

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 8, "FUEL GAS CODE," ADOPTING THE 2021 EDITION OF THE *INTERNATIONAL FUEL GAS CODE* BY THE AMENDMENT OF SECTION 3.02.351, "ADOPTION," AND ESTABLISHING AMENDMENTS TO THE 2021 EDITION OF THE *INTERNATIONAL FUEL GAS CODE* IN ACCORDANCE WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS' RECOMMENDED AMENDMENTS, LOCAL AMENDMENTS AND INDUSTRY STANDARDS THROUGH THE AMENDMENT OF SECTION 3.02.352, "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 Fuel Gas 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 Fuel Gas Code is intended to be updated periodically, and the 2021 edition of the *International Fuel Gas Code* is the most current, published Fuel Gas Code at this time; and

**WHEREAS**, the 2021 edition of the *International Fuel Gas Code* addresses the general design and construction aspects of all fuel and gas supply lines, fittings and connections in the City, except for one- and two-family dwellings and townhouses (which are covered by the International Residential Code); and

**WHEREAS**, the current Fuel Gas Code in the City is the 2018 edition of the *International Fuel Gas Code*, and the City's Fuel Gas Code should be updated to the most current, published codes 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 Fuel Gas Code* as the minimum standard for the construction, use, occupancy, and maintenance of fuel and gas supply lines, fittings and connections to and through 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 8, of the Code of Ordinances of the City of Forney, Texas, entitled “Fuel Gas Code,” is hereby amended by amending Sections 3.02.351, entitled “Adoption,” and 3.02.352, entitled “Amendments,” in their entirety and replacing said provisions with new Sections 3.02.351, entitled “Adoption of *International Fuel Gas Code*,” and 3.02.352, entitled “*International Fuel Gas Code* Amendments,” to read as follows:

**“Sec. 3.02.351 Adoption of *International Fuel Gas Code*.**

The *International Fuel Gas Code*, 2021 edition, a copy of which is on file in the offices of the City of Forney, is hereby adopted and designated as the Fuel Gas Code of the City, the same as though the provisions of the *International Fuel Gas Code*, 2021 edition, were copied at length in this section, subject to the deletions, amendments, and additions provided in section 3.02.352.

**Sec. 3.02.352 *International Fuel Gas Code* Amendments.**

The following amendments repeal and reenact or add sections to the *International Fuel Gas Code*, 2021 edition, adopted by Section 3.02.351 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 Fuel Gas Code*, 2021 edition, is hereby amended to read as follows:

**101.1. Title.** These regulations shall be known as the Fuel Gas Code for the City of Forney and shall be cited as such. It is referred to herein as the “this code.”

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

**Section 101.4. Intent.** {Existing paragraph remains unchanged.}

If any conflicts arise between Chapter 1 of the *International Plumbing Code* and Chapter 1 of the *International Fuel Gas Code*, the building official shall clarify which section applies.

- (3) Section 102.2 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to add an exception as follows:

**Exception:** Existing dwelling units shall comply with Section 621.2.

- (4) Section 102.8 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to read as follows:

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 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 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.

- (5) Section 306.5 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to read as follows:

**[M] 306.5 Equipment and appliances on roofs or elevated structures.** Where *equipment* requiring *access* or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, a permanent interior or exterior means of access shall be provided. Exterior ladders providing roof *access* need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such *access* shall... *{bulk of section to read the same}*... on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... *{remainder of text unchanged}*.

- (6) Section 306.5.1 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to read as follows:

**[M] 306.5.1 Sloped roofs.** Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof *access* to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which *access* is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

- (7) Section 401.5 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to add a second paragraph to read as follows:

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an *approved* tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING  
1/2 to 5 psi gas pressure  
Do Not Remove"

- (8) Section 404.12 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to read as follows:

**404.12 Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) top of pipe below grade.

- (9) Section 404.12.1 of the *International Fuel Gas Code*, 2021 edition, is hereby deleted.

- (10) Section 406.4 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to read as follows:

**406.4 Test pressure measurement.** Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure. Spring type gauges do not meet the requirement of a calibrated gauge.

- (11) Section 406.4.1 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to read as follows:

**406.4.1 Test pressure.** The test pressure to be used shall be no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

- (12) Section 409.1 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to add Section 409.1.4 to read as follows:

**409.1.4 Valves in CSST installations.** Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an *approved* termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

- (13) Section 410.1 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to add a second paragraph and exception to read as follows:

Access to regulators shall comply with the requirements for *access* to appliances as specified in Section 306.

**Exception:** A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

- (14) Section 621.2 of the *International Fuel Gas Code*, 2021 edition, is hereby amended to add an exception to read as follows:

**621.2 Prohibited use.** One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

**Exception:** Existing *approved* unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when *approved* by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

### **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 uncodified, 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 uncodified, 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.

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**Amanda Lewis, Mayor**

**ATTEST:**

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**Laura Calcote, Interim City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Jennifer Barnes Smith, City Attorney**