derek France, **MAYOR**

**ATTEST:**



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Theresa Scott, **TOWN SECRETARY**