

Ordinance No. 12-021

An ordinance amending the "Fire Prevention" Chapter of the Code of the City of Arlington, Texas, 1987, through the repeal of the existing "Fire Prevention" Chapter, and the adoption of a new "Fire Prevention" Chapter; providing for the adoption of the 2009 International Fire Code with certain amendments and deletions; providing for adoption of certain appendices of the 2009 International Fire Code, with certain amendments and deletions; providing for a fine of up to \$2,000 for each offense in violation of the ordinance; providing this ordinance be cumulative; providing for severability; providing for governmental immunity; providing for injunctions; providing for publication and becoming effective 30 days after final adoption

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Fire Prevention**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the repeal of the existing "Fire Prevention" Chapter, and by the adoption of a new "Fire Prevention" Chapter, so that hereafter said Chapter shall be and read as follows:

**ARTICLE I**

**GENERAL PROVISIONS**

**Section 1.01 Title**

This Chapter shall be known as the "Fire Code" of the City of Arlington.

**Section 1.02 Adoption of Code**

The International Fire Code, 2009 Edition, as adopted and published by the International Code Council, is hereby adopted and designated together with the additions, deletions and amendments hereinafter contained, as the Fire Code of the City of Arlington, the same as though such Code was copied at length herein. A copy of the International Fire Code and its Appendices shall be kept on file in the Office of the City Secretary.

### **Section 1.03 Amendments, Additions and Deletions**

The adoption of the International Fire Code, as provided in Section 1.02 above, is modified and amended by the following:

1. The amendment of Section 102.7, entitled Referenced codes and standards, to read as follows:

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

2. The amendment of Section 103, entitled DEPARTMENT OF FIRE PREVENTION, to read as follows:

#### **SECTION 103 DEPARTMENT OF FIRE PREVENTION**

103.1 General. The department of fire prevention established within the fire department under the direction of the Chief shall consist of fire department personnel assigned thereto by the Chief. The function of the department shall be to assist the Chief in the implementation, administration and enforcement of the provisions of this code.

103.2 Fire Prevention Bureau personnel and police. The Chief and members of the fire prevention bureau shall have the powers of a police officer in performing their duties under this code.

When requested to do so by the Chief, the Chief of Police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

The deletion of Section 103.3 entitled Deputies.

103.4 Liability. The Fire Code Official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

103.4.1 Legal defense. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The Fire Code Official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

All regulations provided in this Fire Code are hereby declared to be governmental and for the benefit of the general public. Any member of the City Council, any City Official or employee or any member of the Board of Appeals charged with the enforcement of this Fire Code, acting for the City in the discharge of their duties, shall be indemnified and defended by the City of Arlington in accordance with the provisions of Article IX of the "Administration" Chapter of the Code of the City of Arlington.

3. The amendment of Section 104.3, entitled Right of Entry, to read as follows:

104.3 Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this Fire Code, or whenever the Chief or authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises unsafe, the Chief or authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Chief by this Fire Code. If such building or premises are occupied, authorized representative shall first present proper credentials and request entry. If such building or premises are unoccupied, the Chief or authorized representative shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, or if no owner or other person having charge or control of the building or premises can be located, the Chief or authorized representative shall obtain a warrant pursuant to the guidelines of Article VII of the "Court" Chapter of the Code of the City of Arlington.

4. The amendment of Section 104.11, entitled Authority at Fires and Other Emergencies, by the addition of Sections 104.11.4, 104.11.5, and 104.11.6, to read as follows:

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

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

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

5. The addition of Section 104.12, entitled Governmental Immunity, to read as follows:

104.12 Governmental Immunity. This Fire Prevention Chapter is an exercise by the City of Arlington of its governmental functions for the protection of the public peace, health and safety; and neither the City nor agents and representatives of said City (or any individual, receiver, firm, partnership, corporation, association, trustee or any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this Ordinance) shall be liable for any damage sustained to persons or property as the result of said activity.

6. The addition of Section 104.13, entitled Standard of Care for Emergency Action, to read as follows:

104.13 Standard of Care for Emergency Action. Every officer, agent or employee of the City, and every officer, agent, or employee of an authorized provider of emergency services, including, but not limited to every unit of government or subdivision thereof, while responding to emergency calls or reacting to emergency situations, regardless of whether any declaration of emergency has been declared or proclaimed by a unit of government or subdivision thereof, is hereby authorized to act or not to act in such a manner to effectively deal with the emergency. An action or inaction is "effective" if it in any way contributes or can reasonably be thought by the provider of such emergency service to contribute to preserving any lives or property. This Section shall prevail over every other ordinance of the City and, to the extent to which the City has the authority to so authorize, over any other law establishing a standard of care in conflict with this Section. Neither the City nor the employee, agent, or officer thereof; or other unit of government or subdivision thereof or its employees, agents, or officers shall be liable for failure to use ordinary care in such emergency. It is the intent of the City Council, by passing this Ordinance, to



assure effective action in emergency situations by those entrusted with the responsibility of saving lives and property by protecting such governmental units from liability, and their employees, agents, and officers from non-intentional tort liability to the fullest extent permitted by statutory and constitutional law. This Section shall be liberally construed to carry out the intent of the City Council.

7. The amendment of Section 105.1.1, entitled Permits required, to read as follows:

105.1.1 Permits required. Permits as required by this Fire Code shall be issued by the Fire Marshal's Office upon the approval of the Chief or designated representative. Such permits shall be issued in compliance with this Fire Code.

105.1.1.1 Occupancy Permit. The occupancy permit as required by this Fire Code shall be the Certificate of Occupancy issued by the Building Official in compliance with the provisions of the Fire Code and other related construction and health codes.

105.1.1.2 Other Permits. Specific permits or special permits which are unrelated to construction or health codes may be issued by the Fire Marshal when dealing with items specifically pertaining to fire prevention.

105.1.1.3 Penalties. Permit fees shall be tripled if a contractor has begun work without a permit. For the second and subsequent occurrence by the same contractor within two (2) years, the permit fees shall be quadrupled. A re-submittal fee will be assessed for plans that have been resubmitted more than two times (2X) and for each time thereafter. Re-submittal fees related to this Fire Code shall be set from time to time by resolution of the City Council.

8. The amendment of Section 105.2, entitled Application, to read as follows:

105.2 Application for Permit. All applications for a permit required by this Fire Code in Section 105.6 shall be made to the Fire Marshal's Office in such form and detail as required by the Fire Prevention Division. Applications for permits shall be accompanied by such plans, calculations or specifications as required by the Fire Prevention Division.

9. The amendment of Section 105.4.1, entitled Submittals, to read as follows:

105.4.1 Submittals. Construction documents shall be submitted in two or more sets and detail as required by the Fire Code Official. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.

Final plans or other documents that will be archived must be submitted in an electronic format specified by the Director of Community Development and Planning as a condition to issuance of any type of permit, approval, or other

action related to the final plans or documents. The City may provide an electronic conversion service for a fee in the amount set forth by City Council resolution. The Director of Community Development and Planning shall provide a schedule indicating which documents must be provided electronically, at which point during the approval process, and other information as necessary to implement an electronic archiving program.

10. The amendment of Section 105.6, entitled Required operational and construction permits and fees, to read as follows:

105.6 Required operational permits and fees. A permit shall be obtained from the Fire Marshal's Office prior to engaging in any fire-related activities, operations or functions. Permit fees shall be set from time to time by resolution of the City Council, payment of this fee shall be due to the City within thirty (30) days from the billing date, and shall be subject to the penalties listed in Section 105.1.1.3.

11. The amendment of Section 105.6.34, entitled Places of Assembly, by the addition of an Exception, to read as follows:

EXCEPTION: An Operational Permit is not required for A-3 Occupancies.

12. The addition of Section 105.6.47, entitled Oil and Natural Gas Well Operational Permit, to read as follows:

105.6.47 Oil and Natural Gas Well Operational Permit. An annual operational permit is required to drill, operate and maintain oil or natural gas wells. An annual operational permit is required for each wellhead.

13. The amendment of Section 105.7 entitled Required construction permits and fees, to read as follows:

105.7 Required construction permits and fees. A permit shall be obtained from the Fire Marshal's Office prior to engaging in any fire-related activities, operations or functions. Permit fees shall be set from time to time by resolution of the City Council, payment of this fee shall be due to the City within thirty (30) days from the billing date and shall be subject to the penalties listed in Section 105.1.1.3.

14. The amendment of Section 106, entitled Inspections, by the addition of Sections 106.1.1 and 106.1.2, to read as follows:

106.1.1 Inspection Fees. Any occupancy or premise hereafter opening for the purpose of doing business in the City of Arlington, as evidenced by application to the Building Official for a Certificate of Occupancy, or application for gas well drilling shall pay a fee for an initial Fire Code compliance inspection and for the establishment of an inspection file. This fee shall be set from time to time by

resolution of the City Council and shall be collected by the Building Official at the same time that the Certificate of Occupancy fee is collected. An occupant or premise shall pay a fee for an annual fire code compliance inspection of the occupancy in an amount set from time to time by resolution of City Council and payment of this fee shall be due to the City within thirty (30) days from the billing date.

106.1.2 Re-inspection Fees. When it has been determined that a fire hazard or violation of this Fire Code exists in or upon any property, structure, vehicle, system or process, and the period of time given to correct the fire hazard or violation has expired, the Chief or authorized representative shall conduct a re-inspection. A re-inspection fee will be set from time to time by resolution of City Council, collected by the City of Arlington, payable by the person receiving the order or notice to correct the violation, and payment of this fee shall be due to the City within thirty (30) days from the billing date. Payment of fees or fines assessed under this chapter does not permit or excuse the continuation of a violation or the fire hazard.

15. The amendment of Section 106.2, entitled Inspections, to read as follows:

106.2 Inspections. The fire code official is authorized to conduct such inspections including annual fire code compliance inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by approved agencies or individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The fire code official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the City Manager designee charged with administration of this chapter. In the event a technical advisor is employed for the purpose of advising, counseling or representing the city relative to a unique and particular set of circumstances, case or request relating to this code, then the cost of the services of the technical advisor shall be assessed against and paid for by any occupancy or premise permit holder or other permit holder as evidenced by application to the Building Official for a Certificate of Occupancy, or application for any permit under this chapter. This expense is in addition to any charges or other fees assessed pursuant to this chapter. Prior to the employment of a technical advisor, the City shall inform the permit holder or applicant of the intended scope of work and the estimated costs and expenses.

16. The amendment of Section 108, entitled Board of Appeals, to read as follows:

108.1 Building Code Board of Appeals Sitting as Fire Prevention Board of Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and

interpretation of this chapter or determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Fire Code, the Building Code Board of Appeals as created and organized under the "Construction" Chapter of the Code of the City of Arlington shall pass upon all pertinent matters. In addition to such Board, the Chief or authorized representative may request that additional members be appointed for a specific ruling or interpretation. Such members shall be ex-officio members and shall be appointed by the Chairman of the Building Code Board of Appeals to assist in the determination and/or ruling of a specific issue or case. Such appointment shall be temporary until the ruling is rendered. No more than two (2) ex-officio members shall be appointed at such time, each having expertise in the matter of question.

108.2 Quorum. A majority of the members of the Board shall constitute a quorum for the transaction of business, and an affirmative vote by a majority of all members of the Board shall be required to vary the application of any provision of this Fire Code or to modify any order of the Chief or authorized representative. No Board member shall act in any case in which he has a personal interest.

108.3 Records. The Chief or authorized representative shall act as Secretary of the Fire Prevention Board of Appeals and shall make a detailed record of all its proceedings, which record shall set forth the reasons for the Boards decisions, the vote of each member participating therein, the absence of a member and any failure of a member to vote.

108.4 Procedure. The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this Fire Code. The Board shall meet at regular intervals to be determined by the Chairman or within thirty (30) days after notice of appeal has been received by the Board.

108.5 Appeals; Time Limit. Whenever the Chief or authorized representative shall reject or refuse to approve the mode or manner of fire prevention or fire safety proposed to be followed, or materials to be used in the erection or alteration of a building or structure, or when there is an appeal of an order, decision or determination made by the fire code official relative to the application and interpretation of this chapter or when it is claimed that the provisions of this Fire Code do not apply or that an equally good or more desirable form of fire prevention or fire safety can be employed in any specific case, or when it is claimed that the true intent and meaning of this Fire Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure or duly authorized agent may appeal the decision of the Chief or authorized representative to the Board. Notice of appeal shall be made in writing and filed within thirty (30) days after the decision is rendered by the Chief or authorized representative. An administrative fee shall accompany such notice of appeal, which shall be made on a form provided by the Chief. The



amount of such fee shall be as defined in the "Construction" Chapter of the Code of the City of Arlington.

In case of a condition which, in the opinion of the Chief or authorized representative, is unsafe or dangerous, the Chief or authorized representative may limit the time for such appeal to a shorter period. Nothing in this Section shall act to limit the ability of the Chief to exercise powers granted in other sections of this Fire Code to respond to immediate hazards and emergencies. Initiating work, or progressing with that portion of work which is the particular issue on appeal or progressing with work which would cover the matter on appeal, shall void such appeal.

108.6 Board Decisions; Variations and Modifications. The Board, when appealed to, shall conduct a hearing, and after such hearing, may vary the application of any provision of this Fire Code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this Fire Code or the public interest, or when, in its opinion, the interpretation of the Chief or authorized representative should be modified or reversed. The Board may recommend to the City Council such new legislation as is consistent therewith.

A decision of the Board to vary the application of any provision of this Fire Code or to modify an order of the Chief or authorized representative shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor.

All decisions of the Board shall reflect alternative or equivalent provisions to provide for compliance with the spirit of this Fire Code. In all cases, alternative or equivalent protection shall be provided if compliance with a particular requirement is deemed to be impractical.

108.7 Board Decisions; Procedure. Every decision of the Board shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. The decision shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the Office of the Chief or authorized representative, and shall be open to the public for inspection. A true and correct copy of the decision shall be sent by mail or otherwise to the appellant, and a copy shall be publicly posted at a prominent location within the City for two (2) weeks after the filing thereof.

The Board shall in every case reach a decision without unreasonable or unnecessary delay. If a decision of the Board reverses or modifies a refusal, order or disallowance of the Chief or authorized representative, or varies the application of any provision of this Fire Code, the Chief or authorized representative shall immediately take action in accordance with such decision.



Any person, firm or corporation aggrieved by any decision of the Board may present to a court of record a petition, duly verified, setting forth that such decision is illegal in whole or in part, and specifying the grounds of the illegality. Unless such petition (appeal) shall be presented to the court within ten (10) days of the decision of the Board, the decision of the Board shall become final.

17. The addition of Section 109.2.5, entitled Presumption, to read as follows:

109.2.5 Presumption. The owner, occupant or person in control of any building or premises where any violation of this fire code or other ordinances of the City of Arlington relating to fire safety is found shall be prima facie responsible for such violation.

When any vehicle is in violation of any provision of this fire code, such fact shall constitute prima facie proof that the person in whose name said vehicle is registered is guilty of a violation of this fire code.

18. The amendment of Section 109.3, entitled Violation penalties, to read as follows:

109.3 Violation Penalties. Any person who:

1. violates or fails to comply with any of the provisions of this Fire Code or the standards adopted hereunder; or
2. fails to comply within the time fixed herein with any order made by the Chief or authorized representative under any of the provisions of this Fire Code or the standards adopted hereunder, from which no appeal has been taken, or which has been affirmed or modified by a court of competent jurisdiction; or
3. builds in violation of any detailed statement, specifications or plans submitted and approved under the provisions of this Fire Code or the standards adopted hereunder, from which no appeal has been taken; or
4. builds in violation of any certificate or permit issued under the provisions of this Fire Code or the standards adopted hereunder, from which no appeal has been taken; or
5. permits any fire hazard to exist in or upon any occupancy, premises or vehicle under their control, operation, maintenance or possession; or
6. fails to comply with orders, notices, signs and/or tags; or
7. tampers with signs and/or tags;

shall be guilty of a misdemeanor punishable by a fine not to exceed \$2,000.00 for each violation and act of noncompliance. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations of defects within a reasonable time specified by the Chief or authorized representative. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

19. The addition of Section 110.1.3, entitled Compliance, to read as follows:

110.1.3 Compliance. No person shall remain in or enter any premises, building or vehicle which has been so posted, except that entry may be made to repair, demolish or remove the fire hazard or unsafe condition. Such entry or the destruction, defacing or removal of said notice prior to approval by the Chief or authorized representative shall be a violation of this Fire Code.

20. The amendment of Section 110.3, entitled Summary Abatement, to read as follows:

110.3 Summary Abatement. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this Fire Code or any other effective statute or ordinance, are, for the purpose of this section, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in the "Construction" Chapter of the Code of the City of Arlington.

21. The amendment of Section 111.4, entitled Failure to comply, to read as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of up to \$2000.00.

22. The deletion of Section 112, entitled Service Utilities.

23. The amendment of Section 202, entitled General Definitions, by the addition and amendment of the following definitions:

Authorized Representative shall include, but not be limited to Fire Inspector, Building Inspector, Code Enforcement Inspector, Housing Inspector and Police Officers.

Bureau of Fire Prevention is the Fire Prevention Division of the Fire Department of the City of Arlington. This Division may also be known as the Fire Marshal's Office.

Replace the definition of Code Official with the following:

Fire Code Official. The Fire Chief or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative. Wherever the term Code Official occurs in the International Fire Code, it is to be replaced by the term Fire Code Official.

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.

High-Rise Building is a building having floors used for human occupancy located more than 75 feet above the lowest level of fire department vehicle access.

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.

Standby Personnel. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

24. The amendment of Section 307.1, entitled General, to read as follows:

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section. Open burning shall be conducted in trenches with approved equipment and in accordance with Section 307.

25. The amendment of Section 307.2, entitled Permit required, to read as follows:

307.2 Permit required. A permit shall be obtained from the Fire Code Official in accordance with Section 105.6 prior to kindling a fire for open burning.

26. The addition of Section 307.2.2, entitled Unauthorized burning, to read as follows:

307.2.2 Unauthorized burning. The building of fires upon the paved portions of public streets and right-of-way; building of warming fires at construction sites; and building fires for the purpose of burning trash, leaves, grass clippings or

debris is prohibited except as otherwise provided for by this code. Any such fire shall be immediately extinguished.

27. The amendment of Section 307.4, entitled Location, to read as follows:

307.4 Location. Open burning shall not be conducted within 1,000 feet of any structure. Conditions which could cause the fire to spread to within 1000 feet of a structure shall be eliminated prior to ignition. All open burning must be done by trench burning. Trench burns shall be conducted in air curtain trenches.

28. The amendment of Section 307.4.1, entitled Bonfires, to read as follows:

307.4.1 Bonfires. Bonfires are prohibited within city limits.

29. The amendment of Section 307.5, entitled Attendance, to read as follows:

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

30. The amendment of Section 308.1.4, entitled Open-flame cooking devices, to read as follows:

308.1.4 Open-flame cooking devices. Charcoal burners, LP gas cooking devices, and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

**EXCEPTIONS:**

1. One- and two-family dwellings.
  2. Where buildings, balconies, and decks are protected by an automatic fire sprinkler system.
31. The amendment of Chapter 3, entitled General Precautions Against Fire, by the addition of Section 318 to read as follows:

**SECTION 318**

**REMOVAL OF DEBRIS OR PARTIALLY BURNED BUILDING AFTER FIRE**

318.1 Useless Material. The owner or person in control or possession of any hay, straw, bales of wool, cotton, paper or other substances which have been rendered

useless or unmerchantable by reason of any fire shall remove said articles within forty-eight (48) hours after notice has been given by the Fire Code Official.

318.2 Burned structures. Whenever any building or other structure in the City is partially burned, the owner or the person in control shall, within ten (10) days after notice from the Fire Code Official or the Building Code Official or their authorized representative, remove from the premises all refuse, debris, charred and partially burned lumber and material. If such building or other structure is burned to such an extent that it is rendered incapable of being repaired, the owner or the person in control shall, within ten (10) days after notice from the Fire Code Official or the Building Code Official or their authorized representatives, remove from the premises all the remaining portions of the building or structure.

32. The amendment of Section 405.1, entitled General, to read as follows:

405.1 General. Emergency evacuation drills complying with the provisions of this section shall be conducted in the occupancies listed in Section 404.2 or when required by the Fire Code Official. Drills shall be designed in cooperation with the local authorities.

33. The amendment of Section 408.5.4, entitled Drill Frequency, to read as follows:

408.5.4 Drill frequency. Emergency evacuation drills shall be conducted at least twelve times per year, four times per year on each shift.

34. The amendment of Section 503.1, entitled Where required, to read as follows:

503.1 Where required. Fire apparatus access roads, hereinafter also known as fire lanes, shall be provided and maintained in accordance with the provisions of Section 503. All fire lanes shall be approved by the Fire Department, and plans shall be submitted for approval prior to starting construction of the adjacent building. Structural aspects of fire lanes shall meet all other applicable standards under the Code of the City of Arlington. No person shall mark, post or otherwise identify a non-fire lane street, whether public or private, as a fire lane.

35. The amendment of Section 503.1.1, entitled Buildings and facilities, to read as follows:

503.1.1 Buildings and facilities. All buildings, facilities or structures shall be constructed in such a way that every part of the first story is within one hundred fifty feet (150') of a dedicated street or fire lane as measured by the route necessary to extend firefighting hose lines around the building. The path of measurement shall be along a minimum of a ten-foot (10') wide unobstructed pathway around the external walls of the structure.



EXCEPTIONS: The Fire Code Official is authorized to increase the dimension of 150 feet where:

1. The building is equipped throughout with an approved automatic sprinkler system.
  2. Fire apparatus access roads cannot be installed due to location on property, topography, waterways, non-negotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
  3. There are not more than two (2) Group R-3 or Group U occupancies.
  4. When a building is provided with a complete automatic fire sprinkler system and the building exceeds one hundred fifty feet (150') in length or width on any side, a fire lane or dedicated street shall be within one hundred fifty feet (150') of the entire length of one (1) of the longest sides of the building.
  5. Approved wall hydrants shall be provided when deemed necessary by the Chief or authorized representative.
36. The addition of Sections 503.1.4, 503.1.5, and 503.1.6, to read as follows:

503.1.4 Designated Fire Lane List. Fire lanes conforming to the specifications of Section 503 may be required by the Chief or authorized representative for existing buildings when conditions justify their need. When approved by the Fire Department, the fire lane may be entered on the Designated Fire Lane List for the City of Arlington.

503.1.5 Maintenance. All designated fire lanes shall be maintained and kept in a state of good repair at all times by the owner or person in control of the premises. If permitted, growth shall not be more than two inches (2") in height and shall not cover up any markings identifying the fire lane. The City shall not be responsible for the maintenance thereof.

503.1.6 Enforcement. The Fire Chief or Police Chief, or their authorized representatives, are hereby authorized to monitor fire lanes to detect obstructions and may issue citations, remove and impound any vehicle obstructing said fire lane, or both. Additionally, any duly authorized City inspector whose duty it is to enforce the provisions of the Code of the City of Arlington may issue citations for such violations.

37. The amendment of Section 503.2, entitled Specifications, to read as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.9.

503.2.1 Dimensions. The minimum unobstructed width of a fire lane shall be not less than twenty-four feet (24') and an unobstructed vertical clearance of not less than fourteen feet (14') unless otherwise approved by the Fire Department.

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

503.2.3 Surface. Fire lanes shall be provided with a concrete or asphalt surface to provide all-weather driving capabilities and shall be constructed to support the imposed weight of an eighty thousand pound (80,000#) vehicle.

**EXEMPTIONS:**

1. Grass pavers may be used in place of concrete or asphalt, when approved by the Fire Code Official. If approved, the Fire Lane must be bordered on both sides by a 6-inch raised concrete curb, which runs continuously the entire length of the grass paver installation. Prior to installation, plans must be submitted detailing installation specifications and a permit must be obtained from the Fire Department. The installation must meet all other requirements of Section 503 of this Fire Code.
2. Gas well drill sites must comply with Section 3406.3.1.2.1.

503.2.4 Turning Radius. All fire lanes shall have at least a thirty foot (30') inside turning radius and at least a fifty-four foot (54') outside turning radius.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The grade for a fire lane serving a building not protected throughout by a complete automatic sprinkler system shall not exceed eight percent (8%).

503.2.8 Speed bumps. Speed bumps or other similar obstacles which have the effect of slowing or impeding the response of fire apparatus shall be approved by the Fire Department prior to installation.

38. The amendment of Section 503.3, entitled Marking, by the addition of Sections 503.3.1, 503.3.2, and 503.3.3, to read as follows:

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

503.3.1 Specifications for Marking. All required fire lanes shall be provided and maintained with fire lane striping which consists of a six inch (6") wide red background stripe with four inch (4") high white letters stating "**NO PARKING FIRE LANE**" or "**FIRE LANE NO PARKING**" to be painted upon the red stripe no less than every ten feet (10') and no greater than every twenty-five feet (25') along the entire length of the fire lane, showing the exact boundary of the fire lane. Fire lane markings shall be upon the vertical surface of the curb unless otherwise approved by the Chief or authorized representative. For illustration, see Arlington Fire Department Standard Operating Procedures (SOPs).

503.3.2 Additional Signs. If the Chief or authorized representative determines that other means of notice are ineffective to designate a fire lane, signs may be required by written notice to the property owner. These signs shall be in accordance with the requirements of the Texas Manual of Uniform Traffic Control Devices. When required, these signs shall be erected and maintained bearing a red legend stating "**NO PARKING FIRE LANE**" with letters of at least two inches (2") in height on a white reflectorized background at least twelve inches (12") wide by eighteen inches (18") tall. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart. Signs may be installed on permanent buildings or walls as approved by the Chief or authorized representative. Additional signs may also be required by written notice from the Chief or authorized representative.

503.3.3 Alternate Markings. When, due to a building's particular use, the Chief or authorized representative determines that fire lane markings are impractical the words "**NO PARKING LOADING ZONE**" or "**LOADING ZONE NO PARKING**", painted black, may be substituted for the words "**NO PARKING FIRE LANE**" or "**FIRE LANE NO PARKING**" and the six inch (6") red stripe may be painted as a six inch (6") yellow stripe, but all other provisions of Chapter 5 shall apply.

39. The amendment of Section 503.4, entitled Obstruction of fire apparatus access roads, 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 any area marked as a fire lane as described in Section 503.2.1 shall be maintained at all times.

40. The amendment of Section 503.6, entitled Security gates, to read as follows:

503.6 Security gates. Where security gates are installed, they shall be maintained and an approved means of emergency operation shall be provided and maintained. An Opticom receiver is required at all new installations of security gates across streets or fire lanes at apartments, subdivisions, and other locations as required by the Fire Code Official.

41. The amendment of Section 505.1, entitled Address Numbers, to read as follows:

505.1 Address numbers. Approved numbers or addresses shall be placed on all new and existing buildings, structures/mobile homes in such a position as to be plainly visible and legible from the street or road fronting the property. Address numbers may be posted upon approved ground signs, if permitted by the Sign Chapter of the Zoning Ordinance, with address numbers being a minimum of twenty four inches (24") above grade. Said numbers shall be a minimum of four inches (4") tall and contrast with their background. However, numbers for multi-family dwelling complexes shall comply with Article XVI of the "Uniform Housing" Chapter of the Code of the City of Arlington.

42. The amendment of Section 507.4, entitled Water supply test, to read as follows:

507.4 Water supply test. When flow or pressure test results are given at the request of any person, a fee as set forth in the approved schedule of fees will be charged.

43. The amendment of Section 507.5.1, entitled Where required, to read as follows:

507.5.1 Where required. An approved water supply capable of supplying required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed. Fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief or authorized representative.

The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises to be protected as required and approved by the

Chief or authorized representative. Said fire hydrants shall be installed in accordance with the following criteria.

1. For all one (1) and two (2) family residences, excluding townhouses and apartments, fire hydrants shall be installed when any portion of the building protected is in excess of six hundred feet (600'), as measured by the laying distance for fire apparatus hose lines along public streets and rights-of-way, from the nearest water supply on a public street.
  2. For all other land uses, except one (1) and two (2) family residences, including townhouses and apartments, fire hydrants shall be installed when any exterior portion of the building protected is in excess of five hundred feet (500'), as measured by the laying distance for fire apparatus hose lines along public streets and rights-of-way, from the nearest water supply on a public street.
  3. A fire hydrant shall be installed no more than two hundred feet (200') from the Fire Department connections for a standpipe or automatic sprinkler system. For high-rise buildings, the Fire Department connection shall be within twenty-five feet (25') of the street.
  4. A fire hydrant shall be placed at all intersecting streets to cul-de-sacs two hundred feet (200') and greater in length.
  5. An additional fire hydrant is required for every 2000 gpm of fire flow for unsprinklered buildings.
44. The amendment of Section 507.5.3, entitled Private fire hydrants, service mains and water tanks, to read as follows:

507.5.3 Private fire hydrants, service mains and water tanks. Private fire hydrant systems, which includes, but is not limited to, private fire hydrants, service mains, and water tanks, shall be periodically inspected, tested and maintained in accordance with NFPA 25 at the following intervals:

1. Private fire hydrants (all types): Inspection annually and after each operation; flow test and maintenance annually.
2. Fire service main piping: Inspection of exposed, annually; flow test every 5 years.
3. Fire service main piping strainers: Inspection and maintenance after each use.
4. Private dead end mains shall be flushed in accordance with the Texas Commission on Environmental Quality standards.



507.5.3.1 Owner responsibility for private fire hydrant systems. The owner of the premises or building where any portion of a private fire hydrant system is located is responsible for the private fire hydrant system and shall operate and maintain the private fire hydrant system in accordance with all federal, state, and local laws and ordinances. The City is not responsible or liable for the design, construction, operation, maintenance, or use of private fire hydrant systems and any associated private water line easements.

507.5.3.2 Water use detection device required. All private fire hydrant systems shall be installed with a water use detection device for the purpose of detecting water leakage or illegal water use. In the event of illegal water usage or leakage, the owner of the private fire hydrant system shall remove any illegal connections or repair any leaks at the owner's expense within 24 hours of notification. If the situation is not corrected within said 24 hour period, the City shall have the right to discontinue water service to the system in accordance with the law and notify the Fire Department of the situation. The owner must pay for water usage as estimated by the City from the time of notification to the time the situation is corrected. If an inoperative private fire hydrant system is not repaired within 24 hours after notification to the owner, the City has the right, but is not required, to repair the private fire hydrant system and bill the property owner for the repair. Nonpayment of a repair bill or any water usage bill will result in water service being discontinued in accordance with the law.

Nothing herein shall restrict the City's authority pursuant to Section 901.7.

507.5.3.3 No improvements in private fire system easement. No improvements, other than paving and the private fire hydrant system, shall be allowed within a private water easement without the advance written permission of the Fire Department.

45. The addition of Section 511, entitled Automated External Defibrillator (AED) Requirements, to read as follows:

511 Automated External Defibrillator (AED) Requirements.

511.1 "Automated External Defibrillator (AED)" means a heart monitor and defibrillator that meets the requirements of the Texas Health and Safety Code and applicable federal law, as amended.

511.2 "AED Owner" means a person or entity that owns or possesses an Automatic External Defibrillator. Vendors or dealers that own or possess AEDs solely for resale are not included as owners for the purposes of this ordinance.

511.3 Duties of AED Owner. Any person who presently owns or acquires an AED on or after the effective date of this ordinance, that is intended to be

available or used by the public or onsite employees of any kind, other than vendors or dealers of AEDs owning or possessing AEDs solely for resale purposes, shall:

511.3.1 Register the AED with the Arlington Fire Department Emergency Medical System Administrator. The registration shall include information about AED location, and the names of all persons expected to operate the AED, and the dates of training. A form will be provided by the Fire Chief;

511.3.2 Inspect, test, store, maintain and service the AED in accordance with all federal and state laws and regulations, and in accordance with any standards established by the AED manufacturer;

511.3.3 Notify the Arlington Fire Department as soon as possible, but in no event any later than 24 hours following any use of the AED, and provide the Arlington Fire Department with information relevant to the incident, including but not limited to the date, time and location of use, name of person the AED was used upon, the printout from the AED, and the nature of other emergency response to the incident, including the name and address of any hospital, clinic or medical provider to which the person was transported following the AED use; and

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

511.5 AED Sales. All persons selling an AED within the city, or which may reasonably be anticipated to be used within the city, shall:

511.5.1 Report the sale of the AED to the Fire Department. The information to be reported shall include the date of the sale, the manufacturer, model and serial number of the AED sold, the name and address of the seller and the name of the purchaser, whether the AED sold is new or previously used, and, if known, the location where the AED is to be placed; and

511.5.2 Require that the purchaser provide proof that it has or will have complied with the training and other requirements of this ordinance at the time of transfer of the AED to the purchaser for deployment and use by the purchaser.

46. The amendment of Section 901.6, entitled Inspection, testing and maintenance, by the addition of Sections 901.6.3 and 901.6.4, to read as follows:

901.6.3 Registration and Licensing. A company, firm or organization which sells, services, installs, maintains or provides supervision of a fire alarm or extinguishing system shall have a valid Certificate of Registration and current

license issued by the State Fire Marshal's Office under the Texas Department of Insurance. Companies, firms or organizations which provide required fire alarm supervision shall operate in accordance with National Fire Protection Association Standard No. 72, and shall each be listed as a Central Station in accordance with Underwriters Laboratories

901.6.4 Certificates and Inspection Tags. It shall be the owner's or occupant's responsibility to maintain a copy of the fire alarm installation certificate at the protected premises. It shall also be the owner's or occupant's responsibility to maintain upon the door of the fire alarm control panel an inspection tag of the type provided by a State certified fire alarm company, as approved by the Chief or authorized representative, showing the date the fire alarm system was tested and the results of the test. It shall also be the owner's or occupant's responsibility to maintain upon the fire sprinkler riser, an inspection tag of the type provided by a State certified fire sprinkler company, showing the date the fire sprinkler system was inspected.

47. The amendment of Section 901.7, entitled Systems out of service, 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 accidental activations, the Fire Code Official shall be notified immediately and, where required by the 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.

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

48. The amendment of Section 902.1, entitled Definitions, by the amendment of "Standpipe, Types of," "Manual dry" to read as follows:

**Manual dry.** A dry standpipe system that does not have a permanent water supply attached to the system. Manual dry standpipe systems require water from a fire department pumper to be pumped into the system through the fire department connection in order to supply the system demand. The system must be supervised as specified in Section 905.9.

49. The addition of Section 903.2.1.6, entitled Special amusement building, to read as follows:

903.2.1.6 Special amusement building. Special amusement buildings shall be equipped throughout with an automatic sprinkler system.

EXCEPTION: An automatic sprinkler system need not be provided when an amusement building shall be in existence less than 30 days and when the construction and use is approved by the Fire Code Official or authorized representative.

50. The amendment of Section 903.2.4, entitled Group F-1, to read as follows:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings where the fire area containing a Group F-1 occupancy exceeds 12,000 square feet (1115 m<sup>2</sup>), or where more than two stories in height, or where the combined fire area on all floors, including mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).

51. The amendment of Section 903.2.7, entitled Group M, by the deletion of Item 4.

52. The addition of Section 903.2.9.3, entitled Self-service storage facility, to read as follows:

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

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

53. The amendment of Section 903.2.11.3, entitled Buildings more than 55 feet in height, to read as follows:

903.2.11.3 Buildings more than 55 feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the International Building Code, that is located 55 feet or more above the lowest level of fire department vehicle access.

EXCEPTION: Open parking structures in compliance with Section 406.3 of the IBC.

54. The addition of Section 903.2.11.7, entitled High-piled combustible storage, to read as follows.

903.2.11.7 High-piled combustible storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 to determine if those provisions apply.

55. The addition of Section 903.2.11.8, entitled Spray booths and rooms, to read as follows:

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

56. The amendment of Section 903.3.1.1.1, entitled Exempt locations, to read as follows:

903.3.1.1.1 Exempt locations. When approved by the Fire Code Official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the Fire Code Official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

57. The amendment of Section 903.3.1.2, entitled NFPA 13R sprinkler systems, to read as follows:

903.3.1.2 NFPA 13R sprinkler systems. Required automatic sprinkler systems in Group R occupancies of four stories or less may be hydraulically calculated within the dwelling units in accordance with NFPA 13R and as amended by this code. Sprinkler protection shall be provided throughout, including the means of egress, patios, bathrooms, closets, balconies and attics.

58. The amendment of Section 903.3.1.3, entitled NFPA 13D sprinkler systems, to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Non-required automatic sprinkler systems in one and two-family dwellings and manufactured homes may be installed in accordance with NFPA 13D or in accordance with state law.

59. The amendment of Section 903.3.5, entitled Water supplies, by the addition of 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 standards; however, every fire protection system shall be designed with a 10 psi safety factor.

60. The amendment of Section 903.3.7, entitled Fire department connections, to read as follows:

903.3.7 Fire department connections. The location of fire department connections shall be approved by the Fire Code Official. All fire department connections in the City of Arlington shall be 4" Storz connections. The permanent Storz adapter shall be constructed of high strength, light weight, corrosion resistant aluminum alloy capable of being securely attached to standpipe/sprinkler outlets designed for fire department Storz connections. The Storz lug connection shall conform to industry standards. The hose sealing surface shall consist of a machined metal seat to eliminate rubber gaskets, coated to protect against long term exposure to the environment. The Storz connection shall connect to the pipe outlet using National Standard Thread. The connection shall be angled downward at a 30° angle. A semi-permanent ¼" mesh screen shall be provided inside the Storz adapter, constructed of corrosion resistant metal. A 4" Storz aluminum cap with chain or cable shall be provided for the fire department connection. For each additional 1500 G.P.M. required or fraction thereof an additional 4" Storz connection is required.

61. The amendment of Section 903.4, entitled Sprinkler system supervision and alarms, to read as follows:

903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically supervised and monitored by a UL listed Central Station. The fire-pump system shall also be supervised and monitored for "power available," "phase reversal" and "pump running" conditions on distinct circuits.

EXCEPTIONS:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. Jockey pump control valves that are sealed or locked in the open position.

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.

62. The amendment of Section 903.4.2, entitled Alarms, to read as follows:

903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. An approved audible/visible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

63. The amendment of Section 903.4.3, entitled Floor control valves, to read as follows:

903.4.3 Floor control valves. 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.

64. The addition of Section 903.6.3, entitled Spray booths and rooms, to read as follows:

903.6.3 Spray booths and rooms. New and existing spray booths and spray rooms shall be protected by an approved automatic fire extinguishing system in accordance with Section 1504.4.

65. The amendment of Section 905.2, entitled Installation standards, to read as follows:

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

66. The amendment of section 905.3.2, entitled Group A, to delete Exceptions #1 and #2.

67. The amendment of Section 905.4, entitled Location of Class I standpipe hose connections, by revising item #5 to read as follows:

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

68. The amendment of Section 905.9, entitled Valve supervision, to 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.

69. The amendment of Section 906.1, entitled Where Required, by the deletion of the exceptions.

70. The addition of Sections 907.1.2.1, 907.1.2.2 and 907.1.2.3 to read as follows:

907.1.2.1 Fire alarm control panel. The fire alarm control panel shall be installed in an approved location adjacent to the main entrance to the building unless otherwise approved by the Fire Code Official.

907.1.2.2 Key/Codes. Fire alarm control panel functions such as silence and reset shall be operable without the use of a key or code. The panel cover may be locked, but the function keys cannot require a key or code.

907.1.2.3 Alarm verification. Alarm verification shall be provided for smoke detectors. Alarm verification shall be provided at the fire alarm control panel when more than thirty (30) detectors are installed.

EXCEPTION: Alarm verification is not required for single station type smoke detectors.

71. The addition of Section 907.1.4, entitled Design Standards, to read as follows:

907.1.4 Design Standards. Fire alarm systems, automatic fire detectors, emergency voice alarm communication systems and notification devices shall be designed, installed and maintained in accordance with NFPA 72 and local amendments.

All alarm systems new or replacement serving 50 or more alarm initiating devices shall be addressable fire detection systems. Alarm systems serving more than 75 smoke detectors or more than 200 total fire alarm devices shall be analog intelligent addressable fire detection systems.

EXCEPTION: Existing systems need not comply unless the total system remodel or expansion initiated after October 1998 exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50%, the building must comply within 18 months of permit application.

72. The amendment of Section 907.2.3, entitled Group E, to read as follows:

907.2.3 Group E. A manual fire alarm system 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.

73. The amendment of Section 907.2.3, entitled Group E, by the amendment of Exception #1 and the addition of Exceptions #1.1 and #1.2, to read as follows:

**EXCEPTIONS:**

1. Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.
- 1.1 Portable/Temporary buildings in Group E Educational occupancies with manual fire alarm systems are not required to be connected to the alarm system in the main building.
- 1.2 Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2½ or less years of age, see Section 907.2.6.)

74. The amendment of Section 907.2.7, entitled Group M, by the deletion of Section 907.2.7.1, entitled Occupant Notification.

75. The addition of Section 907.2.8.4, entitled Carbon Monoxide Detectors, to read as follows:

907.2.8.4 Carbon Monoxide Detectors. In new and existing hotels and motels, carbon monoxide detectors shall be provided in all locations where there is gas-fired equipment, such as, but not limited to, dryers, HVAC, or hot water heaters. When the building is equipped with a fire alarm system, the carbon monoxide detectors shall be connected in such a manner as to cause the Fire Alarm system to sound an alarm when the carbon monoxide goes into alarm.

76. The addition of Section 907.2.9.1, entitled Manual Fire Alarm Systems, to read as follows:



907.2.9.1 Manual Fire Alarm Systems. Manual fire alarm systems are prohibited in Group R-2 apartment houses less than four (4) stories in height.

77. The amendment of Section 907.2.13, entitled High-rise buildings, Exception #3, to read as follows:

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the International Building Code, when used for open air seating; however, this exception does not apply to accessory uses, including but not limited to, sky boxes, restaurants and similarly enclosed areas.

78. The amendment of Section 907.5.2, entitled Manual fire alarm boxes, by the addition of a second paragraph to read as follows:

Manual alarm actuating devices shall be an approved double-action type.

79. The amendment of Section 907.7.1, entitled Wiring, by the addition of Section 907.7.1.1, entitled Installation, to read as follows:

907.7.1.1 Installation. All fire alarm systems shall be installed in such a manner that the failure of any single alarm-actuating or alarm-indicating device will not interfere with the normal operation of any other such devices. All systems shall be Class "A" wired with a minimum of six feet separation between supply and return loops. IDC – Class "A" style – D – SLC Class "A" style 6 – notification Class "B" Style Y.

80. The amendment of Section 907.7.3, entitled Zones, to read as follows:

907.7.3 Zones. Each floor shall be zoned separately and a zone shall not exceed 22,500 square feet (2090 m<sup>2</sup>). The length of any zone shall not exceed 300 feet (91 440 mm) in any direction. A maximum of one (1) water flow switch or three (3) tamper switches, five (5) pull stations or ten (10) smoke or heat detectors may be interconnected to be upon a single zone of a fire alarm control panel.

EXCEPTIONS:

1. Automatic sprinkler system zones shall not exceed the area permitted by NFPA 13.
2. Addressable systems.

81. The amendment of 907.7.3.2, entitled High-rise buildings, to read as follows:

907.7.3.2 High-rise buildings. In buildings that have floors located more than 75 feet (16 764 mm) above the lowest level of fire department vehicle access, a

separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

EXCEPTION: Addressable systems.

82. The amendment of Section 907.7.5, entitled Monitoring, to read as follows:

907.7.5 Monitoring. Where required by this chapter, an approved UL listed central station in accordance with NFPA 72 shall monitor fire alarm systems.

EXCEPTION: Supervisory service is not required for automatic sprinkler systems in one- and two-family dwellings.

83. The addition of Section 907.7.5.2, entitled Local alarm system, to read as follows:

907.7.5.2 Local alarm system. When an automatic fire alarm system is not monitored by an approved central station alarm company, an external weatherproof, audible/visual alarm sounding device shall be provided in an approved location with an approved sign, with a minimum of four-inch (4") letters, reading "WHEN ALARM SOUNDS, CALL FIRE DEPARTMENT" adjacent to the alarm-sounding device.

An approved permanent sign reading "LOCAL ALARM ONLY – CALL 9-1-1" shall be provided on or adjacent to the fire alarm control panel and all manual fire alarm pull stations.

84. The amendment of Section 1007.1, entitled Accessible means of egress required, to add exception #4 to read as follows:

4. Projects registered with the Architectural Barriers Division of the Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of Section 1007.

85. The amendment of Section 1008.1.4.4, entitled Access-controlled egress doors, to read as follows:

1008.1.4.4 Access-controlled egress doors. The entrance doors in a means of egress in buildings with an occupancy in Group A, B, E, M, R-1 or R-2 and entrance doors to tenant spaces in occupancies in Groups A, B, E, M, I-2, R-1 and R-2 are permitted to be equipped with an approved entrance and egress access control system which shall be installed in accordance with the following criteria:

1. Egress doors shall be readily openable from the egress side without the use of a key, card or special knowledge or effort.
2. Push buttons are not allowed for egress purposes.
3. All devices utilized for exiting shall be listed for the purpose.
4. Activation of the building fire alarm system and/or sprinkler system, if provided, shall automatically unlock the doors, and the doors shall remain unlocked until the fire alarm system has been reset.
5. A Knox box may be required by the Fire Code Official for Fire Department access

A permit from the Fire Department is required prior to the installation of any access-control and/or magnetic locking systems.

86. The amendment of Section 1008.1.9.3., entitled Locks and Latches, by the addition of item 3.1, to read as follows:

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

87. The amendment of Section 1008.1.9.4, entitled Bolt locks, by the amendment of Exceptions #3 and #4, to read as follows:

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

with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.

88. The amendment of Section 1008.1.9.7, entitled Delayed egress locks, to read as follows:

1008.1.9.7 Delayed egress locks. A permit from the Fire Department is required prior to the installation of any delayed egress locks or other special locking systems. Approved, listed, delayed egress locks shall be permitted to be installed on doors serving any occupancy except Group A, E and H occupancies in buildings which are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A building occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an exit.

(Items 1-6 remain unchanged.)

89. The amendment of Section 1008.1.9.8., entitled Electromagnetically Locked Egress Doors, to read as follows:

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

1. The listed hardware that is affixed to the door leaf has an obvious method of operation that is readily operated under all lighting conditions.
2. The listed hardware is capable of being operated with one hand.
3. Operation of the listed hardware releases to the electromagnetic lock and unlocks the door immediately.
4. Loss of power to the listed hardware automatically unlocks the door.

90. The amendment of Section 1008.1.9.10, entitled Stairway Doors, by adding Exception #4, to read as follows:

4. In stairways serving more than four stories, doors can be locked from stairway side, if lock is connected to fire alarm system and key to the door is provided in a Knox Box. Activation of fire alarm system must release locks on all stairway doors.

91. The amendment of Section 1011.4, entitled Internally illuminated exit signs., to read as follows:

1011.4 Internally illuminated exit signs. Electrically powered and self-luminous exit signs shall be listed and labeled in accordance with UL 294 and shall be installed in accordance with the manufacturer's instructions and Chapter 27. Exit signs shall be illuminated at all times. Photoluminescent exit signs are prohibited.

92. The addition of Section 1015.7, entitled Electrical room means of egress., to read as follows:

1015.7 Electrical room means of egress. For electrical rooms containing equipment over 600 volts, see electrical code, NFPA 70, Article 110, generally.

93. The amendment of Section 1016.1, entitled Travel distance limitations, by the amendment of Exceptions #3 and #4, to read as follows:

3. In other than occupancy Groups H and I, the exit access travel distance to a maximum of 50 percent of the exits is to be measured from the most remote point within a building to an exit using unenclosed exit access stairways or ramps when connecting to a maximum of two stories. The two connected stories shall be provided with at least two means of egress. Such interconnected stories shall not be open to other stories.

4. In other than occupancy Groups H and I, the exit access travel distance to a maximum of 50 percent of the exits is to be measured from the most remote point within a building to an exit using unenclosed exit access stairways or ramps in the first and second stories above grade plane in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. The first and second stories above grade plane shall be provided with at least two means of egress. Such interconnected stories shall not be open to other stories.

94. The addition of Section 1016.3, entitled Roof Vent Increase, to read as follows:

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

95. The amendment of Section 1018.1, entitled Construction, by the addition of an Exception #5 to read as follows:



5. In Group B office buildings, corridor walls and ceilings need not be of fire-resistive construction within office spaces of a single tenant when the space is equipped with an approved automatic smoke detection system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor. The smoke detection system shall be connected to the building's fire alarm system where such a system is provided.
96. The amendment of Section 1022.1, entitled Enclosures required, by the addition of Exceptions #8 and #9, to read as follows:
8. In other than occupancy Groups H and I, a maximum of 50 percent of egress stairways serving one adjacent floor are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Any two such interconnected floors shall not be open to other floors.
  9. In other than occupancy Groups H and I, interior egress stairways serving only the first and second stories of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Such interconnected stories shall not be open to other stories.
97. The addition of Section 1106.8.1, entitled Truck-to-truck operations at Arlington Municipal Airport, to read as follows:
- 1106.8.1 Truck-to-truck operations at Arlington Municipal Airport. Truck-to-truck fueling operations shall be conducted by approved fixed base operators and self-fueling operators in accordance with Section 3406.6 and the following:
1. The location of truck-to-truck refueling shall be approved by the Fire Department and the Arlington Municipal Airport Manager.
  2. All fueling operations shall be located at least two hundred feet (200') from an occupied aircraft, one hundred feet (100') from an unoccupied aircraft, one hundred feet (100') from a building and one hundred feet (100') from any source of flame or ignition.
  3. A minimum of two (2) trained attendants shall be present during all fueling operations.
  4. Both vehicles shall be properly bonded and grounded.
  5. Provision for control of accidental spills shall be provided and shall be approved by the Fire Department.

6. An annual permit is required per Section 105.6, and the permit may be revoked if the above is not complied with or if a hazardous condition is created by the truck-to-truck fueling operation.
98. The deletion of Section 1410.1, entitled Required Access.
99. The deletion of Section 1501.2, entitled Nonapplicability.
100. The amendment of Section 1501, entitled General, by the addition of Sections 1501.4 and 1501.5 to read as follows:

1501.4 Seizure of Spray Finishing Equipment. When it is found or discovered that spray finishing operations are being conducted outside of, or without an approved spraying room or booth equipped with an approved fire extinguishing system, the Chief or representative shall be authorized to obtain a warrant to seize, take or remove or cause to be removed at the expense of the owner any spray gun nozzles, compressors, hoses, attachments, property or any other tool, device, instrument or any item(s) used in the spray finishing process. Seizure of equipment will be made in accordance with applicable laws.

Mere possession of spray finishing equipment outside of or without an approved spraying room or booth with an approved fire extinguishing system may not be grounds for seizure. However, if it can be determined through observation and investigation that such equipment has been used in a spray finishing operation, the equipment can be seized as stated above. This determination should be based on signs that a hazardous condition exists by means of fumes or vapors present in the vicinity and/or evidence that finishing has occurred by observance of wet paint and/or over spray.

1501.5 Disposition of Seized Spray Finishing Equipment. Property seized under authority granted by Section 1501.4 shall be held until all legal proceedings in the matter have been resolved. If a criminal case was filed, the property shall be held until a final conviction has been entered in the case. The Fire Department shall dispose of the property as required by applicable law and procedures of the City of Arlington and the State of Texas. Disposition could include, but is not limited to, auctioning off the equipment or releasing the equipment back to the owner.

101. The amendment of Section 1504.4, entitled Fire protection, to read as follows:

1504.4 Fire protection. New and existing spray booths and spraying rooms shall be protected by approved automatic fire-extinguishing systems. Such systems shall be extended to protect exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used. For installation of automatic sprinklers in ducts, see the Mechanical Code.

102. The addition of Section 1504.9.5, entitled Automatic Sprinkler Protection, to read as follows:

1504.9.5 Automatic Sprinkler Protection. All rooms or areas used for limited spraying shall be protected by approved automatic sprinkler protection designed in accordance with NFPA No. 13 for an Extra Hazard Occupancy and NFPA 33.

103. The amendment of Section 2302, entitled Definitions, by the addition of a second paragraph to the definition of HIGH-PILED STORAGE, to read as follows:

Any building exceeding 12,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a fire protection system shall be installed as for Class IV commodities, to the maximum pile height.

104. The amendment of Section 2404.20, entitled Standby Personnel, to read as follows:

2404.20 Standby personnel. When, in the opinion of the Fire Code Official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ standby personnel to remain on duty during the times such places are open to the public, or when such activity is being conducted.

Before each performance or the start of such activity, standby personnel shall keep diligent watch for fires during the time such place is open to the public or such activity is being conducted and take prompt measures as directed by the Fire Chief. Such duties may include, but not be limited to, extinguishment of fires that occur and to assist in the evacuation of the public from the structure.

The Fire Code Official shall determine the number of standby personnel required.

105. The amendment of Section 2703.3.1.4, entitled Responsibility for Cleanup, to read as follows:

2703.3.1.4 Responsibility for Cleanup. A person, firm or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the City of Arlington. When deemed necessary by the Chief or authorized representative, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup and disposal shall be borne by the owner, operator or other person responsible for the unauthorized discharge, in accordance with the provisions of the "Nuisance" Chapter of the Code of the City of Arlington.

106. The addition of Section 2703.3.1.5, entitled Abandoned Hazardous Materials, to read as follows:

2703.3.1.5 Abandoned Hazardous Materials. It shall be the duty of the owner, occupant or person otherwise having supervision or control of any lot, tract or parcel of land, or portion thereof, or any building or portion thereof, whether occupied or unoccupied, improved or unimproved, on or in which abandoned hazardous materials are identified to secure and/or dispose of such hazardous materials in a manner approved by the Chief or authorized representative at no cost to the City of Arlington. When deemed necessary by the Chief or authorized representative, such remedial action may be initiated by the Fire Department. Abatement and reimbursement for costs shall be in accordance with the provisions of the "Nuisance" Chapter of the Code of the City of Arlington.

"Abandoned hazardous materials" shall include but not be limited to clandestine drug lab chemicals or other chemicals that have been deserted or discarded by their original owner or user, or chemicals for which the owner or user cannot be identified and located within a reasonable time under the circumstances existing at the time the chemicals are discovered or identified.

107. The amendment of Section 3301.1, entitled Scope, by the deletion of Exception #6.

108. The amendment of Section 3301.1.3, entitled Fireworks, to read as follows:

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

EXCEPTIONS:

1. Only when approved for fireworks displays, storage and handling of fireworks as provided in Section 3304 and 3308.
  2. The use of fireworks for approved display as permitted in Section 3308.
109. The amendment of Section 3301.2.2, entitled Retail display and sale, to read as follows:
- 3301.2.2 Retail display and sale. Retail display and sale of fireworks is prohibited.
110. The amendment of Section 3302, entitled Definitions, under "FIREWORKS" to read as follows:

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

111. The amendment of Section 3308.6, entitled Installation of mortars, by the addition of Section 3308.6.1 to read as follows:

3308.6.1 Electric Ignition. Electric ignition shall be used for mortars of three inches (3") or greater in diameter. Upon approval by the Chief or authorized representative, manual ignition may be used. Electrical firing units shall be in accordance with Section 3308.12.

112. The addition of Section 3308.11, entitled Electrical Fire Units, to read as follows:

3308.11 Electrical Fire Units.

3308.11.1 General. Electrical firing units shall be in accordance with Section 3308.12.

3308.11.2 Wiring. Electrical wiring associated with an electrical firing unit shall be prevented from contacting metal objects in contact with the ground.

3308.11.3 Power Supply. AC-powered electrical firing units shall be isolated from the power source using an isolation transformer.

3308.11.4 Security. Electrical firing units shall require operation of a key-operated switch or other similar device to prevent unauthorized operation.

EXCEPTION: Hand-held electrical firing units connected to fireworks only during a display.

3308.11.5 Manually activated firing units. Manually activated electrical firing units shall require two or more distinct actions to apply electric current to an electric match.

3308.11.6 Automatic-firing units. Automatic-sequencing-type electrical firing units shall include a momentary contact switch which must be held to cause application of current to an electric match and which will immediately disconnect current to all electric matches upon release.

3308.11.7 Testing of firing circuits. The pyrotechnic operator shall ensure that personnel are kept at a safe distance from fireworks which are connected to electrical firing units during testing. Electrical firing units with integral test circuits shall be designed to limit the maximum current output during a test to



0.05 ampere or to 20 percent of the no-fire current of electric matches, whichever is less. Multitesters shall not be used for testing unless the maximum current output has been measured and determined not to exceed the current output limits for integral test circuits.

113. The addition of Section 3310, entitled Pyrotechnic special effects material, to read as follows:

**Section 3310 – PYROTECHNIC SPECIAL EFFECTS MATERIAL**

3310.1 General. Temporary storage, use and handling of pyrotechnic special effects material used in motion picture, television, theatrical and group entertainment productions shall be in accordance with Section 3310.

3310.2 Classification of Materials. Pyrotechnic special effects material shall be classified in accordance with DOT regulations and procedures.

3310.3 Construction of Magazines. Magazines used for the storage of pyrotechnic special effects material shall be constructed in accordance with Section 3304.6.

3310.4 Storage.

3310.4.1 Fireworks 1.4G. Fireworks 1.4G (Class C common fireworks) shall be stored in accordance with the requirements for low explosives.

3310.4.2 Other pyrotechnic special effects material.

3310.4.2.1 General. Storage of pyrotechnic special effects material other than fireworks 1.4G (Class C Common fireworks) shall be in accordance with the requirements of Sections 3304 and 3310.4.2. Containers of explosive materials shall be closed when stored.

3310.4.2.2 Storage magazines.

3310.4.2.2.1 Within buildings. Explosives stored within a building shall not exceed 50 pounds (22.7 kg). Low explosives stored within a building shall be stored in a Type 2 or 4 magazine. High explosives shall be stored in a Type 2 magazine.

3310.4.2.2.2 Outside of buildings. Pyrotechnic special effects material which is to be stored outdoors shall be stored in a Type 2 or 4 magazine. Pyrotechnic special effects material which is classified as a high explosive, including detonating cord and detonators that will mass detonate, such as fuse caps, shall be stored in a Type 2 magazine.

When a Type 4 magazine is used for outdoor storage, such storage shall be in a constantly attended location or, if unattended, shall have wheels removed or the magazine immobilized by kingpin locking devices or by other approved security measures. When a quantity in excess of 50 pounds (22.7 kg) or explosive materials is stored outside of a building, such storage shall be located in accordance with nationally recognized standards.

3310.4.3 Storage against walls. Explosive materials within a magazine shall not be placed directly against interior walls and shall not interfere with ventilation. To prevent contact of stored explosive materials with walls, a nonsparking lattice-work or other nonsparking material is allowed to be used.

3310.4.4 Marking of containers. Containers of explosive material shall be stored such that identifying marks are visible. Stocks of explosive materials shall be stored so they can be easily counted and checked upon inspection.

3310.4.5 Unpacking and repacking containers. Containers of explosive materials shall not be unpacked or repacked inside a magazine or within 50 feet (15 250 mm) of a magazine, and shall not be unpacked or repacked close to other explosive materials.

EXCEPTION: Unpacking and repacking of fiberboard and other nonmetallic containers.

3310.4.6 Tools. Tools used for opening or closing containers of explosive materials shall be of nonsparking materials. A wood wedge and a fiber, rubber or wooden mallet shall be used for opening or closing wood containers of explosive materials. Metal tools, other than nonsparking transfer conveyors, shall not be stored in magazines containing high explosives.

EXCEPTION: Metal slitters are allowed to be used for opening fiberboard containers.

3310.5 Smoking and Open Flames. Controls on smoking and open flames shall be in accordance with Section 3304.7.2.

3310.6 Pyrotechnic/Flame Effects Operators. A pyrotechnic/flame effects operator shall obtain required permits and be responsible for notifying the Chief prior to using the pyrotechnic special effects material. The pyrotechnic and/or flame effects operator shall have the authority and responsibility for the storage, use and handling of the pyrotechnic special effects material. The authority of the pyrotechnic/flame effects operator shall not be assumed by anyone and shall be superseded only by the Chief or designated representative.

3310.7 Use of Pyrotechnic Special Effects Material.

3310.8.1 General precautions.

3310.8.1.1 Demonstration and approval. When required by the Chief, a test shall be conducted to demonstrate the safe use of pyrotechnic special effects material prior to normal use.

The use of pyrotechnic special effects material shall be approved by the pyrotechnic operator in charge.

3310.8.1.2 Preparation. The company or producer shall allocate sufficient time to the pyrotechnic operator to prepare for the transportation, packing, storing and daily securing, and to dispose of or otherwise handle pyrotechnic special effects material in a safe manner.

3310.8.1.3 Crowd control. Onlookers shall be kept at a safe distance from the area where the pyrotechnic special effects material is discharged and so restrained until the area is cleared.

3310.8.2 Smoke control. When pyrotechnic special effects material is fired within a building, the quantity of smoke developed shall not obscure the visibility of exit signs or paths of egress travel.

The maximum density of smoke shall be approved, and the pyrotechnic operator shall ensure that the maximum density is not exceeded.

When required by the chief, provisions shall be made to confine smoke generated by pyrotechnic special effects material to an approved area and to remove such smoke from the building.

3310.8.3 Binary explosives. When binary explosives are used, the compounding and firing shall be performed by a pyrotechnic operator. Firing shall be subject to the conditions described in the permit.

3310.8.4 Surplus materials. Surplus materials shall be properly stored until it can be disposed of in a safe manner.

3310.9 Standby Personnel and Equipment. When necessary for the preservation of life or property, the Chief is authorized to require the attendance of standby personnel and fire equipment.

114. The amendment of Section 3403.6, entitled Piping systems, to read as follows:

3403.6 Piping systems. Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with this section. An approved method of secondary containment shall be provided for underground tank and piping systems.

115. The amendment of Section 3404.2.7.10, entitled Leak Reporting, to read as follows:

3404.2.7.10 Leak Reporting. A consistent or accidental loss of liquid, or other indication of a leak from a tank system, shall be reported immediately to the fire department, the Fire Code Official and other authorities having jurisdiction. Leaking tanks shall be promptly emptied and removed from the ground.

116. The amendment of Section 3404.2.9.6.1, entitled Aboveground tanks located outside, above grade, to read as follows:

3404.2.9.6.1 Aboveground tanks located outside, above grade. The storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited within corporate limits of the City of Arlington.

EXCEPTIONS:

1. Waste automotive crankcase oil may be stored in a permanent approved listed aboveground tank.
2. Class I and Class II fuels stored and dispensed at non-public locations at an approved aboveground dispensing station meeting the requirements of Chapter 22.
3. Aircraft Fuel-dispensing Stations may be designed, constructed and operated in accordance with Chapters 11 and 22.

117. The amendment of Section 3404.2.11.5, entitled Leak prevention, to read as follows:

3404.2.11.5 Leak prevention. Leak prevention for underground tanks shall comply with this section. An approved method of secondary containment shall be provided for underground tank and piping systems.

118. The amendment of Section 3404.2.11.5.2, entitled Leak detection, to read as follows:

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

119. The amendment of Section 3404.2.11.5, entitled Leak prevention, by the addition of Section 3404.2.11.5.3, to read as follows:

3404.2.11.5.3 Dry Sumps. Approved sampling tubes of a minimum 6" 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" 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.

120. The amendment of Section 3404.2.13.1.3, entitled Out-of-Service for 1 Year, by the addition of the following paragraph, to read as follows:

Tanks may be abandoned in place only if a precision tightness test indicates the tanks and lines are not leaking and if laboratory analysis of the soil near the tanks(s) and lines indicate contamination is not present.

121. The amendment of Section 3406.3, entitled Well drilling and operating, to read as follows:

3406.3 Well drilling and operating. Wells for oil and natural gas shall be drilled and operated in accordance with Sections 3406.3.1 through 3406.3.14 and an annual operational permit shall be obtained in accordance with Section 105.6 and 105.6.47.

3406.3.1 Location. The location of wells shall comply with Sections 3406.3.1.1 and 3406.1.2.

3406.3.1.1 Storage tanks and sources of ignition. Smoking is prohibited at wells or tank locations except as designated and in approved posted areas.

3406.3.1.2 Streets and railways. Wells shall not be drilled in violation of minimum distances set out in the Gas Drilling and Production Chapter of the Code of the City of Arlington, Texas.

3406.3.1.2.1 Roadway condition. Access roads shall be capable of supporting the load of a fire department apparatus and surfaced to provide all-weather driving capabilities. Prior to the commencement of any drilling operations, all private roads used for access to the drill site itself shall be at least twenty-four (24) feet wide and have an overhead clearance of fourteen (14) feet. At a minimum, the road shall be surfaced with bituminous surface treatment (e.g., chip seal), but asphalt and concrete paving are acceptable. Roads shall not be surfaced with gravel or caliche. All private roads shall have a concrete drive approach constructed in accordance with City design standards. In particular cases these requirements governing surfacing of private roads may be altered at the discretion of the Fire Code Official after consideration of all circumstances including, but



not limited to, the following: distances from public streets and highways; distances from adjoining and nearby property owners whose surface rights are not leased by the operation; the purpose for which the property of such owners is or may be used; topographical features; nature of the soil; and exposure to wind. Watering, wetting, or other methods or materials must be used to control dust adjacent to residential property. Where required by the fire official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof.

3406.3.1.2.1.1 Obstructed access. No vehicle or item of machinery shall be parked or stored on any street, right-of-way or in any driveway, alley or upon any operation site which constitutes a fire hazard or an obstruction to or interference with fighting or controlling fires except that equipment which is necessary for drilling or production operations on the site. The fire department shall be the entity that determines whether any equipment on the site shall constitute a fire hazard.

3406.3.1.2.2 Knox security system. Provide an approved Knox Security System or equivalent on the main gate to the facility, complying with Section 506.1 through 506.2. The key box shall be of an approved type listed in accordance with UL 1037.

3406.3.1.3 Buildings. Wells shall not be drilled in violation of minimum distances set out in the Gas Drilling and Production Chapter of the Code of the City of Arlington, Texas.

3406.3.1.4 Electrical wiring and equipment. Electrical wiring and equipment shall be installed and maintained in accordance with the currently adopted City of Arlington Electrical Code.

3406.3.1.5 Piping supports, bracing, foundations and anchoring. Piping supports used for piping utilized in drilling operations only including piping bracing, foundations and anchoring shall comply with Section 2703.2.8 and Section 3403.6.8.

EXCEPTION: Subsurface natural gas storage, gathering and transmission pipelines.

3406.3.2 Waste control. Control of waste materials associated with wells shall comply with Sections 3406.3.2.1 and 3406.3.2.2.

3406.3.2.1 Discharge on a street or water channel. Liquids containing crude petroleum or its products shall not be discharged into or on streets, highways, drainage canals or ditches, storm drains or flood control channels.

3406.3.2.2 Discharge and combustible materials on ground. The surface of the ground under, around or near wells, pumps, boilers, oil storage tanks or buildings shall be kept free from oil, waste oil, refuse or waste material.

3406.3.3 Hazard identification signs. Hazardous identification signs shall be installed and maintained in accordance with Sections 3403.5 through 3403.5.4 and Sections 3404.2.3.1 through 3404.2.3.2.

EXCEPTION: Subsurface natural gas storage.

3406.3.4 Prevention of blowouts. Protection shall be provided to control and prevent the blowout of a well. Protection equipment shall meet federal, state and other applicable jurisdiction requirements.

3406.3.4.1 Lightning arrestors. All storage tanks, well facilities and equipment shall be equipped with a lightning arrestor system in accordance with this code and NFPA 780.

3406.3.5 Inspection and testing. Inspection and testing of all above ground tanks, pressure vessels, pressure relief valves and all related equipment shall comply with Section 2703.2.9 through 2703.2.9.2.

EXCEPTION: Subsurface natural gas storage, gathering and transmission pipelines.

3406.3.6 Soundproofing. Where soundproofing material is required during drilling operations such material shall be noncombustible.

3406.3.7 Signs. A sign shall be displayed immediately and prominently at the gate on the fencing erected pursuant to the City of Arlington Gas Drilling and Production Chapter of the City Code of Ordinances. Such sign shall be durable material, maintained in good condition and, unless otherwise required by the Texas Railroad Commission, shall have a surface area of not less than two (2) square feet or more than four (4) square feet and shall be lettered with the following:

1. Well name and number;
2. Name of Operator;
3. The emergency 911 number; and
4. Telephone numbers of two (2) persons responsible for the well who may be contacted in case of emergency.

<p><b>Well Name/Number</b> Name of Operator Operator 24-hour emergency number EMERGENCY - DIAL 911</p>
--

3406.3.7.1 Street or road signs. Provide street address signs at the intersections on the main access to the drilling site. Sign should be in contrasting letters 4 inches in height, minimum width stroke 0.5 inches. Include a directional arrow indicating direction of travel. Signs must be visible from the public street to which the site is addressed.

3406.3.7.1.1 Markings. Where required by the fire official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof.

3406.3.8 Fire protection system. When the fire code official reasonably determines that access for fire apparatus is unduly difficult, the fire code official shall have the authority to require additional safeguards. Such safeguards include, but shall not be limited to, the following: automatic fire detection systems, fire alarm systems, automatic fire-extinguishing systems, standpipe systems, or portable or fixed extinguishers. Fire protection equipment required under this section shall be installed in accordance with this code and the applicable referenced standards.

EXCEPTION: Boilers

3406.3.8.1 Fire protection system inspection, testing and maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective when such systems are required under 3406.3.9. Non required fire protection systems and equipment shall be inspected, tested and maintained or removed.

3406.3.8.1.1 Records. Records of all fire protection system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the fire code official upon request.

3406.3.8.2 Supervision. Emergency alarm, detection, and automatic fire-extinguishing systems required by this section shall be supervised by an approved central, proprietary or remote station service or shall initiate an audible and visual signal at a constantly attended on-site location. Sites that are being drilled, fracked, or have more than 12 producing wells should have a site safety officer, with knowledge of the safety systems, on location 24 hours a day. All wells should have off site monitoring technology that includes the ability to shut-in a

site from a remote location. All wells shall have a properly marked emergency shut-in device available for Fire Department use. Any air monitoring capability to detect flammable/explosive limits within the well site should be monitored off site and immediately accessible by first responders upon request. Other site industry safety officers or safety contractors shall have consistent emergency response protocols approved by the Fire Department and shall have a reasonable response time after the time of first notification consistent with the circumstances of the risk and danger to human life and property.

3406.3.8.3 Fire protection systems out of service. Where a required fire protection system is out of service, the fire department shall be notified immediately.

3406.3.8.4 Fire protection water supplies. When required, fire hydrant systems for fire protection shall be installed in accordance with Section 507.5.1.

3406.3.8.4.1 Required hydrant flow. All fire hydrants required under 3406.3.8.4 must provide a minimum flow of 1500 gal/min. for a time period of no less than 2 hours.

3406.3.8.4.2 Fire hydrant inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic test as required by the fire code official.

3406.3.8.5 Portable fire extinguishers. Portable fire extinguishers shall be properly maintained, serviced and installed. An extinguisher shall be on the site at all times when personnel are present.

3406.3.9 Security. The well pad site shall be secured at all times to restrict unauthorized entry. Prior to operations, a permanent security fence shall be constructed around the site and at least one security camera mounted inside the enclosure along with signs as provided in the Arlington Gas Drilling and Production Chapter. A minimum video recording of five days must be maintained by the company operating the site. The security camera must be of a type or arrangement must be made to assure quality recording during day or night. Type of camera or lighting arrangements must be approved by the Fire Official. Well sites shall be protected against physical damage and unauthorized tampering. Hazardous materials storage, dispensing, use and handling areas shall be secured against unauthorized entry and safeguarded in a manner approved by the fire code official.

3406.3.10 Fire evacuation and fire safety plans. Exit signage, with nighttime illumination, shall be in place for all gates, or ingress or egress points on any perimeter fence or wall. Site specific fire evacuation and fire safety plans shall be provided. This plan shall be written in accordance with section 404.3.1 and 404.3.2 and on location during all phases of use. Plans should be standardized, contained in a tamper protected red painted cabinet with Fire Department

accessibility with a Knox Lock or equivalent, weather resistant and located within ten (10) feet of the emergency shut-in device on every site.

3406.3.10.1 Maintenance and availability. Fire evacuation plans and fire safety plans shall be updated and accessible in accordance with section 404.4 and 404.5.

3406.3.11 Hazardous materials management plan (HMMP). A hazardous materials management plan and all material safety data sheets (MSDS) for all hazardous materials that will be located, stored, transported and/or temporarily used on the operations site must be available for inspection by the Fire Code Official and comply with Section 3406.3.11 to the extent required by federal and state law. A copy of any required federal or state plan will be provided to the Fire Code Official. Plans should be standardized, contained in a tamper protected red painted cabinet with Fire Department accessibility with a Knox Lock, weather resistant and located within ten (10) feet of the emergency shut-in device on every site.

3406.3.12 Vehicle impact protection. Where wellheads, tanks, piping, electrical conduit or dispensers are subject to vehicular impact, approved impact protection in compliance with impact test protocol of UL 2085, or by meeting the requirements of Section 312 or a combination of both shall be provided.

EXCEPTION: Well heads that are below grade.

3406.3.13 Emergency Power. Well sites shall have emergency power available for all emergency lighting, illuminated signage, and for any process, system, or device that requires uninterrupted electric power for proper operation to the extent required by law.

EXCEPTION: Compressor stations, gathering or transmission pipelines.

3406.3.14 Emergency Management Planning. Site operators should participate in the City's emergency management notification network as well as participate and support emergency management preparedness and planning functions. Site operators should provide formal communication links from the Operator to the Fire Department Inspector about the various stages of development or use of a well site: site development / preparation, drilling rig setup, fracturing operations (explosives, hazardous materials, street closures, etc.), well completion, work-over, maintenance and link to pipelines).

122. The amendment of Section 3804.2, entitled Maximum Capacity within established limits, by adding Exception #2, to read as follows:

2. Except as permitted in 308 and 3804.3.2, LP-gas containers are not permitted in residential areas.



123. The addition of Section 3804.3.2, entitled Spas, Pool Heaters and other listed devices, to read as follows:

3804.3.2 Spas, Pool Heaters and other listed devices. Where natural gas service is not available, LP-Gas containers are allowed to be used to supply spa and pool heaters or other listed devices. Such containers shall not exceed 250-gallon water capacity. See Table 3804.3 for location of containers.

124. The amendment of Section 4603.6.6, entitled Group R-2, to read as follows:

4603.6.6 Group R-2. A fire alarm system shall be installed to existing Group R-2 occupancies three or more stories in height or with more than 16 dwelling units or sleeping units, where the total building remodel or renovation initiated after November 2005 exceeds 30% of the building. When cumulative complex remodel or expansion exceeds 50%, the complex must comply within 18 months of permit application.

**EXCEPTIONS:**

1. Where each living unit is separated from other continuous living units by fire barriers having a fire-resistance rating of not less than 0.75 hour, and where each living unit has either its own independent exit or its own independent stairway or ramp discharging at grade.
2. A separate fire alarm system is not required in buildings that are equipped throughout with an approved supervised automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and having a local alarm to notify all occupants.
3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and are protected by an approved automatic sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1026.6, Exception #4.

**Section 1.04 Adoption of Appendices.**

The following Appendices contained in the International Fire Code, 2009 Edition, are adopted and made a part of this Fire Code:

Appendix B – Fire-flow Requirements for Buildings

Appendix E – Hazard Categories

Appendix F – Hazard Ranking

Appendix G – Cryogenic Fluids – Weight and Volume Equivalents

Appendix J – Emergency Responder Radio Coverage

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand and No/100 Dollars (\$2,000) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington; and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, Texas, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

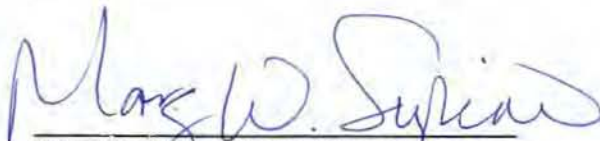
8.

This ordinance shall become effective 30 days after the final adoption of the ordinance.

PRESENTED AND GIVEN FIRST READING on the 3rd day of April, 2012, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 24th day of April, 2012, by a vote of 7 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.

  
ROBERT N. CLUCK, Mayor

ATTEST:

  
MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

BY 