

CITY OF FORNEY, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF FORNEY, TEXAS, BY AMENDING ARTICLE 3.02, DIVISION 2, “BUILDING CODE,” ADOPTING THE 2021 EDITION OF THE *INTERNATIONAL BUILDING CODE* BY THE AMENDMENT OF SECTION 3.02.051, “ADOPTION,” AND ESTABLISHING AMENDMENTS TO THE 2021 EDITION OF THE *INTERNATIONAL BUILDING CODE* IN ACCORDANCE WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS’ RECOMMENDED AMENDMENTS, LOCAL AMENDMENTS AND INDUSTRY STANDARDS THROUGH THE AMENDMENT OF SECTION 3.02.052, “AMENDMENTS”; PROVIDING A PENALTY; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known as the “International Codes”), and the City of Forney, Texas (City) has been involved throughout the development process of the International Codes, through the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the *International Building Code* has been prepared by the ICC, and in addition to review by the NCTCOG, has been reviewed by City staff; and

WHEREAS, the City’s building code is intended to be updated periodically, and the 2021 edition of the *International Building Code* is the most current published building code at this time; and

WHEREAS, the 2021 edition of the *International Building Code* addresses the general design and construction aspects of all buildings in the City, except one- and two-family dwellings and townhouses (which are covered by the *International Residential Code*); and

WHEREAS, the current building code in the City is the 2018 edition of the *International Building Code*, and the City’s building code should be updated to the most current published building code available; and

WHEREAS, the City Council of the City of Forney, Texas (City Council) has determined that it is in the best interest of the citizens of the City of Forney to update and adopt the 2021 edition of the *International Building Code* as the minimum standard for the construction, use, occupancy, and maintenance of buildings and structures within the city limits, as set forth herein and as that Code is specifically modified by this Ordinance.

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

Section 1. FINDINGS INCORPORATED

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

Section 2. AMENDMENT OF ORDINANCE

From and after the effective date of this Ordinance, Chapter 3, Article 3.02, Division 2, of the Code of Ordinances of the City of Forney, Texas, entitled "Building Code," is hereby amended by amending Sections 3.02.051, entitled "Adoption," and 3.02.052, entitled "Amendments," in their entirety and replacing said provisions with new Sections 3.02.051, entitled "Adoption of *International Building Code*," and 3.02.052, entitled "*International Building Code* Amendments," to read as follows:

"Sec. 3.02.051 Adoption of *International Building Code*.

The *International Building Code*, 2021 edition, including Appendices B, C, D, E, F, G, I, and J, K, L, M, and N, (the "International Building Code") a copy of which is on file in the offices of the City of Forney, is hereby adopted and designated as the Building Code of the City, the same as though the provisions of the *International Building Code*, 2021 edition, were copied at length in this section, subject to the deletions, amendments, and additions provided in section 3.02.052.

Sec. 3.02.052 *International Building Code* Amendments.

The following amendments repeal and reenact or add sections to the *International Building Code*, 2021 edition, adopted by Section 3.02.051 of this Code for the purpose of consistency with specific past practices and the recommendations of the North Central Texas Council of Governments, and all sections not expressly amended remain in full force and effect as adopted.

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

Section 101.1. Title. These regulations shall be known as the Building Code of the City of Forney and shall be cited as such. It is referred to herein as "this code."

- (2) Section 101.4 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. 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 Electrical Code shall mean the Electrical Code as adopted.

- (3) Section 101.4.8 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

- (4) Section 103 and 103.1 of the *International Building Code*, 2021 edition, are hereby amended to insert the Department Name as follows:

CITY OF FORNEY BUILDING DEPARTMENT

103.1 Creation of enforcement agency. The City of Forney Building Department is hereby created and the official in charge thereof shall be known as the *building official*.

- (5) Section 105.2, Work exempt from permit, of the *International Building Code*, 2021 edition, is hereby amended under sub-title entitled "Building" to delete items 1, 2, 10 and 11 and re-number as follows:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).

~~2. Fences not over 7 feet (1829 mm) high.~~

~~3.~~ 2. (Unchanged)

~~4.~~ 3. (Unchanged)

~~5.~~ 4. (Unchanged)

~~6.~~ 5. (Unchanged)

~~7.~~ 6. (Unchanged)

~~8.~~ 7. (Unchanged)

~~9.~~ 8. (Unchanged)

~~10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~

~~11.~~ 9. (Unchanged)

~~12.~~ 10. (Unchanged)

~~13.~~ 11. (Unchanged)

- (6) Section 109 of the *International Building Code*, 2021 edition, is hereby amended to add Section 109.7 to read as follows:

109.7 Re-inspection Fee. A fee as established by city council resolution may be charged when:

1. The inspection called for is not ready when the inspector arrives;

2. No building address or permit card is clearly posted;
3. City approved plans are not on the job site available to the inspector;
4. The building is locked or work otherwise not available for inspection when called;
5. The job site is red-tagged twice for the same item;
6. The original red tag has been removed from the job site.
7. Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

- (7) Section 109 of the *International Building Code*, 2021 edition, is hereby amended to add Section 109.8, 109.8.1, 109.8.2 and 109.9 to read as follows:

109.8 Work without a permit.

109.8.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

109.8.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code or the city fee schedule as applicable. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law.

109.9 Unauthorized cover up fee. Any work concealed without first obtaining the required inspection in violation of Section 110 shall be assessed a fee as established by the city fee schedule.

- (8) Section 110.3.5, of the *International Building Code*, 2021 edition, is hereby amended to delete the exception as follows:

~~**Exception:** Gypsum board and gypsum panel products that are not part of a fire resistance rated assembly or a shear assembly.~~

- (9) Section 110.6 of the *International Building Code*, 2021 edition, is hereby amended to add the following sentence to read as follows:

A compliance letter or report stamped by the Engineer of Record must be provided if requested by the Chief Building Official and/or the Building Inspector.

- (10) Section 202 of the *International Building Code, 2021* edition, is hereby amended to amend the definition of Ambulatory Care Facility to read as follows:

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

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

- (11) Section 202 of the *International Building Code, 2021* edition, is hereby amended to add a definition of Assisted Living Facilities to read as follows:

ASSISTED LIVING FACILITIES. A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

- (12) Section 202 of the *International Building Code, 2021* edition, is hereby amended to amend the definition of Repair Garage to read as follows:

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

- (13) Section 202 of the *International Building Code, 2021* edition, is hereby amended to amend the definition of Special Inspector to read as follows:

SPECIAL INSPECTOR. A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

- (14) Section 202 of the *International Building Code, 2021* edition, is hereby amended to amend the definition of High-Rise Building to read as follows:

HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

- (15) Section 303.1.3 of the *International Building Code, 2021* edition, is hereby amended to add a sentence to read as follows:

303.1.3 Associated with Group E occupancies. A room or space used for

assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy, when applying the assembly requirements of Chapter 10 and 11.

- (16) Section 304.1 of the *International Building Code*, 2021 edition, is hereby amended to add the following to the list of occupancies:

Fire stations
Police stations with detention facilities for 5 or less

- (17) Section 307.1.1 of the *International Building Code*, 2021 edition, is hereby amended to add the following sentence to Exception 4:

4. Cleaning establishments... *{Text unchanged}* ...with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also IFC Chapter 21, Dry Cleaning Plant provisions.

- (18) Section 403.1, Exception 3, of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

3. The open-air portion of a building *[remainder unchanged]*

- (19) Section 403.3 of the *International Building Code*, 2021 edition, is hereby amended to delete the exception.

- (20) Section 403.3.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

[F] 403.3.2 Water supply to required fire pumps. In buildings that are more than 120 feet (36.5 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: {No change to exception.}

- (21) Section 404.10 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

404.10 Exit Stairways in an atrium. Where an atrium contains an exit access stairway all the following shall be met:

[Remainder Unchanged]

- (22) Section 406.3.3.1, Carport separation, of the *International Building Code*, 2021 edition, is hereby amended to add a sentence to read as follows:

A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048 mm).

- (23) Section 423.5.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

423.5.1 Required occupant capacity. The required occupant capacity of the storm shelter shall include all of the buildings on the site and shall be the total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy.

Exceptions:

1. Where a new building is being added on an existing Group E site, and where the new building is not of sufficient size to accommodate the required occupant capacity of the storm shelter for all of the buildings on the site, the storm shelter shall at a minimum accommodate the required occupant capacity for the new building.
2. Where approved by the building official, the required occupant capacity of the shelter shall be permitted to be reduced by the occupant capacity of any existing storm shelters on the site.
3. Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by occupant load calculation, shall be permitted to be used in the determination of the required design occupant capacity for the storm shelter.

- (24) Section 503.1 of the *International Building Code*, 2021 edition, is hereby amended to add a sentence to read as follows:

503.1 General. [Existing Text to remain]

Where a building contains more than one distinct type of construction, the building shall comply with the most restrictive area, height, and stories, for the lesser type of construction or be separated by fire walls, except as allowed in Section 510.

- (25) Section 506.2 of the *International Building Code*, 2021 edition, is hereby amended to delete the following footnote i from table:

~~i. The maximum allowable area for a single-story non-sprinklered Group U greenhouse is permitted to be 9000 square feet or the allowable area shall be permitted to comply with Table C102.1 of Appendix C.~~

- (26) Section 506.3.1 of the *International Building Code*, 2021 edition, is hereby amended to add a sentence to read as follows:

506.3.1 Minimum percentage of perimeter. [Existing text remains]

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway meeting fire department access from the street or approved fire lane shall be provided.

- (27) Section 708.4.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

708.4.2 Fireblocks and draftstops in combustible construction. *[Body of text unchanged]*

Exceptions:

1. Buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, or in accordance with Section 903.3.1.2 provided that sprinkler protection is provided in the space between the top of the fire partition and the underside of the floor or roof sheathing, deck or slab above as required for systems complying with Section 903.1.1. Portions of buildings containing concealed spaces filled with noncombustible insulation as permitted for sprinkler omission shall not apply to this exception for draftstopping. *[Remainder unchanged]*

- (28) Section 718.3 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

718.3 Draftstopping in floors. *[Body of text unchanged]*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

- (29) Section 718.4 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

718.4 Draftstopping in attics. *[Body of text unchanged]*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the attic space.

- (30) Section 901.6.1 of the *International Building Code*, 2021 edition, is hereby amended to add Section 901.6.1.1 to read as follows:

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

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed when foreign material is present, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the *fire code official*.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.

(31) Section 902.1.1 of the *International Building Code*, 2021 edition, is hereby amended to add the following paragraph to read as follows:

Riser Room Exterior Access. The fire sprinkler riser room shall be accessible from an exterior door opening.

(32) Section 903.1.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

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

- (33) Section 903.2 of the *International Building Code*, 2021 edition, is hereby amended to add the following:

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

- (34) Section 903.2 of the *International Building Code*, 2021 edition, is hereby amended to delete the exception for telecommunications buildings.

- (35) Section 903.2.4.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

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

- (36) Section 903.2.9.3 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

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

- (37) Section 903.2.9.4 and Section 903.2.9.5 of the *International Building Code*, 2021 edition, are hereby amended to delete Exception to 903.2.9.4 and to amend Section 903.2.9.5 to read as follows:

903.2.9.5 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

- (38) Section 903.2.11 of the *International Building Code*, 2021 edition, is hereby amended to amend Section 903.2.11.3, add Section 903.2.11.7, add Section 903.2.11.8, and add Section 903.2.11.9 to read as follows:

903.2.11.3 Buildings 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories, other than penthouses in compliance with Section 1510 of the *International Building Code*, located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

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

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

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

903.2.11.9 Buildings Over 6,000 sq.ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq.ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

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

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

(39) Section 903.3.1.1.1 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

903.3.1.1.1 Exempt locations. When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such *...{text unchanged}...* because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. {Delete.}
5. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete.}

- (40) Section 903.3.1.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

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

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

{No change to remainder of section.}

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

903.3.1.2.2 Corridors and balconies. Sprinkler protection shall be provided in all corridors and for all balconies.

{Delete the rest of this section}

- (42) Section 903.3.1.3 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

Section 903.3.1.2.3 Attached Garages and Attics. Sprinkler protection is required in attached garages, and in the following attic spaces:

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

- (43) Section 903.3.1.3 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

903.3.1.3 NFPA 13D Sprinkler Systems. Automatic sprinkler systems installed in one- and two-family *dwelling*s; Group R-3; Group R-4 Condition 1; and

townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

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

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

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

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

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

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

- (45) Section 903.3.5 of the *International Building Code*, 2021 edition, is hereby amended to add a second paragraph to read as follows:

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

- (46) Section 903.4 of the *International Building Code*, 2021 edition, is hereby amended 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.

- (47) Section 903.4.2 of the *International Building Code*, 2021 edition, is hereby amended to add a second paragraph to read as follows:

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

- (48) Section 905.2 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

905.2 Installation standard. 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.

- (49) Section 905.3 of the *International Building Code*, 2021 edition, is hereby amended to add Section 905.3.9 and exceptions to read as follows:

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

Exceptions:

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

- (50) Section 905.4 of the *International Building Code*, 2021 edition, is hereby amended to amend item 1, 3, and 5, and to add item 7 as follows:

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

Exception: Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a{No change to rest.}

4. {No change.}
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located to serve the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

- (51) Section 905.8 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

905.8 Dry standpipes. Dry standpipes shall not be installed.

Exception: Where subject to freezing and in accordance with NFPA 14. Additionally, manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low Supervisory alarm.

- (52) Section 905.9 of the *International Building Code*, 2021 edition, is hereby amended 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.

- (53) Section 906.1(1) of the *International Building Code*, 2021 edition, is hereby amended to delete Exception #3.

- (54) Section 907.1 of the *International Building Code*, 2021 edition, is hereby amended to add Section 907.1.4 to read as follows:

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

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

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

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

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

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for fire alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. {No change.}

1.1. Residential In-Home daycare with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 ½ or less years of age, see Section 907.2.6.)
{No change to remainder of exceptions.}

(57) Section 907.2.10 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

907.2.10 Group S. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies for interior corridors and interior common areas. Visible notification appliances are no required within storage units.

Exception: {No change.}

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

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

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

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

(60) Section 907.6.1 of the *International Building Code*, 2021 edition, is hereby amended to add Section 907.6.1.1 to read as follows:

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance

with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(61) Section 907.6.3 of the *International Building Code*, 2021 edition, is hereby amended to delete all four Exceptions.

(62) Section 907.6.6 of the *International Building Code*, 2021 edition, is hereby amended to add a sentence at the end of the paragraph to read as follows:

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

(63) Section 910.2 of the *International Building Code*, 2021 edition, is hereby amended to change Exceptions 2 and 3 to read as follows:

910.2 Where required. Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1, 910.2.2, and 910.3.2.

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

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

(64) Section 910.2 of the *International Building Code*, 2021 edition, is hereby amended to add subsection 910.2.3 with exceptions to read as follows:

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

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

910.4.3.1 Makeup air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

- (66) Section 912.2 of the *International Building Code*, 2021 edition, is hereby amended to add Section 912.2.3 to read as follows:

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

- (67) Section 913.2.1 of the *International Building Code*, 2021 edition, is hereby amended to add Section 913.2.1.1 and to delete the exception to read as follows:

913.2.1.1 Fire Pump Room Access. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

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

- (68) Section 1006.2.1 of the *International Building Code*, 2021 edition, is hereby amended to change Exception #3 to read as follows:

4. Unoccupied rooftop mechanical rooms and penthouses are not required to comply with the common path of egress travel distance measurement.

- (69) Section 1009.8 of the *International Building Code*, 2021 edition, is hereby amended to add Exception #7 to read as follows:

7. Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and Chapter 11.

- (70) Section 1010.2.5, Bolt Locks, of the *International Building Code*, 2021 edition, is hereby amended to amend Exceptions 3 and 4 to read as follows:

Exceptions:

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

(71) Section 1020.1, Construction, of the *International Building Code*, 2021 edition, is hereby amended to add exception 6 to read as follows:

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

(72) Section 1030.1.1.1, Spaces under grandstands and bleachers, of the *International Building Code*, 2021 edition, is hereby amended to delete the Section.

(73) Section 1101.1, Scope, of the *International Building Code*, 2021 edition, is hereby amended to add an exception to Section 1101.1 to read as follows:

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

(74) Section 1604.5 of the *International Building Code*, 2021 edition, is hereby amended to add the following sentence to read as follows:

All fire penetrations are to be third-party. A certification sticker is required at every penetration along with a final compliance report from a third-party agency. The third-party agency is to be provided by the permit applicant and must be a certified agency accepted by the Chief Building Official.

(75) Section 1809.5.1, Frost Protection at required exits, of the *International Building Code*, 2021 edition, is hereby amended to delete this section.

(76) Section 2702.5 of the *International Building Code*, 2021 edition, is hereby added read as follows:

Section 2702.5 Designated Critical Operations Areas (DCOA): In areas within a facility or sit requiring continuous operation for the purpose of public safety, emergency management, national security or business continuity, the power systems shall comply with NFPA 70 Article 708.

(77) Section 2901.1 of the *International Building Code*, 2021 edition, is hereby amended to add a sentence to read as follows:

[P] 2901.1 Scope. *{existing text to remain}* The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International

Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

- (78) Section 2902.1 of the *International Building Code*, 2021 edition, is hereby amended to add a second paragraph to read as follows:

In other than E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official.

- (79) Table 2902.1 of the *International Building Code*, 2021 edition, is hereby amended to add footnote g to read as follows:

g. Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining and/or drinking establishments.

- (80) Section 2902.1.4 of the *International Building Code*, 2021 edition, is hereby amended to add new Section 2902.1.4 to read as follows:

2902.1.4 Additional fixtures for food preparation facilities. In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

2902.1.4.1 Hand washing lavatory. At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

2902.1.4.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the City of Forney health department.

- (81) Section 3002.1, Hoistway Enclosure Protection, of the *International Building Code*, 2021 edition, is hereby amended to add exceptions to read as follows:

Exceptions:

1. Elevators completely located within atriums shall not require hoistway enclosure protection.
2. Elevators in open or enclosed parking garages that serve only the parking garage shall not require hoistway enclosure protection.

- (82) Section 3005.4, Machine rooms, control rooms, machinery spaces and control spaces, of the *International Building Code*, 2021 edition, is hereby amended to delete exceptions and add two new exceptions to Section 3005.4 to read as follows:

Exceptions:

1. Elevator machine rooms, control rooms, machinery spaces, and control spaces completely located within atriums shall not require enclosure protection.
 2. Elevator machine rooms, control rooms, machinery spaces and control spaces in open or enclosed parking garages that serve only the parking garage, shall not require enclosure protection.
- (83) Section 3005.5 of the *International Building Code*, 2021 edition, is hereby amended to add a new subsection to Section 3005.5.1 to read as follows:

3005.5.1 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.

3005.5.1.1 Automatic sprinkler system. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.5.1.1.1

3005.5.1.1.1 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoist-ways.

3005.5.1.1.2 Sprinkler system monitoring. The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

3005.5.1.2 Water protection. An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

3005.5.1.3 Omission of Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

- (84) Section 3005.8 of the *International Building Code*, 2021 edition, is hereby added to read as follows:

3005.8 Storage. Storage shall not be allowed within the elevator machine room, control room, machinery spaces and or control spaces. Provide approved signage at each entry to the above listed locations stating: "No Storage Allowed".

- (85) Section 3006.2, Hoistway opening protection required, of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

4. The building is a high rise and the elevator hoistway is more than 55 feet (16 764 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway.

- (86) Section 3007.3 and Section 3008.3 of the *International Building Code*, 2021 edition, are hereby amended to delete "enclosed" to read as follows:

3007.3 Water Protection. Water from the operation of an automatic sprinkler system outside the enclosed lobby shall be prevented from into the hoistway enclosure in accordance with an approved method.

3008.3 Water Protection. Water from the operation of an automatic sprinkler system outside the enclosed lobby shall be prevented from into the hoistway enclosure in accordance with an approved method.

- (87) Section 3109 of the *International Building Code*, 2021 edition, is hereby amended to read as follows:

3109.1 General. The design and construction of swimming pools, spas and hot tubs shall comply with the *International Swimming Pool and Spa Code*.

3109.2 Permit Required. The Texas Administrative Code, Title 25 – Health Services, Part I – Department of State Health Services, Chapter 265 – General Sanitation, Subchapter L – Standards for Public Pool and Spas, 2004 edition, be hereby adopted as the Public Swimming Pools and Spas Code for the City of Forney, in the State of Texas; for the control of public swimming pools, hot tubs, and spas as herein provided; and that each and all regulations, provisions, penalties, conditions and terms of said Public Swimming Pools and Spas Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, save and except, however, such portions as are hereafter modified in this section.

- a. An owner/operator shall not operate a pool, hot tub, or spa without a current permit. An application provided by the City of Forney Community Development Department must be completed each year in order to receive a permit.
- b. A permit fee shall be paid annually and is due on the anniversary date each year.
- c. Fees for each pool, hot tub, or spa on the premises under the control of the owner/operator:

(1) All new permits—Two hundred dollars (\$200.00) (does not include the plan review fee);

(2) If renewing the permit within thirty (30) days after the expiration date, the fee shall be two hundred dollars (\$200.00); and

(3) If renewing the permit more than thirty (30) days after the expiration date, the fee shall be four hundred dollars (\$400.00).

(4) A plan review fee of one hundred twenty-five dollars (\$125.00) shall be required for all new pool construction.

(5) A reinspection fee of sixty dollars (\$60.00) shall be required for all pools/spas closed by the director for violations that present a danger to the life, health or safety of any person.

Section 3. PENALTY CLAUSE

Any person, firm or corporation violating any of the provisions or terms of this Ordinance or the Code of Ordinances as amended hereby shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

Section 4. SEVERABILITY CLAUSE

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

Section 5. REPEALER CLAUSE

Any provision of any prior ordinance of the City, whether codified or uncoded, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncoded, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 6. EFFECTIVE DATE

Upon its passage and publication as required by law, this Ordinance shall become effective on January 1, 2023.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Forney, Texas, on this the _____ day of _____, 2022.

Amanda Lewis, Mayor

ATTEST:

Laura Calcote, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

Jennifer Barnes Smith, City Attorney