ORDER NO. 2026-001
PARKER COUNTY EMERGENCY SERVICES DISTRICT NO. 1

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ORDER NO. 2026-001
PARKER COUNTY EMERGENCY SERVICES DISTRICT NO. 1

AN ORDER ADOPTING THE 2021 INTERNATIONAL FIRE CODE AND PORTIONS OF THE INTERNATIONAL BUILDING CODE AND NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS; PROVIDING FOR FEES TO BE PAYABLE FOR PERMITS, APPROVALS AND INSPECTIONS; REQUIRING A PERMIT OR APPROVAL FOR CERTAIN HAZARDOUS USES AND ACTIVITIES; PROVIDING FOR CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS; PROVIDING FOR ADMINISTRATION OF THE FIRE CODE AND AUTHORIZING THE FIRE CHIEF, FIRE MARSHAL, AND HIS/HER DESIGNEES TO ADMINISTER AND ENFORCE THE CODE; AUTHORIZING ENTRY ONTO PROPERTY TO CONDUCT INSPECTIONS; AUTHORIZING STOP WORK ORDERS FOR WORK PERFORMED IN VIOLATION OF THE FIRE CODE; PROVIDING FOR APPOINTMENT OF AN APPELLATE BODY AND FOR APPEALS FROM DECISIONS OF THE FIRE CHIEF OR FIRE MARSHAL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the District desires to adopt a fire code and to provide for its enforcement in furtherance of protecting the health and safety of those residing within the territory of the District and in furtherance of preventing fires and medical emergencies.

WHEREAS, the Board of Emergency Services Commissioners of the Parker County Emergency Services District No. 1 ("District") are authorized, pursuant to Tex. Health & Safety Code §775.036 (b) The board may adopt and enforce a fire code, including fines for any violations, that does not conflict with a fire code adopted by any county that also contains within its boundaries any portion of the land contained in the district and may require inspections in the district relating to the causes and prevention of fires and medical emergencies, except as provided by Section 775.031(b).

§775.036 (g) The board may commission a peace officer or employ a person who holds a permanent peace officer license issued under Section 1701.307, Occupations Code, to inspect for fire hazards any structure, appurtenance, fixture, or other real property located in the district. The board may adopt procedures to order the owner or occupant of the property that fails an inspection to correct the hazardous situation.

It is, therefore, ORDAINED, RESOLVED, AND ORDERED that:

Section 1: Adoption of Code

1. The following are hereby adopted as the Fire Code of the District (hereinafter sometimes referred to as "**PCESD No. 1**", "**Parker County Emergency Service District #1**," "**PCESD1**," "**Fire Department**," or "**District**"), in the State of Texas, regulating and

governing the safeguarding of life and property from fire, medical and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore, and providing for penalties for violations as if fully set out in this Ordinance, with the specific additions, insertions, deletions and changes set forth in this Ordinance:

1. The 2021 International Fire Code (the "**IFC**") in full volume and reference and appendices B, C, D, F, H, I, J, K, L, M, and N, promulgated by the International Code Council, Inc., as amended by deletions, modifications, and amendments provided in this Ordinance.

2. The provisions of any International Code (e.g., Building, Plumbing, Mechanical, Electrical, and other such codes) referred to in portions of the IFC hereby adopted (as amended herein) are incorporated in this Ordinance as though fully set out herein, and compliance with such provisions of such other International Codes is required to the extent and in the manner that compliance therewith is required or allowed in the IFC.

3. Chapters 2, 3, 4, 5, 6, 7, 8, and 30 of the 2021 International Building Code (the "**IBC**"), published by the International Code Council, Inc.

4. The National Fire Protection Association's NFPA 1 Fire Code, NFPA 101 Life Safety Code, most current State Fire Marshal adoption, with respect to existing structures.

2. The Parker County Emergency Services District No. 1 – PCESD 1 FIRE PROTECTION CRITERIA MANUAL appended hereto and incorporated herein are regulations for the implementation, administration, and enforcement of the Fire Code and are hereby adopted and ratified.

   1. The Fire Chief is authorized to promulgate additional regulations as amendments, deletions, or additions to the Fire Protection Criteria Manual consistent with the Fire Code as authorized by Section 104.1 of the IFC for the purpose of implementation, administration, enforcement, and compliance with the Fire Code.

   2. This Ordinance and the Fire Code will, to the extent reasonable, be construed in a manner consistent with the IFC. If there is a conflict between this Ordinance and the IFC, this Ordinance will prevail.

3. As used in this Ordinance, the term "Fire Code" shall refer to this Ordinance and the documents referred to in subsection (A) of this Section 1.

Section 2: Fire Prevention Division

1. The Fire Chief shall appoint a Division Chief to serve in charge of the Fire Prevention Division, and such other members of the Division from the ranks of the fire department. The members of the Fire Prevention Division shall be empowered to enforce the provisions of the fire code, and to issue such permits as are required by the fire code, and to issue citations for violations of the fire code and to conduct other investigatory functions as specified in the fire code.

Section 3: Administration

1. The Fire Chief of Parker County ESD No. 1, together with such assistants and agents as the Fire Chief may designate, are authorized to enforce this Fire Code, to take all actions required or authorized in the Fire Code, and to conduct all inspections, investigations, review all plans and accept all applications for a permit or approval authorized or required by the terms of the Fire Code.

2. The Fire Chief or his designated agent shall maintain monthly activity reports covering inspection, investigation, review, and enforcement activities conducted by Parker County ESD No. 1. The Fire Chief or his designated agent shall keep an accurate account of all fees, fines, and other funds collected and received pursuant to the Fire Code, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.

3. Approved plans, specifications, and other reports required by the Fire Code shall be maintained in the central offices of Parker County ESD No. 1 for a period of not less than five years, or as otherwise may be required by other regulations, following the date such document was submitted to Parker County ESD No. 1 or prepared by the District, as applicable.

Section 4: Right of Entry

1. Whenever necessary to make an inspection to enforce any of the provisions of the Fire Code for the prevention of fires and medical emergencies, or whenever the Fire Chief or his/her designated agent has reasonable cause to believe that there exists in any building or upon any premises any condition in violation of the Fire Code, the Fire Chief or his/her

designated agents may enter such building or premises at all reasonable times to inspect same or to perform any duty imposed on the Fire Chief or his/her designated agents by the Fire Code; provided that if such building or premises is occupied, they shall first present proper credentials and request entry; and, except during construction of the improvement to be inspected, if such building or premises are unoccupied, the agent of the District shall make a reasonable effort to locate the owner or other person(s) having charge or control of the building or premises and request entry. If such entry is refused, the Fire Chief or his/her designated agent shall have recourse to every remedy provided by law to secure entry.

2. No owner or occupant or any other person having authority to control access to any building or premises shall fail or neglect, after request for entry is made as provided in this Section 4, to promptly permit entry therein by the Fire Chief or his/her designated agent for the purpose of inspection and examination pursuant to the Fire Code. Any person violating this section shall be guilty of a Class C Misdemeanor, punishable in accordance with Section 13 of this Ordinance.

Section 5: Stop Work Orders

Whenever any work or construction is being done contrary to the provisions of the Fire Code or without any permit or approval required by the Fire Code, the Fire Chief or his/her designated agents may order the work or construction stopped by notice in writing served on any person(s) engaged in performing or causing such work to be performed. Whenever work or construction is stopped in accordance with this Section 5, a written notice to stop work issued by the District shall be posted on the property in a manner reasonably visible to any person to perform any work on the property. All persons shall then cease all work or construction on the property until authorized to proceed by the Fire Chief or his/her designated agent. Under Texas Health and Safety Code Section § 775.119, any person failing to comply with a notice to stop work or removing any notice to stop work from any premises without permission of the Fire Code Official commits a Class B misdemeanor if the person fails to comply with the order. Each failure to comply with an order is a separate offense.

Section 6: Permit Required/Procedure

A permit shall be required for any of the following activities in the territory of the District:

1. Any construction, enlargement, alteration, repair, move, demolition, or change in the occupancy classification of a building, structure, facility, or condition regulated by this code. Regarding an existing structure, *Substantial Improvements* shall comply with this code, except that NFPA 1 Fire Code, NFPA 101 Life Safety Code, most current State Fire Marshal adoption shall apply to all structures.

Exceptions:

1. Structures used for residential purposes and comprised of fewer than three separate living units.

2. Site development for residential uses with three or fewer single-family or two-family dwellings.

3. De minimis construction, enlargement, alteration, repair, movement, and demolition as determined by the Fire Code Official.

2. A subdivision of land affected by the filing of an application for subdivision with the County of Parker or with a combined office between the County of Parker and any municipality in whose extraterritorial jurisdiction the subdivision is proposed to occur and located in the territory of the District that includes provision for one or more new road(s) or street(s) or the extension of any existing road or street, either for private use by owners of one or more lot(s) in the subdivision for access to such lot(s), or intended for dedication to the public use;

3. Permits listed in Sections 105.5 and 105.6 and required by the Fire Protection Criteria Manual.

As used in this Section 1, a "substantial improvement" shall mean an enlargement, alteration, or repair, either a: (1) the cost of which is equal to more than 50% of the most recent appraised value of the structure as determined by the Parker County Appraisal District; or (2) the total area repaired, altered or enlarged is equal to more than 50% of the total area of such structure before the work. The total area shall be determined by the measurement of exterior walls.

4. An application for a permit shall be made on a form promulgated by the District and shall include all information necessary to evaluate compliance with all applicable provisions of the Fire Code, including a PDF of construction drawings, together with information identifying the applicant, the owner of the affected property and such other information reasonably necessary for considering and acting on the application. All applications for any permit and all requests for any approval required by the terms of the Fire Code shall be submitted in writing to the central administrative offices of the District along with payment of the applicable fee. The fees applicable for permits, approvals, and inspections shall be established by the Commissioners of the District in an ordinance therefore.

5. A permit authorizing construction, repair, alteration, moving, removal, or demolition of an improvement shall expire 180 days after issuance of the permit unless the work permitted has commenced prior to such date, and such work continues without interruption until completed.

6. A permit for handling, storing, processing, or using any hazardous material or hazardous process shall expire after three years on the date such permit was issued.

7. Subject to the right of appeal provided in the Fire Code, the Fire Chief, Fire Marshal, or his/her designated agent of the District shall determine and decide the issuance of all permits and approvals, the duration of any use permit, subject to the maximum duration authorized by this section and compliance with all provisions of the Fire Code.

8. A permit or approval shall be issued in cases where compliance with all applicable provisions of the Fire Code has been demonstrated. Not more than 30 days after all required information and application fees have been submitted, the Fire Chief or his/her designated agent shall approve an application for an activity that complies with applicable provisions of the Fire Code, deny an application for an activity that is not in compliance with applicable provisions of this Fire Code, or, in cases in which the Fire Code specifically gives the Fire Chief or his/her designated agent authority to allow alternate means of compliance, approve or deny any such alternate means of compliance.

Section 7: Identification of District, Commissioners, Fire Code Official, and Fire Code

1. Whenever the terms "jurisdiction," "authority having jurisdiction," "department," or "department of fire prevention" are used in the IFC, same shall be a reference to Parker County ESD No. 1. Whenever the term "Fire Code Official" is used in the IFC, the same shall be a reference to the District's Fire Chief or his/her designated agent, except that for the purpose of promulgating any regulation pursuant to IFC Section 104.1, the term "Fire Code Official" shall refer only to the District's Fire Chief or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative. All regulatory authority established by the provisions of the IFC incorporated in this Ordinance is established for the District.
2. Any reference in the provisions of the IFC incorporated in this Ordinance to the "executive body" shall be a reference to the Commissioners of the District.
3. Any reference in the IFC or in this Ordinance to the "Fire Code" shall be a reference to the provisions of the Fire Code as that term is defined in this Ordinance, as same may only be amended by the board of commissioners for the District.

Section 8: Deletions to the International Fire Code

The following provisions of the IFC are not incorporated in this Ordinance or the Fire Code and are deleted from the provisions of the IFC incorporated herein:

1. The entirety of Section 111 Means of Appeals.

2. Section 507.5.1 Exceptions (1) and (2). This IFC section is further amended in Section 9 of this Ordinance.

3. The entirety of Section 905.3.4.1 Hose and cabinet.

4. The entirety of Section 905.5.3 Class II system 1-inch hose.

Section 9: Amendments to the International Fire Code

The following sections of the IFC are hereby added or amended, and other amendments provided below are adopted as follows:

The existing section below shall be amended to read as follows:

Section 101.1 Title. These regulations shall form a part of the Fire Code of Parker County Emergency Services District No. 1, hereinafter referred to as "the Fire Code."

The existing section below shall be amended to read as follows:

Section 104.1 General. The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code and to adopt policies, procedures, rules, and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules, and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code. The fire code official is authorized to develop administrative rules to supplement the requirements of this code and standards referenced by this code. Should a conflict occur between this Code, a referenced standard, or an administrative rule adopted by the Fire Code Official, the requirements of the administrative rule shall govern.

The existing section below shall be amended to read as follows:
Section 104.11 Fire Investigations. The Fire Chief or his/her designated agent shall have the authority to investigate the origin, cause, and circumstances of any fire, explosion or other

hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.

Section 105.3.3; change to read as follows:
105.3.3 Occupancy Prohibited before Approval. The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.
Section 105.6.25; add to read as follows:
105.6.25 Electronic access control systems. Construction permits are required to install or modify an electronic access control system, as specified in Chapter 10. A separate construction permit is required to install or modify a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

The new section below shall be added:

Section 106.2.2.3 Code Footprint. All building permit applications shall include a Code Footprint plan sheet. The required contents of this plan sheet are detailed in Parker County ESD No. 1's Fire Protection Criteria Manual.

The new section below shall be added:

Section 105.6.26 Emergency call box systems. A construction permit is required for the installation or modification of an emergency call box system installed to comply with the two-way communication system requirement in Sections 1009.6.5 and 1009.8. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

The new section below shall be added:

Section 105.6.27 Static water tanks. A construction permit is required for the installation or modification of a static water tank for a fire protection water supply that is installed in accordance with Section 507.2.2. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

The existing section below shall be amended to read as follows:

Section 112.4 Violation penalties. Persons who shall violate 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 Class C Misdemeanor,

as defined in the Texas Penal Code § 12.23, punishable in accordance with Section 13 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

In addition to criminal enforcement provisions of this section, the District shall be entitled to bring a civil action for the enforcement of this code in any court of competent jurisdiction to enjoin any violation of this code or to impose a civil penalty in an amount of up to $2,000 per day that a violation of this Code continues.

The existing section below shall be amended to read as follows:
Section 113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, commits an offense. Under Texas Health and Safety Code Section § 775.119, any person failing to comply with a notice to stop work or removing any notice to stop work from any premises without permission of the Fire Code Official commits a Class B misdemeanor if the person fails to comply with the order. Each failure to comply with an order is a separate offense.

In addition to criminal enforcement provisions of this section, the District shall be entitled to bring a civil action for the enforcement of this code in any court of competent jurisdiction to enjoin any violation of this code or to impose a civil penalty in an amount of $2,000 per day that a violation of this Code continues.

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

ANIMAL HOUSING OR CARE FACILITY. Facilities used for temporary or permanent housing of animals for the purpose of providing a service, participating in a sport, or providing general board and care. Animal housing or care facilities do not include animal or pet care by pet owners caring for their own animals at their owned or rented residential property, horse stables, facilities used for equestrian purposes, or Group U agricultural facilities for the care and feeding of the agricultural business owner's own livestock.

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-PILED COMBUSTIBLE STORAGE: add a second paragraph to read as follows:

Any building classified as a group S Occupancy or Speculative Building exceeding 12,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified (speculative warehouse), a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

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

ALTERNATIVE STANDBY PERSONNEL. Alternative standby personnel performing fire watch must hold valid endorsements or current licenses such as: Guard and Alarm, Firefighter, Peace Officer, Emergency Medical Services Personnel, Fire Alarm Technician, Fire Sprinkler Technician

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.

UPGRADED OR REPLACED FIRE ALARM SYSTEM. A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

1. Replacing one single board or fire alarm control unit component with a newer model
2. Installing a new fire alarm control unit in addition to or in place of an existing one
3. Conversion from a horn system to an emergency voice/alarm communication system
4. Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

5. Firmware updates
6. Software updates
7. Replacing boards of the same model with chips utilizing the same or newer firmware

The existing section below shall be amended to read as follows:

307.1.1 Prohibited Open Burning. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Section 307.2; change to read as follows:

307.2 Permit Required. A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or open burning a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

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 (TCEQ) guidelines and/or restrictions.
2. State, County, or Local temporary or permanent bans on open burning.

Section 307.2.1. All outdoor burning shall be done in accordance with the Texas Outdoor Burning Rule, Title 30, Texas Administrative Code (TAC), and Sections 111.201 through 111.221, the IFC, and Parker County ESD No. 1's Fire Protection Criteria Manual. Where a conflict may arise, the more stringent rule shall apply. Where required by state, local law or other regulations, open burning shall only be permitted upon prior approval from the state, local jurisdiction, or other air and water quality management authority, provided that all conditions specified in the permit are followed.

Section 307.3; change to read as follows:

307.3 Extinguishment Authority. The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

Section 307.4 and 307.4.1; change to read as follows:

307.4 Location. The location for open burning shall not be less than 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.

Exceptions: {No change.}

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

The existing section below shall be amended to read as follows:

Section 308.1.4 Cooking devices. Charcoal burners and other fuel-burning cooking devices shall not be operated on balconies and patios or within 10 ft. of combustible construction. Propane cooking devices and LP gas cylinders shall not be stored on balconies, patios, inside residential units, or attached garages.
Exception: One- and two-family dwellings.
The existing section below shall be amended to read as follows:

Section 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section, Appendix D of this code, and design standards approved by the fire code official. Access roads shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a 10 feet (3048 mm) wide unobstructed pathway around the external walls of the structure.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3.

2. Fire apparatus access roads cannot be installed because of location on the property, topography, waterways, non-negotiable grades, or other similar conditions, and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

The existing section below shall be amended to read as follows:

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, except for approved security gates in accordance with IFC Section 503.6, and an unobstructed vertical clearance of not less than 14 feet 0 inches.

Exception: Widths as narrow as 20 feet as approved by the Fire Chief or his/her designated agent for good cause based on special circumstances or characteristics of the affected property and not just economic hardship to the applicant if the decreased width, with any other special arrangements, would not result in an increased risk of fire, an additional threat to public safety, and would not result in the necessity of extraordinary public expense or the creation of a nuisance.

Section 503.2.2; change to read as follows:

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

Section 503.2.3; change Section 503.2.3 to read as follows:

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

The existing section below shall be amended to read as follows:

Section 505.1 Address identification. New and existing buildings shall be provided with approved address and building identification. The address and building identification shall be legible and placed in a position visible from the street or road fronting the property. Address and building identification characters shall contrast with their background. Address and building numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than **6** inches high with a minimum stroke width of **1/2** inch. Where required by the fire code official, address and building identification shall be provided in additional approved locations to facilitate emergency response. Address and building identification shall be maintained. Where access is by means of a private road and/or the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure as approved by the District's Fire Chief or his/her designated agent.

The new section below shall be added:

Section 506.2.1 Existing Key Boxes/Locks/Key Switches. Existing Key Boxes/Locks/Key Switches shall be allowed to remain.

Exception: Where a premises requires an inspection/permit from PCESD1 for the purpose of remodeling, renovation, addition, change of owner, occupant/tenant, or occupancy type; older Key Boxes/Locks/Key Switches not conforming to current District specifications for such equipment shall be replaced with a new Key Box/Lock/Key Switch meeting the District's current specifications.

The new section below shall be added:

Section 507.1.2 Alternative Water Supplies
The latest version of *NFPA 1142 Water Supplies for Suburban and Rural Firefighting* may be used to assist the AHJ to establish the minimum water supply necessary for structural firefighting purposes in those areas where it has been determined that there is no water or inadequate water for firefighting.

The existing section below shall be amended to read as follows:

Section 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, additional fire hydrants and mains shall be provided so that all exterior portions of buildings are within 300 feet of one hydrant and 500 feet of a second hydrant. This distance is measured as travel distance around the exterior of the building and along fire apparatus access roads (the distance is not a radius.)

The existing section below shall be amended to read as follows:

Section 507.5.1.1 Hydrant for automatic sprinkler systems and standpipe systems. Buildings equipped with an automatic sprinkler system installed in accordance with Section 903 or a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 100 feet (30 480 mm) of the fire department connections.

Exception: The distance shall be permitted to exceed 100 feet (30 480 mm) where approved by the Fire Code Official.

The new section below shall be added:

Section 507.5.1.2 Installation. Hydrants shall be installed in accordance with local water utility standards. Hydrants shall have not less than two (2) 2 ½-inch outlets with National Hose Thread and one (1) 4½-inch pumper outlet with National Hose Thread. Hydrants shall be installed with the center of the four-and-a-half (4 1/2) inch outlet at least 18 inches above the finished grade. The

four-and-a-half (4 1/2) inch outlet must face the driveway or street and must be unobstructed to the street. Set back from the face of the hydrant to the back of the curb shall be per local utility authority standards except that on private property, set back shall be three (3) to six (6) feet to avoid vehicular damage unless specifically approved by the fire code official.

The new section below shall be added:

Section 507.6 Public and private streets. Hydrants shall be provided along new public and private streets in the following locations:

1. Hydrants shall be installed at the intersection of two (2) streets and in between intersections at distances not more than 300 feet between hydrants or as approved by the fire code official.
   Exception: The distance between hydrants in single-family residential areas may be increased to a maximum of 600 feet.

2. Hydrants shall be installed on both sides of all divided roads and highways. Roads and highways where opposing lanes of traffic are separated by a vehicle obstruction shall be considered a divided road or highway:
3.

The new section below shall be added:
Section 509.3 Main electrical disconnect. The main electrical disconnect for each building shall be installed on the exterior of the building in an approved location. As an alternative, the fire code official is authorized to accept an approved remote shunt trip installed in an approved location.
The existing section below shall be amended to read as follows:
Section 510.4.2 System design. The in-building, two-way emergency responder communication coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and the 2022 version of NFPA 1225.
The existing section below shall be amended to read as follows:

Section 510.5 Installation requirements. The installation of the inbuilding, two-way emergency responder communication coverage system shall be in accordance with the latest version of NFPA 1225 and Sections 510.5.2 through 510.5.5.

Section 807.5.2.2 and 807.5.2.3 applicable to Group E occupancies; change to read as follows:

807.5.2.2 Artwork in Corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material

suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

807.5.2.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Section 901.4.7 Pump and riser rooms. Dedicated rooms shall be provided for all fire pumps and automatic sprinkler system risers. Fire pump rooms and automatic sprinkler system riser rooms shall have an exterior door that faces a fire apparatus access road. Fire pump rooms and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and automatic sprinkler system riser rooms shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment.

Section 901.6.4; add to read as follows:

901.6.4 False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

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

903.2.11.3 Buildings 55 Feet or more in Height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories with an occupant load of 30 or more, other than penthouses in compliance with Section 1511 of the *International Building Code*, located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

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.

Section 903.3.1.2.2; change to read as follows:

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

Section 903.3.1.2.3; delete section and replace as follows:

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

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

Section 903.3.1.4; add to read as follows:

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

903.3.1.4.1 Attics. Only dry-pipe, 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

The new section below shall be added:

Section 903.7 A safety factor of 10 psi shall be added to the minimum required water supply calculation for automatic sprinkler systems, applied at the endpoint of the hydraulic calculations, excluding any required flow for hose streams.

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

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

Exceptions:
1. Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the Fire Code Official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

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.
   Exception: {No change.}
2. {No change.}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.
   Exception: Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~ exit stairway hose connection by a {remainder of text unchanged}
4. {No change.}
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way 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.

Section 905.8; change to read as follows:

Section 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.

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

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section 907.2.1; change to read as follows:

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

Exception: {No change.}

Activation of fire alarm notification appliances shall:

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

Section 907.2.3; change to read as follows:

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

Exceptions:

1. {No change.}
    1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

{No change to remainder of exceptions.}

Section 907.2.10; change to read as follows:

907.2.10 Group S. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies for interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: {No change.}

Section 912.2.3; add to read as follows:

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

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

Section 1103.5.1; add sentence to read as follows:

Fire sprinkler system installation shall be completed within 24 months from date of notification by the Fire Code Official.

The new section below shall be added:

Section 1103.11 Carbon dioxide detection. Carbon dioxide systems used in beverage dispensing systems shall be in accordance with Section 5307.

Section 1103.5.6; add to read as follows:

1103.5.6 Spray Booths and Rooms. Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

Section 1103.7.7; add to read as follows:

1103.7.7 Fire Alarm System Design Standards. Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

Exception: Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

1103.7.7.1 Communication requirements. Refer to Section 907.6.6 for applicable requirements.

Section 2304.1; change to read as follows:

2304.1 Supervision of Dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant; and/or,
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2304.3.

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

Section 5601.1.3 ; change to read as follows:

Section 5601.1.3. The possession, manufacturer, storage, sale, and handling of fireworks will be regulated following Chapter 2154. REGULATION OF FIREWORKS AND FIREWORKS DISPLAYS of the Texas Occupations Code.

1103.7.7.1 Communication requirements. Refer to Section 907.6.6 for applicable requirements.

Section L101.1 Scope. Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in new buildings when any of the following conditions occur:
1. Any new building 5 or more stories in height.
2. Any new building with 2 or more floors below grade.
3. Any new building 500,000 square feet or more in size.
Each stairwell shall have a supply riser. SCBA fill panels shall be located on odd numbered floors commencing at the first level in the primary stairwell and on even numbered floors commencing at level 2 in the remaining stairwells. Fill panels in buildings over 500,000 square feet shall be located adjacent to each standpipe connection.

Section L104.14; add paragraph to read as follows:

The external mobile air connection shall be located with approved separation from the Fire Department Connection (FDC) to allow functionality of both devices by first responders; shall be visible from and within 50 ft. of a fire apparatus access road along an unobstructed path; and shall be located in an approved signed, secured cabinet.

Section 10: Building Official

Any provision in the IFC or other provision incorporated in this Ordinance by reference that refers to any act to be referred to or conducted by a building official shall be a reference to the District's Fire Marshal or his/her designated agent.

Section 11: Permit Fees

The fees applicable for permits, approvals, and inspections shall be established and set by the Commissioners of the District in an Ordinance, therefore.

Section 12: Appeals

- The Commissioners of the District shall appoint five residents or owners of businesses in the territory of the District to serve as members of an Appeals Commission to hear and decide the complaint of any person aggrieved by a decision of the Fire Chief or his/her designated agent, regarding any request for a permit or approval, any decision to stop work, or stop use, and any decision to abate, repair, rehabilitate, demolish or remove an unsafe structure or premises. Three members of the Appeals Commission shall constitute a quorum for the purpose of hearing and deciding an appeal. Any Commissioner may serve as a member of the Appeals Commission. Members of the Appeals Commission shall serve for a period of two years or until their successor is appointed.

- An appellate panel of not less than three members of the Appeals Commission shall hear the timely appeal of any decision of the Fire Chief or other authorized official described in Subsection A. A request to appeal such a decision shall be submitted in writing addressed to the President of the Commissioners of the District and forwarded to the District's Administrative Offices not more than 30 days after the date of the decision or action that is the subject of the appeal. A request to appeal shall include the mailing address of the appellant for the purpose of receiving notice of a hearing on the appeal. A notice of appeal shall not stay the decision or action from which the appeal is taken.

- The appellate panel shall hear an appeal not later than 31 days following receipt of a timely notice of appeal.

- Except as provided in Subsection G of this Section 12, the Commissioners, or the President of the Commissioners, as applicable, shall serve written notice of the date, time, and place of the appeal hearing not less than ten (10) days prior to the date of the hearing.

- An appellant shall be entitled to present evidence in support of the appeal and to cross-examine opposing witnesses. The Fire Chief or his/her designated agent shall be entitled to present evidence in support of such decision or action and to cross-examine witnesses. At

the start of the hearing, the members of the Appellate Panel shall appoint from among them a presiding officer, who, with the advice of the other members of the Appellate Panel, shall make all determinations regarding the admissibility of evidence and may make reasonable rulings regarding the conduct of the hearing and the manner that evidence is presented. The Appellate Panel may be assisted by legal counsel for the District in making evidentiary rulings and determining reasonable procedures for the conduct of the hearing. The Appellate Panel shall determine the credibility of all witnesses and other evidence presented at the hearing.

- The Appellate Panel may affirm, reverse or modify the decision from which an appeal is taken. The decision of the majority of the Appellate Panel shall be the decision of the Appellate Panel. The panel may reverse a decision only if, in the opinion of the majority, 1) the decision appealed is manifestly unjust, or 2) special circumstances make strict application of the rule that is the basis of the original decision impractical and the reversal of the decision is in conformity with the intent and purpose of this Ordinance, and 3) such reversal would not result in a greater threat of danger to life or property in or near the District.

- If the Fire Chief or his/her designated agent determines in a written order served on the owner of property that a structure constitutes an imminent threat to the life or safety of any person, the Fire Chief or his/her designated agent may require the demolition or removal of such structure not later than ten days following the date notice of such order is served on the owner of the affected property. Such owner may request an emergency appeal of such decision in writing delivered to the Administrative Offices of the District at any time prior to the expiration of such ten-day period. In such event, the President of the Commissioners is authorized to appoint an Appellate Panel and schedule a hearing of such appeal as soon as practicable and serve notice of the time, date, and place of such appeal on such owner not less than two days prior to the date of the hearing of such appeal.

Section 13: Offenses/Penalties

- A person commits an offense if the person: 1) undertakes any action or commences any construction or development for which a permit or approval is required pursuant to the Fire Code or the Fire Protection Criteria Manual without first obtaining the requisite permit or approval; 2) uses or occupies any property, or affects the development or construction of any improvement to real property in the territory of the District that is not in compliance with any condition of a permit or approval given pursuant to the Fire Code and the Fire Protection Criteria Manual; 3) uses or occupies any property, or affects the development or construction of any improvement to real property in the territory of the District that is not in compliance

with any provision of the Fire Code and the Fire Protection Criteria Manual, except as allowed pursuant to any variance, modification or alternative means approved in a permit or approval given pursuant to the Fire Code; 4) violates any other provision of the Fire Code or the Fire Protection Criteria Manual.

- An offense described in Subsection A shall be a Class C Misdemeanor. A separate offense shall occur each day that a violation of the Fire Code or the Fire Protection Criteria Manual continues.

- Under Texas Health and Safety Code Section §775.119. CRIMINAL PENALTY; FAILURE TO COMPLY WITH ORDER. (a) An owner or occupant of real property who is subject to an order issued by the fire marshal commits an offense if the person fails to comply with the order.
  (b) An offense under this section is a Class B misdemeanor.
  (c) Each failure to comply with an order is a separate offense.

- In addition to the criminal enforcement provisions of this section, the District shall be entitled to bring a civil action for the enforcement of the Fire Code and the Fire Protection Criteria Manual in any court of competent jurisdiction to enjoin any violation of the Fire Code or the Fire Protection Criteria Manual or to impose a civil penalty in an amount of up to $2,000 per day that a violation of the Fire Code continues.

- For any violation of this Fire Code, the Fire Protection Criteria Manual, or this Order that is designated as a Class C Misdemeanor, the maximum fine shall not exceed five hundred dollars ($500.00) per offense. In accordance with Section 6.02(b) of the Texas Penal Code, the District plainly dispenses with any mental element or culpable mental state for such offenses. Neither allegation nor proof of a culpable mental state is required to prosecute or prove any Class C Misdemeanor offense under this Ordinance.

Section 14: Conflicts

All Ordinances that are in conflict with the provisions of this Ordinance or the Fire Code are hereby repealed, and all other ordinances of the District not in conflict with the provisions of this Ordinance remain in full force and effect.

Section 15: Severability/Enforceability

Should any section, subsection, sentence, clause, or phrase of the Fire Code or this Ordinance for any reason be held to be void or unenforceable, such decision shall not affect the validity of the remaining portions of this Ordinance and the Fire Code. The Board of Commissioners hereby declares that each provision of this Ordinance and the Fire Code is severable and that the Board of

Commissioners would have passed this Ordinance, and each section, subsection, clause, or phrase included therein or incorporated by reference, irrespective of the fact that any one or more of such sections, subsections, sentences, clauses, and phrases be declared void or unenforceable.

Notwithstanding anything else to the contrary herein, in the event that applicable law, including but not limited to the provisions of Texas Local Government Code Chapter 245, exempts from any provision of this Ordinance or the Fire Code a project or development that is pending or existing on the effective date of this Ordinance, the most recent regulations adopted by the District that may lawfully be applied to such pending or existing project or development shall remain in effect for the purpose of regulating such project or development.

Section 16: Maintenance of Ordinance

A copy of this Ordinance together with all provisions incorporated herein and the Fire Protection Criteria Manual, shall be maintained at the Administrative Offices of the District for inspection and use by interested persons. The District shall inform any person inquiring where copies of the IFC and other provisions incorporated in this Ordinance may be purchased from the publisher thereof.

Section 17: Effective Date

This Ordinance shall be effective immediately upon adoption.

Passed and Approved the 18th day of June, 2026.

Mark Jack
President, ESD Board of Commissioners

Ben Overholt
Secretary, ESD Board of Commissioners