

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**ORDER OF FORT BEND COUNTY ORDERING THE ADOPTION OF
 FORT BEND COUNTY FIRE CODE EIGHTH EDITION**

WHEREAS, the authority to promulgate and enforce this Order is granted to the Fort Bend County Commissioners Court by Texas Local Government Code, Chapter 233, Section 233.061, and as amended; and

WHEREAS, Fort Bend County desires to establish reasonable and uniform regulations for the safe-guarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Fort Bend County; and

WHEREAS, the Fire Code and amendments of the Code are needed to provide minimum requirements for fire safety, with due regard to function, for the Design and Construction or Substantial Improvements to any Public Buildings, Commercial Establishments, and Multi-Family Dwellings with four or more units, as determined by the current property designation identified by the Fort Bend County Tax Appraisal District; and

WHEREAS the foregoing constitutes a public benefit to the residents of Fort Bend County which the County has a substantial governmental interest in promoting; and


THEREFORE BE IT HEREBY ORDERED, ADJUDGED, AND DECREED BY THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS, THAT THE REGULATIONS ATTACHED HERETO, ENTITLED FORT BEND COUNTY FIRE CODE EIGHTH EDITION, ARE MADE A PART OF THIS ORDER AND ARE ADOPTED AS THE REGULATIONS OF FORT BEND COUNTY, EFFECTIVE October 1, 2023, AND ALL OFFICIALS OF FORT BEND COUNTY HAVING DUTIES UNDER SAID REGULATIONS ARE ORDERED AND DIRECTED TO PERFORM SUCH DUTIES AS REQUIRED OF THEM UNDER SAID REGULATIONS.

PASSED, APPROVED and ORDERED on this the 26th day of September, 2023.



 KP GEORGE, COUNTY JUDGE

ATTEST:



 Laura Richard, County Clerk

(COMMISSIONERS COURT SEAL)



[ATTACHMENT: FORT BEND COUNTY FIRE CODE EIGHTH EDITION]

**FORT BEND COUNTY
FIRE CODE EIGHTH EDITION**



ADOPTED BY

FORT BEND COUNTY COMMISSIONERS COURT

COUNTY JUDGE

KP GEORGE

COUNTY COMMISSIONERS

VINCENT MORALES, Precinct 1

JAMES "GRADY" PRESTAGE, Precinct 2

W. A. "ANDY" MEYERS, Precinct 3

DEXTER L. MCCOY, Precinct 4

FORT BEND COUNTY FIRE MARSHAL'S OFFICE

Adopted: June 24, 2014

Amended: August 25, 2015

Amended: September 13, 2016

Amended: June 27, 2017

Amended: June 25, 2019

Amended: November 9, 2021

Amended: February 22, 2022

Amended on September 26, 2023

Effective on October 1, 2023

PREFACE

Texas Local Government Code, Chapter 233, Section 233.061 authorizes certain counties to adopt a Fire Code and the regulations necessary to administer and enforce the Fire Code. As the governing body of Fort Bend County, Texas, the Commissioners Court finds that adopting a Fire Code and requiring permits for the construction of commercial establishments, public buildings and multi-family residences in the unincorporated areas of Fort Bend County will help protect life and property, and promote the health, safety and welfare of the general public. The Fire Code requires periodic inspection of new and existing structures to ensure safety standards are being maintained for the continued practice of life safety and property conservation.

FORT BEND COUNTY FIRE CODE

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FORT BEND COUNTY FIRE CODE

Effective October 1, 2023

SECTION 1.0 GENERAL PROVISIONS

- 1.1 **Purpose:** The purpose of the Fort Bend County Fire Code is the safe-guarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Fort Bend County.
- A. The Fort Bend County Fire Code is intended to provide minimum requirements for fire safety, with due regard to function, for the Design and Construction or Substantial Improvements to any Public Buildings, Commercial Establishments, and Multi-Family Dwellings with four or more units, as determined by the current property designation identified by the Fort Bend County Tax Appraisal District.
 - B. The Fort Bend County Fire Code is not intended to be a building code as described in the Texas Local Government Code Chapter 214 and does not evaluate structural, plumbing, electrical, and mechanical suitability, unless it is directly related to fire safety.
 - C. The Fort Bend County Fire Code is not intended in any way to limit the statutory authority of the Fire Marshal, and it is intended that such authority be retained to the fullest extent that the law would authorize.
- 1.2 **Authority:** The Fort Bend County Fire Code is adopted by the Fort Bend County Commissioners Court pursuant to Texas Local Government Code, Chapter 233, Section 233.061 which authorizes certain counties to adopt a Fire Code and the regulations necessary to administer and enforce the Fire Code.

SECTION 2.0 ADOPTION AND ADMINISTRATION

- 2.1 Except for the deletions and changes identified in Appendix A and the Sections set forth herein, Fort Bend County hereby adopts the International Fire Code 2021 edition (hereinafter known as “IFC”), as the Fort Bend County Fire Code (“Fire Code”). A complete copy of the IFC is on file in the Fort Bend County Fire Marshal's Office.
- 2.2 The Fort Bend County Fire Marshal (also known as “County Fire Marshal”) is responsible for the administration of this Fire Code, issuance of permits and certificates of compliance required by this Fire Code, enforcement of this Fire Code, and maintenance of proper records.
- 2.3 The County Fire Marshal or the County Fire Marshal's designee may conduct inspections provided for in this Fire Code or by Subchapter C of Chapter 233 of Subtitle B of Title 7 of the Texas Local Government Code. The County Fire Marshal also is authorized to conduct inspections for fire or life safety hazards under Subchapter B of Chapter 352 of the Texas Local Government Code, including Texas Local Government Code Section 352.016.

- 2.4 Below shall identify the scope of the Fort Bend County Fire Code:
- A. The Fort Bend County Fire Code shall apply to all new construction or substantial improvement of all Public Buildings, Commercial Establishments, and Multi-Family Dwellings with four or more units, as determined by the current property designation identified by the Fort Bend County Tax Appraisal District.
 - B. The Fort Bend County Fire Code does not apply to any industrial facility that the Fort Bend County Fire Marshal determines qualifies for the exception specified in Section 233.062(b) of the Texas Local Government Code. The Fort Bend County Fire Marshal shall have the authority to seek the assistance of the Occupational Health and Safety Administration in making a determination regarding an industrial facility.
 - C. Any construction that occurred before the effective date of this Fire Code will be governed by the preceding Fire Code, that was in effect at the time of construction, unless and until substantial improvement is made to the property. Except as set forth in this subsection, this Fire Code amends and supersedes any prior versions.
 - D. Disclaimer of Liability- The degree of fire protection required by the Fort Bend County Fire Code is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Compliance with the Fort Bend County Fire Code does not imply that any building or the uses permitted within any building will be free from a fire hazard. The Fort Bend County Fire Code shall not create liability on the part of Fort Bend County, any officer, or employee thereof for any damages that may result from reliance on this Fire Code or any administrative decision lawfully made there under. The granting of a permit or issuance of a Certificate of Compliance does not imply that the building can be insured for fire coverage.

SECTION 3.0 TERMS

- 3.1 **Certificate of Compliance:** A “Certificate of Compliance” means a certificate issued by the County Fire Marshal indicating Construction or Substantial Improvement on a building or premises has been completed in compliance with the Fort Bend County Fire Code as of a specific date and allowing use of the building or premises for a specific occupancy. A Certificate of Compliance can also mean a certificate issued by the County Fire Marshal indicating that a building or premises after inspection has been found in compliance with the Fort Bend County Fire Code after there has been a change of use, change of ownership, or change of assumed business name from a prior Certificate of Compliance for the building or premises.
- 3.2 **Construction:** Construction begins on the date that ground is broken for a building as determined by the Fort Bend County Fire Marshal, or if no ground is broken, on the date that:
- A. The first materials are added to the original property;
 - B. Foundation pilings are installed on the original property; or

- C. A manufactured building or relocated structure is placed on a foundation on the original property.
- 3.3 **Fort Bend County Fire Marshal:** means the holder of the statutory office of County Fire Marshal for Fort Bend County, Texas, or the employee(s) designated by the Fort Bend County Fire Marshal to perform a task required by this Fire Code.
 - 3.4 **Fire Code:** “Fire Code” means the Fort Bend County Fire Code as adopted in Section 2.1 of this Fire Code.
 - 3.5 **Fire Code Official:** The term “Fire Code Official” as it appears in the IFC is synonymous with the term “Fort Bend County Fire Marshal” or a designee of such individual; however, only the Fort Bend County Fire Marshal has the authority to overrule his or her subordinates or grant variances before applicants for permits or variances may request review by the Fort Bend County Commissioners Court.
 - 3.6 **Permit:** An official document or certificate issued by the County Fire Marshal that authorizes performance of a specified activity or use of a specified installation or equipment. Any such permission shall not be construed as authority to violate, cancel or set aside any other provisions of the Fire Code or other applicable regulations or laws.
 - 3.7 **Substantial improvement:** Substantial improvement occurs when:
 - A. The repair, restoration, reconstruction, improvement, or remodeling of a public building, commercial establishment, or a multi-family residential dwelling consisting of four or more units for which the cost exceeds 50% of the building’s value according to the certified tax appraisal roll for the county for the year preceding the year in which the work was begun; or
 - B. A change in occupancy classification involving a change in the purpose or level of activity in a building, including the renovation of a warehouse into a loft apartment. For purposes of determining if an improvement is a Substantial Improvement, the applicant for a permit must submit data reflecting cost of the restoration, reconstruction, improvement or remodeling. Costs shall include the value of all labor and materials. A permit is required prior to the start of any Substantial Improvement. For purposes of this Fire Code, Substantial Improvement begins on the date that the repair, restoration, reconstruction, improvement, remodeling, the change in occupancy classification begins, or on the date materials are first delivered for that purpose.
 - 3.8 **Unincorporated Area:** Unincorporated Area means any real property in Fort Bend County, Texas, which is not within the city limits of a municipality.

SECTION 4.0 BUILDING PERMITS AND COMMERCIAL OCCUPANCIES

- 4.1 **Construction Permit Required for Construction or Substantial Improvement:** No person shall start or authorize the Construction or Substantial Improvement of a building or within an

unincorporated area of Fort Bend County without first securing a Construction Permit from the Fort Bend County Fire Marshal under the Fort Bend County Fire Code. The review for Fire Code compliance to obtain a Construction Permit does not include any plan review that may be required by the Fort Bend County Engineering Department or other County Departments.

4.2 **Application for Construction Permit for Construction or Substantial Improvement:** The application for a Construction Permit will be on a form prescribed by the Fort Bend County Fire Marshal and must include the following items:

- A. A completed (1) Fire Code Design and (2) Compliance Review Sheet in a form provided by the Fort Bend County Fire Marshal and signed and sealed by a duly licensed architect or engineer authorized to practice in the State of Texas; and
- B. Payment of all the applicable non-refundable Construction Permit review fee(s) that may be established by the Fire Marshal and as listed in the Adopted Fee Schedule approved by the Fort Bend County Commissioners Court and as amended attached here as Appendix C (“Adopted Fee Schedule”). Such fees may include:
 - (i) a Construction Permit fee, which shall include the County Fire Marshal’s initial review of submitted building plans to ensure compliance with the adopted Fire Code, and which shall include issuance of a Construction Permit and the Fire Marshal’s stated number of planned construction site visits or inspections. This fee only includes the plan review for Fire Code compliance and does not include any plan review that the County Engineering Department or other County departments may require;
 - (ii) a Re-Submittal of Plans fee if an applicant re-submits plans for review after the Fire Marshal has already conducted a plan review and issued a Construction Permit. No additional fee shall be charged if an applicant makes changes to a submitted building plan before the Fire Marshal’s issuance of a Construction Permit;
 - (iii) a Site/Civil Plan Submittal fee which includes the Fire Marshal’s review of the site/civil plans for a property for compliance with the adopted Fire Code;
 - (iv) a Work Done without Permit fee is charged when an applicant requires a construction building plan review or site/civil plan review without first obtaining a Construction Permit;
 - (v) in limited circumstances, an applicant may make a request to the Fire Marshal for an expedited review. If approved, an Expedited Plan Review fee will be due to complete a plan review within five (5) business days of submittal of all Permit application materials, pending approval by the County Fire Marshal. Additional requirements for plan submittal may be applicable as determined by the Fire Marshal. The Fire Marshal reserves the right at any time to require more than five (5) days to complete the expedited review request and will notify an

applicant in advance of any changes. The Fire Marshal reserves the right to deny an expedited review request for any reason;

(vi) a Pre-Construction Meeting fee which will be assessed each time an applicant requires a second or more pre-construction meeting; and,

(vii) a Permit Renewal fee will be assessed when a request for permit extension or renewal is made. The amount of the fee may be based on whether the permit has expired prior to the date of the request for permit extension, or if the permit has been expired for more than one year prior to the date of the request for permit extension.

C. Application documents shall be electronic and compatible with the review software and format as determined by the County Fire Marshal.

4.3 **Determination of Permit Eligibility:** After the application is filed under this Section 4.0, the Fort Bend County Fire Marshal shall determine if the proposed Construction or Substantial Improvement meets the requirements of the Fort Bend County Fire Code.

A. If it is determined that the proposed building or substantial improvement meets the Fire Code requirements, then a permit will be issued after the collection of the appropriate applicable fees as outlined in Section 4.2.B and Section 12.0 and as set forth in the Adopted Fee Schedule.

B. If it is determined that the proposed building or substantial improvement does not comply with the requirements of this Fire Code, then the application package shall be returned to the applicant with an explanation for why it was not approved. All Fees paid are non-refundable.

4.4 **Condition of Permit:** Construction of a building or a substantial improvement must be started within 180 calendar days of the date the permit is issued or the permit shall be null and void. Upon written request to the Fort Bend County Fire Marshal, one (1) six-month extension of the permit may be obtained. The Fire Marshal reserves the right to deny this request.

4.5 **Permit Application Information.** For any permits obtained through the Fort Bend County Fire Marshal, the County Fire Marshal may require the submission of additional information, drawings, specifications, or documents as needed.

4.6 **Construction Permit Holder Responsibilities.**

A. **Display of Construction Permit.** All Construction Permit holders must post a copy of the permit on the jobsite in a place clearly visible from the nearest road or street and in a manner meeting the requirements of the standards for permanent numbers set forth in The International Fire Code 2021.

B. **Changes to Proposed Buildings and Substantial Improvements.** Any permit holder that wishes to make a change to a proposed building or substantial improvement, or to

construct any building or substantial improvement in a manner other than that specified in the Construction Permit, must submit supplemental drawings and/or specifications to the Fort Bend County Fire Marshal for review and approval. Any changes must comply with this Fire Code, and if approved, a copy of the supplemental drawings and/or specifications shall be added to the Permit Holder's file, and the Fort Bend County Fire Marshal shall amend the Permit accordingly. Additional fees may apply.

SECTION 5.0 CERTIFICATE OF COMPLIANCE

- 5.1 **Certificate of Compliance Required.** A building may not be used or occupied until a final, conditional, or partial certificate of compliance for the building is issued by the County Fire Marshal. The County Fire Marshal shall notify the applicant for a Certificate of Compliance in writing of any limitations or restrictions necessary to keep the permit area safe. Thus, after construction or a substantial improvement is completed for a building or premises, the County Fire Marshal shall inspect the building or premises to issue a Certificate of Compliance before the building or premises may be occupied or put into intended use.
- 5.2 **Changes Requiring New Certificate of Compliance.** An inspection and new Certificate of Compliance is required if there is any change from a previously issued certificate of compliance for (1) a property's use, (2) ownership, or (3) change of assumed business name for a property.
- 5.3 **Conditional Certificate of Compliance (CCC):** In limited circumstances, the Fire Marshal may allow for a Conditional Certificate of Compliance for limited use of a structure or portion of a building under a valid permit issued by the Fire Marshal's Office provided the area has been inspected and found to comply with the adopted Fort Bend County Fire Code. This CCC is valid for up to 30 days. A final Certificate of Compliance must be obtained within this 30-day period. This request must be made in writing to the Fire Marshal's Office.
- 5.4 The holder of a Conditional or partial Certificate of Compliance shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment, or operation will be granted.
- 5.5 A Certificate of Compliance issued under this Fire Code shall not be construed as to authorize the owner or operator of any building to afterward operate or maintain such building in such a way as to create, cause or allow the existence of a fire or life safety condition, which condition shall be subject to the independent enforcement authority of the County Fire Marshal.
- 5.6 **Application for Certificate of Compliance.** An application for a certificate of compliance as described in this Section 5 will be on a form and in a manner of delivery determined by the Fort Bend County Fire Marshal. A fee for Working without a Permit may be assessed if the applicant has engaged in activity or used an installation or equipment without obtaining the proper permit from the Fire Marshal.

- 5.7 **Determination of Certificate Eligibility:** After the application is filed, the Fort Bend County Fire Marshal shall determine if the building or premises meets the requirements of the Fort Bend County Fire Code for a certificate.
- A. If it is determined that the proposed building or substantial improvement meets the Fire Code requirements, then a Certificate of Compliance will be issued after the collection of the appropriate fees as outlined in Section 13.0 and as referred to in the Adopted Fee Schedule.
 - B. If it is determined that the proposed building or substantial improvement does not comply with the requirements of this Fire Code, then the application package shall be returned to the applicant with an explanation for why it was not approved. All fees paid for the certificate application and inspections are non-refundable.
- 5.8 **Certificate Application Information.** For any certificates of compliance obtained through the Fort Bend County Fire Marshal, the County Fire Marshal may require the submission of additional information, drawings, specifications, or documents if needed to determine whether a permit should be issued.
- 5.9 **Certificate of Compliance Replacement Fee.** The County Fire Marshall may issue a duplicate of the Certificate of Compliance (COC) and inspection report for a property to the holder of the original Certificate of Compliance if the holder of the COC has lost the original COC. The County Fire Marshal is authorized to charge a fee in order to issue a duplicate of the COC and inspection report.

SECTION 6.0 SUPPLEMENTAL PERMITS

- 6.1 **Supplemental Permits.** Pursuant to Texas Local Government Code Sections 233.061, 233.065, Subchapter B of Chapter 352 of the Texas Local Government Code, as amended, and other applicable laws, the County Fire Marshal's Office may implement various supplemental permits as part of its administration and enforcement of the Fire Code. The following Permits are in effect for Fort Bend County:
- 6.1.1 **Electronic Entrance Gate Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of electronic entrance gates for compliance with the Fire Code, and has the authority to review plans, make inspections, and to issue permits for the operation of an electronic entrance gate in compliance with the Fire Code. Electronic entrance gates shall, among other requirements, provide emergency and fire suppression personnel adequate access to a building or premises in the event of a fire or life safety emergency.
 - 6.1.2 **Tent Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of temporary or permanent tents and membrane structures for compliance with the Fire Code, and has the authority to review plans, make inspections, and to issue permits for the operation of tents and membrane structures in compliance with the Fire Code. Structures requiring a tent permit include, but may not be limited to, temporary or permanent tents, and air-supported, air-inflated or tensioned membrane structures.

- 6.1.3 **Fire and Life Safety Inspection.** The County Fire Marshal is authorized to conduct fire and life safety inspections on a building or premises and issue orders to the owner or occupant of such building or premises to correct any fire or life safety hazard found on the premises pursuant to Texas Local Government Code Section 352.016. The fire and life safety inspections may include the review of plans as set forth in Texas Local Government Code Section 352.016(b-1). The County Fire Marshal may establish requirements for when a person may request the County Fire Marshal to conduct a fire and life safety inspection for compliance with the Fire Code pursuant to Texas Local Government Code Section 233.061.
- 6.1.4 **Emergency Responder Radio Coverage System Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of an Emergency Responder Radio Coverage System for compliance with the Fire Code. The County Fire Marshal has the authority to review plans; make inspections; conduct or witness the acceptance testing of Emergency Responder Radio Coverage Systems and related equipment; and to issue permits for the operation of Emergency Responder Radio Coverage Systems in compliance with the Fire Code.
- 6.2 **Application for Supplemental Permits.** The application for a supplemental permit as described in this Section 6 will be on a form and in a manner of delivery determined by the Fort Bend County Fire Marshal. A fee for Working without a Permit may be assessed if the applicant has engaged in activity or used an installation or equipment without obtaining the proper permit from the Fire Marshal.
- 6.3 **Determination of Permit Eligibility:** After the application for a supplemental permit is filed pursuant to Section 6.2, the Fort Bend County Fire Marshal shall determine if the application meets the requirements of the Fort Bend County Fire Code. The County Fire Marshal is authorized to conduct any necessary and reasonable inspections and seek any necessary and reasonable information when evaluating an application for a supplemental permit.
- A. If it is determined that the application meets the Fire Code requirements, then a permit will be issued after the collection of the appropriate fees as outlined in Section 13.0 and as referred to in the Adopted Fee Schedule.
- B. If it is determined that the proposed supplemental permit application, equipment, or installation does not comply with the requirements of this Fire Code, then the submitted documents shall be returned to the applicant with a written explanation for denial. All fees paid are non-refundable.
- 6.4 **Permit Application Information.** For any supplemental permits obtained through the Fort Bend County Fire Marshal, the County Fire Marshal may require the submission of additional information, drawings, specifications, or documents if needed as needed.
- 6.5 **Changes to the Subject of the Permit.** Any permit holder that wishes to make a change to the specifications of the equipment or installation covered by a supplemental permit must submit supplemental drawings and/or specifications to the Fort Bend County Fire Marshal for review and approval. If a change complies with this Fire Code and is approved, a copy of the supplemental drawings and/or specifications shall be added to the Permit Holder's file, and the Fort Bend County Fire Marshal shall amend the permit accordingly.

SECTION 7.0 FIRE PROTECTION SYSTEM PERMITS

- 7.1 **Fire Protection System Permits.** To administer and enforce the Fire Code, the Fort Bend County Fire Marshal is authorized to conduct inspections of fire suppression or detection systems, to issue permits to operate fire suppression systems, and to promote effective fire protection practices. The following Permits are in effect for Fort Bend County:
- 7.1.1 **Fire Sprinkler System Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of any Fire Sprinkler System for compliance with the Fire Code. The County Fire Marshal is authorized to review plans, conduct rough-in inspections of the system, conduct or witness the 2-hour hydrostatic testing of the sprinkler/standpipe system and pipe size, and inspect the responsible managing employee (RME) at the location for the hydrostatic and final inspection. Modifications made to existing fire sprinkler systems may also require inspection and a permit from the County Fire Marshal for compliance with the Fire Code.
- 7.1.2 **Fire Alarm and Detection System Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of any Fire Alarm and Detection System for compliance with the Fire Code. The County Fire Marshal is authorized to review plans, conduct rough-in inspections, conduct smoke testing, conduct duct smoke detection, and conduct or witness fire alarm acceptance testing. Modifications made to existing fire alarm and detection systems may also require inspection and a permit from the County Fire Marshal force with the Fire Code.
- 7.1.3 **Automatic Fire-Extinguishing Systems (Commercial Cooking) Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of an Automatic Fire-Extinguishing system, including those for commercial cooking, for compliance with the Fire Code. The County Fire Marshal is authorized to review plans, test, and inspect commercial/restaurant vent hood fire suppression systems for compliance with the Fire Code.
- 7.1.4 **Automatic Fire Extinguishing Systems Exhaust Duct Test Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of an Automatic Fire Extinguishing System, including an Exhaust Duct Test, for compliance with the Fire Code. The County Fire Marshal is authorized to inspect exhaust ducts using a light or smoke test for compliance with the Fire Code.
- 7.1.5 **Fire Pumps/Related Equipment.** The County Fire Marshal may set requirements for the installation, testing, and operation of Fire Pumps/Related Equipment for compliance with the Fire Code. The County Fire Marshal is authorized to review plans, conduct inspections, and conduct or witness the acceptance testing of fire pumps and any standpipe system for compliance with the Fire Code.
- 7.1.6 **Underground Fire Main with Backflow Preventers.** The County Fire Marshal may set requirements for the installation, testing, and operation of an Underground Fire Main with backflow for compliance with the Fire Code. The County Fire Marshal is authorized to review plans, conduct pipe size / cover inspections, and conduct or witness the 2-hour hydrostatic testing for fire sprinkler systems, fire protection standpipes, and fire hydrants installed on both public and private water systems for compliance with the Fire Code.

- 7.1.7 **Spraying or Dipping Booth Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of a Spraying or Dipping Booth for compliance with the Fire Code. The County Fire Marshal is authorized to review plans, conduct inspections, and conduct or witness the acceptance testing of commercial paint/spray/mixing booths and their associated fire suppression systems for compliance with the Fire Code.
- 7.1.8 **Combustible/Flammable Storage Tank Permits.** The County Fire Marshal may set requirements for the installation, testing, and operation of Combustible/Flammable Storage Tanks that hold combustible or flammable chemicals for compliance with the Fire Code. The County Fire Marshal is authorized to review plans, conduct inspections, and conduct or witness acceptance tests for storage tanks for combustible or flammable chemicals for compliance with the Fire Code.
- 7.1.9 **Service Station Piping Plan.** The County Fire Marshal may set requirements for the installation, testing, and operation of Service Station Piping for compliance with the Fire Code. The County Fire Marshal is authorized to review plans, test, and inspect piping for service stations which may store or handle combustible or flammable chemicals for Fire Code compliance.
- 7.1.10 **Alternative Fire Protection Systems Permit.** The County Fire Marshal may set requirements for the installation, testing, and operation of Alternative Fire Protection Systems. The County Fire Marshal is authorized to review plans, conduct site and equipment inspections, and conduct or witness acceptance tests for Alternative Fire Protection and Fire Suppression Systems.
- 7.2 **Application for a Fire Protection System Permit.** The application for a fire protection system permit will be on a form and in a manner of delivery determined by the Fort Bend County Fire Marshal. A fee for Working without a Permit may be assessed if the applicant has engaged in activity or used an installation or equipment without obtaining the proper permit from the Fire Marshal.
- 7.3 **Determination of Permit Eligibility:** After the application is filed, the Fort Bend County Fire Marshal shall determine if the fire protection system and application meet the requirements of the Fort Bend County Fire Code.
- A. If it is determined that the fire protection system and application meet the Fire Code requirements, then a permit will be issued after the collection of the appropriate fees as outlined in Section 13.0 and as referred to in the Adopted Fee Schedule.
- B. If it is determined that fire protection system and application do not comply with the requirements of this Fire Code, then the application package shall be returned to the applicant with an explanation for why it was not approved. All fees paid for the permit application and inspections are non-refundable.
- 7.4 **Permit Application Information.** For any fire protection system permits obtained through the Fort Bend County Fire Marshal, the County Fire Marshal may require the submission of additional information, drawings, specifications, or documents if needed to determine whether a permit should be issued.

SECTION 8.0 FIREWORKS

- 8.1 **Fireworks Activity.** The County Fire Marshal is authorized to inspect and provide approval for certain fireworks-related activity, including retail fireworks sites, fireworks display shows, and indoor fireworks stands pursuant to Chapter 2154 of the Texas Occupations Code, Chapter 352 of the Texas Local Government Code, and the Fire Code. The following Permits are in effect for Fort Bend County:
- 8.1.1 **Retail Fireworks Permits:** A person selling fireworks directly to the public must annually obtain a nonrenewable retail fireworks permit from the State of Texas for each retail location pursuant to Texas Occupations Code Section 2154.202 and Title 28 Chapter 34 of the Texas Administrative Code Rule 34.815, as amended. Retail fireworks sites, which include retail fireworks stands, must also comply with the requirements in Texas Administrative Code Rules 34.817 and 34.818, and the Fire Code. For a retail fireworks site, the County Fire Marshal shall inspect the retail fireworks site, which include retail fireworks stands, for fire or life safety hazards and assess and collect an inspection fee pursuant to Texas Occupations Code Section 2154.2025, Texas Local Government Code Section 352.016, and Texas Health and Safety Code Section 775.040, as applicable, and the Fire Code. Texas Occupations Code Section 2154.2025 sets the fee amounts for inspections of retail fireworks sites, and Texas Local Government Code Section 352.016 allows for reasonable fees to be charged for fire or life safety hazard inspections. The inspection and permit fee must be obtained for each and every year of operation for each site and address listed on the retail fireworks permit.
- 8.1.2 **Fireworks Display Show.** For any fireworks display show, the County Fire Marshal has the authority to review any proposed pyrotechnics or flame effect displays, inspect any proposed fireworks display site, and verify the Pyrotechnic Operator's or Flame Effect Operator's License under State law and compliance with the Fire Code.
- 8.1.3 **Indoor Fireworks Stand.** The County Fire Marshal has the authority to inspect a retail fireworks site, which includes indoor fireworks stands, for fire or life safety hazards and assess and collect a permit inspection fee pursuant to Texas Occupations Code Section 2154.2025 and Texas Local Government Code 352.016, for compliance with State law and the County Fire Code.
- 8.2 **Application for Fireworks Permit:** The application for a fireworks permit under this section will be on a form and in a manner of delivery determined by the Fort Bend County Fire Marshal. A fee for Working without a Permit may be assessed if the applicant has engaged in fireworks activity without obtaining the proper permit from the Fire Marshal.
- 8.3 **Determination of Permit Eligibility:** After the appropriate application for fireworks activity is filed, the Fort Bend County Fire Marshal shall determine if the fireworks activity meets the requirements of the Fort Bend County Fire Code.
- A. If it is determined that the proposed fireworks activity meets the Fire Code requirements, then a permit will be issued after the collection of the appropriate fees as outlined in Section 13.0 and as referred to in the Adopted Fee Schedule.

- B. If it is determined that the proposed fireworks activity does not comply with the requirements of this Fire Code, then the application package shall be returned to the applicant with an explanation for why it was not approved. All fees paid for the permit application and inspections are non-refundable.

8.4 **Permit Application Information.** For any permits obtained through the Fort Bend County Fire Marshal, the County Fire Marshal may require the submission of additional information, drawings, specifications, or documents if needed to determine whether a permit should be issued.

SECTION 9.0 MASS GATHERINGS

- 9.1 **Mass Gathering Permit.** No person may promote a mass gathering without a permit issued under Chapter 751 of the Texas Health & Safety Code. A mass gathering, which may include an outdoor music festival, is defined under Texas Health & Safety Code Section 751.002.
- 9.2 An application for a Mass Gathering Permit is made through the Fort Bend County Judge's Office, which shall set a public hearing to consider the application and determine whether to issue a mass gathering permit pursuant to the requirements of Chapter 751 of the Texas Health & Safety Code.
- 9.3 On behalf of Fort Bend County, the Fort Bend County Fire Marshal is authorized to accept fees paid for a Mass Gathering Permit application, and shall investigate specifications related to proposed mass gathering applications for compliance with Chapter 751 of the Texas Health and Safety Code and the Fire Code. The County Fire Marshal shall determine the form and manner of delivery of any mass gathering permit application materials required for the County Fire Marshal's inspections. Other mass gathering permit fees may apply from other County departments.
- 9.4 The Mass Gathering Permit fee shall be collected by the Fire Marshal's Office in the amount as listed in the Adopted Fee Schedule.

SECTION 10.0 INSPECTIONS REQUIRED FOR STATE AND FEDERAL LICENSES OR PERMITS REQUIRED BY OTHER AUTHORIZED JURISDICTION

- 10.1 **Enforcement of Other Laws.** The County Fire Marshal may conduct inspections for fire and life safety hazards in compliance with the Fire Code as part of enforcement of other Federal, State, or local laws or regulations.
- 10.2 Applicable fees shall be collected by the Fire Marshal's Office pursuant to Federal, State, or local laws, and as referred to in the Adopted Fee Schedule.

SECTION 11.0 OPERATIONAL PERMITS

- 11.1 **Operational Permits.** Pursuant to Texas Local Government Code Sections 233.061, 233.065, Subchapter B of Chapter 352 of the Texas Local Government Code, as amended, and other applicable laws, the County Fire Marshal's Office may implement and enforce various Operational Permits as part of its administration and enforcement of the Fire Code. The Fire Marshal may require persons to obtain Operational Permits issued by the Fire Marshal in order to conduct certain operations or businesses, installations or modifications of systems and equipment, or to work with certain products or materials, as set forth in Section 105 of the IFC as adopted by the Fire Code.
- 11.1.1 The types of Operational Permits that the County Fire Marshal selects to implement and enforce shall be set forth in the Adopted Fee Schedule. For each Operational Permit required by the County, the County Fire Marshal may set requirements for the installation, testing, operation, management, or handling of the subject of the Operational Permit, and has the authority to review plans, make inspections, and to issue the Operational Permits for compliance with the Fire Code.
- 11.2 **Application for Operational Permits.** The application for an Operational Permit as described in this Section 11 will be on a form and in a manner of delivery determined by the Fort Bend County Fire Marshal. A fee for Working without a Permit may be assessed if the applicant has engaged in a covered activity, operations, or business, or used an installation, equipment, material, or product, without obtaining the proper permit from the Fire Marshal.
- 11.3 **Determination of Permit Eligibility:** After the application for an Operational Permit is filed pursuant to Section 11.2, the Fort Bend County Fire Marshal shall determine if the application meets the requirements of the Fort Bend County Fire Code. The County Fire Marshal is authorized to conduct any necessary and reasonable inspections and seek any necessary and reasonable information when evaluating an application for a supplemental permit.
- A. If it is determined that the application meets the Fire Code requirements, then a permit will be issued after the collection of the appropriate fees as outlined in Section 13.0 and as referred to in the Adopted Fee Schedule.
- B. If it is determined that the proposed Operational Permit application, equipment, installation, or other factor, does not comply with the requirements of this Fire Code, then the submitted documents shall be returned to the applicant with a written explanation for denial. All fees paid are non-refundable.
- 11.4 **Permit Application Information.** For any Operational Permits obtained through the Fort Bend County Fire Marshal, the County Fire Marshal may require the submission of additional information, drawings, specifications, or documents if needed as needed.
- 11.5 **Changes to the Subject of the Permit.** Any permit holder that wishes to make a change to the specifications of the equipment or installation covered by an Operational Permit must submit supplemental drawings and/or specifications to the Fort Bend County Fire Marshal for review and approval. If a change complies with this Fire Code and is approved, a copy of the supplemental

drawings and/or specifications shall be added to the Permit Holder's file, and the Fort Bend County Fire Marshal shall amend the permit accordingly.

SECTION 12.0 RIGHT TO INSPECT

- 12.1 **Access for Inspection.** An applicant for a permit or certification under the Fire Code, or any person or entity who may be subject to a provision of the Fire Code, shall provide the Fort Bend County Fire Marshal with full access to inspect any building, premise, work, or installation for inspection under the Fort Bend County Fire Code. The County Fire Marshal shall have the authority to require that an applicant for a permit uncover or un-conceal any installation subject to inspection, and neither the County Fire Marshal nor Fort Bend County shall be liable for expenses entailed for the removal or replacement of any materials needed to give the County Fire Marshal access to properly inspect an installation pursuant to the Fire Code. A permit applicant's failure to allow the County Fire Marshal inspection access as set forth in this Section 11.1 shall be grounds for the denial of the permit or certificate sought by the applicant.
- 12.2 **Scheduling of Inspections.** The Fort Bend County Fire Marshal is authorized to make as many scheduled or unscheduled inspections to a worksite or location subject to a provision of the Fire Code as deemed necessary to enforce this Fire Code and the conditions of the Permit or Certificate of Compliance.
- 12.3 **Inspections for Life and Fire Safety Hazards.** Pursuant to Texas Local Government Code Section 352.016, the County Fire Marshal is authorized to conduct fire and life safety inspections on a building or premises. If the Fire Marshal determines the presence of a fire or life safety hazard, the Fire Marshal may order the owner or occupant of the premises to correct the hazardous situation. If ordered to do so, an owner or occupant shall correct the hazardous situation in accordance with the order.

SECTION 13.0 FEES

- 13.1 **Fee Authorization.** Except where otherwise stated herein, fees for permits, certificates of compliance, variances, and inspections are to be set by Commissioners Court pursuant to Texas Local Government Code Sections 233.065 and 352.016.
- 13.2 **Payment of Fees.** Fees shall be paid by credit card, cashier's check, money order, personal check, or by other means approved by the County. Should the check be returned for insufficient funds, the permit(s) issued shall become null and void. Fees shall be paid at the time an application is filed or plans are submitted for review unless other arrangements have been made and approved by the County Auditor. The County shall deposit all fees received under this section in a special fund in the County treasury, pursuant to Texas Local Government Code 233.065(c), and money in that fund shall be used only for the administration and enforcement of the Fire Code.

SECTION 14.0 VARIANCES

- 14.1 **Variances.** In limited circumstances, an applicant may make a request to the Fort Bend County Fire Marshal for a Variance to a Permit or other requirement as stated in this Fire Code.
- 14.2 A Variance may be granted only if the following conditions are met: (a) the applicant has shown good and sufficient cause; (b), it has been determined that failure to grant the Variance would result in an exceptional hardship to the applicant; and (c) the granting of a Variance will not result in an increased risk of fire, additional threats to public safety, extraordinary public expense, or create nuisances, cause fraud or victimization of the public.
- 14.3 Economic hardship shall not constitute the sole basis for granting a variance.
- 14.4 A request for a Variance from the Fort Bend County Fire Code must be made in writing to the Fort Bend County Fire Marshal, and each request for a Variance from the Fire Code shall include a fee.
- 14.5 The Fire Marshal shall review the request and make a determination to deny or grant the request for a Variance.
- 14.6 The Fire Marshal is authorized to request additional documents or plan submittal for review. Any additional review or inspection may incur additional fees as listed in the Adopted Fee Schedule.
- 14.7 The Fire Marshal's decision on a Variance Request may be appealed as described in Section 14 of the Fort Bend County Fire Code.

SECTION 15.0 APPEALS

- 15.1 A decision by the Fort Bend County Fire Marshal to deny the issuance of, revoke, or suspend a Permit or Certification shall be final. By submitting an application for a Permit or Certificate of Compliance or Variance, an individual (herein referred to in this Section as “Appellant”) waives the right to challenge this Fire Code in a court of law without first timely exhausting the Fort Bend County Fire Code’s Appeals Procedure.
- 15.2 If the Fort Bend County Fire Marshal denies the issuance of, revokes, or suspends a Permit or Certification required by the Fort Bend County Fire Code, the Appellant shall have the opportunity to request an appeal of the final decision. All requests must be in writing.
- 15.3 Timing of appeal. All requests for an appeal must be delivered to the County Judge with a copy to the Commissioner of the Precinct in which the affected property lies and a copy to the Fire Marshal no later ten (10) business days after the date when the denial, revocation, or suspension becomes final. The request shall include an address for the Appellant to receive notices related to the Appellant’s appeal by certified mail. The Appellant waives the right to an appeal if the request is not timely received by the County Judge.
- 15.4 A DECISION OF THE FORT BEND COUNTY FIRE MARSHAL IS NOT STAYED DURING THE PENDENCY OF AN APPEAL.

- 15.5 The hearing shall be held within thirty (30) days of the receipt of the request by the County Judge. The County Judge shall set the date and time of the hearing. Once the hearing date is set, the Fire Marshal shall send written notification of the appeal hearing date to the Appellant by certified mail. This notice shall be sent no later than seven (7) calendar days prior to the hearing date. At any time, at its discretion, the Court may appoint a hearing examiner to hear the appeal. The hearing examiner shall not have participated in any investigation of the alleged grounds for denial, revocation, or suspension of the Permit or Certificate.
- 15.6 The Appellant shall be provided an opportunity to present evidence, cross-examine witnesses, and be represented by legal counsel. The formal rules of evidence do not apply.
- 15.7 It shall be the responsibility of the Appellant to provide a court reporter if requested by either party for the appeal hearing before the hearing examiner, if appointed. The requirement for a court reporter may be waived if the appeal hearing takes place virtually and is recorded and the waiver is agreed to by both Parties on the record.
- 15.8 The Appellant must be present in person (or by virtual appearance) at the appeal hearing. If the Appellant is not present at the appeal hearing, the appeal will be automatically denied.
- 15.9 The Commissioners Court or hearing examiner, if appointed, has the power to uphold or reverse the decision of the Fire Marshal.
- 15.10 The hearing examiner shall issue a written order of his or her determination within five (5) days from the date of the appeal hearing. The written order shall be distributed to the Appellant(s) and the Fire Marshal via e-mail address supplied on the application and by certified mail.
- 15.11 The decision of the Commissioners Court or the hearing examiner shall be final. On final decision of the Commissioners Court or the hearing examiner, the losing party may appeal the decision by filing a petition in a court of competent jurisdiction in Fort Bend County within thirty (30) days after the date of the decision. Appeals to a court shall be governed by the substantial evidence rule described in Section 2001.174 of the Texas Local Government Code.

SECTION 16.0 VIOLATIONS AND PENALTIES

- 16.1 **Violation of Conditions of Regulations.** Any person having knowledge of a violation of this Code may file a written, sworn complaint with the County Fire Marshal.
- 16.2 **Revocation or Suspension of a Permit or Certificate.** A violation of these Regulations may result in revocation or suspension of a Permit or Certificate in addition to any penalties that may be imposed.
- 16.3 **Civil Remedies.**
 - A. Injunctive Relief.** Pursuant to Section 233.066 of the Texas Local Government Code, the County Attorney is authorized to file suit in a court of competent jurisdiction for an injunction to prohibit the violation or threatened violation of the Fire Code.

B. Civil Penalty. Pursuant to Section 233.067 of the Texas Local Government Code, the County Attorney may file a civil action in a court of competent jurisdiction to recover from a person who violates the Fire Code a civil penalty in an amount not to exceed \$200 for each violation for each day on which the violation exists. The County shall deposit amounts collected under Section 15.3.B in a fund to be used only for the administration and enforcement of the Fire Code. This civil remedy is cumulative of all other remedies available to Fort Bend County.

C. Where allowed by law, the County Attorney may recover all reasonable expenses incurred in obtaining injunctive relief, civil penalties, or both, including reasonable attorney's fees, court costs, mediation fees and investigatory costs.

- 16.4 **Criminal Remedies:** Pursuant to Texas Local Government Code Section 352.022, an owner or occupant who is subject to an order issued by the County Fire Marshal made under Texas Local Government Code Section 352.016 (Inspection or Review of Plan for Fire or Life Safety Hazards) or Section 352.0165 (Inspection of Group Homes in Certain Counties) commits an offense if that person fails to comply with the order. Each refusal to comply is a separate offense. The offense is a Class B misdemeanor unless it is shown on the trial of the offense that the defendant has been previously convicted two or more times for the same offense, in which event the offense is a state jail felony.

SECTION 17.0 FORMS AND RECORDS

- 17.1 **Forms:** Forms to be used in the administration of this Fire Code shall be promulgated by the Fort Bend County Fire Marshal.
- 17.2 **Maintenance of Records:** The Fort Bend County Fire Marshal must maintain all applications for, and file copies of, permits for a retention period of three (3) years. Drawings and specifications on file with the Fort Bend County Fire Marshal may be destroyed after completion of the structure, unless otherwise required by law.

SECTION 18.0 SEVERABILITY, CONSTRUCTION AND OTHER PROVISIONS

- 18.1 **Cumulative Effect.** Authority under these Regulations is cumulative of other authority that Fort Bend County and its incorporated municipalities have to regulate for fire and life safety hazards and does not limit that authority.
- 18.2 **Severability.** If a Section or Subsection of these Regulations, or certain applications of a Section or Subsection, is found invalid or unconstitutional, the remaining Sections or Subsections, or applications of those Sections or Subsections, will continue in force as law.
- 18.3 **Conflicts.** Fort Bend County Fire Code shall supersede any conflicting fire regulations of the County, except for as provided in Section 2.4.
- 18.4 **Conflicting provisions.** Where there is a conflict in the Fire Code between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case,

different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

- 18.5 Abrogation and greater restrictions. Except as specifically set forth herein, this Fire Code is not intended to repeal, abrogate, or impair any existing laws, regulations, easements, covenants, or deed restrictions.
- 18.6 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this Fire Code, the provisions of this Fire Code, as applicable, shall take precedence over the provisions in the referenced code or standard.
- 18.7 Subjects not regulated by this Fire Code. Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards, as approved, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the County Fire Marshal to determine compliance with codes or standards for those activities or installations within the County Fire Marshal's jurisdiction or responsibility.
- 18.8 Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this Fire Code, shall be determined by the County Fire Marshal and County Engineer.
- 18.9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this Code.

Appendix A
Additions, Insertions,
Deletions, and Changes to
International Fire Code, 2021
Edition
Fort Bend County Fire Marshal

The following sections, paragraphs, and sentences of the *2021 International Fire Code* (IFC) are hereby amended as follows: Notations: standard type is text from the IFC. Underlined type is text inserted. ~~Lined through type is deleted text from IFC.~~ A double asterisk (**) at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2021 code.

****Section 102.1; change #3 to read as follows:**

3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code.

(Explanation: To clarify that there are other provisions in the fire code applicable to existing buildings that are not located in Chapter 11, including but not limited to Section 505 Premises Identification.)

****Section 105.3.3; change to read as follows:**

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

(Explanation: For clarity to allow for better understanding in areas not requiring such permits, such as unincorporated areas of counties.)

****Section 105.6.25; add to read as follows:**

105.6.25 Electronic access control systems. Construction permits are required to install or modify an electronic access control system, as specified in Chapter 10. A separate construction permit is required

to install or modify a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

(Explanation: Adds construction permit requirements for electronic access control systems affecting access and/or egress to ensure proper design and installation of such systems. These changes reflect local practices of municipalities in this State.)

***** Section 107.3; delete this section in its entirety:**

~~**107.3 Permit valuations.** The applicant for a permit shall provide an estimated permit value at the time of application. Permit valuations shall include the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the fire code official, the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the fire code official. Final permit valuation shall be set by the fire code official.~~

(Different jurisdictions establish permit fee requirements in different ways, and the majority in this State do not utilize this methodology for establishing Fire Code-required permit fees, as well as have already established and adopted applicable permit fee requirements.)

****Section 202; amend and add definitions to read as follows:**

**** [B] 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 or staff has accepted responsibility for care recipients already incapable. This group may include but not be limited to the following:

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

(Explanation: to clarify the range of uses included in the definition)

**** [B] 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.

(Explanation: Added from International Building Code (IBC) definitions for consistency in interpretation of the subject requirements pertaining to such occupancies.)

****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 purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

(Explanation: Clearly defines options to the fire department for providing a fire watch.)

****FIREWORKS.** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation, and/or activated by ignition

with a match or other heat producing device that meets the definition of 1.3G fireworks or 1.4G fireworks. ...
{Remainder of text unchanged}...

(Explanation: Increased safety from fireworks related injuries.)

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

(Explanation: To further clarify types of service work allowed in a repair garage, as well as to correspond with definition in the IBC.)

****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. These facilities may not be leased or sub-leased for other types of occupancies. Must be used for storage only.

(Explanation: To provide a definition that does not exist in the code.)

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

(Explanation: To provide a definition that does not exist in the code for fire watch accommodations as required 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: and will still be required to be permitted:

- 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

(Explanation: "Upgraded" or "Replaced" is referenced in several places, but the wording of "upgraded or replaced" is somewhat ambiguous and open to interpretation. Defining it here allows for consistent application across the State.)

****Section 307.1.1; change 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 or as determined by the Fire Marshal to be hazardous.

Exception: {No change.}

(Explanation: to assist with prevention of vegetation fires expanding at a rapid pace lessening the danger to responders and property. To comply with TCEQ.

****Section 307.2; delete this section in its entirety:**

307.2 Permit Required. A permit shall be obtained from the ~~fire code official~~ in accordance with Section 405.6 Prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or ~~open burning 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.

State law, or regulations referenced elsewhere in this section may include but not are not limited to the following:

1. Texas Commission on Environmental Quality (TCEQ) regulations.
2. State, County, or Local temporary or permanent bans on open burning.
3. Local written policies as established by the fire code official.

(Explanation: Amendments to 307.2, 307.4, 307.4.3, and 307.5 better explain current requirements and recognize that jurisdictions have local established policies that best fit their environments.)

****Section 307.3; change to read as follows:**

307.3 Extinguishment Authority. ~~When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.~~ The fire code official is authorized to order the extinguishment to the person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

(Explanation: Provides direction as to responsible parties relative to extinguishment of the subject open burning.)

*****Section 307.4 and 307.4.1; change to read as follows:**

307.4 Location. The location for open burning shall not be less than ~~50 300~~ feet (~~15-240 91 440~~ mm) from any structure, and provisions shall be made to prevent the fire from spreading to within ~~50 300~~ feet (~~15-240 91 440~~ mm) of any structure.

Exceptions: {No change.}

307.4.1 Bonfires. A bonfire shall not be conducted within ~~50 300~~ feet (~~15-240 91 440~~ mm), or greater distance as determined by the fire code official, of a structure or combustible material. ~~-, unless the fire is contained in a barbecue pit.~~ Conditions that could cause a fire to spread within the required setback ~~50 feet (15-240 mm)~~ of a structure shall be eliminated prior to ignition.

Size of bonfire will help to determine needed fire equipment and apparatus as per permit requirements. (*Explanation: To increase the separation distance thereby increasing the safety to adjacent properties, as per applicable TCEQ rules and regulations regarding outdoor burning. Bonfires were added to this requirement to allow the AHJ the ability to match the increased setback utilized for open burning as necessary.*)

****Section 307.4.3, Exceptions; add exception #2 to read as follows:**

Exceptions:

1. Portable outdoor fireplaces used at one- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an approved automatic sprinklersystem.

(*Explanation: To reflect similar allowances for open-flame cooking in these same locations.*)

****Section 307.4.4 and 307.4.5; change to read as follows:**

307.4.4 Permanent Outdoor Fire pit. Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the International Residential Code or International Building Code.

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

(*Explanation: To provide a greater level of safety for this potentially hazardous fire exposure condition. Decrease in separation distance allowed for outdoor fire pits due to permanent nature of construction having substantial securement.*)

****Section 307.5; change to read as follows:**

307.5 Attendance. Open burning, trench burns, bonfires, *recreational fires*, and use of portable outdoor fireplaces shall be constantly attended until the... {Remainder of section unchanged}

(*Explanation: Adds attendance for trench burns based on previous amendment provision for such.*)

****Section 308.1.4; change to read as follows:**

308.1.4 Open-flame Cooking Devices. ~~Charcoal burners and other~~ Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be operated-located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings where LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 pounds (5 containers). All LP-gas containers shall be stored outside, as per Chapter 61.
2. 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. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2-1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

(Explanation: Decrease fire risk in multi-family dwellings and minimizes ignition sources and clarify allowable limits for 1 & 2 family dwellings, and allow an expansion for fire-sprinklered multi-family uses. This amendment adds clarification and defines the container size allowed for residences.)

****Section 308.1.6.2, Exception #3; change to read as follows:**

3. Torches or flame-producing devices in accordance with Section ~~308.4~~ 308.1.3.

(Explanation: Section identified in published code is inappropriate.)

****Section 308.1.6.3; change to read as follows:**

308.1.6.3 Sky Lanterns. A person shall not release or cause to be released an ~~untethered unmanned~~ free-floating device containing an open flame or other heat source, such as but not limited to a sky lantern.

(Explanation: Eliminates the potential fire hazard presented by utilization of such devices and the potential accidental release of such devices.)

****Section 311.5; change to read as follows:**

311.5 Placards. ~~Any~~ The fire code official is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 114 of this code relating to structural or interior hazards, shall be marked as required by Section 311.5.1 through 311.5.5.

(Explanation: There may be situations where placarding is not desired or necessary; also clarifies intent that it is not the fire code official's responsibility to provide the placard.)

**** Section 319 Mobile Food Preparation Vehicles.**

Section 319.8.6 Annual Pressure Testing All LP-gas and/or CNG systems used in mobile food preparation vehicles shall have and maintain an annual pressure test, certified by a licensed technician.

(Explanation: To ensure the integrity of the LP-gas and/or CNG system to prevent leakage, fire, and explosion.)

****Section 403.4; change 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 a Group E occupancy 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 Sections 403.4.1 through 403.4.3.

(Explanation: The diagrams are intended to assist with egress in such occupancies – specifically, the primary teacher is not always present to assist children with egress. Also, such will help reinforce evacuation drill requirements.)

*****Section 405.5; change 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 conditions 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.

(Explanation: This change clarifies who may require a fire or evacuation drill, and also allows for consideration/protection of students/occupants who may be severely negatively impacted by the nature of a fire alarm notification during a practice drill.)

****Section 501.4; change to read as follows:**

501.4 Timing of Installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure. , ~~such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2.~~

(Explanation: Reflects current practice in the State relative to ensuring fire department and EMS access during construction, which can be a time of increased frequency for emergency incidents.)

Section 503.1. Add paragraph to read as follows

No obstacles will be placed in the Fire Apparatus Access Road that can hinder response or cause damage to fire apparatus or other emergency responding vehicles. Example: Speed bumps.

(Explanation: Speed bumps and other devices drastically slow response and can damage responding apparatus.)

****Section 503.1.1; add sentence to read as follows:**

Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a 10 feet(3048 mm) wide unobstructed pathway around the external walls of the structure.

(Explanation: Recognizes that the hose lay provision can only be measured along a pathway that is wide enough for fire fighter access.)

****Section 503.2.1; change to read as follows:**

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 24 feet (6096 mm 7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm) 14 feet (4267 mm).

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

(Explanation: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section

503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)

****Section 503.2.2; change to read as follows:**

503.2.2 Authority. The *fire code official* shall have the authority to require ~~or permit modifications to the required~~ an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

(Explanation: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)

*****Section 503.2.3; change Section 503.2.3 to read as follows:**

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support imposed loads of 85,000 Lbs. for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

(Explanation: To address the current size of fire trucks in use – figure derived from DOT requirements for waiver of vehicle exceeding such weight and from current maximum weights of fire trucks being purchased by jurisdictions in Texas.)

****Section 503.3; change to read as follows:**

503.3 Marking. ~~Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE~~ 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. ~~The means by which fire lanes are designated~~ 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. Signs shall be painted on a white background with letters and borders in red, 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 Marshal.

(Explanation: Establishes a standard method of marking and reflects State long-standing practices.)

****Section 503.4; change to read as follows:**

503.4 Obstruction of Fire Apparatus Access Roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and 503.2.2 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

(Explanation: As originally worded, the section implied that vehicles could be parked in the marked fire lane and not be in violation if the minimum width is still maintained. Current accepted enforcement practice is to require the entire marked fire lane to be maintained clear and unobstructed.)

****Section 505.1; change to read as follows:**

505.1 Address Identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than ~~4 inches (102 mm)~~ 6 inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. 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, pole 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 identification shall be maintained.

Exception: R-3 Single Family occupancies shall have approved numerals of a minimum 3 ½ 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.

(Explanation: To increase the minimum addressing requirements for commercial properties and establish a minimum for single-family residential properties such improves legibility of these signs which are critical to emergency response in a more timely manner.)

***** Section 507.1.1; Add to read as follows:**

507.1.1 Water Supply. The approved water supply for the fire protection water shall be a standalone system and not in combination with the domestic water line. Separate tap connections shall be made for each.

****Section 507.1.2: add as follows:**

507.1.2 All new construction requiring a fire sprinkler suppression systems: All requirements for backflow, Post Indicator Valve, FDC shall be located in a single vault/pit at least as far from the building as the height of the wall facing the vault/pit out of the collapse zoned preferred. Location to be approved by the AHJ.

Exceptions: R-2 Multi-family occupancies.

~~Multiple structures using single Fire Line.~~

Single Family dwellings

Discretion of the AHJ

(Reason: To better protect devices, fire personnel, and fire apparatus in the event of a structural collapse.)

Section 507.2.1: add as follows:

507.2.1. Private fire service mains exempt from Section 507.1.2 shall have a Post Indicator Valve (PIV) and Fire Department Connection (FDC) in a remote location as far from the building as the height of the wall facing the PIV and FDC or located a minimum of 6 feet directly diagonally from the corner of the structure. Backflow protection shall be in a vault/pit or on the fire sprinkler riser or other approved location by the AHJ.

Exceptions: Single Family dwellings

Other approved location authorized by the AHJ.

(Reason: To better protect devices, fire personnel, and fire apparatus in the event of a structural collapse.)

****Section 507.4; change 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 FireFlow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, as required or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. 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 water-flow 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.

(Explanation: Clarifies intent of the test to ensure contractor accounts for water supply fluctuations.)

****Section 507.5.4; change 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 firehydrants, 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.

(Explanation: Additional guidance based on legacy language to ensure these critical devices are available in an emergency incident.)

****Section 509.1.2; add 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.

(Explanation: Provides direction as to appropriate sign criteria to develop local and State consistency in this regard.)

*****Section 605.4 through 605.4.2.2; change to read as follows:**

605.4 Fuel oil storage systems. Fuel oil storage systems for building heating 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-~~or~~ 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 these 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.

(Explanation: Issues addressed by Chapter 57, such as venting to outside of buildings, remote fill to outside of building, overfill protection, physical protection, etc., are not included in Section 605.4, so compliance with Chapter 57 is also required. We removed the applicability to heating systems only from the charging statement based on this more prudent method of diesel storage for generators, boilers, fire pumps and other fuel-fired equipment inside buildings without requiring Group H occupancy classification

– this is now established practice in the State of Texas as well.)

****Section 807.5.2.2 and 807.5.2.3 applicable to Group E occupancies; change 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 of the wall area.

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.

(Explanation: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)

****Section 807.5.5.2 and 807.5.5.3 applicable to Group I-4 occupancies; change 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 of the wall area.

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.

(Explanation: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)

Section 901.4.7 add as follows:

901.4.7.1 Pump and riser rooms with three (3) or more risers shall have displayed a waterproof Riser Zone Map clearly showing the different zone each riser supplies. Each physical riser should be marked on the outside of the riser corresponding to the Riser Zone Map.

(Reason: to quickly ascertain which riser supplies which zone for quicker emergency response and have the expedient ability to shut off zones of the system without taking the entire system off-line.)

****Section 901.6.1.1; add to read as follows:**

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

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

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

(Explanation: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)

****Section 901.6.4; add 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.

(Explanation: Places the responsibility on the business or property owner to maintain their fire alarm systems in approved condition. Allows the enforcement of "prohibition of false alarms". Replaces text lost from the legacy codes that helps to ensure the maintenance of life safety systems.)

****Section 901.7; change to read as follows:**

901.7 Systems Out of Service. Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service. ... {Remaining text unchanged}

(Explanation: Gives fire code official more discretion with regards to enforcement of facilities experiencing nuisance alarm or fire protection system activations necessitating correction/repair/replacement. The intent of the amendment is to allow local jurisdictions to enforce fire watches, etc., where needed to ensure safety of occupants where fire protection systems are experiencing multiple nuisance activations.)

****Section 903.1.1; change to read as follows:**

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

(Explanation: Such alternative systems do not provide the reliability of automatic sprinkler protection. Most gaseous type systems are highly susceptible to open doors, ceiling or floor tile removal, etc. However, an applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the firecode official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths.)

****Section 903.2; add paragraph to read as follows and delete the Exception for telecommunications buildings:**

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoist-ways, 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."

(Explanation: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3005.4, such that passive fire barriers for these areas are maintained. The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building.)

*****Section 903.2.4.2; change to read as follows:**

903.2.4.2 Group F-1 distilled spirits. An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits involving more than 120 gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

(Explanation: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small distillery type operations without sprinkler requirements as has been historically allowed.)

*****Section 903.2.9.3; change to read as follows:**

903.2.9.3 Group S-1 distilled spirits or wine. An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

(Explanation: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small storage operations without sprinkler requirements as has been historically allowed.)

****Section 903.2.9.4 and 903.2.9.5; delete exception to 903.2.9.4 and add Section 903.2.9.5 to read as follows:**

903.2.9.5 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities. Must still comply with section 907.2.10

Exception: Less than 6,000 sq. ft.

(Explanation: Fire departments are unable to regularly inspect the interior of these commercial occupancies and are unaware of the contents being stored. Previous allowance to separate units by fire barriers is difficult to enforce maintenance after opening.)

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:

903.2.11.3 Buildings 55 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more,~~ other than penthouses in compliance with Section 1511 of the *International Building Code*, located ~~55 35 feet(46 764 10 668 mm)~~ or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exception:

1. ~~Occupancies in Group F-2.~~

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet(4572 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 fire-extinguishing system.

903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area greater than 6,000 sq. ft. ~~or greater~~ and in all existing buildings that are enlarged to be greater than 6,000 sq ft. ~~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 of 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

(Explanation: Provides jurisdictions options as to their desired level of sprinkler protection based on

multiple factors including firefighting philosophies/capabilities.)

****Section 903.3.1.1.1; change 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 firehazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. ~~Rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
5. ~~Fire service access~~ Elevator machine rooms, and machinery spaces, and hoist-ways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete.}

(Explanation: Gives more direction to code official. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)

*****Section 903.3.1.2; change 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 ~~30~~ 35 feet (9144 10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is ~~30~~ 35 feet (9144 10668 mm) or less below the lowest level of fire department vehicle access.

{No change to remainder of section.}

(Explanation: The change to the 2021 IFC over-reached to limit 13R systems to 30 ft. high at topmost floor level, which basically results in limiting 13R systems to 3 story buildings in reality. This change to 35 ft. would still allow 13R systems in 4 story apartment buildings, as has been allowed historically and as intended by 13R's scope.)

*****Section 903.3.1.2.2; change to read as follows:**

903.3.1.2.2 Corridors and balconies in the means of egress. Sprinkler protection shall be provided in all corridors and for all balconies. ~~in the means of egress where any of the following conditions apply:~~

{Delete the rest of this section.}

(Explanation: Corridor protection is critical to the means of egress, and corridors are regularly utilized for miscellaneous storage, fixtures, artwork, food kiosks and beverage dispensers, and furnishings. Balcony protection is required due to issues with fire exposure via soffit vents and the potential for significant combustible loading.)

****Section 903.3.1.2.3; delete section and replace as follows:**

Section 903.3.1.2.3 Attached Garages and Attics. 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 unsprinklered attic, not fewer than one quick-response intermediate temperature sprinkler shall be installed above the equipment.
3. Attic spaces of buildings that are 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.~~

(Explanation: Attic protection is required due to issues with fire exposure via soffit vents, as well as firefighter safety. Several jurisdictions indicated experience with un-protected attic fires resulting in displacement of all building occupants. NFPA 13 provides for applicable attic sprinkler protection requirements, as well as exemptions to such, based on noncombustible construction, etc. Attached garages already require sprinklers via NFPA 13R – this amendment just re-emphasizes the requirement.)

****Section 903.3.1.3; change to read as follows:**

903.3.1.3 NFPA 13D Sprinkler Systems. 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.

(Explanation: To allow the use of the Plumbing section of the International Residential Code (IRC) and recognize current state stipulations in this regard.)

****Section 903.3.1.4; add 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 atticspaces 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 therest 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 bythe fire code official for small sections of large diameter water-filled pipe.

(Explanation: severe winters brought to light several issues with current practices for placing fire sprinklers in attics, not the least of which was wet-pipe sprinklers in ventilated attics provided with space heaters, etc. for freeze protection of such piping. This practice is not acceptable for the protection of water-filled piping in a ventilated attic space as it does not provide a reliable means of maintaining the minimum 40 degrees required by NFPA, wastes energy, and presents a potential ignition source to the attic space. Listed antifreeze is specifically included because NFPA currently allows such even though there is no currently listed antifreeze at the time of development of these amendments. The intent of this amendment is to help reduce the large number of freeze breaks that have occurred in the past with water-filled wet-pipe sprinkler systems in the future, most specifically in attic spaces.)

****Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective NFPA standards; however, every water-based fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

(Explanation: To define uniform safety factor for the State.)

Section 903.3.8.3.1; Piping arrangement; add second paragraph to read as follows:

All sprinkler systems that supply above or below level of fire department access; supplied by a single riser, shall have individual indicating control valves to be able to isolate each individual floor. Must comply _____ with

Section 903.4

Exception: Occupancies classified as R-2

(Reason: to be able to isolate individual floors without shutting down the entire system.)

****Section 903.4; add a second paragraph after the exceptions to read as follows:**

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 electrically supervised to initiate a supervisory signal at the central station upon

tampering.

(Explanation: To avoid significant water losses. Consistent with amendment to IFC 905.9.)

****Section 903.4.2; add second paragraph to read as follows:**

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

(Explanation: Fire department connections are not always located at the riser; this allows the fire department faster access and ease of recognition of the FDC location, especially at night.)

****Section 905.3.9; add to read as follows:**

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

Exceptions:

1. Automatic dry, semi-automatic dry, and manual 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.

(Explanation: Allows for the rapid deployment of hose lines to the body of the fire in larger structures.)

****Section 905.4; change Item 1, 3, and 5, and add Item 7 to read as follows:**

1. In every required ~~interior~~ 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.
Exception: {No change.}
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 ~~interior~~ exit stairway hose connection by a {remainder of text unchanged}
4. {No change.}
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way a-hose connection shall be 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.

(Explanation: Item 1, 3, and 5 amendments to remove 'interior' will help to clarify that such connections are required for all 'exit' stairways, to ensure firefighter capabilities are not diminished in these tall buildings, simply because the stair is on the exterior of the building. Item 5 reduces the amount of pressure required to facilitate testing, and provides backup protection for fire fighter safety.

Item 7 allows for the rapid deployment of hose lines to the body of the fire.)

*****Section 905.8; change to read as follows:**

905.8 Dry standpipes. Dry standpipes shall not be installed. All standpipes shall be automatic wet systems.

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.

(Explanation: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm. NFPA 14 requires supervisory air for such, but does not provide pressure criteria for what that means. This is a long-standing State requirement.)

****Section 905.9; add a second paragraph after the exceptions to read as follows:**

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 electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Explanation: To avoid significant water losses. Consistent with amendment to IFC 903.4.)

*****Section 906.1(1); delete Exception 3 as follows:**

~~3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:~~

~~3.1. Use of vehicle-mounted extinguishers shall be approved by the fire code official.~~

~~3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved by the extinguisher manufacturer or the fire code official for vehicular use.~~

~~3.3. Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher.~~

~~3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.~~

~~3.5. Inspections of vehicle-mounted extinguishers shall be performed daily~~

(Explanation: This provision of only having vehicle-mounted fire extinguishers is not consistent with historical practice of requiring extinguishers throughout based on travel distance. Often times, the vehicle is what has caused the incident and/or may be the source of the incident, so having the extinguisher vehicle-mounted results in greater potential injury of the user. This assumes the only occupants in the building are on a vehicle, which again, significantly reduces access to fire extinguishers throughout the building to other occupants. Future use of the building/tenancy may change further complicating the issue.)

Section 907.1.2 Fire Alarm Shop Drawings; Add the following

***** 907.1.2.1 Device Map.** All new fire alarm systems that contains 20 or more detection devices, the devices must be identified on the exterior of the device and a waterproof map showing the location of the detection devices must be maintained at the FACP.

(Explanation: To assist fire department personnel to be able to rapidly identify the location of the device that is in notification to expedite mitigation of the incident

****Section 907.1.4; add to read as follows:**

907.1.4 Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 initiating devices shall be analog initiating devices.

(Explanation: Provides for the ability of descriptive identification of alarms, and reduces need for panel replacement in the future. Change of terminology allows for reference back to definitions of NFPA 72.)

****Section 907.2.1; change 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 ~~where the~~ having an occupant load due to the assembly occupancy is of 300 or more persons, or where the ~~Group A~~ occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

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.

(Explanation: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices or reduces ability of fire alarm system to notify occupants of the emergency condition.)

****Section 907.2.3; change to read as follows:**

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E

educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' 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. {No change.}
- 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

{No change to remainder of exceptions.}

(Explanation: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems. Exceptions provide consistency with State law concerning such occupancies.)

*****Section 907.2.10; change 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 ~~three stories or greater in height~~ for interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: {No change.}

(Explanation: Because of the potential unknown fire load and hazards in self-storage type facilities, which could include flammable liquids for instance, as well as other hazardous materials, prompt evacuation in the event of fire alarm is needed; therefore, notification in the corridors/common areas is critical to all such occupancies, regardless of height.)

****Section 907.2.13, Exception 3. Change to read as follows:**

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.

(Explanation: To indicate that enclosed areas within open air seating type occupancies are not exempted from automatic fire alarm system requirements.)

****Section 907.4.2.7; add to read as follows:**

907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

(Explanation: Helps to reduce false alarms.)

****Section 907.6.1.1; add 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 a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(Explanation: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)

****Section 907.6.3; delete all four Exceptions.**

(Explanation: To assist responding personnel in locating the emergency event for all fire alarm systems. This is moved from 907.6.5.3 in the 2018 IFC and reworded to match new code language and sections.)

****Section 907.6.6; add sentence at end of paragraph to read as follows:**

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

(Explanation: To assist responding personnel in locating the emergency event for all fire alarm systems. This was moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections (legacy language).)

****Section 910.2; change Exceptions 2. and 3. to read as follows:**

2. Only manual smoke and heat removal shall not 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 not 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.

(Explanation: Allows the fire department to control the smoke and heat during and after a fire event, while still prohibiting such systems from being automatically activated, which is a potential detriment to the particular sprinkler systems indicated.)

****Section 910.2.3; add 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 (1394 m²) 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.

(Explanation: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish..)

****Section 910.4.3.1; change 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 ~~manual~~ or automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

(Explanation: Makeup air has been required to be automatic in this State when mechanical smoke exhaust systems are proposed. This allows such systems to be activated from the smoke control panel by first responders without having to physically go around the exterior of the building opening doors manually. Not having Makeup Air requires a significant number of first responders on scene to conduct this operation and significantly delays activation and/or capability of the smoke exhaust system.)

****Section 912.2.3; add to read as follows:**

912.2.3 Hydrant Distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path, measured as common lay.

(Explanation: To accommodate limited hose lengths, improve response times where the FDC is needed to achieve fire control, and improve ease of locating a fire hydrant in those situations also. Also, consistent with NFPA 14 criteria.)

****Section 913.2.1; add second paragraph and 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 ft. in width and 6 ft. – 8 in. 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 firecode official. Access keys shall be provided in the key box as required by Section 506.1.

(Explanation: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)

****Section 914.3.1.2; change to read as follows:**

914.3.1.2 Water Supply to required Fire Pumps. In all buildings that are more than ~~420~~ 120 feet (128 ~~36.6~~ m) in *building height*, and buildings of Type IVA and IVB construction that are more than 120 feet (36.6 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.}

(Explanation: The 2009 edition of the IFC added this requirement based on a need for redundancy of the water supply similar to the redundancy of the power supply to the fire pumps required for such tall buildings, partially due to the fact that these buildings are rarely fully evacuated in a fire event. More commonly, the alarm activates on the floor of the event, the floor above and the floor below. Back-up power to the fire pump becomes critical for this reason.)

****Section 1032.2; change to read as follows:**

1032.2 Reliability. Required *exit accesses, exits and exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency ~~where the building area served by the means of egress is occupied~~. An *exit or exit passageway* shall not be used for any purpose that interferes with a means of egress.

(Explanation: Maintain legacy levels of protection and long-standing State practice, and provide firefighter safety.)

****Section 1103.5.1; add sentence to read as follows:**

Fire sprinkler system installation shall be completed within 24 months from date of notification by the fire code official 12 months of initial installation beginning unless approved by the AHJ.

(Explanation: This allows business owners adequate time to budget to accommodate the cost of the fire sprinkler system.)

****Section 1103.5.6; add 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.

(Explanation: Consistent with amendment to IFC 2404, and long-standing State requirement to protect this hazardous operation.)

****Section 1103.7.7; add 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~~ initiating devices shall ~~have~~ be 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 907.6.6 for applicable requirements.

(Explanation: To assist responding personnel in locating the emergency event and provide clarity as to percentages of work that results in a requirement to upgrade the entire fire alarm system.)

***Section 1203; change and add to read as follows:

1203.1.1 {No change.}

1203.1.2 {No change.}

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.

1203.1.4 {No change.}

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.

1203.1.6 through 1203.1.9 {No changes to these sections.}

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 1203.2.4~~26~~ or elsewhere identified in this code or any other referenced code. **1203.2.1 through 1203.2.3** {No change.}

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

1203.2.5 through 1203.2.14 {No change.}

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.

1203.2.17 {No change.}

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

411Smoke Protected Seating, Section 1030.6.2

1203.2.19 {No change.}

1203.2.20 Covered and Open Mall Buildings. Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.

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 909.20.7.2.

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 504.11, 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.)

1203.3 through 1203.6 {No change.}

(Explanation: These amendments were moved from Chapter 6, due to the published sections to this new Chapter 12 These provisions provide a list to complete and match that throughout the codes. The only additional requirements are the reference to COPS in NFPA 70, and the specified Energy time duration. Other changes are a reference to a code provision that already exists.)

****Section 2304.1; change to read as follows:**

2304.1 Supervision of Dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be conducted by a qualified attendant or shall be under the supervision of a qualified attendant at all times or shall be in accordance with Section 2204.3, 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.

At any time the qualified attendant of item Number 1 or 2 above is not present, such operations shall beconsidered as an unattended self-service facility and shall also comply with Section 2304.3.

(Explanation: Allows a facility to apply the attended and unattended requirements of the code when both are potentially applicable.)

****Section 2401.2; Nonapplicability. Delete this section in its entirety.**

(Explanation: This section eliminates such booths from all compliance with Chapter 24 including, but not limited to: size, ventilation, fire protection, construction, etc. If the product utilized is changed to a more flammable substance, the lack of compliance with Chapter 15 could result in significant fire or deflagrationand subsequent life safety hazard.)

****Section 3103.3.1; Special Amusement. Delete this section in its entirety.**

(Explanation: This section requires a fire sprinkler system to be installed in temporary tents and membrane structures, which is not a reason or enforceable requirement for a temporary use. A fire watch or fire alarm system is a more advisable approach for such occupancies that are only temporary in nature.)

****Table 3206.2, footnote h; change text to read as follows:**

- h. ~~Not required~~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 • 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 exhaust systems shall be required within these areas.

(Explanation: Allows the fire department to control the smoke and heat during and after a fire event, while ensuring proper operation of the sprinkler protection provided. Also, gives an alternative to smoke and heat vents.)

****Table 3206.2; add footnote j to row titled 'High Hazard' and 'Greater than 300,000' to read as follows:**

- j. High hazard high-piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with Section 706 of the *International Building Code* shall be used to divide high-piled storage exceeding 500,000 square feet in area.

(Explanation: This provides passive protection for extremely large buildings where it would be otherwise impossible to control the spread of fire without the fire wall in place in an uncontrolled fire event, which is much more likely in high hazard commodities, such as tires, flammable liquids, expanded plastics, etc.)

*****Section 3311.1; change to read as follows:**

Section 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 400 ~~50~~ feet (~~30-480~~ 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.

(Explanation: Improves access to the FDC where required, as well as coordinates with the timing of installation amendment from Section 501.4.)

****Section 5601.1.3; change to read as follows:**

5601.1.3 Fireworks. The possession, manufacture, ~~storage, sale, handling, and use~~ of fireworks are prohibited.

Exceptions:

1. Only when approved for fireworks displays, the storage and handling of fireworks as allowed in Section 5604 and 5608.
2. ~~Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~
- 3-2. The use of fireworks for approved fireworks displays as allowed in Section 5608.
4. ~~The possession, storage, sale... {Delete remainder of text.}~~

(Explanation: Restricts fireworks to approved displays only, which is consistent with State practice. Such is intended to help protect property owners and individuals from unintentional fireworks fires within the jurisdiction, as well as to help protect individuals from fireworks injuries. It is noted that there has been a change in the State Law to allow possession of unopened fireworks in certain areas of the vehicle, and it is highly recommended that AHJ's familiarize themselves with the applicable state laws in this regard.)

****Section 5703.6; add sentence to end of paragraph to read as follows:**

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

(Explanation: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)

****Section 5704.2.11.4; change to read as follows:**

5704.2.11.4 Leak Prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 ~~and 5704.2.11.4.2~~ through 5704.2.11.4.3. An approved method of secondary

containment shall be provided for underground tank and piping systems.

(Explanation: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)

****Section 5704.2.11.4.2; change 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.

(Explanation: Reference to IFC Section 5704.2.11.4.3 amendment.)

****Section 5704.2.11.4.3; add to read as follows:**

5704.2.11.4.3 Observation Wells. Approved sampling tubes of a minimum 4 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

(Explanation: Provides an economical means of checking potential leaks at each tank site. This is long-standing practice.)

****Section 5707.4; add 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.

(Explanation: The general public does not expect a hazardous operation to be occurring in a typical parking lot or for a fuel truck to be traversing such parking lot, temporarily fueling a vehicle, and moving on to the next area in the parking lot to fuel the next vehicle. Vehicular accidents occur in parking lots on a regular basis, but the presence of a fuel truck, especially one in the process of fueling a vehicle with gasoline, greatly adds to the potential risk involved in such accidents. By restricting such operations to the occupancies in question, the employees of the business may be adequately notified to expect such operations to occur in the parking lot.)

****Section 6103.2.1.8; add 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.

(Explanation: To provide a consistent and reasonable means of regulating the use of portable LP-Gas containers in these situations. Reduces the hazard presented by portable containers when

natural gas is already available. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

****Section 6104.2; add Exception 2. to read as follows:**

Exceptions:

1. {existing text unchanged}
2. Except as permitted in Sections 308 and 6104.3.3, LP-gas containers are not permitted in residential areas.

(Explanation: To provide a consistent and reasonable means of regulating the use LP-Gas containers. Reduces the hazard presented by such containers when natural gas is already available. References State amendment to IFC 6104.3.3. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

****Section 6104.3.3; add to read as follows:**

6104.3.3 Spas, Pool Heaters, and Other Listed Devices. Where natural gas service is not available, an LP-gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. 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 up to 500 gallon above ground or 1,000 gallon underground approved containers.

(Explanation: Allows for an alternate fuel source. Dwelling density must be considered and possibly factored into zoning restrictions. Reduces the hazard presented by over-sized LP-Gas containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

****Section 6107.4 and 6109.13; change 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 ~~NFPA 58~~ Section 312.

6109.13 Protection of Containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

Exception: ~~Vehicle impact protection shall not be required for protection of LP-gas containers where the containers are kept in lockable, ventilated cabinets of metal construction.~~

(Explanation: NFPA 58 does not provide substantial physical protection [it allows raised sidewalks, fencing, ditches, parking bumpers as 'vehicle barrier protection'] of the container(s) from vehicular impact as is required and has been required historically, as per Section 312, i.e. bollard protection. Further, the exception to Section 6109.13 would allow for portable containers in ventilated metal

cabinets to not require any physical protection whatsoever from vehicular impact, regardless of the location of the containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

***{Appendix B Fire-Flow Requirements For Buildings amendments}

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses; add exception.

Exception: Occupancies other than Group A's that do not require Fire Suppression systems by another section of this code.

**{Appendix B Fire-Flow Requirements For Buildings amendments}

**Table B105.2; change footnote a. to read as follows:

a. The reduced fire-flow shall be not less than ~~4,000~~ 1,500 gallons per minute.

(Explanation: The minimum fire-flow of 1,500 gpm for other than one- and two- family dwellings has existed since the 2000 edition of the IFC, as well as the Uniform Fire Code before that. Little to no technical justification was provided for the proposed code change at the code hearings. The board believes that the already-allowed 75 percent reduction in required fire-flow for the provision of sprinkler protection is already a significant trade-off. The minimum 1,500 gpm is not believed to be overly stringent for the vast majority of public water works systems in this State, especially since it has existed as the requirement for so many years. Further, the continued progression of trading off more and more requirements in the codes for the provision of sprinkler protection has made these systems extremely operation-critical to the safety of the occupants and properties in question. In other words, should the sprinkler system fail for any reason, the fire-flow requirements drastically increase from that anticipated with a sprinkler-controlled fire scenario.)

***{Appendix D Fire Apparatus Access Roads amendments}

***Section D102.1; change 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 with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing up to ~~75,000~~ 85,000 pounds (~~34,050~~ 38,556 kg).

(Explanation: To address the current size of fire trucks in use – figure derived from DOT requirements for waiver of vehicle exceeding such weight and from current maximum weights of fire trucks being purchased by jurisdictions in Texas.)

***Section D103.4; change to read as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) 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**

| LENGTH (feet) | WIDTH (feet) | TURNAROUNDS REQUIRED |
|------------------|-------------------------|--|
| 0–150 | 20 <u>24</u> | None required |
| 151–500 | 20 <u>24</u> | 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.

(Explanation: Reflects current increased apparatus access roadway widths as indicated in the recommended amendment to 503.2.1.)

*****Section D103.5; change to read as follows:**

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 ~~20~~ 24 feet (~~6096~~ 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).
2. {No Change}
3. {No Change}
4. {No Change}
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be ~~approved~~ the Click 2 Enter communications device in addition to a manual means to open by the fire code official.
6. {No Change}
7. {No Change}
8. {No Change}

(Explanation: Reflects current increased apparatus access roadway widths as indicated in the recommended amendment to 503.2.1.)

*****Section D103.6; change to read as follows:**

D103.6 Signs-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 Marshal.

Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent “NO PARKING FIRE LANE” signs complying with Figure D103.6, or other approved method. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.



**FIGURE
D103.6 FIRE
LANE
SIGNS**

(Explanation: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to Section 503.3)

*****Section D103.6.1 and D103.6.2; delete sections as follows:**

~~**D103.6.1 Roads 20 to 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).~~

~~**D103.6.2 Roads more than 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).~~

(Explanation: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to 503.3 and D103.6, which requires the signage on both sides of the fire

apparatus access roads, regardless of width)

*****Section D104.3; change to read as follows:**

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.

(Explanation: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)

*****Section D105.3; change to read as follows:**

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 one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

Eighty percent (80%) of the wall facing the Fire Lane must be within the 15 to 30 ft area. The remaining twenty percent (20%) may exceed 35 ft from the Fire Lane

(Explanation: To provide some additional flexibility to the fire code official on the location of the aerial fire apparatus access roads.)

*****Section D106.3; change to read as follows:**

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.

(Explanation: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)

*****Section D107.2; change to read as follows:**

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.

(Explanation: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)

*****{Appendix L Requirements For Fire Fighter Air Replenishment Systems amendments}**

*****Section L101.1; change to read as follows:**

Section L101.1 Scope. Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in new buildings when any of the following conditions occur:

1. Any new building 5 or more stories in height.
2. Any new building with 2 or more floors below grade.
3. Any new building 500,000 square feet or more in size.

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.

~~The adopting ordinance shall specify building characteristics or special hazards that establish threshold triggering a requirement for the installation of a FARS. The requirement shall be based on the fire department's capability of replenishing fire fighter breathing air during sustained emergency operations. Considerations shall include:~~

- ~~1. Building characteristics, such as number of stories above or below grade plane, floor area, type of construction and fire resistance of the primary structural frame to allow sustained fire fighting operations based on a rating of not less than 2 hours.~~
- ~~2. Special hazards, other than buildings, that require unique accommodations to allow the fire department to replenish fire fighter breathing air.~~
- ~~3. Fire department staffing level.~~
- ~~4. Availability of a fire department breathing air replenishment vehicle.~~

(Explanation: Supplies of fresh breathing air are critical for firefighting operations. Historically, fire departments have supplied air bottles by manually transporting air bottles up stairways or across long distances in a building, which is an extraordinarily intensive process and takes firefighters away from their primary mission of rescue and firefighting. The FARS technology in Appendix L exists to address this issue using in-building air supply systems. Many jurisdictions in Texas and across the country have already adopted this Appendix and are enforcing and installing these systems to improve the life safety of firefighters and enhance their firefighting capabilities in an emergency incident, which is one of the reasons for recommending this Appendix for adoption – to ensure State consistency, as well as to improve mutual emergency aid among jurisdictions in Texas.)

*****Section L104.13.1; delete this section in its entirety.**

(Explanation: The amendment to Section L101.1 above addresses the location criteria for SCBA fill panels.)

*****Section L104.14; add 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 50 ft. of a fire apparatus access road along an unobstructed path; and shall be located in an approved signed, secured cabinet.

(Explanation: To accommodate the needs of first responders to be able to locate and utilize the required connection to ensure air supply availability to this system, similar to the requirements of FDC's.)

END

Appendix B
Example of Certificate of Compliance



Fort Bend County Certificate of Compliance

1. Fort Bend County Fire Marshal Certificate Number

| | | | |
|---|---|---|------------------------------|
| 2. Property Name | 3. Property Address | 4. City, State, Zip Code | |
| 5. Type of Construction A. New Construction <input type="checkbox"/> B. Renovation <input type="checkbox"/> C. Change of Occupancy <input type="checkbox"/> | 6. Sprinkler System Required Yes <input type="checkbox"/> No <input type="checkbox"/> | 7. Alarm System Required Yes <input type="checkbox"/> No <input type="checkbox"/> | 8. Building Code and Edition |
| 9. Occupied Area | | 10. Designed Occupant Load | |
| 11. Type of Construction | | 12. Description of Use | |
| 13. Special Stipulations or Code Modifications | | | |
| This certificate ensures that all fire protection and life safety systems have been completed, inspected, successfully tested and approved for the specific area of the building specified above to provide a reasonable degree of safety to the occupants from fire and similar emergencies. | | | |
| 14. Name of Approval Official | 15. Signature | 16. Date | |

This certificate is valid only for the premises of the project address.

Appendix C
Adopted Fee Schedule for
Fort Bend County Fire Code, and As Amended

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**ORDER SETTING FEES FOR FORT BEND COUNTY
FIRE MARSHAL’S OFFICE**

On this 26th day of September 2023, the Commissioners Court of Fort Bend County, Texas, being convened at a regular meeting of the Court, sitting as the governing body of Fort Bend County, upon motion of Commissioner Meyers, seconded by Commissioner Prestage, duly put and carried;

IT IS ORDERED to set the Fees as listed herein as Exhibit “A” for the Fort Bend County Fire Marshal’s Office Fee Schedule to be effective September 26, 2023.

PASSED, APPROVED and ORDERED on this 26th day of September, 2023.

By: KP George
County Judge KP George
KP GEORGE, COUNTY JUDGE

ATTEST:

Laura Richard
Laura Richard, County Clerk

(COMMISSIONERS COURT SEAL)



EXHIBIT A:

**FORT BEND COUNTY
FIRE MARSHAL'S OFFICE
FIRE CODE
FEE SCHEDULE**

FORT BEND COUNTY FIRE MARSHAL'S OFFICE FIRE CODE FEE SCHEDULE

*Approved by the Fort Bend County Commissioner's Court on September 26, 2023.
Effective October 1, 2023*

Acceptable forms of payment include credit card, cashier's check, money order, or check (made out to Fort Bend County). Fees are due prior to the start of any service or review conducted by the Fort Bend County Fire Marshal. All fees paid to the Fort Bend County Fire Marshal's Office are non-refundable. A submittal is not considered complete until all required documentation, including payment, is received.

Re-Inspections. A re-inspection fee will be paid prior to the re-scheduling of any re-inspection. The fee also covers failure to show up for a scheduled fire inspection without prior notice or if a scheduled fire inspection is not canceled by 5 PM of the business day before the scheduled time and date. **The Re-Inspection Fee is \$250.**

| BUILDING PERMITS AND COMMERCIAL OCCUPANCIES | |
|---|-------------------------------|
| Construction Permit Fee (all occupancy types): Per 1000 sq. ft. of Structure (Rounded up to the nearest 1000 sq. ft.)* | \$200 per 1000 sq. ft. |
| Re-Submittal of Plans During the Construction Permit Process | No Charge |
| Re-Submittal of Plans After a Construction Permit Has Been Issued | \$200 |
| Site/Civil Plan Submittal | \$200 |
| Certificate of Compliance (COC) for Change of Use | \$200 |
| Certificate of Compliance (COC) for Change of Ownership | \$200 |
| Conditional Certificate of Compliance (CCC) | \$500 |
| Expedited Plan Review | 2 x Permit Fee |
| Work Done without Permit | 3 x Permit Fee |
| Duplicate Fees – COC replacement and inspection report replacement | \$200 |

| | |
|---|-----------------------|
| Permit Renewals <ul style="list-style-type: none"> Request for permit extensions that are NOT expired – 25% of construction fee Request for permit extensions that ARE expired – 50% of construction fee Permits that have been expired for more than 1 year will have to re-submit plans. | |
| <ul style="list-style-type: none"> Pre-Construction Meeting Fee – This fee will be assessed for the second or more pre-construction meeting. 1st meeting is free. 1-hour max. Each meeting is up to 1-hour long. If the meeting goes passed 1-hour then the time is rounded to the next hour. | \$200 per hour |

(* This fee only includes the review for Fire Code compliance and does not include any plan review that may be required by the County Engineering Department or other County departments.)

| SUPPLEMENTAL PERMITS | |
|---|----------------------------------|
| Electronic Entrance Gate Permit/ Card Access Control (\$250 + (\$1.00 x _____)) | \$250 + \$1.00 per device |
| Tent Permit | \$200 |
| Fire and Life Safety Inspection | \$250 |
| Emergency Responder Radio Coverage System Permit | \$250 per system |
| Work without Permit | 3 x Permit Fee |

| FIRE PROTECTION SYSTEM PERMIT | |
|--|--------------------------------|
| Fire Sprinkler System | |
| \$250 per riser up to 5 plus \$1.00 per head ((250 x _____)+ (\$1.00 x _____)) | \$250 + \$1.00 per Head |
| \$100 per riser after 5 plus \$1.00 per head (\$100 x _____)+ (\$1.00 x _____)) | \$100 + \$1.00 per Head |
| Fire Alarm and Detection System | |

| | |
|--|----------------------------------|
| Each input or output is considered a device (\$250 + (\$1.00 x ____)) | \$250 + \$1.00 per device |
| Automatic Fire-extinguishing Systems (Commercial Cooking) (Per System) | \$250 |
| Automatic Fire Extinguishing Systems Exhaust Duct Test (Light/Smoke Test) | \$250 |
| Alternative Fire Protection Systems – This fee covers reviewing plans, conducting site inspection, and witnessing the acceptance testing of alternative fire protection and fire suppression systems. | \$250 |
| Fire Pumps/Related Equipment | \$300 |
| Underground Fire Main with Backflow Preventer | \$250 |
| Spraying or Dipping Booth | \$200 |
| Combustible/Flammable Storage Tank Permit Less than or Equal to 500 gallons | \$200 |
| Combustible/Flammable Storage Tank Permit More than 500 Gallons | \$300 |
| Service Station Piping Plan | \$300 |
| Work without Permit | 3 x Permit Fee |

| FIREWORK PERMIT | |
|--|-----------------------|
| Fireworks Stand (Annual Permit) Stands less than 25,000 sq. ft. | \$100 |
| Fireworks stand (Annual Permit) Stands 25,000 sq. ft. to 100,000 sq. ft. | \$200 |
| Firework Stand (Annual Permit) Stands greater than 100,000 sq. ft. | \$300 |
| Fireworks Display Show | \$200 |
| Indoor Firework Stand | \$250 |
| Work without Permit (Firework stand open without permit) | 3 x Permit Fee |

| MASS GATHERING | |
|---|--------------|
| Mass Gathering/Outdoor Music Festival Permit (for Fire Code Compliance Only) * | \$200 |

(This fee only includes the review for Fire Code compliance and does not include any plan review that may be required by the County Engineering Department or other County departments.)*

| FEE FOR INSPECTIONS REQUIRED FOR STATE AND FEDERAL LICENSES OR PERMITS REQUIRED BY OTHER AUTHORIZED JURISDICTION | |
|---|---------------|
| Commercial/Registered/Licensed Child Care | \$150 |
| Nursing Home or Care Centers | \$150 |
| Hospitals | \$200 |
| Foster Home, Licensed Adoption | No Fee |
| Life Safety Inspection Required by State Licensing Agency | \$150 |

| OPERATIONAL PERMITS | |
|--|--------------|
| Carnivals and Fairs (IFC 105.5.5) 0 to 5 Rides (\$200 x _____) 6 to 10 Rides (\$400 x _____) 11 or more Rides (\$600 x _____) | |
| Cryogenic Fluids (IFC 105.5.11) | \$300 |
| Dry Cleaning (IFC 105.5.13) | \$300 |
| Exhibits and Trade Shows (IFC 105.5.15) | \$300 |
| High Piled Storage (IFC 105.5.24) | \$300 |
| Mobile Food Preparation Vehicles (IFC 105.5.32) | \$300 |
| Places of Assembly (105.5.39) With an Occupant load of 301 or more | \$300 |

| REQUEST FOR CODE VARIANCE | |
|---|--------------|
| Each request for a variance from the Fort Bend County Fire Code will be treated as a separate variance request. A separate fee will be charged for each request. | \$250 |