

ORDINANCE 660-2014-05

AN ORDINANCE OF THE CITY OF WEATHERFORD, TEXAS ADOPTING THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL ENERGY CONSERVATION CODE, THE 2008 EDITION OF NATIONAL ELECTRICAL CODE (NFPA 70), THE 2009 EDITION OF THE NATIONAL FUEL GAS CODE (NFPA 54) AND THE 2011 EDITION OF LIQUEFIED PETROLEUM GAS CODE (NFPA 58), REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF WEATHERFORD, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; AMENDING THE WEATHERFORD CITY CODE BY THE REPLACING OF TITLE IV; REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICTS THEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the public health, safety and welfare, require the adoption and enforcement of codes governing the issuance of permits for, inspections and completion of construction, plumbing, mechanical, electrical work and buildings within the City of Weatherford, Texas; and

WHEREAS, the public health, safety and welfare will be served by updating certain codes heretofore adopted by the City;

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

SECTION 1: That a certain set of documents, one (1) copy of which is on file in the office of the City Secretary of the City of Weatherford, Texas, being marked and designated as the Building and Property Maintenance Regulations, including those editions and appendix chapters as follows, be and is hereby adopted as the Building and Property Maintenance Regulations of the City of Weatherford, in the State of Texas for regulating and for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building and Property Maintenance Regulations on file in the office of the City Secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance:

1. International Building Code – 2009 Edition, (Including Appendix E)
2. International Fire Code – 2009 Edition, (Including Appendices B, C, D, E, F, G and J subject to amendments provided for herein.
3. International Residential Code – 2009 Edition, (Including Appendix G)
4. National Electrical Code – NFPA 70 – 2008 Edition
5. International Existing Building Code – 2009 Edition
6. International Mechanical Code – 2009 Edition
7. International Plumbing Code – 2009 Edition
8. International Fuel Gas Code – 2009 Edition
9. National Fuel Gas Code – (NFPA 54) – 2009 Edition

10. Liquefied Petroleum Gas Code (NFPA 58) – 2011 Edition
11. International Property Maintenance Code – 2009 Edition
12. International Energy Conservation Code – 2009 Edition

SECTION 2: That the Weatherford City Code is hereby amended by repealing Title IV pertaining to Building and Property Maintenance Regulations in its entirety and replacing it with Title IV Building and Property Maintenance Regulations attached hereto and incorporated herein as Exhibit A; and repealing Title VII in its entirety and replacing Title VII for Fire Prevention Regulations attached hereto and incorporated herein as Exhibit B; and amending Title VI Police Regulations, Chapter 3 pertaining to Junked Vehicles as attached hereto and incorporated herein as Exhibit C and amending Title II for Commissions and Boards, Chapter 6 pertaining to Building and Standards Commission, Section 2-6-6(a)(1) Notice of proceedings as attached hereto and incorporated as Exhibit D..

SECTION 3: That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

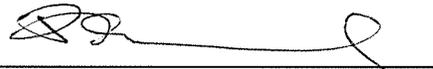
SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Weatherford, Texas, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5: That nothing in this ordinance or in the set of documents hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6: That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately.

The foregoing ordinance was introduced, read, approved, and passed on first and final reading by a vote of 5 ayes and 0 naves by the City Council of the City of Weatherford, Texas, at its meeting on the 14th day of January 2014.

CITY OF WEATHERFORD, TEXAS



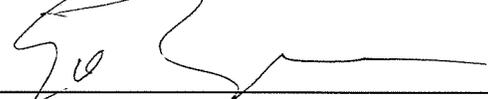
Dennis Hooks, Mayor

ATTEST:



Malinda Nowell, City Secretary

APPROVED AS TO FORM



Zellers & Zellers, City Attorney

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Title IV – BUILDING AND PROPERTY MAINTENANCE REGULATIONS

Chapter 1. Adoption of Codes and Amendments.

Sec. 4-1-1. Adoption of codes and amendments as related to this title.

The following editions of the below named codes are adopted with amendments and revisions as set forth herein:

International Building Code – 2009 Edition, (Including Appendix E)

International Fire Code – 2009 Edition, (Including Appendices B, C, D, E, F, G and J subject to amendments provided for herein.

International Residential Code – 2009 Edition, (Including Appendix G)

National Electrical Code – NFPA 70 – 2008 Edition

International Existing Building Code – 2009 Edition

International Mechanical Code – 2009 Edition

International Plumbing Code – 2009 Edition

International Fuel Gas Code – 2009 Edition

National Fuel Gas Code – (NFPA 54) – 2011 Edition

Liquefied Petroleum Gas Code (NFPA 58) – 2011 Edition

International Property Maintenance Code – 2009 Edition

International Energy Conservation Code – 2009 Edition

Sec. 4-1-2. Amendments.

The city council may, from time to time, by ordinance adopt amendments and revisions to the above enumerated codes. Copies of each of the above adopted codes, and any additional building regulations or codes adopted hereafter, shall be maintained in the office of the city secretary for inspection. Copies of amendments or revisions to the above enumerated codes shall also be maintained in the office of the city secretary for inspection.

Sec. 4-1-3. Repealer and effective date.

All prior editions of any of the codes enumerated in Section 4-1-1 herein which were adopted and effective prior to January 1, 2014, are hereby expressly repealed and replaced by the provisions of Title IV as adopted herein. Nothing in this chapter, however, shall be construed to repeal, replace or amend any provisions contained in the 2011 Comprehensive Zoning Ordinance of the City of Weatherford.

Any building or other permits issued prior to the effective date of this chapter shall be valid for the period specified in the permit or in accord with the prior ordinance under which the permit was issued. In the event of expiration of a permit issued prior to the effective date of this chapter before commencement of the work pursuant to said permit, the permit shall be considered null and void and application for a new permit shall be required to be made in conformity with the terms of this chapter.

Chapter 2. Building Construction Administrative Code.

Sec. 4-2-1. General.

- (A) *Title*. This chapter shall replace chapter one, (only administrative chapters) of all technical codes listed below except the International Property Maintenance Code, the International Fire Code, the International Energy Conservation Code,

NFPA 54, 58, and 70, which will run in conjunction with and be known as the “Building Construction Administrative Code” of the city of Weatherford Texas, hereinafter referred to as “this code.”

- (B) *Scope.* The provisions of this code shall apply to the administration of the technical codes as adopted, by the City of Weatherford in Section 4-1-1, by the State of Texas, amended by the North Central Texas Council of Governments and as listed:

International Building Code – 2009 Edition

International Fire Code – 2009 Edition, (Including Appendices B, C, D, E, F, G and J subject to amendments provided for herein.

International Residential Code – 2009 Edition, (Including Appendix G)

National Electrical Code – NFPA 70 – 2008 Edition,

International Existing Building Code – 2009 Edition

International Mechanical Code – 2009 Edition

International Plumbing Code – 2009 Edition

International Fuel Gas Code – 2009 Edition

National Fuel Gas Code – (NFPA 54) – 2011 Edition

Liquefied Petroleum Gas Code (NFPA 58) – 2011 Edition

International Property Maintenance Code – 2009 Edition

International Energy Conservation Code – 2009 Edition

Exception: The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures.

- (C) *Appendices.* Provisions in the appendices shall not apply unless specifically adopted.
- (D) *Intent.* The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.
- (E) *Referenced codes or standards.* Codes or standards referenced in this code, are considered part of each code specifically adopted, 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 code or standard, the provisions of the specifically adopted 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 Electrical Code shall mean the Electrical Code as adopted.
- (F) *Building code.* The provisions of the International Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade in height with separate means of egress and their accessory structures shall comply with the International Residential Code.

- (G) *Fire code/fire prevention.* The provisions of the International Fire Code shall apply to matters affecting or relating to new or existing structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.
- (H) *Residential code.* The provisions of the International Residential Code For One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, energy, location, maintenance, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress and their accessory structures.
- (I) *Mechanical.* These provisions of the International Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

Exception: The International Fuel Gas Code – for all installations utilizing natural gas in conjunction with those regulated by the IRC and except those utilizing LPG.
- (J) *Natural gas.* The provisions of the International Fuel Gas Code shall apply to the installation of all materials and equipment utilizing natural in conjunction with those regulated by the International Residential Code.
- (K) *Plumbing.* The provisions of the International Plumbing Code and the International Fuel Gas Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system or medical vacuum system. All references to "plumbing" and "plumbing systems" in this code shall also include other plumbing systems, including fuel systems, as may be covered in other codes, as required to comply with the definition and provisions of "plumbing" and "plumbing systems" as specified in the State of Texas Plumbing Licensing Law.
- (L) *Energy.* The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of commercial buildings for energy efficiency.
- (M) *Electrical.* The provisions of the National Electrical Code (NEC), (NFPA 70) promulgated by the National Fire Protection Agency shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
- (N) *Property maintenance.* The provisions of the International Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards;

responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

- (O) *Existing buildings.* This International Existing Building Code shall apply to the repair, alteration, change of occupancy, addition and relocation of all existing buildings, regardless of occupancy, subject to the following criteria:
- (1) A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the International Building Code or International Residential Code, as applicable, for new construction or with any current permit for such occupancy.
 - (2) The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Fire Code, or the International Property Maintenance Code, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

Sec. 4-2-2. Definitions.

For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this subsection. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine. These definitions are in addition to all definitions as listed in each of the adopted technical codes.

"Action" means a specific response complying fully with a specific request by the jurisdiction.

"Addition" means an extension or increase in floor area or height of a building or structure.

"Alter" or "alteration" means a change or modification of a building, structure or building service equipment.

"Approved," as to materials, types of construction, equipment and systems, means and refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

"Approved agency" means an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official.

"Building" means a structure used or intended for supporting or sheltering a use or occupancy.

"Building, existing" means a building erected prior to the adoption of this code, or one for which a legal building permit has been issued and approved.

"Building service equipment" means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.

"Fire department" and any reference thereto in this title or the codes adopted hereunder shall be understood to mean the City of Weatherford Fire Department.

“High rise building” A building with an occupied floor located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

“Historic building” Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

“IECC” means the International Energy Conservation Code promulgated by the International Code Council as adopted by this jurisdiction.

“IEBC” means the International Existing Building Code promulgated by the International Code Council as adopted by this jurisdiction.

“IBC” means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this jurisdiction.

“IFC” means the latest edition of the International Fire Code promulgated by the International Code Council as adopted by this jurisdiction.

“IMC” means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this jurisdiction.

“IPC” means the latest edition of the International Plumbing Code promulgated by the International Conference of Building Officials as adopted by this jurisdiction.

“IRC” means the latest edition of the International Residential Code promulgated by the International Code Council as adopted by this jurisdiction.

“Listed” and “listing” are terms referring to equipment or materials included in a list by an approved testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of current production of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards, or tests and has been tested or evaluated and found suitable for use in a specified manner.

“LPG” means liquefied petroleum gas.

“NEC” means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association.

“NFPA” means the National Fire Protection Association.

“Occupancy” means the purpose for which a building, or part thereof, is used or intended to be used.

“Operational permit” means a permit issued by the fire code official as established by the City of Weatherford’s established Fire Department policies.

“Owner” means any person, agent, firm, or corporation having legal or equitable interest in the property.

“Permit” means an official document or certificate issued by the building official authorizing performance or specified activity.

“Person” means a natural person, heirs, executors, administrators or assigns and includes a firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

“Repair” means the reconstruction or renewal of any part of an existing building, structure, or building service equipment for the purpose of its maintenance.

“Shall,” as used in this chapter is mandatory.

“Structure” means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

“Structural observation” means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspections required by the building code or residential code or other sections of this code.

“Technical codes” are the codes, appendices and referenced code standards adopted by this jurisdiction.

“Townhouse” means a single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

“Valuation” or “value,” as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs. It shall also include the contractor’s overhead and profit.

Sec. 4-2-3. Applicability.

- (A) *General.* Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes as interpreted by the International Code Council shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- (B) *Other laws.* The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.
- (C) *Application of references.* References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.
- (D) *Referenced codes and standards.* The codes and standards referenced in this code shall be are considered part of each code specifically adopted and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.
- (E) *Validity.* In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.
- (F) *Existing structures.* The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Building Code, the International Fire Code, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

Sec. 4-2-4. Code officials.

When used in this Code, the term “Code Official” shall mean any and all of the

following.

- (A) *Building official.* Means the officer or designated authority charged with the administration and enforcement of this code. The Building Official is authorized to issue any construction permits necessary to ensure structures are built to City of Weatherford adopted construction standards.
- (B) *Code enforcement official.* The officer or other designated authority charged with the administration and enforcement of the International Property Maintenance Code or regularly authorized deputy thereof.
- (C) *Fire code official.* Means the Fire Marshal or other designated authority charged with the administration and enforcement of the International Fire Code, or regularly authorized deputy thereof. The Fire Code Official is authorized to issue any operational or construction permits necessary to ensure structures are built and operate according to City of Weatherford adopted standards.
- (D) *Health code official.* Means the officer or other designated authority charged with the administration and enforcement of the State of Texas Health and Safety Code and any health and safety provisions of the city code of Weatherford.

Sec. 4-2-5. Duties and powers of code officials.

- (A) *General.* The code official is hereby authorized and directed to enforce the provisions of this code. The fire code official is authorized and directed to enforce the provisions of the International Fire Code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.
- (B) *Applications and permits.* The code official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings, structures and building systems, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.
- (C) *Notices and orders.* The code official shall issue all necessary notices or orders to ensure compliance with this code. The Code Official or his duly designated deputy officials shall have authority to issue citations, notices or orders to obtain compliance with this code.
- (D) *Inspections.* The code official shall make all of the required inspections, or the code official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant's expense.
- (E) *Identification.* The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.
- (F) *Right of entry.* If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to

secure entry. If a structure or premises is occupied and it is necessary to make an inspection to enforce the provisions of this code or the code official has reasonable cause to believe that there exists in the structure or premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code provided that the code official shall first present credentials to the occupant of the structure or premises and request entry. If a structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the premises and request entry into the structure or onto the premises. If entry is refused or if the code official, after reasonable effort, is unable to locate the owner or other person having charge or control of the structure or premises, the code official shall have recourse to all remedies provided by law to obtain entry into the structure or upon the premises.

- (G) *Department records.* The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.
- (H) *Liability.* The building official, code enforcement official, fire code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for this jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of this jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.
- (I) *Approved materials and equipment.* Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.
- (1) *Used materials and equipment.* The use of used materials and building service equipment is permitted when approved by the code official.
 - (2) *Tests or technical assistance.* The code official is authorized to require designs, opinion reports or testing data be prepared by a licensed design professional to help substantiate the acceptability of any alternative construction method, material or practice. The owner or authorized agent shall provide this information to the jurisdiction having authority without charge to the jurisdiction.
- (J) *Modifications.* Wherever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural

requirements. The details of action granting modifications shall be recorded and entered in the files of the department. The code official is authorized to charge an additional fee to evaluate any proposed modification under the provisions of this section.

(K) *Alternative materials, design and methods of construction and equipment.* The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code; provided, that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. The code official is authorized to charge an additional fee to evaluate any proposed alternate material, design and or method of construction and equipment under the provisions of this section.

(1) *Research reports.* Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

(2) *Tests.* Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to this jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the code official for the period required for retention of public records.

(L) *Inspection warrants.* In compliance with and pursuant to the authority of Texas Code of Criminal Procedure Section 18.05(d), the City of Weatherford hereby designates the Building Code Official, Fire Code Official or Code Enforcement Official as the code enforcement official for the purpose of issuance of search warrant as authorized by Section 18.05(a).

Sec. 4-2-6. Contractor licensing.

(A) *State license required.* It shall be unlawful for any person who does not possess required licensing mandated by Texas State law to install any building system or equipment within the corporate limits of the City of Weatherford.

Exception: A property owner who wishes to perform work in a building owned and occupied by him as his registered homestead. The term "perform work:" shall be construed to mean work actually done personally by the owner. Under State law, work that deals with refrigerants and equipment containing refrigerants may require additional certificates or licenses that are not waived under this provision.

(B) *Contractor registration.*

(1) It shall be unlawful for any person to offer construction contractor work, which requires the issuance of a permit, within the corporate limits of the

City of Weatherford unless the person is properly registered in compliance with this Section.

- (2) It shall be unlawful for any person to engage in the business of contractor without being registered in the City of Weatherford in compliance with this article. To be eligible for registration, all applicants shall possess all required valid licenses issued by the State of Texas and a current certificate of insurance. Valid licenses are only those required and recognized by the State of Texas and/or required by the City of Weatherford.
 - (3) Applicants for registration as a contractor shall file with the code official an application setting forth the names of the person or persons who are the owners of the business or who are the officers of the firm, and the name and address of the persons who are responsible for the business.
 - (4) The holder of a contractor's registration may engage in the business of and secure permits for the installation, addition, alteration, servicing, replacing, removing, or repairing of any construction activity for which they have registered.
 - (5) A registered contractor shall correct any defect, error, or deficiency in any work installed under the authority of any mechanical permit issued to him or her within ten calendar days after written notification by the code official or within a reasonable time the code official prescribes. The code official inspector may without further notice, stop routinely inspecting a building or premises until corrections he or she requires have been made, inspected, and approved.
- (C) *Certificate of insurance.* Prior to the issuance of any permit for any purpose for which a permit is required, each contractor shall provide written proof of general liability insurance written by a company licensed to do business in the State of Texas for property damage or bodily injury in a coverage amount not less than \$300,000 for all claims arising in any one year period. General minimum liability amounts required by the state licensing agencies will be required in order to pull permits.

Sec. 4-2-7. Permits.

- (A) *Permit required.* It shall be unlawful for any person to erect, install, enlarge, alter, repair, remove, convert or replace any mechanical system, the installation of which is regulated by this code, or to cause any such work to be done, on any building, structure, or premises, whether publicly or privately owned, without securing a permit from the code official, except as otherwise provided in this article.
- (B) *Work exempt from permit.* No permit will be required to execute any of the following work:

Building.

 - (1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (18.58 m²).
 - (2) Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

- (3) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- (4) Sidewalks and driveways not more than 30 inches (762mm) above adjacent grade and not over any basement or story below.
- (5) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (6) Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
- (7) Swings and other playground equipment accessory to a one or two-family dwelling.
- (8) Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
- (9) Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the exit door required door required by the IRC Section R311.4.

Electrical.

- (1) Listed cord-and-plug connected temporary decorative lighting.
- (2) Reinstallation of attachment plugs receptacles but not the outlets thereof.
- (3) Replacement of branch circuit overcurrent devices of the required capacity in the same location

Gas.

- (1) Portable heating, cooking or clothes drying appliances.
- (2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (3) Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical.

- (1) Portable heating appliance.
- (2) Portable ventilation appliances.
- (3) Portable cooling unit.
- (4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- (5) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (6) Portable evaporative cooler.
- (7) Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.

- (8) Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing.

- (1) The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
- (2) Replacement of exposed traps; replacement of valves, nipples to sinks and lavatories, replacement of mechanical fixtures, garbage disposals, dishwashers, clothes washers and similar appliances; provided that in all cases there is no change or replacement of piping.

Exception: Replacement of water heaters and shower pans shall require a permit.

- (3) The clearing of stoppages in drains, soil, waste and vent piping.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

- (C) *Working without a permit.* No person shall perform work, with or without a permit, in violation of State of Texas Licensing Laws. Working without required permits may trigger investigation fee as adopted by the City of Weatherford. The investigation fees shall be as follows:

- (1) First contact; a warning notice shall be issued and notification shall be given to obtain required permits.
- (2) Second contact; a penalty of up to a \$500 will be assessed, and we notify the property owner that the contractor was working without a permit.
- (3) Third contact; a penalty of \$500 will be assessed, and notification of working without permits will be send to the State of Texas Department of Licensing.
- (4) Multiple violations shall be handled per item #3 above.

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

- (D) *Revocation.* The code official is authorized to revoke and declare null and void any permit obtained under this article by fraud, misrepresentation, or in any way contrary to the requirements of this article. Such a permit may also be revoked and declared null and void by the code official for any violation of the provisions of this article, or for any other just cause.
- (E) *Deviation from permit.* No deviation shall be made from the installation described in the permit issued under this article without notifying the code official. The issuance of a permit shall not be taken as permission to violate any of the requirements of this article, adopted codes or ordinances.

- (F) *Securing permits for person not entitled.* It shall be unlawful for any person to secure for or furnish a permit for the installation, alteration, or repair of building systems or equipment to any person not entitled to such permit under the regulations of this article.

Sec. 4-2-8. To whom permits may be issued.

- (A) *General.* No permit shall be issued to any person to do or cause to be done any work regulated by this code, except to a person holding a valid, unexpired and unrevoked State of Texas Contractor's License, and who has on file with the city a registration form as required by this code, except as otherwise hereinafter provided in this section.
- (B) *Homestead owner.* Permits may be issued to a property owner who wishes to do work in a building owned and occupied by him as his registered homestead. Proof of homestead exemption will be required prior to issuance of permit. The term "to do work" shall be construed to mean work actually done personally by the owner. Under state law, work that deals with refrigerants and equipment containing refrigerants may require additional certificates or licenses that are not waived under this provision.
- (C) *Plumbing contractors.* Plumbing contractors that hold a valid State of Texas Master Plumber's License and who have on file with the city a registration form as required by this code may obtain permits and install gas fired appliances which are not considered "air conditioning contracting" by the State Air Conditioning Licensing Law.
- (D) *Boiler and pressure vessels.* Boiler installation or repair contractors who have been certified by an approved testing agency, testing to meet American Society of Mechanical Engineers and American Welding Society codes, or licensed as a State of Texas Air Conditioning and Refrigeration Contractor may make boiler and pressure vessel installation and repair.
- (E) *Automatic fire extinguishing installation.* Automatic fire system installation and repair contractors who hold a valid class A fire extinguisher servicing license or a fire extinguishing system planning license issued by the state fire marshal and whose business has been issued a valid certificate of registration for installation and service of fire extinguisher systems by the state fire marshal, are required to obtain permits for all automatic fire extinguishing system installations regulated by this code.

Sec. 4-2-9. Application for permit.

- (A) *Application.* Any person entitled to apply for and receive a permit as provided in this article shall make application on forms provided by the code official. The application shall be accompanied by such information as may be necessary to determine whether the installation, as proposed, will be in conformity with the requirements of this code. Every such application shall:
- (1) Identify and describe the work to be covered by the permit for which application is made.
 - (2) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
 - (3) Indicate the use or occupancy for which the proposed work is intended when deemed necessary.

- (4) Be accompanied by plans, diagrams, computations and specifications and other data related to the proposed work.
- (5) Be signed by the applicant or an authorized agent of the applicant.
- (6) Give such other data and information as may be required by the code official to determine compliance with this code.

(B) *Plans and specifications.* Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the code official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The code official may require plans, computations and specifications to be prepared and designed by engineer or architect licensed by the state to practice as such even if not required by state law.

Exception: The code official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

(C) *Information on plans and specifications.* Plans and specifications shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for building of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for mechanical and similar systems.

(D) *Architect, engineer or registered design professional of record.* Shall mean an architect or engineer who possesses a current State of Texas registration and/or license. When it is required by state law that documents be prepared by an architect or engineer, the code official shall require the owner to engage and designate on the permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The code official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

(E) *Deferred submittals.* For the purpose of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the code official within a specified period.

Deferral of any submittal items shall have prior approval of the code official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the code official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the code official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the code official.

- (F) *Expiration of plan review.* Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the code official.

The code official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Sec. 4-2-10. Construction documents.

- (A) *Issuance.* The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the code official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under its jurisdiction. If the code official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and the fees specified in this article and all fees for water tap and sewer service have been paid, the code official shall issue a permit to the applicant.

When the code official issues the permit where plans are required, the code official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the code official, and all work regulated by this code shall be done in accordance with the approved plans.

The code official may issue a permit for the construction of part of the project before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.

- (B) *Withholding of permits.* The code official is authorized to withhold permits to any person for the reasons set forth herein upon written notice to such person. The determination of the code official may be appealed to the board as provided in this code.

The code official is authorized to withhold the issuance of permits to:

- (1) Any person until such time as the work for which a permit was previously issued has been completed or is being performed in an efficient manner in a reasonable length of time.

- (2) Any person who is delinquent in the payment of fees owned the City of Weatherford.
 - (3) Any person who has performed previous jobs which remain in violation of this code.
- (C) *Validity.* The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinance of the City of Weatherford, Texas. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid.
- The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter requiring the correction of errors in said construction documents and other data or from preventing building operations being carried on thereunder when in violation of this code or of other ordinances of the City of Weatherford.
- (D) *Expiration.* Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained and the fee shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.
- (E) *Extensions.* Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. No permit shall be extended more than once.
- (F) *Suspension or revocation of permit.* The code official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.
- (G) *Administrative hold.* Any administrative discrepancy including but not limited to, delinquency in payments, returned checks, failure to pay for reinspection, investigation or registration fees, and failure to keep registration, insurance or bond up-to-date, may result in a hold being placed on issuance of permits and performance of inspections of existing permits until the administrative discrepancy is corrected. For the purpose of this section, the term "up-to-date" shall mean that whenever any of these items is required by this or any other code to obtain a permit covered by this code, it shall be maintained current and in effect until the permit is finalized.
- (H) *Retention of plans.* One set of approved plans, specifications and computations shall be retained by the code official until final approval of the work covered therein and thereafter per the city's adopted record retention schedule. One set of approved construction documents shall be returned to the applicant, and said

set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

- (I) *Job abandonment.* If, after a permit is issued under the provisions hereof, the applicant abandons the job, becomes incapacitated or his/her services are terminated prior to final inspection and approval thereof by the code official and before the permit has expired, the applicant or his lawful legal representative shall immediately notify the office of the code official in writing. Upon such notification, the code official shall immediately have an inspection made of the work completed to that time, and may revoke the outstanding permit and require that a new permit with the payment of fees be obtained before the work is allowed to resume.

Sec. 4-2-11. Temporary structures and uses.

Unless otherwise approved as a special event pursuant to the Weatherford Municipal Code, no portable platforms, tables, stands or other such temporary structures or fabrications shall be erected in any district for the purpose of establishing occupancy or use, whether permanent or temporary, and no vehicles shall be used for a like purpose. See the Weatherford Zoning Code for seasonal or temporary placement of storage containers.

Sec. 4-2-12. Fees.

- (A) *Permit fees.* The schedule of permit fees shall be in accordance with the City of Weatherford adopted fee schedule.
- (B) *Calculating construction values.* The construction values used for calculating permit fees shall be based upon the most recent Building Valuation Data published by the International Conference of Building Officials. Said permit fees shall be adjusted per the city's adopted fee schedule. A regional modifier of .88 shall be applied to the Building Valuation Data used for calculating construction values. A City of Weatherford local modifier shall be used to adjust the fees accordingly to comply with the city's adopted fee schedule.
- (C) *Plan review fee.* When a plan or other data are required to be submitted by the building code, a plan review fee shall be paid. The plan review fees specified in this subsection are separate fees and are in addition to the permit fees. No additional plan review fee shall be charged where plans are incomplete or for reviewing a construction plan that has been previously reviewed and resubmitted with corrections. Where construction plans are changed to a new proposal or where a third plan review is necessary, an additional plan review fee is required. Said plan review fee shall be in accordance with the city's currently adopted fee schedule.
- (D) *Inspection charges.* Permit fees shall include the cost of all required city inspections.
- (E) *Reinspection fees.* A fee as established by city council resolution may be charged when:
- (1) The inspection called for is not ready when the inspector arrives;
 - (2) No building address or permit card is clearly posted;
 - (3) City approved plans are not on the job site available to the inspector;
 - (4) The building is locked or work otherwise not available for inspection when called;
 - (5) Correction item has been written up twice and has not been corrected;

- (6) A posted STOP WORK ORDER has been removed.
- (7) Failure to maintain erosion control, sanitation facilities, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site. This fee is not a fine or penalty but is designed to compensate for time and trips when inspections are called for when not ready. If the code official is required to make a reinspection, the reinspection fees per the adopted city fee schedule shall be charged. Failure to pay such charges as provided in this code may result in the forfeiture of the right of such contractor to obtain other permits until such charges are paid.

- (F) *Fees due.* All building permit and impact fees shall be paid when the permit is issued.
- (G) *Fee refunds.* The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment. Where such application is timely and properly made, the Code Official shall authorize the refunding of fees as follows:
 - (1) The full amount of any fee paid hereunder that was erroneously paid or collected.
 - (2) The full amount of the permit fee paid when no work was done under a permit issued in accordance with this code.
 - (3) The full amount of any plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.
- (H) *Impact fees.* Impact fees established by the most current adopted version of the City of Weatherford's fee schedule will be charged to all projects. Additional fees may include one or more of the following impact fees:
 - (I) *Water impact fee.* Based upon installed meter size.
 - (J) *Wastewater impact fee.* Based upon installed meter size.
 - (K) *Park dedication fee.* Per dwelling unit.
 - (L) *Utility tap fees.* Local utility provider fee amounts to tap into private or public utility system.
 - (M) *Health department fees.* Business operational permits issued by the local Health Code Official per City Ordinance.
 - (N) *Fire department fees.* Permit, plan review or operational permit fees associated with the International Fire Code or City Ordinances.
 - (O) *State of Texas fees.* These fees are associated with building permit fees and work is performed through third-party contractors.
 - (P) *Backflow Testing Report.* Per Texas Commission on Environmental Quality and Texas State Board of Plumbing Examiners regulations.
 - (Q) *Asbestos Testing and Abatement Report.* Report must be submitted with every commercial remodel permit. Per Texas Commission on Environmental Quality regulations.
 - (R) *Customer Service Inspection Report.* Required on all commercial remodel and new construction when plumbing work is performed. Per Texas Commission on

Environmental Quality regulations. Submitted to Planning and Development Department prior to building final approval.

- (S) *Texas Accessibility Project Review*. Required for all commercial projects with a contract valuation of greater than \$50,000. Submitted online at the Texas Department of Licensing website.

Sec. 4-2-13. Inspections.

- (A) *Inspection required*. All building construction for which a permit is required by this code shall be inspected by the code official. No portion of any construction work requiring prior inspection approval shall be concealed until inspected and approved. Neither the code official nor the City of Weatherford shall be liable for expense entailed in the removal or replacement of material required to permit inspection. The holder of the permit shall be responsible for the scheduling of all such inspections.
- (B) *Inspection phasing*. The code official shall issue written procedures that describe the various phases of inspection and make these procedures available to the public upon request.
- (C) *Other inspections*. In addition to any scheduled inspection, the code official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code.
- (D) *No implied authorization to proceed*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City of Weatherford. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the jurisdiction shall not be valid.
- (E) *Re-inspection*. Where any work does not pass any initial inspection, the necessary corrections shall be made to comply with this code. The work shall then be resubmitted to the code official for inspection.
- (F) *Inspection requests*. It shall be the duty of the person doing the work authorized by a permit to notify the code official that such work is ready for inspection. The code official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing, email, by inspection line, or other means at the option of the code official.

The person requesting an inspection required by this code shall provide access to and means for proper inspection of such work. When the work is within a residence where access is dependent upon the occupant being home, the person doing the work shall make arrangements for inspections. If the structure is currently occupied no inspection will be performed unless a responsible adult is present during such inspection. Failure to make arrangements within a timely manner or the inability for the inspector to do the inspections at the arranged times will result in reinspection fees being assessed to the person doing the work.

Exception: If the re-inspection fee is for a "Final Inspection" for a residence where access is dependent upon the occupant, after the fee has been paid by the person doing the work additional arrangements for the final inspection and penalties for not receiving such inspection shall fall on the property owner.

This shall not relieve the person doing the work from having to correct improper work and such accompanying penalties should the work fail re-inspection.

(G) *Right of entry for inspections.* The application for permit shall be deemed to be granting authority to enter the property for the purpose of inspections. No owner or occupant or any other person having charge, care, or control of any building or premises shall fail or neglect, after proper demand is made as provided in this article, to promptly permit entry therein by the code official or his authorized representative for the purpose of inspection and examination pursuant to this article. Any permit holder or property owner violating this section shall be subject to penalties.

Sec. 4-2-14. Certificate of occupancy.

- (A) *Use or occupancy.* No premises, building or structure, shall be used or occupied until a Certificate of Occupancy has been issued as provided herein. A change in the ownership or name change shall not require the issuance of a new certificate of occupancy. Any building or structure that has not had the occupancy type or usage interrupted for more than 180 days may continue operating under the same occupancy type and usage without a new certificate of occupancy issued.
- (B) *Change in use.* Changes in the occupancy type or use of a building shall not be made except with the issuance of a tenant improvement permit and/or the issuance of a new certificate of occupancy.
- (C) *Certificate issued.* The code official shall issue a certificate of occupancy upon finding that the premise meets the requirements of the currently adopted technical codes and ordinances of the City of Weatherford. New structures shall be issued a certificate of occupancy to each separate occupied tenant space based upon the occupancy and usage shown on the new construction building permit or new tenant improvement build out permit.
- (D) *Certificate contents.* The certificate of occupancy shall contain the following:
- (1) The address of the building.
 - (2) The name, address and telephone number of the occupant of said premises, building or structure.
 - (3) The allowable use for which the certificate is issued.
 - (4) The zoning district in which the use is located.
 - (5) Any conditions of issuance.
- (E) *Temporary certificate.* A temporary certificate of occupancy may be issued by the code official for the use of a portion of a building or structure prior to the completion of the entire building or structure.
- (F) *Posting.* The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed without permission of the code official.
- (G) *Revocation.* The code official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied or when it is determined that the building or structure or portion thereof is in violation of any code, ordinance or regulation.

Sec. 4-2-15. Certificate of substantial completion.

The code official may issue a certificate of substantial completion to a building or structure to record the point of where construction was stopped or point of completion.

Sec. 4-2-16. Site and equipment maintenance.

ORDINANCE 660-2014-05, Exhibit A

With respect to any construction, enlargement, alternation, repair, improvement, removal, conversion or demolition of any building or structure for which the issuance of a permit is required under this chapter, the building official may require the following as conditions of the issuance of such permit:

1. The building or construction site shall be maintained daily in a clean and sanitary condition.
2. Disposal containers shall be required for proper removal of construction debris.
3. Lightweight materials not disposed of in disposal containers shall be secured and removed from the site on a daily basis to prevent littering on adjacent properties or rights-of-way.
4. Sanitary restroom facilities shall be made available to on-site workers.
5. Failure to comply with any of the above terms or conditions of a permit as issued by the building official shall constitute grounds for the immediate suspension and issuance of a stop work order for the project. The building official shall reinstate a permit suspended for one of the above violations, or any other term or condition of a permit, upon compliance with the requirements of the permit.

Sec. 4-2-17. Service utilities.

- (A) *Energy connections.* No person shall make connections from a source of energy or fuel to any mechanical system or equipment regulated by this code and for which a permit is required until inspected, approved and a tag affixed by the code official.
- (B) *Water/Sewer.* No person shall make connection from any water-supply line nor shall connect to any sewer system regulated by this code and for which a permit is required until inspected and approved by the code official.
- (C) *Temporary connections.* The code official shall have the authority to authorize the temporary connection of the building or system to the utility source for the purpose of testing building systems or for use under a temporary certificate of occupancy.
- (D) *OSHA standards 1910.333.* Safety-related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work is performed near or on equipment or circuits which are or may be energized. The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards.
- (E) *Lock Out Tag Out.* All projects shall be required to comply with the lock out tag out procedures outlined in OSHA Standard CFR 1910.333.
- (F) *Reconnections.* Any utility that has been out of service or disconnected for more than 180 days shall require a permit issued by the Planning and Development department. The building official or his/her designee shall inspect, approve and tag all electrical utilities found to be in a safe existing condition per the National Electrical Code. All gas meter reconnections shall require a test of the existing gas system, per the City's adopted Plumbing Code, prior to approval.

Sec. 4-2-18. Appeals.

- (A) *Establishment and membership of board.* In order to hear and decide appeals of orders, decisions or determination made by the building official relative to the application and interpretation of the adopted International Code series, a Building Board of Appeals is hereby established. Such Building Board of Appeals shall

consist of five members appointed by the city council, who are qualified by experience and training to pass on matters pertaining to building construction, are not employees of the jurisdiction, and who are residents in the city. The membership of the first board appointed shall serve respectively, one for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter members shall be appointed for a term of five years. Members of the Building Board of Appeals may be removed from office by the City Council for cause, upon written charges and after public hearing. Vacancies shall be filled by resolution of the City Council for the length of the unexpired term.

- (B) *Qualifications.* The Building Board of Appeals shall consist of five individuals, one from each of the professions or disciplines.
- (1) Registered design professional who is a registered architect; or builder or superintendent of building construction with at least ten years' experience, five of which shall have been in responsible charge of work.
 - (2) Registered design professional with structural engineering or architectural experience.
 - (3) Registered design professional with mechanical or plumbing engineering experience or a mechanical or plumbing contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
 - (4) Registered design professional with electrical engineering experience or an electrical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
 - (5) Registered design professional with fire protection engineering experience; or a fire protection contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
- (C) *Alternate members.* The City Council shall appoint two alternate members, who shall be called by the board chairman to hear appeals, during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for five (5) years or until a successor has been appointed.
- (D) *Filing of appeals.* Any person affected by the terms of a determination, notice or order of the Building Official pursuant to this code shall have the right to appeal the determination, notice or order to the Board of Appeals. The application shall be in writing and filed with the Office of the City Secretary and the Building Official not more than thirty days (30) after the notice of the determination, notice, or decision was served on the person.
- (E) *Limitations on authority.* An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of the adopted code.
- (F) *Meetings.*
- (1) The Building Board of Appeals shall adopt rules necessary to the conduct of its affairs. The board shall elect its own chairman who shall serve for one year. Meetings shall be held at the call of the chairperson and at such other times as the board may determine. All meetings shall be open to the public.

- (2) The Building Board of Appeals shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote indicating such fact, and shall keep records of its examination and other official actions, all of which shall be public record.
 - (3) The City Manager shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the City Secretary.
- (G) *Disqualification of member.* A member shall not hear an appeal in which that member has any personal, professional or financial interest.
- (H) *Compensation of members.* All members shall serve without compensation but may be reimbursed for any necessary expenses as a result of their work.
- (I) *Open meeting.* Meetings shall be held at the call of the chairperson within 14 days of the filing of the appeal and at other such times as the Building Code Board of Appeals may determine. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.
- (J) *Procedure.* The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received. Basic factual information is needed, such as the date on which the appeal is filed and the specific kind of relief sought. The burden of specificity is upon the owner, or his or her duly authorized agent.
- (K) *Postponed hearing.* When five (5) members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.
- (L) *Board decision.* The board shall modify or reverse the decision of the code official by a concurring vote of three members.
- (M) *Conditions for relief.* A modification or reversal of the building official shall find one of the following conditions:
- (1) That the code was incorrectly interpreted.
 - (2) That the provisions of the code do not fully apply.
 - (3) That, in the opinion of the board, an equally good or better form of construction exists.
- Relief should be granted only when an alternate method or material demonstrates compliance to the intent of the codes.
- (N) *Resolution:* The building official shall take immediate action in accordance with the decision. The decision of the board shall be by resolution, setting out findings and conclusions of the board. Certified copies shall be furnished to the appellant and the code official.
- (O) *Court review.* Any person, whether or not a previous part of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law, following the filing of the decision in the office of the building official.

Sec. 4-2-19. Violations.

ORDINANCE 660-2014-05, Exhibit A

- (A) *Offense.* A person, firm or corporation commits an offense if the person, firm or corporation erects, constructs, alters, extends, repairs, moves, removes, demolishes or occupies any building or structure regulated by this code, or causes same to be done, in conflict with any provisions of this code.
- (B) *Penalty.* An offense under this subsection is punishable by a fine equal to the permit fee and not to exceed \$500.00. Each day that a violation continues shall constitute a separate and distinct offense.

Sec. 4-2-20. Stop work orders.

- (A) *Authority.* Whenever a code official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the code official is authorized to issue a stop work order.
- (B) *Issuance.* The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
- (C) *Unlawful continuance.* 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 subject to penalties as prescribed by law.

Sec. 4-2-21. Unsafe structures and equipment.

- (A) *General.* Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the code official deems necessary and as provided for in the adopted edition of the International Property Maintenance Code. A vacant structure that is not secured against entry shall be deemed unsafe.
- (B) *Evacuation.* The fire code official or the fire official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the fire code official or the fire official in charge of the incident.

Sec. 4-2-22. Sanitation and waste management.

- (A) *Facilities.* Adequate sanitary facilities for the convenience of all construction personnel shall be provided by the contractor during any construction of a new building. For the purpose of this requirement, a temporary facility that is portable, enclosed, chemically treated and tank-tight may be used, provided that these facilities shall be kept in a clean and sanitary condition throughout the duration of the construction work.
- (B) *Waste.* The accumulation of construction debris or waste on any site or property must be managed in a way to provide adequately sized on-site storage and

timely removal. All premises shall be maintained free of unlawful accumulation of solid waste per WMC Title VIII, Health and Sanitation, Chapter 2.

Sec. 4-2-23. Address sign.

- (A) *Temporary address sign.* All construction sites shall have posted a temporary address sign or other approved means to identify the building and site, in a conspicuous place on the premises. The address sign shall be maintained by the permit holder until the permanent address sign is installed.
- (B) *Permanent address sign.*
 - (1) *Residential.* All primary residential structures shall have a permanent address sign posted in a conspicuous place using numbers or letters not less than 4" in height and with a contrasting background prior to obtaining final inspection. All properties where access by first responders may be from multiple public ways or by a publicly owned water system must have address posted at all locations.
 - (2) *Commercial.* All primary commercial structures, including lease spaces within a multi-tenant building, shall have a permanent address sign posted on the front and rear using numbers or letters not less than 6" in height and with a contrasting background prior to obtaining final inspection.

Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

Sec. 4-2-24 Flood hazard areas.

- (A) *Flood Hazard Areas.* The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the City of Weatherford, Parker County, Texas, dated September 26, 2008, with accompanying flood insurance rate maps and flood boundary-floodway maps (FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this title.
- (B) *Compliance.* No structure or land shall be located, altered, or have its use changed without full compliance with the terms of WMC Title XIII, Flood Damage Prevention and other applicable regulations.

Chapter 3. Building Code.

Sec. 4-3-1. International Building Code adopted.

The International Building Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-3-2. NCTCOG International Building Code amendments.

- (A) Section 202 Definitions; amend definition to read as follows:

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

Dialysis centers
Sedation dentistry
Surgery centers
Colonic centers
Psychiatric centers

(B) Section 202 Definitions; amend definition to read as follows:

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

(C) Section 304.1 Business Group B; add the following to the list of occupancies:

Fire stations
Police stations with detention facilities for 5 or less

(D) Section 307.1 High-hazard Group H; amend Exception 4 to read as follows:

4. Cleaning establishments that utilize combustible liquid solvents having a flash point of 140°F (60°C) or higher in closed systems employing equipment listed by an approved testing agency, provided that this occupancy is separated from all other areas of the building by 1-hour fire barriers constructed in accordance with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 712, or both. See also IFC chapter 12, Dry Cleaning Plant provisions.

(E) Section 310.1 Residential Group R; amend group R-3 paragraph two to read as follows:

Adult care and child care facilities with 5 or fewer unrelated persons that are within a single-family home are permitted to comply with the International Residential Code.

(F) Section 403.1 Applicability; amend Exception 3 to read as follows:

3. Open air portions of buildings with a Group A-5 occupancy in accordance with Section 303.1.

(G) Section 403.3 Automatic sprinkler system; delete Exception 2.

(H) Section 404.1.1 Definition; amend definition to read as follows:

ATRIUM. An opening connecting three or more stories other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505.

(I) Section 404.5 Smoke Control; delete Exception.

(J) Section 406.1.2 Area increase; add provision 3 to read as follows:

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

(K) Section 406.6.1 General; add a second paragraph to read as follows:

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.

(L) Section 506.2.2 Open space limits; amend to read as follows:

506.2.2 Open space limits. Such open space shall be either on the same lot or dedicated for public use and shall be accessed from a street or approved fire lane. In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway meeting fire department access from the street or approved fire lane shall be provided.

(M) Section 508.2.5 Separation of incidental accessory occupancies; amend to read as follows:

508.2.5 Separation of incidental accessory occupancies. The incidental accessory occupancies listed in Table 508.2.5 shall be separated from the remainder of the building or equipped with an automatic fire-extinguishing system, or both, in accordance with Table 508.2.5. An incidental accessory occupancy shall be classified in accordance with the occupancy of that portion of the building in which it is located.

Exception: Incidental accessory occupancies within and serving a dwelling unit are not required to comply with this section.

(N) Section 708.2 Shaft enclosure required; amend Exception 7, particularly Exception 7.3, delete Exceptions 7.4 and 7.5 and renumber to read as follows:

7. In other than Groups I-2 and I-3, a shaft enclosure is not required for a floor opening or an air transfer opening that complies with the following:
 - 7.1. Does not connect more than two stories.
 - 7.2. Is not part of the required means of egress system except as permitted in Section 1022.1.
 - 7.3. Is not concealed within the building construction of a wall or a floor/ceiling assembly.
 - 7.4. Is separated from floor openings and air transfer openings serving other floors by construction conforming to required shaft enclosures.
 - 7.5. Is limited to the same smoke compartment.

(O) Section 903.1.1 Alternative protection; amend to read as follows:

[F] 903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

(P) Section 903.2 Where required; amend to read as follows:

[F] 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways. Storage shall not be allowed within the elevator machine room. Signage shall be provided at

the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

(Q) Section 903.2 Where required; delete Exception.

(R) Section 903.2.9 Group S-1; add Section 903.2.9.3 to read as follows:

[F] 903.2.9.3 Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

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

(S) Section 903.2.11 Specific building areas and hazards; amend section 903.2.11.3 and add sections 903.2.11.7 and 903.2.11.8 to read as follows:

[F] 903.2.11.3 Buildings 55 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the International Building Code, that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

Exception: Open parking structures in compliance with Section 406.3.

[F] 903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 to determine if those provisions apply.

[F] 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.

(T) Section 903.3.1.1.1 Exempt locations; amend to read as follows:

[F] 903.3.1.1.1 Exempt locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

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

(U) Section 903.3.1.3 NFPA 13D sprinkler systems; add a second paragraph to read as follows:

Where allowed, automatic sprinkler systems installed in one- and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D or in accordance with state law.

(V) Section 903.3.5 Water supplies; add a second paragraph to read as follows:

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

(W) Section 903.4 Sprinkler system supervision and alarms; 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.

(X) Section 903.4.2 Alarms; add a second paragraph to read as follows:

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

(Y) SECTION 903 AUTOMATIC SPRINKLER SYSTEMS; add Section 903.6 to read as follows:

[F] 903.6 Spray booths and rooms. New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 1504.

(Z) Section 905.2 Installation standard; amend to read as follows:

[F] 905.2 Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

(AA) Section 905.3 Required installations; add Section 905.3.8 to read as follows:

[F] 905.3.8 Building Area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided 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.

Exception: Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.

(BB) Section 905.4 Location of Class I standpipe hose connections; amend location 5 to read as follows:

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of a stairway 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.

- (CC) Section 905.4 Location of Class 1 standpipe hose connections; add location 7 to read as follows:

(A) Class I standpipes shall also be required in all occupancies in which the distance from accessible points for Fire Department ingress to any point in the structure exceeds two hundred fifty feet (250') along the route that a fire hose is laid as measured from the fire lane. 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.

- (DD) 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.

- (EE) Section 907.1 General; add Section 907.1.4 to read as follows:

[F] 907.1.4 Design Standards. All alarm systems new or replacement shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 18 months of permit application.

- (FF) Section 907.2.1 Group A; amend to read as follows:

[F] 907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy. 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;
2. Stop any conflicting or confusing sounds and visual distractions.

{bulk of section to read the same}

- (GG) Section 907.2.3 Group E; amend to read as follows:

[F] 907.2.3 Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 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. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.
 - 1.1 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.)

{bulk of section to read the same}

- (HH) Section 907.2.13 High-rise buildings; amend Section 907.2.13, including an amendment to Exception 3, to read as follows:

[F] 907.2.13 High-Rise Buildings. Buildings with a floor used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.6.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Sections 907.2.22 and 412.
 2. Open parking garages in accordance with Section 406.3.
 3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.
 4. Low-hazard special occupancies in accordance with Section 503.1.1.
 5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415.
 6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and general occupant notification shall be broadcast by the emergency voice/alarm communication system.
- (II) Section 907.4.2 Manual fire alarm boxes; add Section 907.4.2.6 to read as follows:

[F] 907.4.2.6 Type. Manual alarm initiating devices shall be an approved double action type.

- (JJ) Section 907.6.1 Wiring; add Section 907.6.1.1 to read as follows:

[F] 907.6.1.1 Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such

devices. All initiating circuit conductors shall be Class “A” wired with a minimum of six feet separation between supply and return circuit conductors. IDC – Class “A” Style D; SLC - Class “A” Style 6; NAC - Class “B” Style Y. The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the distance from the addressable device is within 10-feet of the suppression system device.

(KK) Section 907.6.5 Monitoring; add Section 907.6.5.2 to read as follows:

[F] 907.6.5.2 Communication Requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.

(LL) Section 910.1 General; amend Exception 2 to read as follows:

2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, only manual smoke and heat vents shall be required within these areas. Automatic smoke and heat vents are prohibited.

(MM) Section 910.2 Where required; add Sections 910.2.3 and 910.2.4 to read as follows:

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

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

910.2.4 Exit access travel distance increase. Buildings and portions thereof used as Group F-1 or S-1 occupancy where the maximum exit access travel distance is increased in accordance with Section 1016.3.

(NN) Table 910.3; change the occupancy group and commodity classification of the first row of the table to read as follows:

[F] TABLE 910.3
REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS^a

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (feet)	MINIMUM DRAFT CURTAIN DEPTH (feet)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet)	VENT-AREA-TO-FLOOR-AREA RATIO ^c	MAXIMUM SPACING OF VENT CENTERS (feet)	MAXIMUM DISTANCE FROM VENTS TO WALL OR DRAFT CURTAIN ^b (feet)

Group F-1, H and S-1	—	$0.2 \times H^d$ but ≥ 4	50,000	1:100	120	60
{bulk of table to read the same}						

(OO) Section 910.3.2.2 Sprinklered buildings; add a second paragraph to read as follows:

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees (F) (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

(PP) Section 912.2 Location; add Section 912.2.3 to read as follows:

[F] 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.

(QQ) Section 913.1 General; add a second paragraph, and exception, to read as follows:

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

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

(RR) Section 1004.1.1 Areas without fixed seating; delete Exception.

(SS) Section 1007.1 Accessible means of egress required; add Exception 4 to read as follows:

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.

(TT) Section 1008.1.9.3 Locks and Latches; add subsection 3.1 to read as follows:

3.1 Where egress doors are used in pairs and positive latching is required, approved automatic flush bolts shall be permitted to be used, provided that both leaves achieve positive latching regardless of the closing sequence and the door leaf having the automatic flush bolts has no doorknobs or surface mounted hardware.

(UU) Section 1008.1.9.4 Bolt locks; amend Exceptions 3 and 4 to read as follows:

3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy, manually operated edge- or surface-

mounted bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.

4. Where a pair of doors serves a Group B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.

(VV) Section 1008.1.9.8 Electromagnetically locked egress doors; amend to read as follows:

1008.1.9.8. Electromagnetically locked egress doors. Doors in the means of egress that are not otherwise required to have panic hardware in buildings with an occupancy in Group A, B, E, I-1, I-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with listed hardware that incorporates a built-in switch and meet the requirements below:

{bulk of section to read the same}

(WW) SECTION 1015 EXIT AND EXIT ACCESS DOORWAYS; add Section 1015.7 to read as follows:

1015.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

(XX) SECTION 1016 EXIT ACCESS TRAVEL DISTANCE; add Section 1016.3 to read as follows:

1016.3. Roof Vent Increase. In buildings that are one story in height, equipped with automatic heat and smoke roof vents complying with Section 910 and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the maximum exit access travel distance shall be 400 feet for occupancies in Group F-1 or S-1.

(YY) Section 1018.1 Construction; add Exception 5 to read 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 fire alarm system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor.

(ZZ) Section 1018.6 Corridor Continuity; amend to read as follows:

1018.6 Corridor Continuity. All corridors shall be continuous from the point of entry to an exit, and shall not be interrupted by intervening rooms.

{bulk of section to read the same}

(AAA) Section 1022.1 Enclosures required; add Exceptions 8 and 9 to read as follows:

8. In other than occupancy Groups H and I, a maximum of 50 percent of egress stairways serving one adjacent floor are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Any two such interconnected floors shall not be open to other floors.

9. In other than occupancy Groups H and I, interior egress stairways serving only the first and second stories of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Such interconnected stories shall not be open to other stories.

(BBB) Section 1022.9 Smokeproof enclosures and pressurized stairways; amend to read as follows:

1022.9. Smokeproof enclosures and pressurized stairways. In buildings required to comply with Section 403 or 405, each of the exit enclosures serving a story with a floor service not more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9 144 mm) below the finished floor of a level of exit discharge serving such stories shall be a smokeproof enclosure or pressurized stairway in accordance with Section 909.20.

(CCC) Section 1024.1 General; amend to read as follows:

1024.1 General. Approved luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access in accordance with Sections 1024.1 through 1024.5.

{bulk of section to read the same}

(DDD) Section 1026.6 Exterior ramps and stairway protection; amend Exception 4 to read as follows:

4. Separation from the open-ended corridors of the building is not required for exterior ramps or stairways connected to open-ended corridors, provided that Items 4.1 through 4.4 are met:

{bulk of section to read the same}

(EEE) Section 1101.2 Design; add an Exception to read as follows:

Exception: Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of this Chapter.

(FFF) Table 1505.1; strike footnote b and re-letter footnote c to read as follows:

b. Non-classified roof coverings shall be permitted on buildings of U occupancies with 120 sq. ft. or less of projected roof area. When exceeding 120 sq.ft of projected roof area, buildings of U occupancies may use non-rated non-combustible roof coverings.

(GGG) Section 1505.7 Special purpose roofs; delete Section 1505.7.

(HHH) Section 1510.1 General; amend to read as follows:

1510.1 General. Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15. All individual replacement shingles or shakes shall be in compliance with the rating required by Table 1505.1.

Exception: Reroofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2-percent slope) in Section 1507 for roofs that provide positive roof drainage.

(III) Section 2308.4 Design of elements; add Section 2308.4.3 to read as follows:

2308.4.3 Application to engineered design. When accepted by the Building Official, any portion of this section is permitted to apply to buildings that are otherwise outside the limitations of this section provided that:

1. The resulting design will comply with the requirements specified in Chapter 16;
2. The load limitations of various elements of this section are not exceeded; and
3. The portions of this section which will apply are identified by an engineer in the construction documents.

(JJJ) Section 2901.1 Scope; amend to read as follows:

[P] 2901.1 Scope. The provisions of this chapter and the International Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the International Plumbing Code. Private sewage disposal systems shall conform to the International Private Sewage Disposal Code. The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

(KKK) Section 2902.2 Separate facilities; amend Exception 3 to read as follows:

3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.

(LLL) SECTION 3006 MACHINE ROOMS; amend Section 3006.1 and Section 3006.4 and renumber sections to read as follows:

3006.1 General. Elevator machine rooms shall be provided.

3006.2 Access. An *approved* means of access shall be provided to elevator machine rooms and overhead machinery spaces.

3006.3 Venting. Elevator machine rooms that contain solid-state equipment for elevator operation shall be provided with an independent ventilation or air-conditioning system to protect against the overheating of the electrical equipment. The system shall be capable of maintaining temperatures within the range established for the elevator equipment.

3006.4 Pressurization. The elevator machine room serving a pressurized elevator hoistway shall be pressurized upon activation of a heat or smoke detector located in the elevator machine room.

3006.5 Machine rooms. Elevator machine rooms and machinery spaces shall be enclosed with *fire barriers* constructed in accordance with Section 707 or *horizontal assemblies* constructed in accordance with Section 712, or both. The *fire-resistance rating* shall not be less than the required rating of the hoistway enclosure served by the machinery. Openings in the *fire barriers* shall be

protected with assemblies having a *fire protection rating* not less than that required for the hoistway enclosure doors. Storage shall not be allowed within the elevator machine room. Provide approved signage at each entry door to the elevator machine room stating "Elevator Machinery – No Storage Allowed."

3006.6 Shunt trip. Where elevator hoistways or elevator machine rooms containing elevator control equipment are protected with automatic sprinklers, a means installed in accordance with NFPA 72, Section 6.16.4, Elevator Shutdown, shall be provided to disconnect automatically the main line power supply to the affected elevator prior to the application of water. This means shall not be self-resetting. The activation of sprinklers outside the hoistway or machine room shall not disconnect the main line power supply.

3006.7 Plumbing systems. Plumbing systems shall not be located in elevator equipment rooms.

Sec. 4-3-3. City of Weatherford amendments.

- (A) Chapter 1 Administration is repealed in its entirety.
- (B) Section 1612.3 Establishment of flood hazard areas, delete Section 1612.3.
- (C) [P] Section 2902.2 Separate facilities. Add exception 4.

Exceptions:

- 4. In existing buildings separate facilities shall not be required in established mercantile or business occupancies where on restroom exists and there is a maximum occupant load of 100 or less in mercantile or a business occupancy with a maximum occupant load of 30 or less.

- (D) [P] Section 2902.3 Required public toilet facilities. Add exception.

Exception:

- 1. Access to public toilet facilities in retail occupancies by customers, patrons and visitors shall comply with the Texas Health and Safety Code, Title 5, Chapter 341, Section 341.069 regulations.

Chapter 4. Fire Code.

Sec. 4-4-1. International Fire Code adopted.

The International Fire Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-4-2. NCTCOG International Fire Code amendments.

- (A) SECTION 202 GENERAL DEFINITIONS; add definition to read as follows:

ADDRESSABLE FIRE DETECTION SYSTEM. Any system capable of providing identification of each individual alarm-initiating device. The identification shall be in plain English and as descriptive as possible to specifically identify the location of the device in alarm. The system shall have the capability of alarm verification.

- (B) SECTION 202 GENERAL DEFINITIONS; amend definition to read as follows:

[B] AMBULATORY HEALTH CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less

than 24-hour basis to individuals who are rendered incapable of self-preservation. This group may include but not be limited to the following:

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

(C) SECTION 202 GENERAL DEFINITIONS; add definition to read as follows:

ANALOG ADDRESSABLE FIRE DETECTION SYSTEM. Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be capable of compensating for long-term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.

(D) SECTION 202 GENERAL DEFINITIONS; amend definition to read as follows:

[B] ATRIUM. An opening connecting three or more stories other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505 of the International Building Code.

(E) SECTION 202 GENERAL DEFINITIONS; amend definition to read as follows:

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.

(F) SECTION 202 GENERAL DEFINITIONS; add definition to read as follows:

[B] HIGH-RISE BUILDING. A building having any floors used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

(G) SECTION 202 GENERAL DEFINITIONS; add definition to read as follows:

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.

(H) SECTION 202 GENERAL DEFINITIONS; add definition to read as follows:

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.

(I) Section 401.3 Emergency responder notification; add Section 401.3.4 to read as follows:

401.3.4 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.

(J) Section 501.4 Timing of installation; amend to read as follows:

501.4 Timing of installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

(K) Section 503.1.1 Buildings and facilities; amend to read as follows:

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 and 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 ten feet (10') wide unobstructed pathway around the external walls of the structure.

{bulk of section to read the same}

(L) Section 503.2.1 Dimensions; amend to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315mm), 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 (4267 mm).

Exception: Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.

(M) Section 503.2.2 Authority; amend 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.

(N) Section 503.3 Marking; amend to read as follows:

503.3 Marking. Striping, signs, or other markings, when approved by the fire code official, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.3.1 Striping. Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" 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.

503.3.2 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 fifty feet (50') apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

- (O) Section 503.4 Obstruction of fire apparatus access roads; amend to read 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.

- (P) Section 505.1 Address identification; amend to read as follows:

505.1 Address identification. Approved numerals of a minimum 6" height and of a color contrasting with the background designating the address shall be placed on all new and existing buildings or structures in a position as to be plainly visible and legible from the street or road fronting the property and from all rear alleyways / access.

Where buildings do not immediately front a street, approved 6 inch height building numerals or addresses and 3-inch height suite / apartment numerals of a color contrasting with the background of the building shall be placed on all new and existing buildings or structures. Numerals or addresses shall be posted on a minimum 20 inch by 30 inch background on border.

Address numbers shall be Arabic numerals or alphabet letters. The minimum stroke width shall be 0.5 inches.

Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

- (Q) Section 507.4 Water supply test; amend to read as follows:

507.4 Water supply test date and information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 "Recommended Practice for Fire Flow Testing and Marking of Hydrants" and within one year of sprinkler plan submittal. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official, as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as approved by the fire code official. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard.

- (R) Section 507.5.4 Obstruction; amend to read as follows:

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or

objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

(S) Section 509.1 Identification; add Section 509.1.1 to read as follows:

509.1.1 Sign Requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of two (2) inches when located inside a building and four (4) inches when located outside, or as approved by the fire code official. The letters shall be of a color that contrasts with the background.

(T) Section 603.3.2.1 Quantity limits, amend Exception to read as follows:

Exception: The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356 L) in accordance with all requirements of Section 3404.2.9.5.1 and Chapter 34.

(U) Section 603.3.2.2 Restricted use and connection; amend to read as follows:

603.3.2.2 Restricted use and connection. Tanks installed in accordance with Section 603.3.2 shall be used only to supply fuel oil to fuel-burning or generator equipment installed in accordance with Section 603.3.2.4. Connections between tanks and equipment supplied by such tanks shall be made using closed piping systems.

(V) Section 704.1 Enclosure; amend to read as follows:

704.1 Enclosure. Interior vertical shafts, including but not limited to stairways, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 46. New floor openings in existing buildings shall comply with the International Building Code.

(W) Section 807.4.3.2 Artwork; amend to read as follows:

807.4.3.2 Artwork. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area and on the walls of classrooms to not more than 50 percent of each 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.

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 807.4.4.2 Artwork; amend to read as follows:

807.4.4.2 Artwork. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area and on the walls of classrooms to not more than 50 percent of each 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.

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.

(Y) Section 901.6.1 Standards; add Section 901.6.1.1 to read as follows:

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

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

9. Contact the fire code official for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the fire code official.

(Z) Section 901.7 Systems out of service; amend to read 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 fire code official shall be notified immediately and, where required by the fire 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.

(AA) SECTION 901 GENERAL; add Section 901.10 to read as follows:

901.10 Discontinuation or change of service. Notice shall be made to the fire code official whenever contracted alarm services for monitoring of any fire alarm system is terminated for any reason, or a change in alarm monitoring provider occurs. Notice shall be made in writing to the fire code official by the building owner and alarm service provider prior to the service being terminated.

(BB) Section 903.1.1 Alternative protection; amend to read as follows:

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

(CC) Section 903.2 Where required; amend to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

(DD) Section 903.2 Where required; delete Exception.

(EE) Section 903.2.9 Group S-1; add Section 903.2.9.3 to read as follows:

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

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

(FF) Section 903.2.11 Specific building areas and hazards; amend Section 903.2.11.3 and add Sections 903.2.11.7 and 903.2.11.8 to read as follows:

903.2.11.3 Buildings 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in

compliance with Section 1509 of the International Building Code, that is located 35 feet (10 668mm) or more above the lowest level of fire department vehicle access.

Exception: Open parking structures in compliance with Section 406.3 of the International Building Code.

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 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.

(GG) Section 903.3.1.1.1 Exempt locations; amend to read as follows:

903.3.1.1.1 Exempt locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

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

(HH) Section 903.3.1.3 NFPA 13D sprinkler system; add a second paragraph to read as follows:

Where allowed, automatic sprinkler systems installed in one- and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D or in accordance with state law.

(II) Section 903.3.5 Water supplies; add a second paragraph to read as follows:

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

(JJ) Section 903.4 Sprinkler system supervision and alarms; 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.

- (KK) Section 903.4.2 Alarms; add a second paragraph to read as follows:
- The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.
- (LL) Section 903.6 Existing buildings; add Section 903.6.3 to read as follows:
- 903.6.3 Spray booths and rooms.** New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 1504.
- (MM) Section 905.2 Installation standard; amend to read as follows:
- 905.2 Installation standard.** Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.
- (NN) Section 905.3 Required installations; add Section 905.3.8 and exception to read as follows:
- 905.3.8 Building area.** In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided 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.
- Exception:** Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
- (OO) Section 905.4 Location of Class I standpipe hose connections; amend location 5 to read as follows:
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of a stairway 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.
- (PP) Section 905.4 Location of Class I standpipe hose connections; add location 7 to read as follows:
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.
- (QQ) Section 905.9 Valve supervision; 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.
- (RR) Section 906.1 Where required; amend location 1 Exception to read as follows:

Exception: In R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6, where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C.

(SS) Section 907.1 General; add Section 907.1.4 to read as follows:

907.1.4 Design standards. All alarm systems new or replacement shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 18 months of permit application.

(TT) Section 907.2.1 Group A; amend to read as follows:

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy. 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.

{bulk of section to read the same}

(UU) Section 907.2.3 Group E; amend to read as follows:

907.2.3 Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 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. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.
 - 1.2 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.)

{bulk of section to read the same}

(VV) Section 907.2.13 High-rise buildings; amend Section 907.2.13, including an amendment to Exception 3, to read as follows:

907.2.13 High-Rise Buildings. Buildings with a floor used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.6.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Sections 907.2.22 and 412.
2. Open parking garages in accordance with Section 406.3.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.
4. Low-hazard special occupancies in accordance with Section 503.1.1.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415.
6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and general occupant notification shall be broadcast by the emergency voice/alarm communication system.

(WW) Section 907.5.2 Manual fire alarm boxes; add Section 907.5.2.6 to read as follows:

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

(XX) Section 907.7.1 Wiring; add Section 907.7.1.1 to read as follows:

907.7.1.1 Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All initiating circuit conductors shall be Class "A" wired with a minimum of six feet separation between supply and return circuit conductors. IDC – Class "A" Style D; SLC - Class "A" Style 6; NAC - Class "B" Style Y. The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the distance from the addressable device is within 10-feet of the suppression system device.

(YY) Section 907.7.5 Monitoring; add Section 907.7.5.2 to read as follows:

907.7.5.2 Communication requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.

(ZZ) Section 910.1 General; amend Exception 2 to read as follows:

2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, only manual smoke and heat vents shall be

required within these areas. Automatic smoke and heat vents are prohibited.

(AAA) Section 910.2 Where required; add Sections 910.2.3 with exceptions and 910.2.4 to read as follows:

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

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

910.2.4 Exit access travel distance increase. Buildings and portions thereof used as a Group F-1 or S-1 occupancy where the maximum exit access travel distance is increased in accordance with Section 1016.3.

(BBB) Table 910.3; change the occupancy group and commodity classification of the first row of the table to read as follows:

TABLE 910.3
REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS^a

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (feet)	MINIMUM DRAFT CURTAIN DEPTH (feet)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet)	VENT-AREA-TO-FLOOR-AREA RATIO ^c	MAXIMUM SPACING OF VENT CENTERS (feet)	MAXIMUM DISTANCE FROM VENTS TO WALL OR DRAFT CURTAIN ^p (feet)
Group F-1, H and S-1	—	0.2 × H ^d but ≥ 4	50,000	1:100	120	60
{bulk of table to read the same}						

(CCC) Section 910.3.2.2 Sprinklered buildings; add a second paragraph to read as follows:

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees (F) (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

(DDD) Section 913.1 General; add a second paragraph, and exception, to read as follows:

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that

are provided. A key box shall be provided at this door, as required by Section 506.1.

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

- (EEE) Section 1004.1.1 Areas without fixed seating; delete Exception.
- (FFF) Section 1007.1 Accessible means of egress required; add Exception 4 to read as follows:
4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.
- (GGG) Section 1008.1.9.3 Locks and Latches; add subsection 3.1 to read as follows:
- 3.1 Where egress doors are used in pairs and positive latching is required, approved automatic flush bolts shall be permitted to be used, provided that both leaves achieve positive latching regardless of the closing sequence and the door leaf having the automatic flush bolts has no doorknobs or surface mounted hardware.
- (HHH) Section 1008.1.9.4 Bolt locks; amend Exceptions 3 and 4 to read as follows:
3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.
 4. Where a pair of doors serves a Group B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.
- (III) Section 1008.1.9.8 Electromagnetically locked egress doors; amend to read as follows:
- 1008.1.9.8. Electromagnetically locked egress doors.** Doors in the means of egress that are not otherwise required to have panic hardware in buildings with an occupancy in Group A, B, E, I-1, I-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with listed hardware that incorporates a built-in switch and meet the requirements below:
- {bulk of section to read the same}
- (JJJ) SECTION 1015 EXIT AND EXIT ACCESS DOORWAYS; add Section 1015.7 to read as follows:

1015.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

(KKK) SECTION 1016 EXIT ACCESS TRAVEL DISTANCE; add Section 1016.3 to read as follows:

1016.3. Roof Vent Increase. In buildings that are one story in height, equipped with automatic heat and smoke roof vents complying with Section 910 and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the maximum exit access travel distance shall be 400 feet for occupancies in Group F-1 or S-1.

(LLL) Section 1018.1 Construction; add Exception 5 to read 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 fire alarm system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor.

(MMM) Section 1018.6 Corridor Continuity; amend to read as follows:

1018.6 Corridor Continuity. All corridors shall be continuous from the point of entry to an exit, and shall not be interrupted by intervening rooms.

{bulk of section to read the same}

(NNN) Section 1022.1 Enclosures required; add Exceptions 8 and 9 to read as follows:

8. In other than occupancy Groups H and I, a maximum of 50 percent of egress stairways serving one adjacent floor are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Any two such interconnected floors shall not be open to other floors.
9. In other than occupancy Groups H and I, interior egress stairways serving only the first and second stories of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Such interconnected stories shall not be open to other stories.

(OOO) Section 1022.9 Smokeproof enclosures and pressurized stairways; amend to read as follows:

1022.9. Smokeproof enclosures and pressurized stairways. In buildings required to comply with Section 403 or 405, each of the exit enclosures serving a story with a floor service not more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9 144 mm) below the finished floor of a level of exit discharge serving such stories shall be a smokeproof enclosure or pressurized stairway in accordance with Section 909.20.

(PPP) Section 1024.1 General; amend to read as follows:

1024.1 General. Approved luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet (16 764 mm) above the lowest level of

fire department vehicle access in accordance with Sections 1024.1 through 1024.5.

{bulk of section to read the same}

(QQQ) Section 1026.6 Exterior ramps and stairway protection; amend Exception 4 to read as follows:

4. Separation from the open-ended corridors of the building is not required for exterior ramps or stairways connected to open-ended corridors, provided that Items 4.1 through 4.4 are met:

{bulk of section to read the same}

(RRR) Section 1030.2 Reliability; amend to read as follows:

1030.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

(SSS) Section 1501.2 Nonapplicability; delete Section 1501.2.

(TTT) Section 1504.4 Fire protection; amend to read 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. Protection shall also extend to exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.

(UUU) Section 2202.1 Definitions; amend definition to read as follows:

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

(VVV) Section 2204.1 Supervision of dispensing; amend to read as follows:

2204.1 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 2204.3.

At any time the qualified attendant of item 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2204.3.

(WWW) Table 2306.2; amend footnote j to read as follows:

j. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

(XXX) Section 3301.1.3 Fireworks; amend to read as follows:

3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Only when approved for fireworks displays, storage and handling of fireworks as allowed in Section 3304 and 3308.
2. The use of fireworks for approved displays as allowed in Section 3308.

{remainder of text has been deleted}

(YYY) Section 3302.1 Definitions; amend definition to read 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, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

{bulk of section to read the same}

(ZZZ) Section 3403.6 Piping systems; amend to read as follows:

3403.6 Piping systems. Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with Sections 3403.6.1 through 3403.6.11. An approved method of secondary containment shall be provided for underground tank and piping systems.

(AAAA) Section 3404.2.9.5 Above-ground tanks inside of buildings; add Section 3404.2.9.5.1 to read as follows:

3404.2.9.5.1 Combustible liquid storage tanks inside of buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 3404.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;
2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;
3. The tanks shall be located in a room protected by an automatic sprinkler system complying with Section 903.3.1.1; and
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an approved closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 2703.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

(BBBB) Section 3404.2.11.5 Leak prevention; amend to read as follows:

3404.2.11.5 Leak prevention. Leak prevention for underground tanks shall comply with Sections 3404.2.11.5.1 through 3404.2.11.5.3. An approved method of secondary containment shall be provided for underground tank and piping systems.

(CCCC) Section 3404.2.11.5.2 Leak detection; amend to read as follows:

3404.2.11.5.2 Leak detection. Underground storage tank systems shall be provided with an approved method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 3404.2.11.5.3.

(DDDD) Section 3404.2.11.5 Leak prevention; add Section 3404.2.11.5.3 to read as follows:

3404.2.11.5.3 Observation wells. Approved sampling tubes of a minimum 6 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of 4 sumps. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

(EEEE) Section 3406.5.4.5 Commercial, industrial, governmental or manufacturing; amend to read as follows:

3406.5.4.5 Commercial, industrial, governmental or manufacturing. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted, provided such dispensing operations are conducted in accordance with Sections 3406.5.4.5.1 through 3406.5.4.5.3.

3406.5.4.5.1 Site requirements.

1. Dispensing may occur at sites that have been permitted to conduct mobile fueling.
2. A detailed site plan shall be submitted with each application for a permit. The site plan must indicate:
 - 2.1 all buildings, structures, and appurtenances on site and their use or function;
 - 2.2 all uses adjacent to the property lines of the site;
 - 2.3 the locations of all storm drain openings, adjacent waterways or wetlands;
 - 2.4 information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and,
 - 2.5 The scale of the site plan.
3. The Code Official is authorized to impose limits upon: the times and/or days during which mobile fueling operations are allowed to take place and specific locations on a site where fueling is permitted.
4. Mobile fueling operations shall be conducted in areas not generally accessible to the public.
5. Mobile fueling shall not take place within 15 feet (4.572 m) of buildings, property lines, or combustible storage.

3406.5.4.5.2 Refueling Operator Requirements.

1. The owner of a mobile fueling operations shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill, carry out appropriate mitigation measures, and to indicate its process to properly dispose of contaminated materials when circumstances require.
2. The tank vehicle shall comply with the requirements of NFPA 385 and Local, State and Federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.
3. Signs prohibiting smoking or open flames within 25 feet (7.62 m) of the tank vehicle or the point of fueling shall be prominently posted on 3 sides of the vehicle including the back and both sides.
4. A fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.
5. The dispensing nozzles and hoses shall be of an approved and listed type.
6. The dispensing hose shall not be extended from the reel more than 100 feet (30.48m) in length.
7. Absorbent materials, non-water absorbent pads, a 10 foot (3.048 m) long containment boom, an approved container with lid, and a non-metallic shovel shall be provided to mitigate a minimum 5-gallon fuel spill.
8. Tanker vehicles shall be equipped with a fuel limit switch such as a count-back switch, limiting the amount of a single fueling operation to a maximum of 500 gallons (1893 L) between resetting of the limit switch.

Exception: Tankers utilizing remote emergency shut-off device capability where the operator constantly carries the shut-off device which, when activated, immediately causes flow of fuel from the tanker to cease.

9. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak, or spill. Training records shall be maintained by the dispensing company and shall be made available to the fire code official upon request.
10. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.

3406.5.4.5.3 Operational Requirements.

1. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
2. Prior to beginning dispensing operations, precautions shall be taken to assure ignition sources are not present.
3. The engines of vehicles being fueled shall be shut off during dispensing operations.

4. Night time fueling operations shall only take place in adequately lighted areas.
5. The tank vehicle shall be positioned with respect to vehicles being fueled so as to preclude traffic from driving over the delivery hose and between the tank vehicle and the motor vehicle being fueled.
6. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.
7. Motor vehicle fuel tanks shall not be topped off.
8. The dispensing hose shall be properly placed on an approved reel or in an approved compartment prior to moving the tank vehicle.
9. The Code Official and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.

(FFFF) Section 3803.2.1 Portable containers; add Section 3803.2.1.8 to read 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.

(GGGG) Section 3804.2 Maximum capacity within established limits, amend Exceptions to read as follows:

Exceptions:

1. In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.
2. Except as permitted in 308 and 3804.3.2, LP-gas containers are not permitted in residential areas.

(HHHH) Section 3804.3 Container location; add Section 3804.3.2 to read as follows:

3804.3.2 Spas, Pool Heaters and other listed devices. Where natural gas service is not available, an LP-Gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 3804.3 for location of containers.

Exception: Lots where LP can be off loaded wholly on the property where the tank is located; may install 500 gallon above ground or 1,000 gallon underground approved containers.

(IIII) Table 4604.7, amend footnote a to read as follows:

- a. Buildings constructed under the 2003 or 2006 IBC and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

(JJJJ) Section 4604.23 Egress path markings; amend to read as follows:

4604.23 Egress path markings. Existing buildings of Groups A, B, E, I, M, and R-1 having occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with luminous egress path markings in accordance with Section 1024.

Exception: Open, unenclosed stairwells in historic buildings designated as historic under a state or local historic preservation program.

Sec. 4-4-3. City of Weatherford amendments.

(A) Section 506.1 Where required; amend to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall not be located more than 10 feet from the fire suppression riser room. Key Boxes shall be of a type approved by the fire code official.

(B) Section 901.2 Construction documents; add Section 901.2.2 to read as follow:

Section 901.1.1 Hydraulic system signage. All risers in building or structures with new or modified hydraulically designed automatic suppression systems shall be provided with a permanently affixed brass or baked porcelain sign indicating all information as required in NFPA 13 and 7-1.2 standards.

(C) Section 903.1 General; add Section 903.1.2 to read as follows:

903.1.2 Fire Extinguishing Systems, Riser Room Requirements. All new buildings equipped with an automatic fire sprinkler system shall be provided with a riser room(s). Riser room(s) shall have a one-hour separation from the remainder of the building, an exterior door, and contain the main riser control valves. The exterior door shall be labeled with the wording "Fire Sprinkler Riser Room". All riser rooms require approval from the fire code official.

Exceptions:

1. When the riser control valve(s) consist of either exterior wall control valve(s), or a post-indicating valve.
2. When approved by the fire code official, riser room(s) in Type I or II-A construction, are not required.
3. Riser rooms are not required in existing buildings when approved by the fire code official.

(D) Section 903.2.11 Specific building areas and hazards; add Section 903.2.11.9 to read as follows:

903.2.11.9 Buildings Over 7,500 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area over 7,500 sq. ft. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.3 of the International Building Code.

(E) Section 912.2 Location; add Section 912.2.3 to read as follows:

912.2.3 Hydrant distance. An approved fire hydrant shall be located within 150 feet of the fire department connection as the fire hose lays.

(F) Section 912.3.1 Locking fire department connection caps; amend to read as follows:

Section 912.3.1 Locking fire department connection caps. The fire code official may require locking caps on fire department connections for water-based fire protection systems where the responding fire department carries appropriate key wrenches for removal. These locking caps shall be Knox caps or equivalent product as determined by the fire code official.

Chapter 5. Residential Code.

Sec. 4-5-1. International Residential Code adopted.

The International Residential Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-5-2. NCTCOG International Residential Code amendments.

(A) Section R101.1 Title; amend to read as follows:

R101.1 Title. These regulations shall be known as the Residential Code for One- and Two-family Dwellings of the City of Weatherford hereinafter referred to as "this code."

(B) Section R102.4 Referenced codes and standards; amend to read as follows:

R102.4 Referenced codes and standards. The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

(C) SECTION R108 FEES; add Section R108.7 to read as follows:

R108.7 Re-inspection Fee. A fee as established by city council resolution may be charged when:

1. The inspection called for is not ready when the inspector arrives;
2. No building address or permit card is clearly posted;
3. Approved plans are not on the job site available to the inspector;
4. The building is locked or work otherwise not available for inspection when called;

5. The job site is red-tagged twice for the same item;
6. The original red tag has been removed from the job site and/or,
7. Violations exist on the property including failure to maintain erosion control, trash control or tree protection.
8. Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

(D) Section R109.1.3 Floodplain inspections; amend to read as follows:

R109.1.3 Floodplain inspections. For construction permitted in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official may require submission of documentation, prepared and sealed by a registered.

(E) Sections R112.2.1 Determination of substantial improvement in areas prone to flooding and R112.2.2 Criteria for issuance of a variance for areas prone to flooding; delete Sections R112.2.1 and R112.2.2.

(F) SECTION R202 DEFINITIONS; amend definition to read as follows:

TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

(G) Table R301.2(1); amend to read as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY [†]	SUBJECT TO DAMAGE FROM		
	Speed ^d (mph)	Topographic effects ^k		Weathering ^a	Frost line Depth ^b	Termite ^c
5 lb./ft2	90 mph (3-sec gust) /76 fastest mile	No	A	Moderate	6"	Very heavy
WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMPERATURE ^j		
22F	No	Per local code	690F	64.90F		

(H) Section R302.1 Exterior walls; add Exception 6 to read as follows:

6. Open metal carport structures may be constructed when also approved within adopted ordinances.

(I) Section R302.2 Townhouses, amend Exception to read as follows:

Exception: A common two-hour fire-resistance-rated wall assembly, or one-hour fire-resistance-rated wall assembly when equipped with a sprinkler system, tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with

Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

(J) Section R302.2.4 Structural independence; amend Exception 5 to read as follows:

5. Townhouses separated by a common two-hour fire-resistance-rated wall, or one-hour fire resistant rated wall when equipped with an automatic sprinkler system.

(K) Section R302.3 Two-family dwellings; add Exception 3 to read as follows:

3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

(L) Section R302.5.2 Duct penetration; amend to read as follows:

R302.5.2 Duct penetration. Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum No. 26 gage (0.48 mm) sheet steel or other approved material and shall have no openings into the garage and shall be protected as required by Section 302.11, Item 4.

(M) Section R302.5.3 Other penetrations; amend to read as follows:

R302.5.3 Other penetrations. Penetrations through the separation required in Section R302.6 shall be protected as required by Section R302.11, Item 4.

(N) Section R302.7 Under-stair protection; amend to read as follows:

R302.7 Under stair protection. Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch (15.8 mm) fire-rated gypsum board or one-hour fire-resistive construction.

(O) Section R303.3 Bathrooms; amend Exception to read as follows:

Exception: The glazed areas shall not be required where artificial light and a mechanical ventilation system, complying with one of the following, are provided.

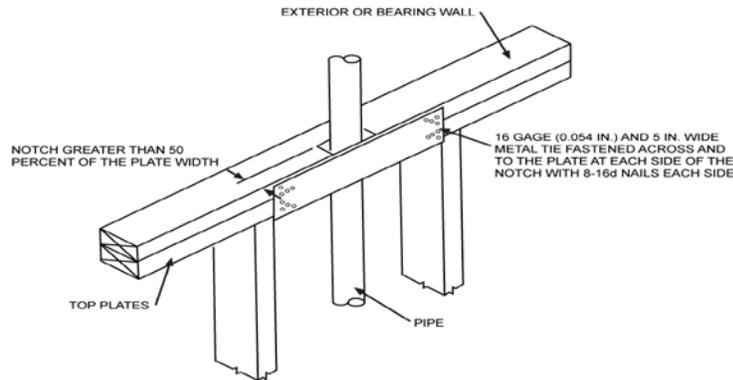
1. The minimum ventilation rates shall be 50 cfm (24 L/s) for intermittent ventilation or 20 cfm (10 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside.
2. Bathrooms that contain only a water closet, a lavatory, or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(P) Section 602.6.1 Drilling and notching of top plate; amend to read as follows:

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1.

(Q) Figure R602.6.1; replace the figure with the following:

WALL CONSTRUCTION



For SI: 1 inch = 25.4 mm

FIGURE R602.6.1
TOP PLATE FRAMING TO ACCOMMODATE PIPING

(R) Section R703.7.4.1 Size and spacing; add a second paragraph to read as follows:

In stud framed exterior walls, all ties shall be anchored to studs as follows:

1. When studs are 16 in (407 mm) o.c., stud ties shall be spaced no further apart than 24 in (737 mm) vertically starting approximately 12 in (381 mm) from the foundation; or
2. When studs are 24 in (610 mm) o.c., stud ties shall be spaced no further apart than 16 in (483 mm) vertically starting approximately 8 in (254 mm) from the foundation.

(S) Section R902.1 Roofing covering materials; amend to read as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed in areas designated by law as requiring their use or when the edge of the roof is less than 3 feet (914 mm) from a property line. Classes A, B and C roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.
3. Non-classified roof coverings shall be permitted on one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed (area defined by jurisdiction).

(T) Section R907.1 General; amend to read as follows:

R907.1 General. Materials and methods of application used for re-covering or replacing an existing roof covering shall comply with the requirements of Chapter 9. All individual replacement shingles or shakes shall comply with Section R902.1.

{bulk of section to read the same}

(U) Section N1101.2 Compliance; add Section N1101.2.2 to read as follows:

N1101.2.2 Compliance software tools. Software tools used to demonstrate energy code compliance utilizing the UA alternative approach shall be approved by the building official. The PNL program REScheck™ is not acceptable for residential compliance.

Exception: When REScheck™ “UA Trade-off” compliance approach or the UA Alternate compliance approach method is used, the compliance certificate must demonstrate that the maximum glazed area does not exceed 15% of the conditioned floor area.

(V) Section N1102.1 Insulation and fenestration criteria; amend to read as follows:

N1102.1 Insulation and fenestration criteria. The building thermal envelope shall meet the requirements of Table N1102.1 based on the climate zone specified in Table N1101.2. The use of Tables N1102.1 and N1102.1.2 are limited to a maximum glazing area of 15% window area to floor area ratio.

(W) Section N1102.2 Specific insulation requirements; add Section N1102.2.12 to read as follows:

N1102.2.12. Insulation installed in walls. Insulation batts installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.

(X) Section M1305.1.3 Appliances in attics; amend to read as follows:

M1305.1.3 Appliances in attics. Attics containing appliances requiring access shall be provided with an opening and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) long measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring in accordance with Chapter 5 not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present along sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger and large enough to allow removal of the largest appliance. As a minimum, access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu items 1, 2, and 3 with prior approval of the building official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance can be serviced and removed through the required opening.
2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm wide for its entire length, the passageway shall be not more than 50 feet (15 250 mm) long.

(Y) Section M1305.1.3.1 Electrical requirements; amend to read as follows:

M1305.1.3.1 Electrical requirements. A luminaire controlled by a switch located at the required passage-way opening and a receptacle outlet shall be installed at or near the appliance location in accordance with Chapter 39. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

(Z) Section M1305.1.4.1 Ground clearance; amend to read as follows:

M1305.1.4.1 Ground clearance. Equipment and appliances supported from the ground shall be level and firmly supported on a concrete slab or other approved material extending above the adjoining ground a minimum of 3 inches (76 mm). Appliances suspended from the floor shall have a clearance of not less than 6 inches (152 mm) above the ground.

(AA) Section M1305.1.4.3 Electrical requirements; amend to read as follows:

M1305.1.4.3 Electrical requirements. A luminaire controlled by a switch located at the required passage-way opening and a receptacle outlet shall be installed at or near the appliance location in accordance with Chapter 39. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

(BB) Section M1411.3 Condensate disposal; amend to read as follows:

M1411.3 Condensate disposal. Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to a sanitary sewer through a trap, by means of a direct or indirect drain. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than 1/8 unit vertical in 12 units horizontal (1-percent slope). Condensate shall not discharge into a street, alley or other areas where it would cause a nuisance.

(CC) Section M1411.3.1 Auxiliary and secondary drain systems; amend method 3 and 4 to read as follows:

3. An auxiliary drain pan without a separate drain line shall be installed under the coils on which condensation will occur. This pan shall be equipped with a water level detection device conforming to UL 508 that will shut off the equipment served prior to overflow of the pan. The pan shall be equipped with a fitting to allow for drainage. The auxiliary drain pan shall be constructed in accordance with Item 1 of this section. A water level detection device may be installed only with prior approval of the building official.
4. A water level detection device conforming to UL 508 shall be installed that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line or the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan. A water level detection device may be installed only with prior approval of the building official.

- (DD) Section M1411.3.1.1 Water-leveling monitoring devices; amend to read as follows:

M1411.3.1.1 Water-level monitoring devices. On down-flow units and all other coils that have no secondary drain or provisions to install a secondary or auxiliary drain pan, a water-level monitoring device shall be installed inside the primary drain pan. This device shall shut off the equipment served in the event that the primary drain becomes restricted. Devices shall not be installed in the drain line. A water level detection device may be installed only with prior approval of the building official.

- (EE) SECTION M1501 GENERAL; add Section M1501.2 to read as follows:

M1501.2 Material and size. Exhaust ducts shall have a smooth interior finish and shall be constructed of metal a minimum 0.016-inch (0.4mm) thick. The exhaust duct size shall be 4 inches (102 mm) nominal in diameter. Duct size shall not be reduced along its developed length or at termination.

- (FF) SECTION M1501 GENERAL; add Section M1501.3 to read as follows:

M1501.3 Specified length. The maximum length of the exhaust duct shall be 35 feet (10668 mm) from the connection to the transition duct from the appliance to the outlet terminal. Where fittings are used, the maximum length of the exhaust duct shall be reduced in accordance with Table M1502.4.4.1.

- (GG) Section M2005.2 Prohibited locations; amend to read as follows:

M2005.2 Prohibited locations. Fuel-fired water heaters shall not be installed in a room used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that combustion air will not be taken from the living space. Access to such enclosure may be from the bedroom or bathroom when through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the International Energy Conservation Code and equipped with an approved self-closing device. Installation of direct-vent water heaters within an enclosure is not required.

- (HH) Section G2412.5 (401.5) Identification; add a second paragraph to read as follows:

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

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

- (II) Section G2413.3 (402.3) Sizing; add Exception to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EDH).

- (JJ) Section G2415.10 (404.10) Minimum burial depth; amend to read as follows:

G2415.10 (404.10) Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18 inches (457 mm) below grade, except as provided for in Section G2415.10.1.

- (KK) Section G2417.1 (406.1) General; amend to read as follows:

G2417.1 (406.1) General. Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 2417.1.1 through 2417.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the building official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

(LL) Section G2417.4 (406.4) Test pressure measurement; amend to read as follows:

G2417.4 (406.4) Test pressure measurement. Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure.

(MM) Section G2417.4.1 (406.4.1) Test pressure; amend to read as follows:

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be not less than one and 3 psig (20 kPa gauge), or at the discretion of the Building Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. For tests requiring a pressure of 3 psig, gauges shall utilize a dial with a minimum diaphragm diameter of three and one half inches (3 ½”), a set hand, 1/10 pound incrimination and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½”), a set hand, a minimum of 2/10 pound incrimination and a pressure range not to exceed 20 psi.

For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

(NN) Section G2417.4.2 (406.4.2) Test duration; amend to read as follows:

G2417.4.2 (406.4.2) Test duration. The test duration shall be held for a length of time satisfactory to the Building Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Building Official, but in no case for less than thirty (30) minutes.

(OO) Section G2420.1 (409.1) General; add Section G2420.1.4 (409.1.4) to read as follows:

G2420.1.4 (409.1.4) Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

(PP) Section G2420.5.1 (409.5.1) Located within the same room; amend to read as follows:

G2420.5.1 (409.5.1) Located within the same room. The shutoff valve shall be located in the same room as the appliance. The shutoff valve shall be within 6 feet (1829 mm) of the appliance, and shall be installed upstream of the union, connector or quick disconnect device it serves. Such shutoff valves shall be provided with access. Appliance shutoff valves located in the firebox of a fireplace shall be installed in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

(QQ) Section G2421.1 (410.1) Pressure regulators; amend to read as follows:

G2421.1 (410.1) Pressure regulators. A line pressure regulator shall be installed where the appliance is designed to operate at a lower pressure than the supply pressure. Line gas pressure regulators shall be listed as complying with ANSI Z21.80. Access shall be provided to pressure regulators. Pressure regulators shall be protected from physical damage. Regulators installed on the exterior of the building shall be approved for outdoor installation. Access to regulators shall comply with the requirements for access to appliances as specified in Section M1305.

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

(RR) Section G2422.1.2.3 (411.1.3.3) Prohibited locations and penetrations. Delete Exceptions 1 and 4 and renumber to read as follows:

Exceptions:

1. Rigid steel pipe connectors shall be permitted to extend through openings in appliance housings.
2. Fireplace inserts that are factory equipped with grommets, sleeves or other means of protection in accordance with the listing of the appliance.

(SS) Section G2439.5 (614.6) Domestic clothes dryer exhaust ducts; amend to read as follows:

G2439.5 (614.6) Domestic clothes dryer exhaust ducts. Exhaust ducts for domestic clothes dryers shall conform to the requirements of Sections G2439.5.1 through G2439.5.7. The size of duct shall not be reduced along its developed length nor at the point of termination.

(TT) Section G2445.2 (621.2); add Exception to read as follows:

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

(UU) Section G2448.1.1 (624.1.1) Installation requirements; amend to read as follows:

G2448.1.1 (624.1.1) Installation requirements. The requirements for water heaters relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with this code.

(VV) Section P2503.6 Shower liner test; amend to read as follows:

P2503.6 Shower liner test. Where shower floors and receptors are made water tight by the application of materials required by Section P2709.2, the completed liner installation shall be tested. The pipe from the shower drain shall be plugged water tight for the test. Water shall be held in the section under test for a period of 15 minutes. The system shall prove leak free by visual inspection.

(WW) Section P2709.2 Lining required; add Exception to read as follows:

Exception: Showers designed to comply with ICC/ANSI A117.1.

(XX) Section P2717.2 Sink and dishwasher; amend to read as follows:

P2717.2 Sink and dishwasher. A sink and dishwasher are permitted to discharge through a single 1 1/2-inch (38 mm) trap. The discharge pipe from the dishwasher shall be increased to a minimum of 3/4 inch (19 mm) in diameter and shall be connected with a wye fitting to the sink tailpiece. The waste line of a domestic dishwashing machine discharging into a kitchen sink tailpiece shall connect to a deck mounted air break.

(YY) Section P2717.3 Sink, dishwasher and food grinder; amend to read as follows:

P2717.3 Sink, dishwasher and food grinder. The combined discharge from a sink, dishwasher, and waste grinder is permitted to discharge through a single 1 1/2 inch (38 mm) trap. The discharge pipe from the dishwasher shall be increased to a minimum of 3/4 inch (19 mm) in diameter and shall connect with a wye fitting between the discharge of the food-waste grinder and the trap inlet or to the head of the food grinder. The waste line of a domestic dishwashing machine discharging into a kitchen sink tailpiece or food waste grinder shall connect to a deck mounted air break.

(ZZ) Section P2801.6 Water heaters installed in garages; add Exception to read as follows:

Exceptions:

1. Elevation of the ignition source is not required for water heaters that are listed as flammable vapor resistant and for installation without elevation.
2. Electric Water Heater.

(AAA) Section P2902.5.3 Lawn irrigation systems; amend to read as follows:

P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a

reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(BBB) Section P3005.2.6 Base of stacks; amend to read as follows:

P3005.2.6 Upper Terminal. Each horizontal drain shall be provided with a cleanout at its upper terminal.

Exception: Cleanouts may be omitted on a horizontal drain less than five (5) feet (1524 mm) in length unless such line is serving sinks or urinals.

(CCC) SECTION P3111 COMBINATION WASTE AND VENT SYSTEM; delete SECTION P3111.

(DDD) Section P3112.2 Vent connection; amend to read as follows:

P3112.2 Installation. Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, but not less than the drain board height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six (6) inches (152 mm) above the flood level rim of the fixtures served. Drainage fittings shall be used on all parts of the vent below the floor level and a minimum slope of one-quarter (1/4) inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drain board shall be a one (1) piece fitting or an assembly of a forty-five (45) degree (0.79 radius), a ninety (90) degree (1.6 radius) and a forty-five (45) degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this Code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

Sec. 4-5-3. City of Weatherford amendments.

(A) Section R313 Automatic Fire Sprinkler Systems is repealed in its entirety.

Chapter 6. Electrical Code.

Sec. 4-6-1. National Electrical Code adopted.

The National Electrical Code, 2008 edition, as recommended by the National Fire Protection Agency and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-6-2. NCTCOG National Electrical Code amendments.

(A) Section 500.8(A)(3); amend to read as follows:

(3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or an engineering judgment signed and sealed by a qualified Registered Professional Engineer.

FPN: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information.

(B) Section 505.7(A); amend to read as follows:

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed by qualified Registered Professional Engineer.

(C) Section 680.25(A) Wiring Methods; amend to read as follows:

(A) Wiring Methods. Feeders shall be installed in rigid metal conduit, intermediate metal conduit, liquidtight flexible nonmetallic conduit, rigid polyvinyl chloride conduit, or reinforced thermosetting resin conduit. Electrical metallic tubing shall be permitted where installed on or within a building, and electrical nonmetallic tubing shall be permitted where installed within a building, or nonmetallic-sheathed cable or type SE cable shall be permitted where installed within or on the building served. Aluminum conduits shall not be permitted in the pool area where subject to corrosion.

Exception: An existing feeder between an existing remote panel board and service equipment shall be permitted to run in flexible metal conduit or an approved cable assembly that includes an equipment grounding conductor within its outer sheath. The equipment grounding conductor shall comply with 250.24(A)(5).

Sec. 4-6-3. City of Weatherford amendments.

Reserved.

Chapter 7. Existing Building Code.

Sec. 4-7-1. International Existing Building Code adopted.

The International Existing Building Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-7-2. NCTCOG Existing Building Code amendments.

Reserved.

Sec. 4-7-3. City of Weatherford amendments.

(A) Chapter 1 Administration is repealed in its entirety.

Chapter 8. Mechanical Code.

Sec. 4-8-1. International Mechanical Code adopted.

The International Mechanical Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-8-2. NCTCOG International Mechanical Code amendments.

(A) Section 304.6 Public garages; delete Section 304.6.

(B) Section 306.3 Appliances in attics; amend to read as follows:

306.3 Appliances in attics. Attics containing appliances requiring access shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. Access panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.
2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15 250 mm) in length.

(C) Section 306.5 Equipment and appliances on roofs or elevated structures; amend to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. Where equipment requiring access and appliances are installed on roofs or elevated structures at an aggregate height exceeding 16 feet (4877 mm), such access shall be provided by a permanent approved means of access. Permanent exterior ladders providing roof access need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) high or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). Where access involves climbing over parapet walls, the height shall be measured to the top of the parapet wall.

{bulk of section to read the same}

(D) Section 306.5.1 Sloped roofs; amend to read as follows:

306.5.1 Sloped roofs. Where appliances, equipment, fans or other components that require service are installed on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any

dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code.

- (E) SECTION 306 ACCESS AND SERVICE SPACE; add Section 306.6 and Section 306.6.1 to read as follows:

306.6 Water heaters above ground or floor. When the mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

306.6.1 Lighting. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

- (F) Section 307.2.2 Drain pipe materials and sizes; amend to read as follows:

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, temperature, and exposure rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the *International Plumbing Code* relative to the material type. Condensate waste and drain line size shall be not less than 3/4-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2.

- (G) Section 307.2.3 Auxiliary and secondary drain systems; amend method 2 to read as follows:

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

- (H) Section 403.2.1 Recirculation of air; add exception 5 to read as follows:

5. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

- (I) Section 501.2 Exhaust discharge; add Exception 3 to read as follows:

3. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

(J) Section 504.6 Domestic clothes dryer ducts; amend to read as follows:

504.6 Domestic clothes dryer ducts. Exhaust ducts for domestic clothes dryers shall conform to the requirements of Sections 504.6.1 through 504.6.7. The size of duct shall not be reduced along its developed length nor at the point of termination.

(K) Section 607.5.1 Fire walls; amend to read as follows:

607.5.1 Fire Walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1-510.9 IMC.

Sec. 4-8-3. City of Weatherford amendments.

(B) Chapter 1 Administration is repealed in its entirety.

Chapter 9. Plumbing Code.

Sec. 4-9-1. International Plumbing Code adopted.

The International Plumbing Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-9-2. NCTCOG International Plumbing Code amendments.

(A) Section 305.6.1 Sewer depth; amend to read as follows:

305.6.1 Sewer depth. Building sewers shall be a minimum of 12 inches (304 mm) below grade.

(B) Section 305.9 Protection of components of plumbing system; amend to read as follows:

305.9 Protection of components of plumbing system. Components of a plumbing system installed within 3 feet along alleyways, driveways, parking garages or other locations in a manner in which they would be exposed to damage shall be recessed into the wall or otherwise protected in an approved manner.

(C) Section 312.10.1 Inspections; amend to read as follows:

312.10.1 Inspections. Annual inspections shall be made of all backflow prevention assemblies and air gaps to determine whether they are operable. In the absence of local provisions, the owner is responsible to ensure that testing is performed.

(D) Section 312.10.2 Testing; amend to read as follows:

312.10.2 Testing. Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, pressure vacuum breaker assemblies, reduced pressure detector fire protection backflow prevention assemblies, double check detector fire protection backflow prevention assemblies, hose connection backflow preventers, and spill-proof vacuum breakers shall be tested at the time of installation, immediately after repairs or relocation and at least annually. The testing procedure shall be performed in accordance with applicable local

provisions. In the absence of local provisions, the owner is responsible to ensure that testing is done in accordance with one of the following standards:

ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10 OR CSA B64.10.1.

(E) Section 314.2.1 Condensate disposal; amend to read as follows:

314.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1-percent slope). Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

(F) Section 314.2.2 Drain pipe materials and sizes; amend to read as follows:

314.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polyethylene, ABS, CPVC, or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, and temperature and exposure rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 relative to the material type. Condensate waste and drain line size shall not be less than ¾-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 314.2.2. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope.

(G) Section 401.1 Scope; amend to read as follows:

401.1 Scope. This chapter shall govern the materials, design and installation of plumbing fixtures, faucets and fixture fittings in accordance with the type of occupancy, and shall provide for the minimum number of fixtures for various types of occupancies. The provisions of this Chapter are meant to work in coordination with the provisions of the Building Code. Should any conflicts arise between the two chapters, the Code Official shall determine which provision applies.

(H) Section 403.1 Minimum number of fixtures; amend to read as follows:

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as follows:

1. Assembly Occupancies: At least one drinking fountain shall be provided at each floor level in an approved location.

Exception: A drinking fountain need not be provided in a drinking or dining establishment.

2. Groups A, B, F, H, I, M and S Occupancies: Buildings or portions thereof where persons are employed shall be provided with at least one water closet for each sex except as provided for in Section 403.2.
3. Group E Occupancies: Shall be provided with fixtures as shown in Table 403.1.

4. Group R Occupancies: Shall be provided with fixtures as shown in Table 403.1.

It is recommended, but not required, that the minimum number of fixtures provided also comply with the number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be considered individually by the code official. The number of occupants shall be determined by the International Building Code. Occupancy classification shall be determined in accordance with the International Building Code.

- (I) Section 405.6 Plumbing in mental health centers; delete Section 405.6.

- (J) Section 409.2 Water connection; amend to read as follows:

409.2 Water connection. The water supply to a commercial dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608.

- (K) Section 410.1 Approval; amend to read as follows:

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1M, ASME A112.19.2M or ASME A112.19.9M, and water coolers shall conform to ARI 1010. Drinking fountains and water coolers shall conform to NSF 61, Section 9.

Exception: A drinking fountain need not be provided in a drinking or dining establishment.

- (L) Section 412.4 Public laundries and central washing facilities; amend to read as follows:

412.4 Required location. Floor drains shall be installed in the following areas:

1. In public coin-operated laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.
2. In lieu of floor drains in commercial kitchens, the code official may accept floor sinks.

- (M) Section 417.5 Shower floors or receptors; amend to read as follows:

417.5 Shower floors or receptors. Floor surfaces shall be constructed of impervious, noncorrosive, nonabsorbent and waterproof materials.

Thresholds shall be a minimum of 2 inches (51 mm) and a maximum of 9 inches (229 mm), measured from top of the drain to top of threshold or dam. Thresholds shall be of sufficient width to accommodate a minimum twenty-two (22) inch (559 mm) door.

Exception: Showers designed to comply with ICC/ANSI A117.1.

- (N) Section 417.5.2 Shower lining; amend to read as follows:

417.5.2 Shower lining. Floors under shower compartments, except where prefabricated receptors have been provided, shall be lined and made water tight utilizing material complying with Sections 417.5.2.1 through 417.5.2.5. Such liners shall turn up on all sides at least 3 inches (76 mm) above the finished threshold level and shall extend outward over the threshold and fastened to the outside of the threshold jamb. Liners shall be recessed and fastened to an

approved backing so as not to occupy the space required for wall covering, and shall not be nailed or perforated at any point less than 1 inch (25 mm) above the finished threshold. Liners shall be pitched one-fourth unit vertical in 12 units horizontal (2-percent slope) and shall be sloped toward the fixture drains and be securely fastened to the waste outlet at the seepage entrance, making a water-tight joint between the liner and the outlet. The completed liner shall be tested in accordance with Section 312.9 and Section 417.7.

(O) SECTION 417 SHOWERS; add Section 417.7 to read as follows:

417.7 Test for shower receptors. Shower receptors shall be tested for water tightness by filling with water to the level of the rough threshold. The drain shall be plugged in a manner so that both sides of pans shall be subjected to the test at the point where it is clamped to the drain.

(P) Section 419.3 Surrounding material; amend to read as follows:

419.3 Surrounding material. Wall and floor space to a point 2 feet (610 mm) in front of a urinal lip and 4 feet (1219 mm) above the floor and at least 2 feet (610 mm) to each side of the urinal shall be waterproofed with a smooth, readily cleanable, hard, nonabsorbent material.

(Q) Section 502.3 Water heaters installed in attics; amend to read as follows:

502.3 Water heaters installed in attics. Attics containing a water heater shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm) , or larger where such dimensions are not large enough to allow removal of the water heater.

(R) SECTION 502 INSTALLATION; add Section 502.6 to read as follows:

502.6 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

502.6.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 502.1.

(S) Section 504.6 Requirements for discharge piping; amend to read as follows:

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap.
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

Exception: Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.

5. Discharge to an indirect waste receptor or to the outdoors. Where discharging to the outdoors in areas subject to freezing, discharge piping shall be first piped to an indirect waste receptor through an air gap located in a conditioned area.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Not terminate less than 6 inches or more than 24 inches (152 mm) above grade nor more than 6 inches above the waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.

(T) Section 604.4 Maximum flow and water consumption; add Section 604.4.1 to read as follows:

604.4.1 State maximum flow rate. Where the State mandated maximum flow rate is more restrictive than those of this section, the State flow rate shall take precedence.

(U) Section 606.1 Location of full-open valves; delete locations 4 and 5 and renumber remaining sections.

(V) Section 606.2 Location of shutoff valves; amend to read as follows:

606.2 Location of shutoff valves. Shutoff valves shall be installed in the following locations:

1. On the fixture supply to each plumbing fixture other than bathtubs and showers in one- and two-family residential occupancies, and other than in individual sleeping units that are provided with unit shutoff valves in hotels, motels, boarding houses and similar occupancies.
2. On the water supply pipe to each appliance or mechanical equipment.

(W) Section 608.1 General; amend to read as follows:

608.1 General. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from nonpotable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to applicable local regulations, Table 608.1, and as specifically stated in Sections 608.2 through 608.16.10.

(X) Section 608.16.5 Connection to lawn irrigation systems; amend to read as follows:

608.16.5 Connections to lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Y) Section 608.17 Protection of individual water supplies; amend to read as follows:

608.17 Protection of individual water supplies. An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with applicable local regulations. In the absence of other local regulations, installation shall be in accordance with Sections 608.17.1 through 608.17.8.

(Z) Section 610.1 General; add exception to read as follows:

Exception: With prior approval the Code Official may wave this requirement when deemed un-necessary by the Code Official.

(AA) SECTION 712 SUMPS AND EJECTORS; add Section 712.5 to read as follows:

712.5 Dual Pump System. All sumps shall be automatically discharged and, when in any "public use" occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

(BB) SECTION 714 COMPUTERIZED DRAINAGE SYSTEM; amend to read as follows:

SECTION 714
ENGINEERED DRAINAGE DESIGN

(CC) Section 714.1 Design of drainage system; amend to read as follows:

714.1 Design of drainage system. The sizing, design and layout of the drainage system shall be permitted to be designed by approved design methods.

(DD) Section 802.1.6 Domestic dishwashing machines; amend to read as follows:

802.1.6 Domestic dishwashing machines. Domestic dishwashing machines shall discharge indirectly through an air gap or air break into a standpipe or waste receptor in accordance with Section 802.2, or discharge into a wye-branch fitting on the tailpiece of the kitchen sink or the dishwasher connection of a food

waste grinder. The waste line of a domestic dishwashing machine discharging into a kitchen sink tailpiece or food waste grinder shall connect to a deck-mounted air gap.

(EE) Section 802.4 Standpipes; amend to read as follows:

802.4 Standpipes. Standpipes shall be individually trapped. Standpipes shall extend a minimum of 18 inches (457 mm) and a maximum of 42 inches (1066 mm) above the trap weir. Access shall be provided to all standpipes and drains for rodding. No standpipe shall be installed below the ground.

(FF) Section 904.1 Roof extension; amend to read as follows:

904.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least six (6) inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

(GG) Section 906.1 Distance of trap from vent; amend to read as follows:

906.1 Distance of trap from vent. Each fixture trap shall have a protecting vent located so that the slope and the developed length in the fixture drain from the trap weir to the vent fitting are within the requirements set forth in Table 906.1.

(HH) Section 912.1 Type of fixture; amend to read as follows:

912.1 Type of fixture. A combination drain and vent system shall not serve fixtures other than floor drains, standpipes, and indirect waste receptors. Combination drain and vent systems shall not receive the discharge from a food waste grinder or clinical sink.

(II) Section 1002.10 Plumbing in mental health centers; delete Section 1002.10.

(JJ) Section 1101.8 Cleanouts required; amend to read as follows:

1101.8 Cleanouts required. Cleanouts shall be installed in the building storm drainage system and shall comply with the provisions of this code for sanitary drainage pipe cleanouts.

Exception: Subsurface drainage system

(KK) Section 1106.1 General; amend to read as follows:

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour rainfall rate.

(LL) Section 1107.3 Sizing of secondary drains; amend to read as follows:

1107.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

(MM) Section 1202.1 Nonflammable medical gases; delete Exception 2.

Sec. 4-9-3. City of Weatherford amendments.

(A) Chapter 1 Administration is repealed in its entirety.

- (B) Section 403.2 Separate facilities. Add exception 4.

Exceptions:

3. In existing buildings separate facilities shall not be required in established mercantile or business occupancies where on restroom exists and there is a maximum occupant load of 100 or less in mercantile or a business occupancy with a maximum occupant load of 30 or less.

- (C) Section 403.3 Required public toilet facilities. Add exception.

Exception:

1. Access to public toilet facilities in retail occupancies by customers, patrons and visitors shall comply with the Texas Health and Safety Code, Title 5, Chapter 341, Section 341.069 regulations.

Chapter 10. Fuel Gas Code.

Sec. 4-10-1. International Fuel Gas Code adopted.

The International Fuel Gas Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-10-2. NCTCOG International Fuel Gas Code amendments.

- (A) Section 102.2 Existing installations; add an exception to read as follows:

Exception: Existing dwelling units shall comply with Section 621.2.

- (B) Section 102.8 Referenced codes and standards; amend to read as follows:

304.10 Louvers and grilles. The required size of openings for combustion, ventilation and dilution air shall be based on the net free area of each opening. Where the free area through a design of louver, grille or screen is known, it shall be used in calculating the size opening required to provide the free area specified. Where the design and free area of louvers and grilles are not known, it shall be assumed that wood louvers will have 25-percent free area and metal louvers and grilles will have 50-percent free area. Screens shall have a mesh size not smaller than $\frac{1}{4}$ inch (6.4 mm). Non-motorized louvers and grilles shall be fixed in the open position. Motorized louvers shall be interlocked with the appliance so that they are proven to be in the full open position prior to main burner ignition and during main burner operation. Means shall be provided to prevent the main burner from igniting if the louvers fail to open during burner start-up and to shut down the main burner if the louvers close during operation.

- (C) Section 304.11 Combustion air ducts; amend compliance 8 to read as follows:

8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 12 inches (305 mm) vertically from the adjoining ground level or the manufacturer's recommendation, whichever is more restrictive.

- (D) Section 305.5 Private garages; delete Section 305.5.

- (E) Section 306.3 Appliances in attics; amend to read as follows:

[M] 306.3 Appliances in attics. Attics containing appliances requiring access shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall not be less than

30 inches (762 mm) high and 22 inches (559 mm) wide and nor more than 20 feet (6096 mm in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.
2. Where the passageway is not less than 6 feet (1829 mm) high for its entire length, the passageway shall be not greater than 50 feet (15250 mm) in length.

(F) Section 306.5 Equipment and appliances on roofs or elevated structures; amend to read as follows:

[M] 306.5 Equipment and appliances on roofs or elevated structures. Where equipment requiring access and appliances are installed on roofs or elevated structures at an aggregate height exceeding 16 feet (4877 mm), such access shall be provided by a permanent approved means of access. Permanent exterior ladders providing roof access need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) high or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). Where access involves climbing over parapet walls, the height shall be measured to the top of the parapet wall.

{bulk of section to read the same}

(G) Section 306.5.1 Sloped roofs; amend to read as follows:

[M] 306.5.1 Sloped roofs. Where appliances, equipment, fans or other components that require service are installed on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to

prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code.

- (H) SECTION 306 (IFGC) ACCESS AND SERVICE SPACE; add Section 306.7 with exception and subsection 306.7.1 to read as follows:

306.7 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger when approved by the code official) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

306.7.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

- (I) Section 401.5 Identification; add a second paragraph to read as follows:

Both ends of each section of medium pressure corrugated stainless steel tubing (CSST) shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag: "WARNING 1/2 to 5 psi gas pressure Do Not Remove"

- (J) Section 402.3 Sizing; add an exception to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EHD).

- (K) Section 404.10 Minimum burial depth; amend to read as follows:

404.10 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) top of pipe below grade, except as provided for in Section 404.10.1.

- (L) Section 404.10.1 Individual outside appliances; delete Section 404.10.1.

- (M) Section 406.1 General; amend to read as follows:

406.1 General. Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 406.1.1 through 406.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

- (N) Section 406.4 Test pressure measurement; amend to read as follows:

406.4 Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to

read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made.

(O) Section 406.4.1 Test pressure; amend to read as follows:

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

(P) Section 406.4.2 Test duration; amend to read as follows:

406.4.2 Test duration. Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than thirty (30) minutes. (Delete remainder of section.)

(Q) Section 409.1 General; add subsection 409.1.4 to read as follows:

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

(R) Section 410.1 Pressure regulators; add a second paragraph and exception to read as follows:

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

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

(S) Section 614.6 Domestic clothes dryer exhaust ducts; amend to read as follows:

[M] 614.6 Domestic clothes dryer exhaust ducts. Exhaust ducts for domestic clothes dryers shall conform to the requirements of Sections 614.6.1 through 614.6.7. The size of duct shall not be reduced along its developed length nor at the point of termination.

(T) Section 621.2 Prohibited use; add exception to read as follows:

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

(U) Section 624.1.1 Installation requirements; amend to read as follows:

624.1.1 Installation requirements. The requirements for water heaters relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with the International Plumbing Code.

Sec. 4-10-3. City of Weatherford amendments.

Reserved.

Chapter 11. Property Maintenance Code.

Sec. 4-11-1. International Property Maintenance Code adopted.

The International Property Maintenance Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for buildings and structures in the City of Weatherford, Texas.

Sec. 4-11-2. NCTCOG International Property Maintenance Code.

Reserved

Sec. 4-11-2. City of Weatherford amendments.

The International Property Maintenance Code - 2009 Edition of the International Code Council having been heretofore adopted as the Property Maintenance Code of the City of Weatherford effective January 1, 2014 is hereby revised and amended as set forth herein and codified as Title IV, Chapter 11 of the City Code of Weatherford.. All references to section numbers are to those sections of the 2009 International Property Maintenance Code.

(A) Chapter 1, Section 101.1 is amended to read as follows:

This ordinance shall be known as The Property Maintenance Code of the City of Weatherford, Texas, and is hereinafter referred to as this code.

(B) Chapter 1, Section 102.3 is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accord with the procedures and provisions of the 2009 International

Residential Code and 2009 International Building Code as each has been adopted by the City of Weatherford and as each may hereafter be amended. Nothing in this code shall be constructed to modify, supersede, override or set aside any provision of the 2011 Zoning Ordinance as adopted by the City of Weatherford or as it may hereafter be amended.

(C) Chapter 1, Section 102.7 is amended to read as follows:

The codes and standards referenced in this code shall be those adopted by the City of Weatherford or that may hereafter be adopted by the City of Weatherford and shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall control.

(D) Chapter 1, Section 103 is amended to read as follows:

Section 103: Designation of Code Official

103.1 Repeal

103.2 Repeal

103.3 Deputies. The Code Official shall have the authority to designate deputy code officials, related technical officers and inspectors for purposes of enforcement of this code. All references in this code to the Code Official shall mean and include duly authorized deputies and employees of the Code Compliance Division.

103.4 Repeal

103.5 Repeal

(E) Chapter 1, Section 104 is repealed in its entirety:

(F) Chapter 1, Section 105 is repealed in its entirety:

(G) Chapter 1, Section 106 is amended to read as follows:

Section 106.1 General Offense. A person, firm or corporation commits an offense if the person, firm or corporation maintains premises in conflict with or in violation of any provision of this code. An offense under this code shall be a strict liability offense and shall require no proof of a culpable mental state. Each day that a violation continues shall constitute a separate and distinct offense.

Section 106.2 Citations and Notices of Violations. The Code Official and his designees shall be authorized to issue citations for violations under this Code. The Code Official and his designees shall also be authorized to issue a written notice for abatement of violation. Nothing herein shall be construed to require the Code Official or his designees to issue a notice for abatement of violation prior to or as a condition for issuance of a citation for a violation.

Section 106.3 Repeal

Section 106.4 Renumber as Section 106.3

Section 106.3 Penalties. An offense under this code shall be punishable by a fine not to exceed \$500.00.

Section 106.4 Repeal

Section 106.5 Renumber as Section 106.4

(H) Section 107 is repealed in its entirety.

(I) Section 108 is repealed in its entirety.

(J) Section 109 is repealed in its entirety.

(K) Section 110 is repealed in its entirety.

(L) Section 111 is repealed in its entirety.

(M) Section 112 is repealed in its entirety.

(N) New Section 107 is adopted to read as follows:

SECTION 107 SUBSTANDARD BUILDINGS

Section 107.1.

- (a) General Authority. All buildings and structures, or portions thereof, which are determined to be in violation of the provisions of Section 108.2 below are hereby declared to be substandard; to constitute a hazard to the public health, safety and welfare; and to be a public nuisance subject to abatement by repair, rehabilitation, demolition or removal in accord with the procedures of this Section. Proceedings for the repair or rehabilitation of structures found to be in violation of the provisions of this Code or any of the following codes may be initiated and conducted before the Building and Standards Commission of the City of Weatherford in accord with the procedures set forth in this Section. Nothing herein shall be construed to limit any right, privilege or other remedy available to the City of Weatherford either at law or in equity for the repair rehabilitation or demolition of a structure.
- (b) Minimum standards prescribed. The provisions of the following codes and ordinances, as adopted by the City of Weatherford and as they may hereafter be amended, are declared to establish the minimum standards of this jurisdiction for the continued use and occupancy of any structure or occupancy regardless of the date of construction of same: 2009 International Building Code; 2009 International Existing Building Code; 2009 International Residential Code; 2009 International Energy Conservation Code; 2009 International Plumbing Code; 2009 International Mechanical Code; 2008

National Electrical Code; 2009 International Fire Code; and 2009 International Property Maintenance Code.

- (c) Responsibility for property. The owner of any premises within the City of Weatherford shall be responsible for maintaining the premises in compliance with the minimum standards set forth above. The standards herein are intended to complement the requirements of any other applicable code or ordinance of the City of Weatherford and are not intended to nor shall they be deemed to lower any more restrictive or stringent standard required by codes in effect at the time of original construction or subsequent remodeling. The duty of the owner to maintain premises is not eliminated or superseded by any duty this ordinance creates in occupants or tenants of the premises. It is the intent of this ordinance that both owner and occupant shall have the duty of maintenance of premises within the City of Weatherford.

Section 107.2 Authority Regarding Particular Substandard Buildings: Pursuant to the authority of Chapter 214 of the Texas Local Government Code, the City of Weatherford, through its duly appointed boards and/or commissions, is hereby authorized to require the vacation, relocation of occupants, securing, repair, removal or demolition of a building which is:

1. dilapidated or substandard such as to be unfit for human habitation and a hazard to the public health, safety and welfare;

For purposes of this section and chapter, the term unfit for human habitation and a hazard to the public health, safety and welfare shall include, but is not limited to, buildings or structures which meet any one or more of the following criteria:

- a. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
- b. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
- c. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
- d. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
- e. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or

movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

- f. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
 - g. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
 - h. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
 - i. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
 - j. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
 - k. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.
2. regardless of its structural condition, is unoccupied by its owners, lessees, or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as place of harborage or could be entered or used by children; or
 3. boarded up, fenced, or otherwise secured in any manner if:
 - (a) the building constitutes a danger to the public even though secured from entry; or
 - (b) the means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by Subsection 2 above.

Section 107.3 Notice of Determination as Substandard Building. Prior to initiating any proceeding for the vacation, relocation of occupants, repair, removal or demolition of a structure determined to be in violation of any provision of Section 107.2 above, the Code Official shall forward written notice of the violation(s) by certified mail, return receipt requested, to the record owner of the property at the last known address of said owner. The written notice shall identify the violations or conditions in the structure which render it a substandard building as defined herein and shall provide a reasonable time in which the violations or conditions may be repaired and the structure brought into compliance with current applicable code requirements.

Section 107.4 Proceedings Before the Building and Standards Commission.

- (1) In the event of failure of the record owner of the subject building or structure to comply with the directives of the written notice required in Section 107.3 above, the Code Official, through the Office of the City Attorney, may apply to the Building and Standards Commission for an order that the building or structure be vacated, secured, repaired, removed or demolished by the owner within a reasonable time.
- (2) Proceedings before the Building and Standards Commission shall be conducted in accord with the provisions of Title II, Chapter 6 of the City Code and the following provisions. Notice of the proceedings before the Commission shall be provided to the owner and to each mortgagee or lienholder of record on the property. Notice of a hearing before the Commission sent to an owner, lienholder or mortgagee must include a statement that the owner, lienholder or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the applicable codes and ordinances and the time it will take to reasonably perform the work.
3. At the public hearing to determine whether a building or structure falls within the conditions enumerated in Section 107.2 the owner, lien holder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to eliminate the violation of Section 107.2 and the time it will take to reasonably perform said work.
4. If the Commission determines at the public hearing that the building or structure is in violation of any provision(s) of Section 107.2, the Commission shall require owner, lienholder or mortgagee of the building or structure to, within thirty days: (1) secure the building or structure from unauthorized entry; or (2) repair, remove or demolish the building or structure, unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within thirty (30) days. The Commission may, in its

discretion, provide in its order that a mortgagee or lienholder shall have an additional reasonable period of time to comply with the order. The Commission may also order that the occupants, if any, of the structure be relocated within a reasonable time.

5. If the Commission allows the owner, lienholder or mortgagee more than thirty (30) days to repair, remove or demolish the building, the Commission shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder, or mortgagee to secure the property in a reasonable manner, as determined by the Commission, from unauthorized entry while the work is being performed.
6. The Commission may not allow the owner, lienholder or mortgagee more than ninety (90) days to repair, remove, or demolish the building or fully perform all work required to comply with the order unless the owner, lienholder or mortgagee:
 - a. submits a written detailed plan and time schedule for the work at the public hearing; and
 - b. establishes at the public hearing that the work cannot reasonably be completed within ninety (90) days due to the scope and complexity of the work required.

If the Commission allows the owner, lienholder, or mortgagee more than ninety (90) days to complete any part of the work required to repair, remove, or demolish the building, the Commission shall require the owner, lienholder or mortgagee to regularly submit progress reports to the Code Official to demonstrate compliance with the time schedules established for commencement and completion of the work. The order may require that the owner, lienholder, or mortgagee appear before the Commission or the Code Official to demonstrate compliance with the time schedules. If the owner, lienholder, or mortgagee owns property, including structures or improvements, within the boundaries of the City of Weatherford, which exceed \$100,000.00 in total value, the Commission may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of repairing, removing or demolishing a building under this Section. In lieu of a bond, the Commission may require the owner, lienholder or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the Commission. The bond must be posted, or the letter of credit or third party guaranty provided, not later than the 30th day after the date the Commission issues its order.

7. If a building or structure is not vacated, secured, repaired, removed or demolished or, if the occupants are not relocated within the time ordered by the Commission, the City may vacate, secure, remove or demolish the building at its own expense. This subsection in no way limits the ability of the City to collect on a bond or other financial guaranty that may be required by the Commission pursuant to the provisions of Subsection 6 above.
8. If the City incurs expenses under Subsection 7, which are not reimbursed or paid by collection on a bond or other financial guaranty, the City may assess the expenses on and the municipality has a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the building is located. The lien is extinguished, and required to be released, if the property owner or another person have an interest in the legal title to the property reimburses the City for the expenses. The lien arises and attaches to the property at the time the notice of the lien is recorded and indexed in the office of the county clerk in the county in which the property is located. The notice of the lien must contain the name and address of the owner if that information can be determined with reasonable effort, a legal description of the property on which the building was located, the amount of expenses incurred by the municipality, and the balance due and owing to the City. If notice is given and the opportunity to relocate the tenants of the building or to repair, remove or demolish the building is forwarded to each lienholder or mortgagee of the building, the City's lien is a privileged lien subordinate only to tax liens.
9. Within ten (10) days after the date the Commission's order is issued, the City shall:
 - a. file a copy of the order in the office of the City Secretary; and
 - b. publish in a newspaper of general circulation in the City a notice containing: the street address or legal description of the property; the date of the hearing; a brief statement indicating the results of the order; and instructions stating where a complete copy of the order may be obtained.
 - c. After the public hearing, the City shall promptly: mail, by certified mail with return receipt requested; delivery by the United States Postal Service using signature confirmation service; or, personally deliver a copy of the Commission's order to the owner of the building and to any lienholder or mortgagee of the property.
 - d. The City shall use its best efforts to determine the identity and address of any owner, lienholder or mortgagee of the building, structure or property.

10. If the City mails any notice required in this Section to a property owner, lienholder, or mortgagee and the United States Postal Service returns the notice as "refused" or "unclaimed", the validity of the notice is not affected and the notice is considered delivered.
11. As assessment of a civil penalty under this subsection, the City Secretary must file with the District Clerk of Parker County a certified copy of an order issued under this subsection stating the amount and duration of the civil penalty. No other proof is required for a district court to enter a final judgment on the penalty.
12. The City satisfies the requirements of this section to make a diligent effort, to use its best efforts or to make a reasonable effort to determine the identity and address of an owner, lienholder or mortgagee if the City searches the following records:
 - a. county real property records of the county in which the building is located;
 - b. appraisal district records of the appraisal district in which the building is located;
 - c. records of the secretary of state;
 - d. assumed name records of the county in which the building is located;
 - e. tax records of the municipality;
 - f. utility records of the municipality.

Section 107.5. Additional Authority Regarding Securing of Substandard Building.

1. The Code Official, or his designees, may secure a building the Code Official determines is in violation of the minimum standards provided in any of the International Codes as adopted by the City of Weatherford and enumerated above and is unoccupied or is occupied only by persons who do not have a right of possession to the building. The authority granted in this subsection is in addition to the authority granted under Subsection 107.4 above.
2. Before the 11th day after the date the building is secured, the Code Official shall give notice to the owner of the building by:
 - a. personally serving the owner with written notice;
 - b. depositing the notice in the United States mail addressed to the owner at the owner's post office address;
 - c. publishing the notice at least twice within a ten-day period in a newspaper of general circulation in the county in which the building is

- located if personal service cannot be effected and the owner's post office address is unknown; or
- d. posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown.
3. Notice under this subsection must contain:
 - a. an identification, which is not required to be a legal description, of the building and the property on which it is located;
 - b. a description of the violation of the ordinance or code provisions present in the building;
 - c. a statement that the City has or will secure, as the case may be, the building; and
 - d. an statement of the owner's entitlement to request a hearing about any matter relating to the City's securing of the building.
 4. The Building and Standards Commission shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the City's securing of the building if, within thirty (30) days after the date the City secures the building, the owner files with the City Secretary's Office a written request for such hearing. The Commission shall conduct the hearing within twenty (20) days after the date the request is filed.
 5. The City has the same authority to assess expenses under this subsection as it has to assess expenses under subsection 107.4.8. A lien is created under this subsection in the same manner that a lien is created under that subsection and is subject to the same conditions as a lien created under that subsection.

Section 107.6 Additional Authority Regarding Repair of Substandard Building

1. In addition to the authority granted to the City by Section 107.4 and 107.5 above, after the expiration of the time prescribed in a Commission order under Section 107.4 for the repair, removal or demolition of a building, the City may:
 - a. Repair the building at the expense of the City and assess the expenses on the land on which the building stands or to which it is attached. Expenses incurred by the City pursuant to this section shall be recoverable in the same manner as prescribed by Section 107.4.8., or
 - b. assess a civil penalty against the property owner for the failure to repair, remove or demolish the building.

2. The City may repair a building under this Subsection only to the extent necessary to bring the building into compliance with the minimum standards and only if the building is a residential building with ten (10) or fewer dwelling units. The repairs may not improve the building to the extent that the building exceeds minimum standards of the residential code.
3. The City shall impose a lien on the land on which the building stands or stood, unless it is a homestead as protected by the Texas Constitution, to secure the payment of the repair or the civil penalty. Promptly after the imposition of the lien, the City shall file for record, in the recordable form in the office of the county clerk of the county in which the land is located, a written notice of imposition of the lien. This notice must contain a legal description of the land.
4. Except as specifically otherwise provided in Section 107.4, the City's lien to secure the payment of a civil penalty or the cost of repairs under this Subsection is inferior to any previously recorded bona fide mortgage lien attached to the real property to which the municipality's lien attaches if the mortgage lien was filed for record in the office of the county clerk of the county in which the real property is located before the date the civil penalty is assessed or the repair is begun by the City. The City's lien is superior to all other previously recorded judgment liens.
5. Any civil penalty or other assessment imposed under this subsection accrues interest at the rate of ten percent (10%) a year from the date of the assessment until paid in full.
6. The City's right to the assessment lien may not be transferred to third parties.
7. In any judicial proceeding regarding enforcement of municipal rights under this subsection, the prevailing party is entitled to recover reasonable attorney's fees from the nonprevailing party.
8. A lien acquired under this section by a municipality for repair expenses may not be foreclosed if the property on which the repairs were made is occupied as a residential homestead by a person 65 years of age or older.
9. The City may, by order, assess and recover a civil penalty against a property owner at the time of a Commission hearing on violations of an ordinance, in an amount not to exceed \$1,000.00 per day for each violation or if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed \$10.00 per day for each violation if the City proves:
 - a. the property owner was notified of the requirements of the code or ordinance and the owner's need to comply with the requirements; and

- b. after notification, the property owner committed an act in violation of the ordinance or failed to take an act necessary to comply with the ordinance.
10. As assessment of a civil penalty under this subsection is final and binding and constitutes prima facie evidence of the penalty in any suit brought by the City in a court of competent jurisdiction for a final judgment in accord with the assessed penalty.
11. To enforce a civil penalty under this subsection, the City Secretary must file with the District Clerk of Parker County a certified copy of an order issued under this subsection stating the amount and duration of the civil penalty. No other proof is required for a district court to enter a final judgment on the penalty.

Section 107.7 Judicial Review

1. Any owner, lienholder, or mortgagee of record of property jointly or severally aggrieved by an order of the Building and Standards Commission issued under the provisions of Section 107.4 may file in district court a verified petition setting forth that the decision of the Commission is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder or mortgagee within thirty (30) calendar days after the respective dates a copy of the order of the Commission is personally delivered or mailed to them by first class mail, certified return receipt requested, or the order of the Commission shall become final as to each of them upon the expiration of each such thirty (30) day period.
2. On the filing of the petition, the court may issue a writ of certiorari directed to the Commission to review the order of the Commission and shall prescribe in the writ the time within which a return on the writ must be made, which time period must be longer than ten (10) days, and served on the relator or the relator's attorney.
3. The Commission may not be required to return the original papers acted on by it, but it is sufficient for the Commission to return certified or sworn copies of the papers or of parts of the papers as may be called for by the writ.
4. The return must concisely set forth other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.
5. The issuance of the writ does not stay proceedings on the order of the Commission appealed from.

6. Appeal in the district court shall be limited to a hearing under the substantial evidence rule. The court may reverse or affirm, in whole or in part, or may modify the decision brought up for review.
7. Costs may not be allowed against the Commission.
8. If the decision of the Commission is affirmed or not substantially reversed but only modified, the district court shall allow to the Commission all attorney's fees and other costs and expenses incurred by it and shall enter a judgment for those items, which may be entered against the property owner(s), lienholder(s) or mortgagee(s) as well as all persons subject to the proceedings before the Commission.

(N) Chapter 2, Section 202 is amended to read as follows:

Section 202 General Definitions

Approved. Approved by the code official.

Basement. That portion of a building which is partly or completely below grade.

Bathroom. A room containing plumbing fixtures including a bathtub or shower.

Bedroom. Any room or space used or intended to be used for sleeping purposes.

Code Official. The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

Condemn. To adjudge unfit for occupancy.

Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Easement. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

Exterior Property. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

Garbage. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Guard. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

Habitable Space. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Housekeeping Unit. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

Imminent Danger. A condition which could cause serious or life-threatening injury or death at any time.

Infestation. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

Labeled. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

Let For Occupancy Or Let. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

Occupancy. The purpose for which a building or portion thereof is utilized or occupied.

Occupant. Any individual living or sleeping in a building, or having possession of a space within a building.

Openable Area. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise

having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Person. An individual, corporation, partnership or any other group acting as a unit.

Premises. A lot, plot or parcel of land, easement or public way, including any structures thereon.

Public Way. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

Rooming House. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

Rooming Unit. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

Rubbish. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials. Rubbish shall also include broken, inoperable or discarded merchandise; household furnishings, appliances, machines, tools, boxes, pallets, cartons, old tires, used or discarded building materials, and any other materials that may provide harborage for rodents or allow for the stagnation of water.

Strict Liability Offense. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

Structure. That which is built or constructed or a portion thereof.

Tenant. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Toilet Room. A room containing a water closet or urinal but not a bathtub or shower.

Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Workmanlike. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

Yard. An open space on the same lot with a structure.

(O) Chapter 3, Section 302.1 is amended to read as follows:

Section 302.1 Accumulation of rubbish and unsanitary premises. All exterior property and premises and the interior of every structure, shall be maintained free from any accumulation of rubbish and free from unsanitary conditions.

- a. The terms “exterior property” and “exterior premises” shall mean any lot, tract or parcel of land including the front and side property between the property line and the curb or traveled way commonly referred to as right-of-way and the rear and side property between the property line and the center line of an adjacent alley or platted but unopened alleyway or right-of-way.
- b. The term “accumulation of rubbish” shall mean: (1) keeping, storing or accumulating refuse on premises unless the refuse is entirely contained in a closed receptacle; or (2) keeping, storing or accumulating rubbish including, but not limited to, newspapers, abandoned vehicles or vehicle parts, refrigerators, stoves or other major appliances, furniture, tires, cans, putrescible or other matter on premises within the City unless the rubbish, object or matter is completely enclosed in a building or is not visible from a public street or neighboring property.
- c. The term “unsanitary premises” shall mean premises which are maintained in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin or disease carrying pests.

Section 302.1.1 Enforcement: The provisions of this subsection shall be enforced by the Code Official or his duly designated representative(s) who shall be authorized to issue citations for violations of this section provided that where a fire hazard exists by virtue of a violation of this section, the provisions of this section may be enforced by the Fire Marshal.

Section 302.1.2 Offense: An owner or occupant of property within the City commits an offense if her permits or causes to be permitted or maintained on said property an accumulation of rubbish or unsanitary premises, as defined in this section.

Section 302.1.3 Defense: It is a defense to prosecution under this subsection that the owner or occupant brings the property into compliance within seven (7) days from the date of the issuance of a citation for violation of this section or the filing of a formal complaint in the Municipal Court alleging a violation, whichever first occurs.

Section 302.1.4 Penalty: An offense under this subsection is punishable by a fine not to exceed \$500.00. Each day that property remains in violation of this section constitutes a separate and distinct offense.

Section 302.1.5 City Charges; Notice to Property Owner: In the event of the failure of the owner, occupant or person in control of the property to bring the property into compliance with the requirements of this section, the City may have the accumulation of rubbish removed or eliminate and remedy the unsanitary conditions on the property. In order for the City to enter on to premises to bring the premises into compliance with this section, the Code Official shall provide written notice to the owner of the property to bring the property into compliance within seven (7) days from the date of the written notice. The written notice shall specify with reasonable particularity the accumulated rubbish to be removed and shall require its proper disposal or shall specify the unsanitary conditions on the premises required to be remedied. Written notice shall be given as follows: (1) personally to the owner of the property; (2) by letter addressed to the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located; or (3) if notice cannot be provided by either of the preceding methods, by publication at least once in a newspaper of general circulation in the City; by posting the notice on or near the front door of each building on the property to which the violation relates; or, by posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates. If the written notice is provided by mail to a property in accord with (2) above and the United States Postal Service returns the notice as "refused" or "unclaimed", the validity of the notice is not affected and the notice is considered as delivered. Additionally, in a notice provided under this section, the City may inform the owner by regular mail and a posting on the property, or, by personally delivering the written notice, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the written notice, the City may, without further notice, correct the violation at the property owner's expense and assess the expense against the property. If a violation covered by a written notice under subsection occurs within the one-year period and the City has not been informed in writing by the owner of an ownership change, then the City may, without further notice, take any action permitted herein to correct and abate the violation and assess its expenses as provided her Subsection 302.1.6 below.

Section 302.1.6 City lien for expenses: The City may assess expenses incurred under Subsection 302.1.5 against the real property on which the work is done. Expenses in the amount of the total actual costs incurred by the City for performance of the work shall be due from the owner of the property. A statement for those costs and expenses shall be forwarded by the City's Chief

Financial Officer to the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located. If the charges are not paid within thirty (30) days of the date of the mailing of the statement, the City Secretary may file with the County Clerk of Parker County a Lien Statement and Notice of Lien signed by the Chief Financial Officer for the total costs and expenses incurred by the City in cutting removing grass from the property. The Lien Statement must state the name of the owner of the property, if known, and the legal description of the property. The City's lien is security for the expenditures incurred by the City to bring the property into compliance with this section and interest which accrues at the rate of ten percent (10%) on the amount due from the date of payment of the said expenditures by the City. The City's lien is a privileged lien and is inferior only to tax liens and liens for street improvements. The City may bring a suit for foreclosure to recover the expenditures and interest due. The Lien Statement or a certified copy of the Lien Statement shall be prima facie proof of the expenses incurred by the City in doing the work to bring the property into compliance with this section.

302.1.7 Remedies not exclusive: Nothing herein shall be construed to require the issuance of written notice to the owner as a condition precedent to the issuance of a citation under the provisions of this section nor shall issuance of a citation be construed a condition precedent to issuance of a written notice for compliance.

(P) Chapter 3, Section 302.4 is amended to read as follows:

Section 302.4 Weeds and Grass

- a. Definitions. In this section, the terms below shall have the following meanings:

Weeds and grass. All grasses, annual plants, and vegetation or other than trees or cultivated shrubs, however, the term does not include cultivated flowers or maintained gardens.

Property or premises. Any lot, tract or parcel of land including the front and side property between the property line and the curb or traveled way, commonly referred to as right-of-way, and the rear and side property between the property line and the center line of an adjacent alley or platted but unopened alleyway or right-of-way.

- b. Enforcement: The provisions of this subsection shall be enforced by the Code Official or his duly designated representatives who shall be authorized to issue citations for violations hereof, provided that, where a fire hazard exists by virtue of the violation, the provisions may be enforced by the Fire Marshal.

- c. Offense: An owner, occupant, or person lawfully in control of property commits an offense if he permits weeds to grow on the said property to a height in excess of ten (10) inches.
- d. Defense: It is a defense to prosecution to this section that the owner or occupant mows or otherwise brings the property into compliance within a period of ten (7) days from the date of the issuance of a citation for violation or the filing of a formal complaint in Municipal Court alleging a violation, whichever first occurs.
- e. Exception: It is an exception to the provisions of this subsection that the property is presently being used for the planting, cultivating, harvesting or storage of grains, hay or plants commonly grown in the vicinity, in compliance with applicable zoning provisions, and the property in question is one or more acres in area.
- f. Penalty: An offense under this subsection is punishable by a fine not to exceed \$500.00. Each day that property remains in violation of this subsection constitutes a separate and distinct offense.
- g. City charges; notice to property owner: In the event of the failure of the owner, occupant or person in control of the property to bring the property into compliance with the requirements of this section, the City may have the weeds and grass cut and removed from the property. In order for the City to enter on to premises and cut weeds and/or grass under this section the Code Official shall provide written notice to the owner of the property to bring the property into compliance within seven (7) days from the date of the written notice. Written notice shall be given as follows: (1) personally to the owner of the property; (2) by letter addressed to the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located; or (3) if notice cannot be provided by either of the preceding methods, by publication at least once in a newspaper of general circulation in the City; by posting the notice on or near the front door of each building on the property to which the violation relates; or, by posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates. If the written notice is provided by mail to a property in accord with (2) above and the United States Postal Service returns the notice as "refused" or "unclaimed", the validity of the notice is not affected and the notice is considered as delivered. Additionally, in a notice provided under this section, the City may inform the owner by regular mail and a posting on the property, or, by personally delivering the written notice, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on

or before the first anniversary of the date of the written notice, the City may, without further notice, correct the violation at the property owner's expense and assess the expense against the property. If a violation covered by a written notice under subsection occurs within the one-year period and the City has not been informed in writing by the owner of an ownership change, then the City may, without further notice, take any action permitted herein to correct and abate the violation and assess its expenses as provided her Subsection (h) below.

- h. City lien for charges: If the City cuts or removes weeds or grass after issuance of the written notice required in subsection (e) above, charges in the amount of the total actual costs incurred by the City in performing said work shall be due from the owner of the premises. A statement for said charges shall be forwarded by the Director of Finance to the owner at the owner's last known mailing address. If the charges are not paid within thirty (30) days of the date of the mailing of the statement, the City Secretary may file with the County Clerk of Parker County a statement signed by the Director of Finance of the total actual costs incurred by the City in cutting and removing weeds and grass from the property.

Upon the filing of the written statement authorized above, the City shall have a privileged lien against the property in the amount of the total actual costs incurred together with interest at the rate of ten percent per annum on said amount from the date the costs were incurred.

- i. Remedies not exclusive: Nothing herein shall be construed to require the issuance of written notice to the owner as a condition precedent to the issuance of a citation under the provisions of this section.
- j. Additional Authority to Abate Weeds: The City may abate, without notice, weeds that: (1) have grown higher than 48 inches; and (2) are an immediate danger to the health, life or safety of any person. Not later than the tenth (10th) day after the date the municipality abates weeds under this subsection, the City shall give notice to the property owner in the manner required by subsection (g) above. The written notice shall contain: (1) an identification of the property which is not required to be a legal description; (2) a description of the dangerous weeds violation that occurred on the property; (3) a statement that the City abated the dangerous weeds violation; and (4) an explanation of the property owner's right to request an administrative hearing regarding the City's abatement of the dangerous weeds. If the property owners files with the City Secretary a written request for a

hearing not later than the 30th day after the date of the abatement of the dangerous weeds, the City shall conduct an administrative hearing on the abatement of the weeds under this Section. The administrative hearing shall be conducted by the Judge of the Municipal Court for the City of Weatherford. An administrative hearing conducted under this subsection shall be conducted not later than the 20th day after the date a request for a hearing is filed with the City Secretary. The property may testify or present any witnesses or written information relating and relevant to the City's abatement of the dangerous weeds. The municipality may assess its expenses and create a lien under this subsection in the same manner as it assesses expenses and creates liens under subsection (h) above.

(Q) Section 308 is repealed in its entirety.

Chapter 12. Energy Conservation Code.

Sec. 4-12-1. International Energy Conservation Code adopted.

The International Energy Conservation Code, 2009 edition, as recommended by the International Code Council and herein adopted by the City of Weatherford is hereby amended to include the following recommendations of the Regional Codes Committee of the North Central Texas Council of Governments for structures with three or more dwelling units and commercial buildings in the City of Weatherford, Texas. The International Residential Code for single family dwellings, duplexes and townhomes shall be used for energy code compliance, see Chapter 5.

Sec. 4-12-2. NCTCOG International Energy Conservation Code amendments.

(A) Section 202; add the following definition:

GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area, the glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

(B) Section 401.2 Compliance; amend to read as follows:

401.2 Compliance. Projects shall comply with Sections 401, 402.4, 402.5, and 403.1, 403.2.2, 403.2.3, and 403.3 through 403.9 (referred to as the mandatory provisions) and either:

1. Sections 402.1 through 402.3, 403.2.1 and 404.1 (prescriptive) and the use of Tables 402.1.1 and 402.1.3 are limited to a maximum glazing area of 15% window area to floor area ratio; or
2. Section 405 (performance).

(C) Section 402.2 Specific insulation requirements (Prescriptive); add subsection 402.2.12 to read as follows:

Section 402.2.12 Insulation installed in walls. Insulation batts installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.

(D) Section 405.4.1 Compliance software tools; amend to read as follows:

405.4.1 Compliance software tools. Documentation verifying that the methods and accuracy of the compliance software tools conform to the provisions of this section shall be provided to the *code official*. RemRate™, Energy Gauge™, and IC3 are deemed acceptable performance simulation programs.

Sec. 4-12-3. City of Weatherford amendments.

Reserved.

Title VII FIRE REGULATIONS

CHAPTER 1. – ADOPTION OF UPDATES

CHAPTER 2. – FIRE PREVENTION

Sec 7-1-1 – Adoption of updates as related to this chapter

The city council shall by ordinance, adopt and create revisions to this title. Evidence of the currently adopted edition as may relate to any chapters contained therein shall be the revisions to this chapter only. In the event amendments other than date references are to be adopted, they shall be places in the applicable chapter. The following editions of the enumerated codes shall be effective as of January 1, 2014.

Code	Year	Effective Date
Uniform Fire Code	1997	2001
International Fire Code	2003	2006
International Fire Code	2009	2014

Section 11 of Ord. No. 182-2005-62 provided for an effective date of _____

Chapter 2 – Fire Prevention

Sec. 7-2-1 – Adoption of the International Fire Code 2009/local amendments.

Sec. 7-2-2 – Establishment and duties of bureau of fire prevention.

Sec. 7-2-3 – Definitions.

Sec. 7-2-4 – Local amendments to the International Fire Code.

Sec. 7-2-5 – Appeals.

Sec 7-2-6 – New materials, processes or occupancies which may require permits.

Sec 7-2-7 – Penalties

Sec. 7-2-1. Adoption of the 2009 International Fire Code/Local amendments.

The International Fire Code, 2009 Edition, as adopted and published by the International Code Council, is hereby adopted and designated together with the additions, deletions and amendments hereinafter contained, as the Fire Code of the City of Weatherford, the same as though such Code was copied at length herein. A copy and its appendices shall be kept on file in the Office of the City Secretary.

Sec. 7-2-2. - Establishment and duties of the bureau of fire prevention.

- (a) The 2009 International Fire Code shall be enforced by the bureau of fire prevention in the fire department of the City of Weatherford, which is hereby established and which shall be operated under the supervision of the chief of the fire department.

- (b) The officer in charge of the bureau of fire prevention shall be appointed by the chief of the fire department.
- (c) The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary. The chief of the fire department shall recommend to the city manager the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their qualifications for the position. The examination shall be open to members and non-members of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

Sec. 7-2-3. Definitions.

- (a) Whenever the word "*jurisdiction*" is used in the 2009 International Fire Code, it is the corporate limits of the City of Weatherford, Texas. (Or any other extra-jurisdictional territories through agreed contract).
- (b) Whenever the word "*fire code official*" is used in the 2009 International Fire Code, it is the Fire Chief or other designated authority, meaning the Fire Marshal or his designee charged with the administration and enforcement of the code. The wording "Fire Marshal" will be used in reference to such for the purpose of this text.
- (c) Whenever the word "*fire lane*" is used in the 2009 International Fire Code, it means a road or properly marked area or passageway developed to allow the passage or functioning/operations of fire apparatus. A fire lane is not necessarily intended for vehicular traffic and never for the loading and unloading of items at commercial facilities.

Sec. 7-2-4. Local amendments to the 2009 International Fire Code.

The adoption of the International Fire Code, as provided in section 7-2-1 above, is modified and amended by the following:

1. The amendment of Section 102.7, entitled Reference codes and standards, to read as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 47 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between 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.

2. The amendment of Section 103, entitled DEPARTMENT OF FIRE PREVENTION, to read as follows:

103.1 General. The department of fire prevention established within the fire department under the direction of the Chief shall consist of fire department personnel assigned thereto by the Fire Chief. The function of the department shall be to assist the Chief in the implementation, administration and enforcement of the provisions of this code.

103.2 Fire Prevention Bureau personnel and police. The Fire Marshal and any other TCLE (Texas Commission on Law Enforcement) licensed member of the fire prevention bureau shall have the powers of a police officer in performing their duties under this code. All members of the bureau will work under the direction of the Fire Marshal who is appointed in the capacity of a Division Chief Officer within the confines of the Fire Department. All police powers rendered to such employees will be carried out through departmental policies pertaining to such action.

103.4 Liability. The Fire Marshal, Fire Officer or employee charged with the enforcement of this code, while acting for the jurisdiction (City of Weatherford), shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

103.4.1 Legal defense. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the City of Weatherford until the final termination of the proceedings. The Fire Marshal or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connections therewith.

Any regulations provided in this Fire Code are hereby declared to be governmental and for the benefit of the general public. Any member of the City Council, any City Official or employee or any member of the Board of Appeals charged with the enforcement of this Fire Code, acting for the City in the discharge of their duties, shall be indemnified and defended by the City of Weatherford in accordance with the provisions of the city charter.

3. The amendment of Section 104.3, entitled Right of Entry, to read as follows:

104.3 Right of Entry, Whenever necessary to make an inspection to enforce any of the provisions of the Fire Code, or whenever the Fire Marshal or authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises unsafe, the Fire Marshal, his deputies or authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Fire Marshal by this Fire Code. If such building or premises are occupied, The Fire Marshal, his deputies or an authorized representative shall first present proper credentials and request entry. If such building or premises are unoccupied, the

Fire Marshal or representative shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, or if no owner or other person having charge or control of the building or premises can be located, the Fire Marshal or authorized representative shall obtain a warrant pursuant to the guidelines of obtaining such warrants through the City of Weatherford Municipal Court System or such as needed through county or district court proceedings.

The addition of Section 104.3.2, Examine buildings and property, to read as follows:

Sec. 104.3.2 Examine buildings and property.

(a)

The Fire Marshal, upon complaint of any person having an interest in any building or property adjacent to such building and without any complaint, shall have a right at all reasonable hours, for the purpose of examination, to enter into and upon all buildings and premises within the city. It shall be his duty, annually or more often, to enter upon and make or cause to be entered and made, a thorough examination or inspection of any open property, residence, mercantile, business, retail, manufacturing and public buildings, together with the premises belonging thereto.

(b)

Whenever the Fire Marshal shall find any building or other structure which, for want of repair, or by reason of age or dilapidated condition, or for any cause, is especially liable to fire, and which is so situated as to endanger other buildings or property, or so occupied that fire would endanger persons or property therein, and whenever he shall find an improper or dangerous arrangement of stoves, ranges, furnaces or other heating appliances of any kind whatsoever, including chimneys, flues and pipes with which the same may be connected, or a dangerous arrangement of lighting devices or systems, or a dangerous or unlawful storage of explosives, compounds, petroleum, gasoline, kerosene, dangerous chemicals, vegetable products, ashes, combustible, inflammable and refuse materials, or other conditions, including electrical, which may be dangerous in character or liable to cause or promote fire or create conditions dangerous to firefighters or occupants, he shall order the same to be removed or remedied, and such order shall be forthwith complied with by the owner or occupant of such building or premises. If such owner or occupant deems himself aggrieved by such order, he may, within five days, appeal to the Board of Appeals, who shall investigate the cause of the complaint and unless by the authority of that board the order is revoked, such order shall remain in force and be forthwith complied with by such owner or occupant.

4. The amendment of Section 104.11 entitled Authority at Fires and Other Emergencies, by the addition of Sections 104.11.4, 104.11.5, and 104.11.6, to read as follows:

104.11.4 Utilities, The Fire Chief, Fire Marshal, Battalion Chief, or any member of the Fire Department shall have the authority, in time of emergency, or during any warranted police action for the suspicion of criminal activities, to order the disconnection of gas or electrical utilities to a building, structure or residence when deemed necessary for the public safety, without liable therefor.

104.11.5 Evacuation, The Fire Chief, Fire Marshal, Battalion Chief, or any member of the Fire Department shall have the authority, in time of emergency, to order the evacuation of a building, structure or residence when deemed necessary for the safety of occupants thereof, and it shall be unlawful for any person to refuse to evacuate upon order, or to resist or obstruct the evacuation of other persons.

104.11.6 Disaster Authority, The Fire Chief, Fire Marshal, Battalion Chief, or any member of the Fire or Police Departments shall have the authority during the period of a federal, state or city emergency or disaster declaration to evacuate areas, control traffic or take other action, or take no action as necessary to deal with a situation when such action or inaction may save lives, prevent human suffering or mitigate property damage. An action or inaction is “effective” if it in any way contributes or can reasonably be thought to contribute to preserving lives or property or prevent human suffering.

5. The addition of Section 104.12, entitled Governmental Immunity, to read as follows:

104.12 Governmental Immunity This Fire Prevention Chapter is an exercise by the City of Weatherford of its governmental functions for the protection of the public peace, health and safety; and neither the City or agents and representatives of the City (or any individual, receiver, firm, partnership, corporation, association, trustee or any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this Ordinance) shall be liable for any damage sustained to persons or property as the result of said activity.

6. The addition of Section 104.13, entitled Standard of Care for Emergency Action, to read as follows:

104.13 Standard of Care for Emergency Action, Every officer, agent or employee of the City, and every officer agent, or employee of an authorized provider of emergency services, including but not limited to every unit of government or subdivision thereof, while responding to emergency calls or reacting to emergency situations, regardless of whether any declaration of emergency has been declared or proclaimed by a unit of government or subdivision thereof, is hereby authorized to act or not act in such a manner to effectively deal with the emergency. An action or inaction is “effective” if it in any way contributes or can reasonably be thought by the provider of such emergency service to contribute to preserving any lives or property. This

section shall prevail over every other ordinance of the City and, to the extent to which the City has the authority to so authorize, over any other law establishing a standard of care in conflict with this Section. Neither the City nor an employee, agent, or officer thereof; or other unit of government or subdivision thereof or its employees, agents, officers shall be liable for failure to use ordinary care in such emergency. It is the intent of the City Council, by passing this Ordinance, to assure effective action in emergency situations by those entrusted with the responsibility of saving lives and property by protecting such governmental units from liability, and their employees, agents, and officers from non-intentional tort liability to the fullest extent permitted by statutory and constitutional law. This Section shall be liberally construed to carry out the intent of the City Council.

7. The amendment of Section 105.1.1, entitled Permit required, to read as follows:

105.1.1 Permit required. Permits as required by the Fire Code shall be issued by the Fire Marshal's Office upon the approval of the Fire Marshal or his designated representative. Such permits shall be issued in compliance with the Fire Code.

105.1.1.1 Occupancy Permit, The occupancy permit as required by the Fire Code shall be the Certificate of Occupancy issued by the Building Official in compliance with the provisions of the Fire Code and other related construction and health codes. The Certificate of Occupancy shall be posted in a conspicuous location in all retail, commercial, manufacturing, and business occupancies.

105.1.1.2 Other Permits, Specific permits or special permits which are unrelated to construction or health codes may be issued by the Fire Marshal when dealing with items specifically pertaining to fire prevention.

8. The addition of Section 105.6.47 Oil and Natural Gas Well Operational Permit, to read as follows:

105.6.47 Oil and Natural Gas Well Operational Permit. An annual operational permit is required to drill, operate and maintain oil or natural gas wells inside the city limits. An annual operational permit is required for each wellhead.

9. The addition of Section 109.2.5, entitled Presumption, to read as follows:

109.2.5 Presumption. The owner, occupant or person in control of any building or premises where any violation of this fire code or other ordinances of the City of Weatherford relating to fire safety is found shall be the prima facie responsible for such violation unless determined otherwise by the Fire Marshal.

10. The amendment of Section 109.3, entitled Violation penalties, to read as follows:

109.3 Violation penalties. Any person who:

1. violates or fails to comply with any of the provisions of this Fire Code or stands adopted hereunder; or
2. fails to comply within the time fixed herein with any order made by the Fire Marshal or his authorized representative under any of the provisions of the Fire Code or the standards adopted hereunder, from which no appeal has been taken, or which has been affirmed or modified by a court of competent jurisdiction; or
3. builds in violation of any detailed statement, specifications or plans submitted and approved under the provisions of the Fire Code or the standards adopted hereunder, from which no appeal has been taken; or
4. builds in violation of any certificate or permit issued under the provisions of the Fire Code or the standards adopted hereunder, from which no appeal has been taken; or
5. permits any fire hazard to exist in or upon any occupancy, premises or vehicle under their control, operation, maintenance or possession; or
6. fails to comply with orders, notices, signs, and/or tags; or
7. tampers with signs or tags posted by the Fire Marshal, his authorized representative or any other City code enforcement official;

shall be guilty of a misdemeanor punishable by a fine not to exceed \$2,000.00 for each violation and act of noncompliance. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations of defects within a reasonable time specified by the Fire Marshal or his authorized representative. When not otherwise specified, each day that the prohibited conditions are maintained shall constitute a separate offense.

11. The addition of Section 110.1.3, entitled Compliance, to read as follows:

110.1.3 Compliance. No person shall remain in or enter any premises, building or vehicle which has been so posted, except that entry may be made to repair, demolish or remove the fire hazard or unsafe condition. Such entry or the destruction, defacing or removal of said notice prior to approval by the Fire Marshal or Building Code Official or authorized representative shall be in violation of the Fire Code.

12. The amendment of Section 110.3, entitled Summary Abatement, to read as follows:

110.3 Summary Abatement. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, owner/occupant neglect, disaster damage or abandonment as specified in the Fire Code or any other effective statute or ordinance, are, for the purpose of this section, unsafe buildings/houses. All such unsafe buildings/houses are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures specified in the Property Maintenance Codes of the City of Weatherford.

13. The amendment of Section 111.4, entitled Failure to Comply, to read as follows:

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 of up to \$2,000.00 as specified in the Texas Code of Criminal Procedures.

14. The amendment of Section 202, entitled General Definitions, by the addition and amendment of the following definitions:

Authorized Representative shall include, but not limited to any Battalion Chief, Fire Inspector, Deputy Fire Marshal, Building Inspector, Code Enforcement Officer, Housing Inspector, Health Inspector, Building Code Official or Police Officer, or Animal Control Officer when deemed necessary by the Fire Marshal.

Bureau of Fire Prevention is the Fire Prevention Division of the Fire Department of the City of Weatherford and is headed by a Chief Officer of that department appointed by the Fire Chief. Also known as the Fire Marshal's Office.

Fire Code Official. The Fire Marshal or other designated authority charged with the administration and enforcement of the Fire Code, or duly authorized representative, Wherever the term Code Official occurs in the International Fire Code, it is to be replaced by the term Fire Marshal.

High Rise Building is a building having floors used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access.

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 jurisdiction.

15. The amendment of Section 307.1, entitled General, to read as follows:

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance to this section. All open burning shall be conducted upon agricultural zoned properties only by permit approved by the office of the Fire Marshal. Open burning upon construction sites may only be done with the approval of the Fire Marshal by permit and shall be conducted in trenches (Trench burning 307.4) with approved equipment and in accordance with Section 307.

16. The addition of Section 307.2.2 Prohibited burning, to read as follows:

307.2.2 Prohibited burning. Open burning and/or on-site burning that will be offensive or objectionable because of smoke or odor emissions when atmospheric conditions or local circumstances make such fire hazardous shall be prohibited. The building of fires upon paved portions of public streets and right-of-ways; building of warming fires at construction sites or any other locale; and building fires for the purpose of burning trash, leaves, limbs, grass clippings or debris is prohibited except otherwise provided by this code. The Fire Marshal or his representative is authorized to order the extinguishment by the permit holder or offender.

17. The amendment of Section 307.4, entitled Location, to read as follows:

307.4 Location. Open burning (by permit only) shall not be conducted within 300 feet of any structure or sensitive receptor. Conditions which could cause the fire to spread within 300 feet to a structure shall be eliminated prior to ignition. All open burning not conducted upon agriculturally zoned properties must be done by trench burning unless otherwise specified by the Fire Marshal. Trench burns shall be conducted in air curtain trenches by permit from the office of the Fire Marshal.

- (1) The Weatherford Fire Department shall be notified each day prior to the commencement of any controlled burn pursuant to an on-site burning permit.
- (2) Burning shall be commenced and conducted only when wind direction and other meteorological conditions are such that smoke and other pollutants will not cause adverse effects to any public road, landing strip, navigable water, or off-site structure containing sensitive receptors.
- (3) If any time the burning causes or may tend to cause smoke to blow onto or across a road or highway to such an extent that visibility is diminished so as to create a hazard, it is the responsibility of the person initiating the burn to post flag-persons on affected roads.

- (4) Burning must be conducted downwind of or at least 300 feet (90 meters) from any structure containing sensitive receptors located on adjacent properties unless prior written approval is obtained from the adjacent occupant with possessory control.

18. The amendment of Section 307.4.1, entitled Bonfires, to read as follows:

307.4.1 Bonfires. Bonfires are prohibited within the city limits of Weatherford.

19. The amendment of Section 307.5, entitled Attendance, to read as follows:

307.5 Attendance. Open burning, recreational fires, trench burning and the use of portable outdoor fireplaces shall constantly be 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 barrel, garden hose or water truck, shall be available for immediate utilization.

20. The amendment of Section 308.1.4, entitled Open-flame cooking devices, to read as follows:

308.1.4 Open-flame cooking devices. Charcoal burners, LP gas cooking devices, and other open-flame cooking devices shall not be operated on unprotected combustible balconies or within 10 feet (3048mm) of combustible construction.

EXCEPTIONS:

1. One and two family dwellings
2. Where buildings, balconies, and decks are protected by an automatic sprinkler system.

21. The amendment of Chapter 3, entitled General Requirements, by the addition of Section 318 to read as follows:

Section 318

REMOVAL OF DEBRIS OR PARTIALLY BURNED BUILDING AFTER FIRE

318.1 Useless Material. The owner or person in control or possession of any debris, material, hay, straw, bales of wool, cotton, paper or other substances which have been rendered useless or unmerchantable by reason of any fire shall remove said articles within ten (10) days after notice has been given by the Fire Marshal.

318.2 Burned structures. Whenever any building or other structure in the City of Weatherford is partially burned, the owner or the person in control shall, within ten (10) days after notice from the Fire Marshal or Building Code Official or their authorized representative, remove from the premises all refuse, debris, charred and partially burned lumber and material. If such

building or other structure is burned to such an extent that it is rendered incapable of being repaired, the owner or person in control shall, within ten (10) days after notice from the Fire Marshal or Building Official or their authorized representatives, remove from the premises all the remaining portions of the building or structure.

22. The amendment of Section 503.1 entitled Where required, to read as follows:

503.1 Where required. Fire apparatus access roads, hereinafter also known as fire lanes, shall be provided and maintained in accordance with the provisions of Section 503. All fire lanes shall be approved by the Fire Marshal, and plans shall be submitted for approval prior to starting construction of the adjacent building. Structural aspects of fire lanes shall meet all other applicable standards under the Code of the City of Weatherford. No person shall mark, post or otherwise identify a non-fire lane street, whether public or private, as a fire lane without approval of the Fire Marshal.

23. The addition of Sections 503.1.4 and 503.1.5, to read as follows:

503.1.4 Maintenance of fire lanes. All designated fire lanes shall be maintained and kept in a state of good repair at all times by the owner or person in control of the premises.

503.1.5 Enforcement. The Fire Marshal or the Police Chief, or their authorized representatives, are hereby authorized to monitor fire lanes to detect obstructions and may issue citations, remove or impound any vehicle obstructing said fire lanes or both. Additionally, any duly authorized City inspector or code enforcement officer whose duty it is to enforce the provisions of the Code of the City of Weatherford may issue citations for such violations.

24. The amendment of Section 503.2, entitled Specifications, to read as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.9.

503.2.1 Dimensions. The minimum unobstructed width of a fire lane shall be not less than twenty four feet (24') and an unobstructed vertical clearance of not less than fourteen feet (14') unless otherwise approved by the Fire Marshal.

503.2.2 Authority. The Fire Marshal 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.

503.2.3 Surface. Fire lanes shall be provided with a concrete or asphalt surface to provide all-weather driving capabilities and shall be constructed to support the imposed weight of a sixty thousand pound (60,000 lb.) vehicle.

503.2.4 Turning Radius. All fire lanes shall have at least a thirty foot (30') inside turning radius and at least a fifty-four (54') outside turning radius.

503.2.7 Grade. The grade for a fire lane serving a building not protected throughout by a complete automatic sprinkler system shall not exceed eight (8%) percent.

503.2.8 Speed Bumps. Speed bumps or other similar obstacles which have the effect of slowing or impeding the response of fire apparatus through properly marked fire lanes shall not be installed unless approved by the Fire Marshal.

25. The amendment of Sections 503.3, entitled Marking, by the addition of Sections 503.3.1, 503.3.2 and 503.3.3, to read as follows:

503.3 Marking. Where required by the Fire Marshal, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.3.1 Specifications for Marking. All required fire lanes shall be provided and maintained with fire lane striping which consists of a six inch (6") wide red background stripe with four inch (4") high white letters stating "**NO PARKING FIRE LANE**" or "**FIRE LANE NO PARKING**" to be painted upon the red stripe no less than every ten feet (10') and no greater than every twenty-five feet (25') along the entire length of the fire lane, showing the exact boundary of the fire lane. Fire lane markings shall be upon the vertical surface of the curb unless otherwise approved by the Fire Marshal or authorized representative.

503.3.2 Additional Signs. If the Fire Marshal or authorized representative determines that other means of notice are ineffective to designate a fire lane, signs may be required by written notice to the property owner. These signs shall be in accordance with the requirements of the Texas Manual of Uniform Traffic Control Devices. When required, these signs shall be erected and maintained bearing a red legend stating "**NO PARKING FIRE LANE**" with letters of at least two inches (2") in height on a white reflectorized background at least twelve inches (12") wide by eighteen inches (18") tall. 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 fifty feet (50') apart. Signs may be installed on permanent buildings or walls as approved by the Fire Marshal or authorized representative. Additional signs may also be required by written notice from the Fire Marshal or authorized representative.

503.3.3 Alternate Markings. When, due to a buildings' particular use, the Fire Marshal or authorized representative determines that fire lane markings are impractical the words "**NO PARKING LOADING ZONE**" or "**LOADING ZONE NO PARKING**", painted black, may be

substituted for the words **“NO PARKING FIRE LANE”** or **“FIRE LANE NO PARKING”** and the six inch (6”) red stripe may be painted as a six inch (6”) yellow stripe, but all other provisions of Chapter 5 shall apply. A loading zone may be utilized for loading and unloading of product only and may, at no time, be utilized for the display of goods or product nor may it be utilized for parking, sitting or standing or for any other purpose of permanent or temporary display of any kind unless authorized by the Fire Marshal.

26. The amendment of Section 605.5, entitled Extension cords, to read as follows:

605.5 Extension Cords. Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage, physical impact or connected in a series. Extension cords may, at no time, be utilized to take electrical power from one structure to another and the Fire Marshal or authorized representative shall have authority to order immediate usage of such actions to stop and any extension cords to be disconnected. Extension cords shall be used only with portable appliances.

27. The amendment of Section 901.6 entitled Inspection, testing and maintenance, by the additions of Sections 901.6.3 and 901.6.4, to read as follows:

901.6.3 Registration and Licensing. A company, firm or organization which sells, services, installs, maintains or provides supervision of a fire alarm or extinguishing system shall have a valid Certificate of Registration and current license issued by the State Fire Marshal’s Office under the Texas Department of Insurance. Companies, firms or organizations which provide required fire alarm supervision shall operate in accordance with the National Fire Protection Association Standard No. 72, and shall each be listed as a Central Station in accordance with Underwriters Laboratories.

901.6.4 Certificates and Inspection Tags. It shall be the owner’s or occupant’s responsibility to maintain a copy of the fire alarm installation certificate at the protected premises. It shall also be the owner’s or occupant’s responsibility to maintain upon the door of the fire alarm control panel an inspection tag of the type provided by a State certified alarm company, as approved by the Fire Marshal or authorized representative, showing the date the fire alarm system was tested and the results of the test. It shall also be the owner’s or occupant’s responsibility to maintain upon the fire sprinkler riser, an inspection tag of the type provided by a State certified fire sprinkler company, showing the date the fire sprinkler system was inspected.

28. The amendment of Section 903, entitled Automatic Sprinkler Systems, by the amendment of 903.2 Where required, to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures, including type “B” (Business type) structures shall be provided in any building with a square footage that exceeds 7,500 square feet.

EXCEPTIONS:

Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or less than 2-hour horizontal assemblies constructed in accordance with Section 712 of the International Building Code, or both.

903.3 Unheated spaces. Sprinkler piping and equipment shall be protected from freezing at all times. Attics and concealed spaces must be equipped with an adequate heat source that will not create a fire hazard. If no heat source is available, all piping must be wrapped with freeze protection.

29. The addition of Section 903.2.9.3, entitled Self-service storage facility, to read as follows:

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

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

30. The addition of Section 903.2.11.7, entitled Spray booths and rooms, to read as follows:

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

31. The amendment of Section 903.3.5, entitled Water Supplies, by the addition of a second paragraph to read as follows:

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

32. The amendment of Section 903.3.7, entitled Fire Department connections, to read as follows:

903.3.7 Fire Department connections. The location of fire department connections shall be approved by the Fire Marshal. All fire department connections in the City of Weatherford shall

be Siamese type, 2 ½” or 5” Storz connections. The connections shall be constructed of high strength, light weight, corrosion resistant aluminum alloy or like metal capable of being securely attached to standpipe/sprinkler riser designed for fire department connections. Lock down caps shall be provided by the installer, contractor, or business/property owner/proprietor for both types of connections per Section 912.3.1.

33. The addition of Section 2204.2.3.1, entitled None-instructional signage, to read as follows:

2204.2.3.1 None-instructional signage. Any none-instructional signage, such as advertisements, product sales promotions or clutter upon fueling dispensers (gas pumps) which will impede with 2204.3.4 and 2204.3.5, Operational and Emergency instructions & procedures is not allowed. The Fire Marshal or authorized representative shall have the authority to have such items removed from fuel dispensing pumps.

34. The amendment of Section 2703.3.1.4, entitled Responsibility for Cleanup, to read as follows:

2703.3.1.4 Responsibility for Cleanup. A person, firm or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the City of Weatherford. When deemed necessary by the Fire Marshal, Fire Chief or Battalion Chief, cleanup may be initiated by the Fire Department or by an authorized individual firm. Costs associated with such cleanup and disposal shall be borne by the owner, operator or other person responsible for the unauthorized discharge.

35. The addition of Section 2703.3.1.5, entitled Abandoned Hazardous Materials, to read as follows:

2703.3.1.5 Abandoned Hazardous Materials. It shall be the duty of the owner, occupant or person otherwise having supervision or control of any lot, tract or parcel of land, or portion thereof, or any building or portion thereof, whether occupied or unoccupied, improved or unimproved, on or in which abandoned hazardous materials are identified to secure and/or dispose of such hazardous materials in a manner approved by the Fire Marshal or authorized representative at no cost to the city of Weatherford. When deemed necessary by the Fire Marshal or authorized representative, such remedial action may be initiated by the Fire Department.

“Abandoned Hazardous Materials” shall include but not be limited to clandestine drug lab chemicals or other chemicals that have been deserted or discarded by their original owner or user, or chemicals for which the owner or user cannot be identified and located within a reasonable time under the circumstances existing at the time the chemicals are discovered or identified.

36. The amendment of Section 3301.1.3 entitled Fireworks, to read as follows:

3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks inside the city limits of Weatherford are prohibited. Enforcement of the illegal use of fireworks may be conducted by the Fire Marshal or his authorized representative which includes the Deputy Fire Marshal, any Code Enforcement Officer, Police Officer or Animal Control Officer.

EXCEPTIONS:

1. Only when approved for fireworks displays, storage and handling of fireworks as provided in Section 3304 and 3308.
2. The use of fireworks for approved display as permitted in Section 3308.

Sec. 7-2-5. – Appeals.

Whenever the Fire Marshal disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the board of appeals within 30 days from the date of the decision appealed.

Sec. 7-2-6 – New Materials, processes or occupancies which may require permits.

The City Manager, the Fire Chief and the Fire Marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in said code. The Fire Marshall shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

Sec. 7-2-7 – Penalties.

- (a) Any person who shall violate any of the provisions of this Code or standards hereby adopted by the City of Weatherford, or fail to comply therewith, or who shall violate or fail to comply with any other made thereunder, or who shall build in violation of any detailed statement of specification or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Fire Marshal or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine not to exceed \$2,000.00. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects; and when not otherwise specified, each day that a prohibited condition(s) are maintained shall constitute a separate offense.

- (b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Sec. 7-2-8 - Adoption of Appendices.

The following Appendices contained in the International Fire Code, 2009 Edition, are adopted and made a part of this Fire Code:

Appendix B – Fire Flow Requirements for Buildings

Appendix C – Fire Hydrant Locations and Distribution

Appendix D – Fire Apparatus Access Roads

Appendix E – Hazard Categories

Appendix F – Hazard Ranking

Appendix G – Cryogenic Fluids – Weight and Volume Equivalents

Appendix J – Emergency Responder Radio Coverage

Proposed amendments to City Code Title VI, Chapter 3 – *Abandoned and Junked Vehicles***1. Amend Chapter 3 Title to read: Abandoned and Junked Vehicles****2. Amend 6-3-1 (Definitions) to read as follows:**

For purposes of this chapter, the following terms shall have the meanings respectively assigned to them below:

For purposes of this chapter, a motor vehicle is abandoned if the motor vehicle:

- (1) is inoperable, is more than five years old and has been left unattended on public property for more than forty-eight (48) hours; or
- (2) has remained illegally on public property for more than forty-eight (48) hours; or
- (3) has remained on private property without the consent of the owner or person in charge of the property for more than forty-eight (48) hours; or
- (4) has been left unattended on the right-of-way of a designated county, state or federal highway for more than forty-eight (48) hours; or
- (5) has been left unattended for more than twenty-four (24) hours on the right of way of a turnpike project constructed and maintained by the Texas Turnpike Authority division of the Texas Department of Transportation or a controlled access highway; or
- (6) is considered an abandoned motor vehicle under the provisions of Texas Transportation Code Section 644.153(r).

Controlled access highway. The term has the meaning assigned by Texas Transportation Code Section 541.302.

Department. The Police Department of the City of Weatherford, Texas.

Garagekeeper. An owner or operator of a storage facility.

Motor vehicle. A vehicle that is subject to registration under Chapter 501 of the Texas Transportation Code.

Motor vehicle demolisher. A person in the business of: (a) converting motor vehicles into processed scrap or scrap metal; or (b) wrecking or dismantling motor vehicles.

Outboard motor. An outboard motor subject to registration under Chapter 31 of the Texas Parks and Wildlife Code.

Storage facility. A garage, parking lot, or establishment for the servicing, repair or parking of motor vehicles.

Watercraft. A vessel subject to registration under Chapter 31 of the Texas Parks and Wildlife Code.

Vehicle storage facility. A vehicle storage facility, as defined by Section 2303.002 of the Texas Occupations Code which is operated by a person who holds a license issued under Chapter 2303 of that code to operate that vehicle storage facility.

Aircraft. A device that is invented, used or designated for air navigation or flight, other than a parachute or other device used primarily as safety equipment.

Abandoned motor vehicle. For purposes of this chapter, a motor vehicle is abandoned if the motor vehicle:

- (1) is inoperable, is more than five years old and has been left unattended on public property for more than forty-eight (48) hours; or
- (2) has remained illegally on public property for more than forty-eight (48) hours; or
- (3) has remained on private property without the consent of the owner or person in charge of the property for more than forty-eight (48) hours; or
- (4) has been left unattended on the right-of-way of a designated county, state or federal highway for more than forty-eight (48) hours; or
- (5) has been left unattended for more than twenty-four (24) hours on the right of way of a turnpike project constructed and maintained by the Texas Turnpike Authority division of the Texas Department of Transportation or a controlled access highway; or
- (6) is considered an abandoned motor vehicle under the provisions of Texas Transportation Code Section 644.153(r).

Junked vehicle. For purposes of this chapter, the following shall be deemed a junked vehicle and subject to the procedures of this chapter for abatement as a junked vehicle:

- (1) a motor vehicle which is
 - (a) self-propelled; and
 - (b) is either:
 - (i) wrecked, dismantled or partially dismantled or discarded; or
 - (ii) inoperable and has remained inoperable for more than: 72 consecutive hours if the vehicle is on public property; or 30 consecutive days if the vehicle is on private property; and
 - (c) which does not have lawfully attached to it:
 - (i) an unexpired license plate; or
 - (ii) a valid motor vehicle inspection certificate.
- (2) an aircraft which is:
 - (a) self-propelled; and
 - (b) is either:
 - (i) wrecked, dismantled or partially dismantled or discarded; or

(ii) inoperable and has remained inoperable for more than: 72 consecutive hours if the vehicle is on public property; or 30 consecutive days if the vehicle is on private property; and

(c) and that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or

(3) a watercraft which is

(a) self-propelled; and

(b) is either:

(i) wrecked, dismantled or partially dismantled or discarded; or

(ii) inoperable and has remained inoperable for more than: 72 consecutive hours if the vehicle is on public property; or 30 consecutive days if the vehicle is on private property; and

(c) does not have lawfully on board an unexpired certificate of number; and

(d) is not a watercraft described by Section 31.055 of the Texas Parks and Wildlife Code.

Amend 6-3-2 (Authority to take possession of abandoned motor vehicles) to read as follows:

The Police Department may take into custody an abandoned motor vehicle, aircraft, watercraft, or outboard motor found on public or private property. The Police Department may utilize its own personnel, equipment and facilities or contract for other personnel, equipment and facilities to remove, preserve, store, send notice regarding and dispose of an abandoned motor vehicle, aircraft, watercraft, or outboard motor taken into custody by the Police Department under this chapter.

Amended 6-3-3 (Notification of owner and lienholders; storage fees) to read as follows:

1. The Police Department shall send written notice in compliance with the requirements of this section to:

(a) the last known registered owner of each motor vehicle, aircraft, watercraft or outboard motor taken into custody by the Police Department or for which a report is received under Section 6-3-5 of this chapter; and

(b) to each lienholder recorded:

(1) under Texas Transportation Code Chapter 501 for a motor vehicle taken into custody;

(2) with the Federal Aviation Administration or the Secretary of State for an aircraft taken into custody; or

(3) under Texas Parks and Wildlife Code, Chapter 31, for a watercraft or outboard motor taken into custody.

1-A. With respect to any aircraft taken into custody by the Police Department, the Department shall contact the Federal Aviation Administration in the manner described by Texas Transportation Code Section 22.901 to attempt to identify the owner of the aircraft before sending the notice required by Subsection (1) above.

2. The notice required by this subsection must:

- (a) Be sent by certified mail not later than the 10th day after the date the Police Department: takes the abandoned motor vehicle, aircraft, watercraft or outboard motor into custody; or receives a report under Section 6-3-5;
 - (b) Specify the year, make, model and identification number of the property;
 - (c) Give the location of the facility where the property is being held;
 - (d) Inform the owner and lienholder of the right to claim the property not later than the 20th day after the date of the notice upon payment of: towing, preservation and storage charges; or garagekeeper's charges and fees as authorized by Texas Transportation Code Section 683.032 and, if the vehicle is a commercial motor vehicle impounded under Texas Transportation Code Section 644.153(q), the delinquent administrative penalty and costs;
 - (e) State that failure of the owner or lienholder to claim the property during the period specified by subsection (d) immediately above is: a waiver by that person of all right, title and interest in the property; and a consent to the sale of the item at public auction;
3. If the identity of the last known registered owner cannot be determined; or, if the registration has no address for the owner; or if it is not possible to determine with reasonable certainty the identity and addresses of all lienholder on the property, notice may be given by publication in one newspaper of general circulation in the area where the motor vehicle, aircraft, watercraft, or outboard motor was abandoned. Notice by publication under these circumstances shall be sufficient notice.
 4. Notice by publication must be published in the same period that is required by subsection (a) above for notice by certified mail and must contain all the information required by subsection (2) above. Notice by publication may contain a list of more than one abandoned motor vehicle, aircraft, watercraft or out board motor.
 5. The Police Department is not required to send a notice, as otherwise required by subsection (1) above if the Police Department has received notice from a vehicle storage facility that an application has or will be submitted to the Texas Department of Motor Vehicles for the disposal of the vehicle.
 6. In addition to the notice required under subsection (1) above, if the Police Department takes an abandoned motor vehicle into custody, the Police Department shall not notify a person who files for that vehicle a theft report or similar report prepared by a law enforcement agency for the vehicle. The notice must be sent by regular mail on the next business day after the agency takes the vehicle into custody. The Police Department shall also provide the name and address of the person that filed the theft report or similar report to the vehicle storage facility or governmental vehicle storage facility that is storing the vehicle.

7. The Police Department or the agent of the Police Department that takes into custody an abandoned motor vehicle, aircraft, watercraft or outboard motor is entitled to reasonable storage fees:
 - (a) For not more than 10 days, beginning on the day the property is taken into custody and ending on the day the required notice is mailed: and
 - (b) Beginning on the day after the day the Police Department mails notice and ending on the day accrued charges are paid and the vehicle, aircraft, watercraft or outboard motor is removed.
8. If an abandoned motor vehicle, aircraft, watercraft, or outboard motor is not claimed after compliance with the provisions of this subsection:
 - (a) the owner or lienholder of any such motor vehicle, aircraft, watercraft or outboard motor shall be deemed to have waived all rights and interests in the said property and to have consented to the sale of the property by public auction or to the transfer of the property as set out in section 6-3-3-A of this chapter; and
 - (b) the police department shall be authorized to sell the property at public auction, to transfer the item in accord with the provisions of this chapter or to use the property as provided at section 6-3-3-A.

Amend Section 6-3-3A: Police Department Use of Certain Abandoned Motor Vehicles to read as follows:

1. If an abandoned motor vehicle was originally taken into custody by the Police Department and the vehicle has not been reclaimed as provided by Section 6-3-3 of this chapter, the Police Department may:
 - (a) use the vehicle for Police Department purposes; or
 - (b) transfer the vehicle to any other municipal or county agency, a groundwater conservation district governed by Texas Water Code Chapter 36 or a school district for the use of that agency or district.
2. The Police Department shall auction the vehicle as provided in Section 6-3-4 of this chapter if the Police Department or the municipal or county agency, groundwater conservation district, or school district to which the vehicle was transferred under Subsection (1) immediately above discontinues of the vehicle.
3. This section does not apply to:
 - (a) an abandoned vehicle on which there is a garagekeeper's lien; or
 - (b) which is removed to a private owned storage facility.
4. The Police Department must comply with the notice requirements of Section 6-3-3 above before the Police Department may transfer a vehicle under subsection (1)(b) above.

Amend Section 6-3-4 to be re-titled: Auction of Abandoned Vehicles and to read as follows:

1. If an abandoned motor vehicle, aircraft, watercraft or outboard motor is not claimed as provided by this chapter, the police department shall be authorized to sell the property at public auction.
2. Proper notice of the public auction shall be given. A garagekeeper who has a garagekeeper's lien on property subject to the public auction shall be notified of the time and place of the auction.
3. The purchaser of a motor vehicle, aircraft, watercraft or outboard motor at public auction:
 - (a) takes title free and clear of all liens and claims of ownership;
 - (b) shall receive a sales receipt from the police department; and
 - (c) is entitled to register the motor vehicle, aircraft, watercraft or outboard motor with and receive a certificate of title from the appropriate authority.
4. The police department may, with the consent of the Texas Parks and Wildlife Department, transfer a watercraft which is not claimed as provided by this chapter to the Texas Parks and Wildlife Department for use as part of an artificial reef under Chapter 89 of the Texas Parks and Wildlife Code or for other use by the Parks and Wildlife Department as permitted by the Parks and Wildlife Code. On transfer of a watercraft under this subsection, the Parks and Wildlife Department takes title free and clear of all liens and claims of ownership to the watercraft and is entitled to register the watercraft and receive a certificate of title.
5. The police department is entitled to reimbursement from the proceeds of the sale of an abandoned motor vehicle, aircraft, watercraft or outboard motor for:
 - (a) the costs of the auction;
 - (b) towing, preservation and storage fees resulting from the taking of the property into custody; and
 - (c) the costs of notice or publication required by subsection 6-3-3.
6. After deducting the reimbursements allowed under subsection (5) immediately above, the proceeds of the sale of the property shall be held for ninety (90) days for the owner or lienholder of the vehicle.
7. After the expiration of ninety (90) days from the date of the sale (and deduction of authorized reimbursements), sale proceeds unclaimed by the owner or lienholder shall be deposited in an account that may be used for the payment of auction, towing, preservation, storage, and notice and publication fees resulting from taking into custody other vehicles, aircraft, watercraft or outboard motors if the proceeds from the sale of the other items in are insufficient to meet those fees.
8. If the vehicle sold at auction is a commercial motor vehicle impounded under the provisions of Texas Transportation Code Section 644.153(q), the Texas Department of Public Safety is entitled from the proceeds of the sale to an amount equal to the amount of the delinquent administrative penalty and costs.

9. Subject to the requirements of subsection (8) immediately above, the City may transfer funds in excess of \$1,000.00 from the account identified in subsection 7 immediately above to the City's general fund to be used by the police department.

Amend Section 6-3-5 Garagekeepers and Abandoned Motor Vehicles to read as follows:

1. A motor vehicle shall be deemed abandoned if the vehicle is left in a storage facility operated for commercial purposes after the 10th day on which:
 - (a) the garagekeeper gives notice by registered or certified mail, return receipt requested, to the last known registered owner of the vehicle and to each lienholder of record on the vehicle under Texas Transportation Code Chapter 501 to remove the vehicle; or
 - (b) a contract for the vehicle to remain on the premises of the facility expires; or
 - (c) the vehicle was left in the facility, if the vehicle was left by a person other than the registered owner or a person authorized to have possession of the vehicle under a contract of use, service, storage or repair.
2. If notice sent under subsection (1) above is returned unclaimed by the post office, substituted notice by publication in one newspaper of general circulation in the City of Weatherford is sufficient.
3. The garagekeeper shall report the abandonment of the motor vehicle to the Police Department and shall remit a \$10.00 fee to be used by the Police Department for the costs of the notice required by this subsection or other costs incurred in disposing of the vehicle.
4. The garagekeeper shall retain custody of an abandoned motor vehicle until the Police Department takes the vehicle into custody pursuant to the provisions of this section.
5. A garagekeeper who acquires custody of a motor vehicle for a purpose other than repair is entitled to towing, preservation, and notification charges and reasonable storage fees, in addition to storage fees earned under a contract for each: (a) not to exceed five days, until the notice described by subsection (1) immediately above is mailed; and (b) after notice is mailed, until the vehicle is removed and all accrued charges are paid.
6. A garagekeeper who fails to report an abandoned motor vehicle to the Police Department within seven (7) days after the date the vehicle is abandoned may not claim reimbursement for storage of the vehicle.
7. This section does not impair any lien that a garagekeeper has on a vehicle except for the termination of limitation of a claim for storage for the failure to report the vehicle as an abandoned vehicle to the Police Department.
8. A person commits an offense if the person charges a storage fee for a period for which the fee is not authorized under this section. An offense under this subsection is a misdemeanor punishable by a fine of not less than \$200.00 nor more than \$1,000.00.
9. The Police Department shall take into custody an abandoned vehicle left in a storage facility which has not been claimed within the time period provided by the notice required under subsection (1) of this section. For purposes of this section, the Police

- Department has custody of the vehicle if the Police Department: (a) has physical custody and possession of the vehicle; (b) has given notice to the storage facility that the Police Department intends to dispose of the vehicle pursuant to this subsection; and (c) has received a report under subsection (3) of this section and the garagekeeper has met all of the requirements of that subsection.
10. With respect to a vehicle taken into custody as an abandoned vehicle in compliance with this section, the Police Department may use the vehicle as authorized by section 6-3-3A or may sell the vehicle at auction as provided by section 6-3-4. If a vehicle is sold, the proceeds of the sale shall first be applied to a garagekeeper's charges for providing notice regarding the vehicle and for service, towing, impoundment, storage and repair of that vehicle.
 11. As compensation for expenses incurred in taking the vehicle into custody and selling it, the Police Department shall retain: (a) two percent (2%) of the gross proceeds of the sale of the vehicle; or (b) all of the sales proceeds if the gross proceeds of the sale are less than \$10.00. Surplus proceeds shall be distributed as provided by Section 6-3-4, subsections (5) through (9) above.
 12. If the Police Department does not take a vehicle into custody before the 31st day after the date the vehicle was reported to the Police Department as an abandoned vehicle under subsection (3) of this section: (a) the Police Department may not take that vehicle into custody; and (b) the storage facility may dispose of the vehicle under the provisions of Texas Property Code, Chapter 70, except that notice provided under section 6-3-3- satisfies the notice requirements of that chapter; or under the provisions of Texas Occupations Code, Chapter 2303, if the storage facility is a vehicle storage facility.

Repeal existing Sections 6-3-6 and 6-3-7????

Amend Section 6-3-8 Junked Vehicles as Public Nuisance; Offense; Penalty by amending subsections (a) and (b) to read as follows:

- (a) A junked vehicle, including a part of a junked vehicle, which is visible at any time of the year from a public place or public right-of-way is detrimental to the safety and welfare of the public, tends to reduce the value of private property; invites vandalism; creates a fire hazard; is an attractive nuisance creating a hazard to the health and safety of minors; produces urban blight adverse to the maintenance and continuing development of municipalities; and is a public nuisance.
- (b) A person commits an offense if that person maintains a public nuisance by maintaining a junked vehicle as defined in section 6-3-1- above.

Amend the following subsections of Section 6-3-9:

Amend 6-3-9-(1) to read as follows:

With respect to a nuisance on private property, the city shall give written notice stating the nature of the public nuisance on the private property. The written notice shall state that the nuisance must be abated and removed not later than the 10th day

after the date on which the notice is postmarked (if mailed) or on which the notice was delivered (if personally delivered). The written notice shall also advise of the recipient's right to request a hearing on the matter of abatement of the nuisance and shall advise that any such request for a hearing must be made in writing to the City Secretary before the expiration of ten days from the date of the postmark of the notice (if mailed) or the delivery of the notice (if personally delivered). The City's written notice to abate the nuisance shall be given by personal delivery; sent by certified mail with a five-day return requested; or delivered by the United States Postal Service with signature confirmation service to the last known registered owner of the nuisance; each lienholder of record on the nuisance; and the owner or occupant of the private property on which the public nuisance exists. If the post office address of the last known registered owner of the nuisance is unknown, notice may be placed on the nuisance of, if the owner is located, notice may be personally delivered. In the event any notice mailed is returned undelivered or undeliverable, action to abate the nuisance shall be continued to a date not earlier than the 11th day after the date of the return of the notice.

Amend Section 6-3-9(2) to read as follows:

With respect to a nuisance on public property or public right-of-way, the city shall give written notice stating the nature of the public nuisance on the public property or public right-of-way. The written notice shall state that the nuisance must be abated and removed not later than the 10th day after the date on which the notice is postmarked (if mailed) or on which the notice was delivered (if personally delivered). The written notice shall also advise of the recipient's right to request a hearing on the matter of abatement of the nuisance and shall advise that any such request for a hearing must be made in writing to the City Secretary before the expiration of ten days from the date of the postmark of the notice (if mailed) or the delivery of the notice (if personally delivered). The City's written notice to abate the nuisance shall be given by personal delivery; sent by certified mail with a five-day return requested; or delivered by the United States Postal Service with signature confirmation service to the last known registered owner of the nuisance; each lienholder of record on the nuisance; and the owner or occupant of the property adjacent to the public property or public right-of-way on which the public nuisance exists. If the post office address of the last known registered owner of the nuisance is unknown, notice may be placed on the nuisance of, if the owner is located, notice may be personally delivered. In the event any notice mailed is returned undelivered or undeliverable, action to abate the nuisance shall be continued to a date not earlier than the 11th day after the date of the return of the notice.

Amend Section 6-3-9(4) to read as follows:

A public hearing on the matter of abatement and removal of a junked vehicle public nuisance or a part thereof may be requested by a person entitled to receive notice under subsections 6-3-9(1) or 6-3-9(2) of this section. Such a request shall be made in writing to the City Secretary for the City of Weatherford. If a hearing

is requested on the matter of abatement and removal of a junked vehicle public nuisance, the hearing shall be held not earlier than the 11th day after the date of the delivery of the written request for hearing to the City Secretary. A hearing requested under this subsection shall be conducted by the presiding judge of the Municipal Court for the City of Weatherford. At a hearing conducted under this subsection, the junked motor vehicle is rebuttably presumed to be inoperable unless demonstrated otherwise by the owner. If the information is available at the location of the public nuisance, an order requiring removal of the nuisance must include:

- (a) for a motor vehicle, the vehicle's: description; vehicle identification number; and license plate number;
- (b) for an aircraft, the aircraft's: description; federal aircraft identification number as described by Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; and
- (c) for a watercraft, the watercraft's: description; and identification number as set forth in the watercraft's certificate of number.

Amend Section 6-3-9(5) to read as follows:

With respect to a junked vehicle public nuisance abated and removed pursuant to the procedures of this chapter, notice shall be provided to the Texas Department of Motor Vehicles not later than the fifth day after the date of removal of the junked vehicle public nuisance. On receipt of a notice of the removal of a motor vehicle, the Department of Motor Vehicles shall immediately cancel the certificate of title issued for that motor vehicle. On receipt of a notice of the removal of a watercraft, the Department of Motor Vehicles shall notify the Parks and Wildlife Department of the removal and the Parks and Wildlife Department shall immediately cancel the certificate of title issued for the watercraft.

Add new Section 6-3-9(8) to read as follows:

The relocation of a junked vehicle that is a public nuisance to another location within the corporate limits of the city, after the process for the abatement and removal of the public nuisance has commenced, shall have no effect on the abatement process if the junked vehicle constitutes a public nuisance at the new location.

Amend 6-3-11 Authority to Enforce to read as follows:

A code enforcement officer for the City or a police officer for the City may enter upon private property to examine a public nuisance as defined in this chapter, to obtain information to identify the nuisance and to remove or direct the removal of the nuisance. The Municipal Court for the City of Weatherford shall have authority to issue orders necessary to enforce the procedures of this chapter.

Repeal Section 6-3-12 Penalty *This is duplicative of the provisions of Section 6-3-8(b) and (c)*

Renumber current Section 6-3-13 to Section 6-3-12

EXHIBIT D

Proposed Amendments to City Code Title II, Chapter 6 –**Building and Standards Commission**

1. Amend Section 2-6-6(a)(1) to read as follows:
 - a. Notice of all proceedings before the commission must be given:
 1. By personal delivery, by certified mail with return receipt requested, or by delivery by the United State Postal Service using confirmation service, to the record owners of the affected property and each holder of a recorded lien against the affected property, as shown by the records in the office of the clerk of the county in which the affected property is located if the address of the lienholder can be ascertained from the deed of trust establishing the lien or other applicable instruments on file in the office of the county clerk.