

ORDINANCE NO. 980

Adopting the 2012 International Fire Code.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS: AMENDING THE CODE OF ORDINANCES OF THE CITY OF CANYON, CHAPTER 94, TO RESCIND THE 2006 INTERNATIONAL FIRE CODE; ADOPTING THE 2012 INTERNATIONAL FIRE CODE; MAKING CERTAIN AMENDMENTS THERETO; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, upon the recommendation of the Construction Advisory and Appeals Board, the City Commission now finds it is in the best interest of the public health, safety, and welfare to adopt the 2012 International Fire Code, published by the International Code Council, with certain amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS:

SECTION 1. That Chapter 94, Sections 94.01, 94.15, 94.16, 94.17, 94.18, 94.19, and 94.20 are hereby deleted in their entirety.

SECTION 2. That Chapter 94, Section 94.01 is hereby re-adopted, as amended, to read as follows:

Section 94.01. Adoption of International Fire Code; amendments.

International Fire Code adopted. There is hereby adopted the 2012 edition of the International Fire Code, (published by the International Code Council), including Appendices B, C, and D with the following amendments, copies of which shall be maintained by the Fire Marshal and Building Official:

101.1 Title. Insert: City of Canyon

108 Construction Advisory and Appeals Board. See Section 150.20 of the Code of Ordinances.

109.4 Violation penalties. Is hereby deleted.

110.5 Unsafe structures. Abandoned and substandard structures shall be subject to the requirements of applicable provisions of this Code of Ordinances and State Law.

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as specified in section 10.99 the Code of Ordinances for violations.

113.2 Schedule of fees. A fee for each required inspection or permit shall be paid as required, in accordance with Section 113.2.1

113.2.1 Fees for Required Inspections and Permits. An inspection required from the Fire Department for obtaining a license or approval from any agency other than the City of Canyon to engage in an activity, operation, practice or function will be charged a fee as outlined in Table 113.2.1. The fee shall be paid at the time of request and prior to any inspection being performed. A permit required from the Fire Department will require a fee as outlined in Table 113.2.2. The fee shall be paid at the time of permit application.

TABLE 113.2.1 Inspection Fees

	Occupant Load	Fee
Day Care	Up to 50	\$40.00
	51 to 150	\$80.00
	Over 150	\$80.00 for first 150 plus \$40.00 For each additional 100 or fraction thereof
Foster/Group Home/Shelter	1 to 5	\$40.00
	6 to 15	\$80.00
	Over 15	\$80.00 for first 15 plus \$40.00 For each additional 15 or fraction thereof
Nursing Homes	Up to 50 beds	\$160.00
	51 to 100 beds	\$240.00
	Over 200 beds	\$240 for first 100 beds Plus \$80.00 for each additional 100 beds or fraction thereof
Hospitals	Up to 100 beds	\$320.00
	101 to 200 beds	\$400.00
	Over 200 beds	\$400.00 for first 200 beds Plus \$80.00 for each additional 100 beds or Fraction thereof
Other Facilities	Up to 2,500 sq. ft	\$40.00
	2,501 to 5,000 sq. ft	\$80.00
	5,001 to 10,000 sq. ft	\$120.00
	10,001 to 50,000 sq. ft	\$160.00
	Over 50,000 sq. ft	\$160.00 for first 50,000 sq. ft. plus \$40.00 for each additional 25,000 sq. ft. or fraction thereof

TABLE 113.2.2 Permit Fees

Operational Permits	\$40.00
Renewal	\$40.00
Standby required	\$300.00
Construction Permits	\$80.00
Re-inspection	\$40.00

113.3 Work commencing before permit issuance. Any person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to an additional fee established by Section 150.23 of the Code of Ordinances.

113.5 Refunds. Any refunds will be in accordance with Section 150.23 of the Code of Ordinances.

Section 202 Definitions. The following definitions are hereby added or amended as follows:

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration* or *detonation* that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

Fireworks, 1.4G. Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks which comply with the construction, chemical composition and labeling regulations of the DOTn for Fireworks, UN 0336. and requires an external heat source for ignition or activation.

NIGHTCLUB. A place of entertainment open at night, usually serving or allowing the consumption of alcoholic beverages, having a floor show, or providing music and space for dancing.

307.1.1 Prohibited open burning. No person may cause, suffer, allow, or permit any open burning within the city limits of Canyon, except as provided by this section.

Exceptions:

1. Recreational fires conducted in accordance with Section 307.
2. Training fires for fire-fighting personnel when conducted in compliance with Title 30 of the Texas Administrative Code, Sections 111.201-111.221.
3. Open burning conducted in accordance with Section 307 for which a permit has been secured from the fire code official.

308.1.4 Open-flame cooking and heating devices. Charcoal burners and other open-flame cooking devices, heating, outdoor fireplaces, and other similar devices used for any purpose shall not be located or operated on combustible balconies, decks or within 10 feet (3048 mm) or combustible construction.

403.3.1 Fire events. In the event of an unwanted fire occurs, or the discovery of fire, smoke, or unauthorized release of a hazardous material on a property, the owner or occupant shall immediately report such condition to the fire department.

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet 6 inches (4420 mm).

503.3.1 Unauthorized marking. Is hereby added as follows:

No person may mark, post or otherwise identify a private passageway or public roadway as a fire lane, fire zone or in such a manner as tends to create confusion as to whether the passageway is a fire lane without obtaining approval by the fire code official.

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 where the occupant load due to the assembly occupancy is 300 or more, or in A-2 Nightclubs having an occupant load of 100 or more. Group A occupancies not separated from one another in accordance with Section 707.3.9 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:

Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more. Activation of the fire alarm in Group A occupancies with an occupant load of 1,000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with Section 907.5.2.2.

Exception:

Where approved, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an approved, constantly attended location.

907.2.1.2 Emergency voice/alarm communication system captions. Stadiums, arenas and grandstands required to caption audible public announcements shall be in accordance with Section 907.5.2.2.4.

907.2.1.3 System Response in A-2 Nightclubs. An activation of the fire alarm system shall automatically:

1. Cause illumination of the means of egress with light of not less than 1 foot candle (11 lux) at the walking surface level;
2. Stop all conflicting or confusing sounds and visual distractions; and
3. Activation of a pre-recorded message, clearly audible throughout the building

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.
2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.
3. The use of fireworks for fireworks displays as allowed in Section 5608.

5609 Temporary Storage of Consumer Fireworks. The entire section is hereby deleted.

5610.1 General. Where the possession, manufacture, storage, sale, handling and use of fireworks is prohibited, Section 5610.1.1 through 5610.1.3 will provide remedy for violation and the destruction of fireworks.

5610.1.1 The fire department and police department are each authorized to seize, and destroy the fireworks seized, inside the city limits in violation of this chapter, in accordance with the following procedures:

1. At the time of seizing illegal fireworks inside the city limits, the fire marshal or police officer shall prepare an inventory of such fireworks and photograph same at the scene. All such photographs shall constitute and be evidence.
2. The fire marshal or police officer shall, by end of the tour of duty during which the fireworks are seized, deposit same into a receptacle dedicated for the purpose by the fire or police department. Such container shall be secure from flames, other sources of ignition, pilfering, and theft.
3. As soon as practicable thereafter, and in accordance with internal orders and procedures of the fire or police chief, all such fireworks shall be destroyed, disabled, or otherwise rendered useless by any safe method, by personnel trained in the handling of explosives or hazardous materials.

5610.1.2 The fire chief and police chief may adopt reasonable internal regulations and procedures for their respective departments, as necessary to implement this section.

5610.1.3 The seizure of illegal fireworks in violation of Texas Occupations Code, Chapter 2154, shall remain in custody as evidence, with destruction delayed, in accordance with the requirements and procedures of Section 2154.304, of the Texas Occupations Code.

Part VII, Appendices, Adoption of the following appendices:

Appendix B - Fire-Flow Requirements for Buildings.

Appendix C - Fire Hydrant Locations and Distribution.

Appendix D - Fire Apparatus Access Roads.

SECTION 3. Severability. If any provision, section, subsection, sentence, clause, or the application of the same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Canyon, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 4. Repealer. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 5. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 10.99 of the City of Canyon Code of Ordinances.

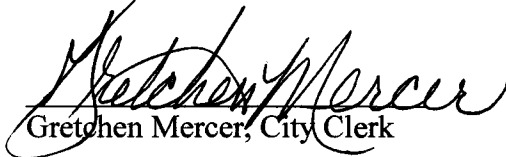
SECTION 6. Publishing and Effective Date. This ordinance shall be published according to law and become effective November 1, 2013.

INTRODUCED AND PASSED at the regular meeting of the City Commission on the 16th day of September, 2013.



Quinn Alexander, Mayor

ATTEST:



Gretchen Mercer, City Clerk