

ORDINANCE NO. 2008-03

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY DELETING SECTION 34-7 TO ARTICLE I OF CHAPTER 34 THEREOF; BY DELETING ARTICLE III OF CHAPTER 34 THEREOF AND SUBSTITUTING THEREFORE A NEW ARTICLE III OF CHAPTER 34, ADOPTING THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE AND PROVIDING FOR AMENDMENTS TO THE INTERNATIONAL FIRE CODE; BY DELETING ARTICLE IV OF CHAPTER 34 THEREOF AND SUBSTITUTING THEREFORE A NEW ARTICLE IV OF CHAPTER 34, CREATING STANDARDS FOR THE INSTALLATION OF FIRE SPRINKLER SYSTEMS AND PROVIDING FOR AMENDMENTS TO NFPA 13D; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

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

Section 1. The Code of Ordinances of the City of Tomball, Texas, is hereby amended by deleting Article III of Chapter 34 thereof and substituting therefore a new Article III of Chapter 34 to read as follows:

“ARTICLE III. FIRE PREVENTION CODE*"

Sec. 34-71. International Fire Code adopted.

For the purpose of providing regulations consistent with nationally recognized practices for the reasonable protection of life and property from the hazards of fire, the City of Tomball hereby adopts the *International Fire Code*, 2006 Edition, hereinafter sometimes referred to as the “Code,” with Appendix Chapters “B” through “G,” as published by the International Code Council, Inc., save and except such portions as are deleted or amended by this ordinance, and the same are hereby adopted and incorporated as fully as if set out at length herein. One (1) copy of the Code is now filed in the office of the city secretary. From the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Tomball and its extraterritorial jurisdiction.

Sec. 34-71a. Life Safety Code, NFPA 101.

The NFPA 101, 2006 Edition, as published by the National Fire Protection Association, Inc., and as amended herein, is hereby adopted in its entirety with the listed exceptions. A copy of said Life Safety Code is attached to the ordinance and made a part hereof for all purposes, an authentic copy of which has been filed with the city secretary.

Exceptions: Chapter 24.3.5.1

Delete: All new one and two family dwellings, shall be protected throughout by an approved automatic sprinkler system in accordance with 24.3.5.2.

Sec. 34-72. Treatment for odor.

All liquefied petroleum or natural gas sold within the city shall be treated with a malodorant in such quantities as required by state law to create an odor easily detected in case of leaks in piping and/or equipment.

Sec. 34-73. Gas flare fires.

It shall be unlawful for any person to allow gas flares to burn within the city.

Sec. 34-71. Amendments to the International Fire Code.

(a) Section 102.4 of said Code is hereby amended to read as follows:

102.4 Application of other codes. The design and construction of new structures shall comply with this Code, and other codes as applicable. Repairs, alterations and additions to existing structures shall comply with this Code and the *International Building Code*, 2003 Edition.

(b) Section 102.6 of said Code is hereby amended to provide as follows:

102.6 Referenced codes and standards. The codes and standards referenced in this Code shall be those that are listed in Chapter 45 and such codes 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.

(c) Section 103 is hereby amended by deleting Sections 103.1, 103.2 and 103.3 of said Code and substituting therefore a new Section 103.1 to provide as follows:

103.1 Department of Fire Prevention. The enforcement of this Code shall be under the administrative and operational control of the Fire Marshal. The Fire Marshal shall be selected by the Fire Chief and serve in the position at the pleasure of the City Council. The Fire Marshal may appoint deputies to assist him/her, subject to the approval of the Fire Chief. Said deputies shall serve at the pleasure of the Fire Chief and may be removed without cause by the Fire Chief.

(d) Section 109.3 of said Code is hereby amended to provide as follows:

109.3 Violation penalties. Any person, firm, corporation, or other entity who violates a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor punishable by a fine of not more than two thousand dollars (\$2,000.00) or by imprisonment not exceeding twenty (20) days or both such fine and imprisonment. Each day that a violation continues shall constitute a separate offense.

(e) Section 111.4 of said Code is hereby amended to provide as follows:

111.4 Failure to comply. Any person, firm, corporation, or other entity who shall continue any work after having been served with a stop work order, except such work as that person, firm, corporation, or other entity is directed to perform to remove a violation or unsafe condition, shall be liable for a fine not to exceed two thousand dollars (\$2,000.00).

(f) Section 202 of the Code is hereby amended by adding and/or changing the following definitions:

CITY. Shall mean the City of Tomball, Texas.

FIRE CHIEF. Shall mean the City of Tomball Chief of the Fire Department.

FIRE CODE OFFICIAL. The Fire Marshal, or a duly authorized representative, is the designated authority charged by the Fire Chief with the duties of administration and enforcement of the Code.

FIRE MARSHAL. See 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. A building having any floors used for human occupancy located more than 55 feet (16,764 mm) or three stories above the lowest level of fire department vehicle access.

SELF-SERVICE STORAGE FACILITY. Real property designated 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 or Fire Marshal. When utilized, the number required shall be as directed by the Fire Chief or Fire Marshal. Charges for utilization shall be as normally calculated by the jurisdiction.

OCCUPANCY CLASSIFICATION FOR ASSEMBLY GROUP. Group A occupancy includes among others, the use of a building or structure, or a portion thereof, for gathering together of persons for purpose such as civic, social or religious functions, recreation, food or drink consumption or awaiting transportation. A room or space used for assembly purposes by less than 50 persons and accessory to another occupancy shall be included as a part of the occupancy. Assembly occupancies shall include the following:
(occupancies shall remain the same)

(g) Section 307.2 of said Code is hereby amended to provide as follows:

307.2 Permit required. A permit shall be obtained from the Fire Code Official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural practices, prevention or control of disease or pests. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality guidelines and/or restrictions.
2. State, County or Local temporary or permanent bans on open burning.
3. Local written policies as established by the Code Official.

(h) Section 307.2.1.1 of said Code is hereby added to provide as follows:

307.2.1.1. Open burning is prohibited within the city limits of Tomball unless a permit has been issued by the Fire Marshal for ceremonial fires, trench burning operations for major land clearing, and the prevention or disposal of diseased livestock. A permit is not required for barbeque pits and approved outdoor fireplaces, which are used for its actual design and intent and used in accordance with this code.

(i) Section 307.3.3 of said Code is hereby amended to provide as follows:

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

(j) Section 307.4 of said Code is hereby amended to provide as follows:

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

(k) Section 307.4.1 of said Code is hereby deleted in its entirety.

(l) Section 307.4.2 of said Code is hereby deleted in its entirety.

(m) Section 307.5 of said Code is hereby amended to provide as follows:

307.5 Attendance. Trench burns or ceremonial fires shall be constantly 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, garden hose or water truck, shall be available for immediate utilization. A permit is required from the Fire Marshal's office, prior to the ignition of any said fire.

(n) Section 308.3.1 of said Code is hereby amended to provide as follows:

308.3.1 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices used for cooking or recreational uses shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction. No permit is required for this operation.

Exceptions:

1. One and two-family dwellings.

(o) Section 405.1 of said Code is hereby amended to provide as follows:

405.1 General. Emergency evacuation drills complying with the provisions of this section shall be conducted in the occupancies listed in Table 405.2, or when required by the Fire Code Official. Drills shall be designed in cooperation with the local authorities.

(p) Section 405.2 of said Code is hereby amended to provide as follows:

Table 405.2 Add a new group “all others listed in 404.2 shall be annual.”

(q) Section 408.5.4 of said Code is hereby amended to provide as follows:

Emergency evacuation drills shall be conducted at least twelve (12) times per year, four (4) times per year on each shift.

(r) Section 503.2.1 of said Code is hereby amended to provide as follows:

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

(s) Section 503.2.2 of said Code is hereby amended to provide as follows:

503.2.2 Authority. The 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.

(t) Section 503.3 of said Code is hereby amended to provide as follows:

503.3 Marking. Approved striping or, when allowed by the Code Official, signs, or both, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs and striping shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

1. **Striping** - Fire apparatus access roads shall be marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words lettered "FIRE LANE --NO PARKING—TOW AWAY ZONE" shall appear in four inch (4") white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

FIRE LANE---25ft---NO PARKING---25ft---TOW AWAY ZONE---25ft---FIRE LANE

2. **Signs** - Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12" wide and 18" high. Signs shall be painted on a white background with letters and borders in red, using not less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than thirty feet (30') apart. Signs may be installed on permanent buildings or walls or as approved by the Fire Marshal.

(u) Section 503.4 of said Code is hereby amended to provide 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 503.3, shall be maintained at all times.

(v) Section 506 of said Code is hereby deleted and a new Section 506 is substituted therefore to provide as follows:

506.1 Key boxes required. The following structures and/or properties shall be equipped with a key lock security system box at or near the main entrance or such other location as required by the Fire Marshal:

1. Structures that are either equipped with, or required to be equipped with, fire sprinkler systems or fire systems or fire detection alarm systems that report to an alarm monitoring center;
2. Multi-family residential structures that have restricted access through locked doors or gates and that have a common area or corridor for access to the living units;
3. Buildings, regardless of use or occupancy, that contains four (4) or more occupancies within the same structure that have separate entryways and exit ways that are separated by tenant space and/or have restricted common entryways and exit ways into the common area of the building;
4. Properties having mechanical gates that control vehicular and pedestrian access to commercial property or to private streets in subdivisions, apartment complexes, condominiums or other residential developments which contain more than two residential units; or
5. Commercial property with parking garages or secured parking and storage unit areas that will restrict access for fire and EMS services.

506.2 New construction. All newly constructed structures subject to this Section shall have the key lock box installed and operational prior to the issuance of an occupancy permit.

506.3 Type of key lock box required. The Fire Marshal shall designate the type of key lock box system to be implemented within the city and shall have the authority to require all structures and/or property to use the designated system.

506.4 Access to buildings. The owner or operator of a structure and/or property required to have a key lock box shall at all times keep the required keys in the lock box that will allow for access to the structure, required rooms and/or property. Required keys shall not include keys to individual living units.

506.5 Exceptions to application. The following structures and/or property are exempt from the key lock box requirements of this section:

1. Single family residential dwellings; and
2. Any building and/or property that has twenty-four hours, seven days a week guard or attendant service.

(w) Section 807.4.4 and Section 804.4.4.2 of said Code is hereby amended by adding an exception to provide as follows:

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(x) Section 901.7 of said Code is hereby amended to provide as follows:

901.7 Systems out of service. Where a required fire protection system is out of service or in the event of an excessive number of activations, the fire department and the 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.

(y) Section 902.1 of said Code is hereby amended by adding a sentence under “Standpipe, Types of” definition, revise “Manual dry” to provide as follows:

The system must be supervised as specified in Section 905.2.

(z) Section 902.1 of said Code is hereby amended by changing the following definition:

Fire Area. The aggregate floor area enclosed by the exterior walls of the building.

(aa) Section 903 Automatic Sprinkler System of said Code is hereby amended by deleting all exceptions.

(bb) Section 903.2.2 of said Code is hereby amended to provide as follows:

Section 903.2.2 Group E. An automatic sprinkler system shall be provided for newly constructed Group E occupancies as follows:

- 1: Throughout all Group E fire areas greater than 12,000 square feet in area.
- 2: Throughout every portion of educational buildings below the level of exit discharge.

(cc) Section 903.2.3 of said Code is hereby amended to provide as follows:

Section 903.2.3 Group F-1 and F-2. An automatic sprinkler system shall be provided throughout all newly constructed buildings containing Group F-1 or Group F-2 occupancy where one of the following exists:

- 1: Where the Group F-1 or Group F-2 fire area exceeds 12,000 square feet;
- 2: Where the Group F-1 or Group F-2 fire area contains more than one story above grade; or
- 3: Where the combined area of all Group F-1 or Group F-2 fire areas on all floors, including any mezzanines, exceeds 12,000 square feet.

(dd) Section 903.2.6 of said Code is hereby amended to provide as follows:

903.2.6 Group M and Group B. An automatic sprinkler system shall be provided throughout all newly constructed buildings containing Group M and Group B occupancy where one of the following conditions exists:

- 1: Where a Group M or Group B fire area exceeds 12,000 square feet;
- 2: Where a Group M or Group B fire area contains occupancy space that is located more than two stories above grade; or
- 3: Where the combined area of all Group M or Group B fire areas on all floors, including any mezzanines, exceeds 12,000 square feet.

(ee) Section 903.2.8.1 of said Code is hereby amended to provide as follows:

903.2.8.1 Repair Garages. An automatic sprinkler system shall be provided throughout all newly constructed buildings used as repair garages in accordance with the International Building Code, as follows:

- 1: Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 7,000 square feet.
- 2: One-story buildings with a fire area containing a repair garage exceeding 10,000 square feet.
- 3: Buildings with a repair garage servicing vehicles parked in the basement.

(ff) Section 903.2.8.3 of said Code is hereby amended to provide as follows:

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

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

(gg) Section 903.2.10 of said Code is hereby amended by changing Section 903.2.10.3, and adding Sections 903.2.10.4, 903.2.10.5, and 903.2.10.6 to provide as follows:

903.2.10.3 Buildings more than thirty feet (30') or three (3) stories in height. An automatic sprinkler system shall be installed throughout all newly constructed buildings with a floor level, other than penthouses in compliance with Section 1509 of the International Building Code that is located thirty feet (30') or three (3) stories or more above the lowest level of fire department vehicle access.

903.2.10.4 High-Piled Combustible Storage. For any building with a clear height exceeding twelve feet (12'), see Chapter 23 to determine if those provisions

apply.

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

903.2.10.6 Mixing Room. New and existing mixing booths shall be protected by an approved automatic fire-extinguishing system.

(hh) Section 903.3.1.2 of said Code is hereby amended to provide as follows:

903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R. However, sprinkler protection is required in attic spaces, and elevator control rooms of such buildings three or more stories in height.

(ii) Section 903.3.3.5 of said Code is hereby amended by adding a second paragraph to provide 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.

(jj) Section 903.4 of said Code is hereby amended by adding a second paragraph after the exceptions to provide 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 forty-five (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.

(kk) Section 903.4.3 of said Code is hereby amended to provide as follows:

903.4.3 Floor Control Valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in multi-story buildings.

(ll) Section 905.2 of said Code is hereby amended to provide 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.

(mm) Section 905.3.2 of said Code is hereby amended by deleting exceptions #1 and #2.

(nn) Section 905.4 of said Code is hereby amended by changing item #5 to provide as follows:

5. Where the roof has a slope less than four units vertical in twelve (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.

(oo) Section 905.9 of said Code is hereby amended by adding a second paragraph after the exceptions to provide 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 forty-five (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.

(pp) Section 907.1.3 of said Code is hereby amended to provide as follows:

907.1.3 Design Standards. All alarm systems new or replacement serving fifty (50) or more alarm actuating devices shall be addressable fire detection systems. Alarm systems serving more than seventy-five (75) smoke detectors or more than two hundred (200) total alarm activating devices shall be analog intelligent addressable fire detection systems.

Exception: Existing systems need not comply unless a building remodel or expansion initiated after the effective date of this code, as adopted, causes the total fire area to exceed the square footage of the building in the applicable sections of this code.

(qq) Section 907.2 of said Code is hereby amended to provide as follows:

907.2 Where required – new buildings and structures. An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. When the installation of a new fire alarm system is installed in any type of occupancy, said system shall be equipped with one means of automatic activation,

such as smoke detection, heat detection, or fire sprinklers, in addition to manual operation of the fire system.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

(rr) Section 907.2.3 of said Code is hereby amended to provide 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.

(ss) Section 907.2.3 of said Code is hereby amended by changing exception #1 and by adding exception #1.1 to provide as follows:

1. Group E educational and day care occupancies with an occupant load of less than fifty (50) when provided with an approved automatic sprinkler system.
 - 1.1 Residential In-Home day care with not more than twelve (12) children may use interconnected single station detectors in all habitable rooms (For care of more than five (5) children 2 1/2 or less years of age, see Section 907.2.6).

(tt) Section 907.2.12 of said Code is hereby amended to provide as follows:

907.2.12 High-rise buildings. Buildings having any floors used for human occupancy located more than fifty-five feet (16,764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communications system in accordance with Section 907.2.12.2.

(uu) Section 907.2.12, Exception #3 of said Code is hereby amended to provide 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 skyboxes, restaurants and similarly enclosed areas.

(vv) Section 907.4 of said Code is hereby amended by adding a second paragraph to provide as follows:

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

(ww) Section 907.6.1 of said Code is hereby amended to provide as follows:

907.6.1 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.

(xx) Section 907.9.2 of said Code is hereby amended to provide as follows:

907.9.2 High-rise buildings. In buildings that have any floor located more than fifty-five feet (16,764 mm) above the lowest level of fire department vehicle access that are occupied for human occupancy, 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 devices.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

(yy) Section 907.15 of said Code is hereby amended to provide as follows:

Section 907.15 Monitoring. An approved supervising station in accordance with NFPA 72 fire alarm systems shall monitor all new and existing manual, automatic, or manual and automatic fire alarm system.

Exception: Supervisory service is not required for:

1. Smoke detectors in Group I-3 occupancies.
2. Automatic Sprinkler systems in one-and two-family dwellings

(zz) Section 913.4 of said Code is hereby amended by adding a second paragraph to provide as follows:

The fire-pump system shall also be supervised for "loss of power," "phase reversal" and "pump running" conditions by supervisory signal on distinct circuits.

(aaa) Section 912.1 of said Code is hereby amended by adding criteria #1 and #2 to provide as follows:

1. Fire department connections to the fire sprinkler system shall consist of a five inch (5") "Storz" type adapter as approved by the code official.

- a. **Exception:** NFPA 13R installed sprinkler systems.

2. The fire department connection shall be located remotely, at a distance no greater than 100 feet to the nearest fire hydrant.

(bbb) Section 1008.1.3.4 of said Code is hereby amended by adding criteria #7 to provide as follows:

7. If a full building smoke detection system is not provided, approved smoke detectors shall be provided on both the access and egress sides of doors and in a location approved by the authority having jurisdiction of NFPA 72. Actuation of a smoke detector shall automatically unlock the door.

(ccc) Section 1011.1 of said Code is hereby amended by adding criteria #1 to provide as follows:

1. Buildings more than thirty feet (30') or three (3) stories in height above the lowest level of exit access shall provide secondary exits signs located near each exit access. These signs shall be mounted no higher than sixteen inches (16") from the finished floor surface to the bottom of the sign. Approved signs may be self-luminescent for means of illumination.

(ddd) Section 1017.1 of said Code is hereby amended by adding an exception #5 to provide 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.

(eee) Section 1020.1.7 of said Code is hereby amended to provide as follows:

1020.1.7 Smoke-proof enclosures. In buildings required to comply with Section 403 or 405, each of the exits of a building that serves stories where any floor surface is located more than fifty-five feet (16,764 mm) above the lowest level of fire department vehicle access or more than thirty feet (9144 mm) below the level of exit discharge serving such floor levels shall be a smoke-proof enclosure or pressurized stairway in accordance with Section 909.20 or the *International Building Code*.

(fff) Section 1502 of said Code is hereby amended by adding the following definition to provide as follows:

MIXING ROOM. See SPRAYING SPACE

(ggg) Section 1504.4 of said Code is hereby amended to provide as follows:

1504.4 Fire Protection. New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 which shall also protect exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.

(hhh) Section 2302 of said Code is hereby amended by adding a second paragraph to the definition of "High-Piled Combustible Storage" to provide as follows:

Any building exceeding 3,000 square feet that has a clear height in excess of 12 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.

(iii) Section 2404.20 of said Code is hereby amended to provide as follows:

2404.20 Standby personnel. When, in the opinion of the 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 Marshal. Such duties may include, but not be limited to, extinguishment of fires that occur and assist in the evacuation of the public from the structure.

There shall be trained crowd managers or crowd manager supervisors at a ratio of one crowd manager/supervisor for every 250 occupants, as approved.

(jjj) Section 3204.3.1.1 of said Code is hereby amended by changing the second paragraph to provide as follows:

The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the city limits unless approved by Special Use Permit and with the approval of the Fire Marshal.

(kkk) Section 3301.1.3 of said Code is hereby amended by deleting the “exceptions” contained in paragraphs numbered 1 through 4.

(lll) Section 3305.1 of said Code is hereby amended to provide as follows:

3305.1 General. The manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks is prohibited.

(mmm) Section 3305.2 through 3305.9 of said Code are hereby deleted.

(nnn) Section 3803.2.1.8 of said Code is hereby amended to provide as follows:

3803.2.1.8 Jewelry Repair, Dental Labs and Similar Occupancies. Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

(ooo) Section 3804.2 of said Code is hereby amended by adding an exception #2 to provide as follows:

Exceptions:

2. Except as permitted in 308.3, LP-gas containers are not permitted in residential or commercial areas where city natural gas is provided.

(ppp) Appendix Table D103.4 of said Code is hereby amended to provide as follows:

Table D103.4 Width should be a minimum of 24 feet.

(qqq) Appendix D103.5 of said Code is hereby amended to provide as follows:

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

1. The minimum gate width shall be 24 feet.

Section 2. The Code of Ordinances of the City of Tomball, Texas, is hereby amended by deleting Article IV of Chapter 34 thereof and substituting therefore a new Article IV of Chapter 34 to read as follows:

**“ARTICLE IV. STANDARDS FOR THE INSTALLATION
OF FIRE SPRINKLER SYSTEMS**

**Sec. 34-91. NFPA 13, NFPA 13D, and NFPA 13R Standards for the
Installation of Sprinkler Systems.**

The NFPA 13, NFPA 13D, and NFPA 13R Standards, hereinafter sometimes referred to as the “standards”, as published by the National Fire Protection Association, Inc., and as amended herein, are hereby adopted. Sprinkler systems shall comply with the most recent edition of applicable standards at the time of installation. A copy of said standards is attached to the ordinance from which this section is derives and made a part hereof for all purposes, an authentic copy of which has been filed with the city secretary.

Sec. 34-92. Amendments to NFPA 13D.

(a) Section 1-3 if NFPA 13 D Is hereby amended by deleting the definition of ‘Check Valve’ and substituting therefore a new definition to provide as follows:

Double Check Valve. A valve that allows flow in one direction only, on the system side, as depicted on the diagram of the same on the Attachment No. 1 hereto.

(b) Section 3-1.1 of NFPA 13D is hereby amended to provide as follows:

3-1.1 Each system shall have a single control valve arranged to shut off both the domestic system and the sprinkler system, and there shall be a separate shutoff valve for the domestic system only. However, the sprinkler system shall be permitted to have a separate control valve where supervised by a central station or remote station alarm service.

(c) NFPA 13 D is hereby further amended by adding to Chapter 3 a new section 3-1.5 to provide as follows:

3-1.5 Dual Check Valve. Each sprinkler system shall be equipped with a dual check valve assembly, to be located on the sprinkler system side of the water meter, as depicted on Attachment 1 hereto.

(d) Section 8.6 of NFPA 13D is here by amended to provide as follows:

8.6 Location of sprinklers. Sprinklers shall be installed in all areas.

Exception No 1: Sprinklers are not required in attics that are not used for living space except that one (1) sprinkler head shall be placed over each heating device such as a water heater or home heating device.

Section 3. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2000. Each day of violation shall constitute a separate offense.

Section 4. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part

declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 18TH DAY OF FEBRUARY 2008.

COUNCILMAN QUINN	<u>AYE</u>
COUNCILMAN LAZENBY	<u>AYE</u>
COUNCILMAN WEBB	<u>AYE</u>
COUNCILMAN HARVEY	<u>AYE</u>
COUNCILMAN DRIVER	<u>AYE</u>

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF MARCH 2008.

COUNCILMAN QUINN	<u>AYE</u>
COUNCILMAN LAZENBY	<u>AYE</u>
COUNCILMAN WEBB	<u>AYE</u>
COUNCILMAN HARVEY	<u>AYE</u>
COUNCILMAN DRIVER	<u>AYE</u>

(signed) Gretchen Fagan
Gretchen Fagan, Mayor

ATTEST:

(signed) Doris Speer
Doris Speer, City Secretary