

ORDINANCE NO. 3607

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING CHAPTER 98 OF THE NORTH RICHLAND HILLS CODE OF ORDINANCES, ADOPTING THE 2018 INTERNATIONAL BUILDING CODE AS AMENDED AS THE COMMERCIAL BUILDING CODE OF THE CITY OF NORTH RICHLAND HILLS; AMENDING OTHER PROVISIONS OF SUCH CHAPTER 98; AMENDING APPENDIX A FEE SCHEDULE; PROVIDING A PENALTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Richland Hills, Texas (“the City”) is a home rule city acting under its power adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the International Building Codes are developed by construction industry professionals and adopted around the world as model codes based on the best, most recent building science; and

WHEREAS, updates to the building codes are meant to track with changes in building industry standards, practices, innovations, and technologies; and

WHEREAS, the North Richland Hills City Council desires to adopt the 2018 International Building Code with amendments recommended by the North Central Texas Council of Governments and other local amendments in order to better provide for the health, safety, and welfare of its residents, businesses and their property, as well as all occupants and users of buildings and structures within the community; and

WHEREAS, it is the policy of the City of North Richland Hills to update its building codes every six years; and

WHEREAS, updated codes benefit North Richland Hills citizens by establishing consistency of code adoptions with other local jurisdictions; ensure the best rating possible by the Insurance Services Organization (ISO); and contribute to the city's good standing in FEMA's Community Rating System (CRS) which enables discounted flood insurance rates for our residents; and

WHEREAS, the North Richland Hills Construction Code Appeals Board acting in its capacity as the Construction Advisory Board on August 15, 2019, reviewed and unanimously recommended the adoption of the 2018 International

Building Code with the amendments recommended by the North Central Texas Council of Governments and other local amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:

SECTION 1: The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

SECTION 2: THAT, Section 98-42(b) of the North Richland Hills Code of Ordinances be amended to read as follows:

(b) The board shall serve as an appeals board as contemplated by the building, electrical, plumbing, residential, mechanical, fire, fuel gas, energy, swimming pool & spa, and existing buildings codes adopted by the city. To the extent that such codes contemplate different terms of office or qualifications of members, this section shall prevail.

SECTION 3: THAT, Section 98-43(a) of the North Richland Hills Code of Ordinances be amended to read as follows:

(a) Any person may appeal an interpretation of the substantive provisions of building, electrical, plumbing, residential, mechanical, fire, fuel gas, energy, swimming pool & spa, and existing buildings codes, or the disapproval or refusal of any permit thereunder to the extent provided in such codes, by filing a written notice with the official who made the interpretation or who refused or disapproved such permit. Such notice shall be filed within ten days after any interpretation is made or permit refused or disapproved.

SECTION 4: THAT, Sec. 98-63(3) of the North Richland Hills Code of Ordinance be amended to read as follows:

(3) Every commercial building permit and multi-family building permit shall pay a nonrefundable plan review fee which shall be 65 percent of the building permit fee. This fee is due prior to issuance of the permit.

SECTION 5: THAT, Section 98-92(c) of the North Richland Hills Code of Ordinances be amended to read as follows:

(c) All commercial and multifamily building permits shall be assessed a plan review fee in addition to the building permit fee. The plan review fee shall be 65 percent of the building permit fee unless otherwise specifically stated.

SECTION 6: THAT Section 98-143 of the North Richland Hills Code of Ordinances be amended to read as follows:

Sec. 98-143 2018 International Building Code Adopted.

The International Building Code, 2018 Edition as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as herein amended, is hereby adopted by reference and designated as the Building Code of the City of North Richland Hills, the same as though such Code and amendments were copied at length herein.

SECTION 7: THAT Section 98-144 of the North Richland Hills Code of Ordinances be amended to read as follows:

Sec. 98-144 Amendments to the 2018 International Building Code

****Section 101.1, change to read as follows:**

101.1 Title. These regulations shall be known as the Building Code of the City of North Richland Hills, hereinafter referred to as “this code.”

****Section 101.4; change to read as follows:**

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code, when specifically adopted, 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 to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

****Section 101.4.8; change to read as follows:**

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

****Section 102.6; change to read as follows:**

102.6 Existing Structures. The legal occupancy of any structure existing on the date of adoption of the code shall be permitted to continue without change, except as is specifically covered in this code, Article X of the North Richland Hills Code of Ordinances (substandard building regulations), the *International Existing Building Code*, the *International Fire Code*, as applicable, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

**** Section 103 & 103.1; change to read as follows:**

**SECTION 103
BUILDING INSPECTION DEPARTMENT OF NORTH RICHLAND HILLS**

103.1 Creation of enforcement agency. The Building Inspection Department of North Richland Hills is hereby created and the official in charge thereof shall be known as the *chief building official*. The Building Inspection Department of North Richland Hills shall also mean the Department of Building Safety when referred to in this code.

****Section 103.3; Add last sentence to read as follows:**

For the maintenance of existing properties, see also Article X of Chapter 98 of the North Richland Hills Code of Ordinances.

****Section 104.6; replace section to read as follows:**

104.6 Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official or his designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If entry is refused by the occupant, the building official shall have recourse to the remedies provided by law to secure entry. If such structure or premises be 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 by the owner or other person having charge or control of the structure or premises, the building official shall have recourse to the remedies provided by law to secure entry.

**** Section 104.10.1; modify the first paragraph of section 104.10.1 as follows:**

104.10.1 Flood hazard areas. The building official shall not grant modifications to any provision required in flood hazard areas as established by Chapter 102 of the North Richland Hills Code of Ordinances *{remainder of section unchanged}*.

**** Section 105.1; add second paragraph to read as follows:**

Alterations shall include remodeling projects that require the addition or replacement of walls, wallboard, roofing, roof decking, and floor or ceiling decking.

****Section 105.2; modify items #1, 2, 4, 6, 10 and add items #14 & 15: change to read to read as follows:**

1. One-story detached accessory structures of *1 & 2 family dwellings* and *townhomes* used as tool and storage sheds, playhouses and similar uses, provided it is located at least 3 feet from the primary structure, the floor area does not exceed 144 square feet, and complies with Chapter 118 of the North Richland Hills Code of Ordinances.
2. Replacement of up to four 8 foot sections of fence no taller than eight-feet in height. All other fences shall require a permit.
4. Retaining walls which are not over 3 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding class I, II or III-A liquids. Retaining walls placed in succession shall be considered one wall if, upon drawing a line from the bottom of the footing of the lower wall at a 45-degree angle up and towards the higher wall, the line intersects the higher wall or any material retained by the higher wall at any point. Any retaining wall (or succession of retaining walls) 3 feet or taller must be designed by an engineer licensed to practice in the State of Texas.
6. Sidewalks and other flatwork less than 200 square feet in area not located within the public right-of-way or more than 30 inches (762 mm) above grade, less than 6 feet from a property line, not over any basement or story below, and are not part of an accessible route. Driveways and drive approaches shall require a permit.
10. (Deleted)
14. Roof repairs on group R, division 3 and their accessory structures. For the purpose of this section, roof repairs shall include the repair and replacement of shingles or other approved roofing material, but does not include decking material, lathing boards or sheathing boards. The building official is authorized to revoke this exception at his/her discretion, provided it is applied uniformly to all contractors engaging in roofing or re-roofing; in which case a building permit and contractor registration is required prior to commencement of roofing repair/replacement activities.
15. Freestanding satellite dishes not exceeding one meter in diameter that do not exceed 12 feet in height.

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

****Section 105.7; change to read as follows:**

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project. A permit card which has been issued by the department of building inspection shall also be kept on the site in a prominent location

and remain visible to the building official and/or his designee until the completion of the project.

****Section 107.4.1; add section to read as follows:**

107.6 Final as-built grading surveys. A final “as-built” grading & drainage survey must be provided to the building inspector prior to final inspection approval on all new construction (commercial and residential), swimming pools, and other features which may affect the City’s drainage designs. The grading and drainage survey must be prepared by a licensed surveyor and must include site elevations, finish-floor elevations, site features (i.e. trees, sod, A/C units, accessory buildings, etc.), drainage arrows, building foot print(s) and fence locations. The survey must also include a written statement by a licensed surveyor certifying that the final grading of the individual site conforms to the engineered drainage and grading plans approved by the Public Works Department for the particular lot/subdivision. The Building Inspection Department will not issue an approval of the feature/lot/subdivision until this survey and corresponding certification have been received and approved by the Building Official or his designee.

****Section 109; add Section 109.7 to read as follows:**

109.7 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. City approved plans are not on the job site available to the inspector;
4. The building is locked or work otherwise not available or accessible for inspection when called;
5. The job site is red-tagged two or more times for the same item(s), or for other items clearly known to the contractor from previous projects within North Richland Hills;
6. Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fee assessed shall be paid before additional inspections are made on that job site.

****Section 109; add Section 109.8, 109.8.1, 109.8.2 and 109.9 to read as follows:**

109.8 Work without a permit.

109.8.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made

before a permit may be issued for such work.

109.8.2 Fee. When work requiring a permit is found to be in progress or completed and no permit has been issued for such work, the required permit fee shall be double the fee determined according to the fee schedules contained in appendix A, or \$500.00 plus the fee determined according to the fee schedules contained in appendix A, whichever is greater. This fee shall be charged to the contractor or building owner doing all or part of the work and may be appealed to the building official or fire marshal. Continued failure to obtain a permit after having been duly notified is considered a violation of this article.

109.9 Unauthorized cover up fee. Any work concealed without first obtaining the required inspection in violation of Section 110 shall be assessed the maximum re-inspection fee as established by the city fee schedule and the work uncovered to the satisfaction of the building official for inspection. Any work covered or concealed without inspection shall be considered to constitute an unsafe structure and subject to the corrective provisions of section 116. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

*****Section 110.3.12 Add section to read as follows:***

110.3.12 Storm Water Pollution Inspection. Whenever earth has been disturbed during the course of construction, every inspection mentioned in section 110.3.1 through 110.3.11 shall also include a storm water pollution control inspection in accordance with section 1803.3.1. Construction sites failing to provide and/or maintain adequate storm water pollution controls may be disapproved regardless of the status of the primary inspection and are subject to reinspection fees for non-compliance.

*****Section 110.4; change section to read as follows:***

110.4 Inspection Agencies. At the discretion of the building official, reports from approved inspection agencies may be accepted with prior written approval. Inspection agencies must satisfy the requirements as to qualifications and reliability.

*****Section 110.6.1; add section to read as follows:***

110.6.1 Covered or concealed work. Any work covered or concealed without inspection shall be considered to constitute an unsafe structure and subject to the corrective provisions of section 116. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code and all investigative/reinspection fees are paid.

*****Section 111; change entire section to read as follows:***

111.1 Use and occupancy. Except for one and two family dwellings and their accessory buildings which are subject to the International Residential Code, no building or structure within the city shall be used; subjected to change in occupancy classification, use or character of use; occupied or reoccupied unless the building official has issued a certificate of occupancy. In the event that any building or structure is leased or subleased in separate lease-units, each lease-unit must have a certificate of occupancy issued to such separate lease-unit. A certificate of occupancy shall be obtained each time a building or lease space changes tenants, business name, and/or ownership. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall remain visible at all times the building is occupied. No utility service shall be supplied to any building or separate lease unit until the building official has notified the supplier in writing after review, inspection, and approving the certificate of occupancy applicant. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exceptions:

1. The building official may release utility services for a temporary period of time upon written request by the applicant for the purposes of cleaning and showing prospective rental properties.
2. Certificates of occupancy are not required for work exempt from permits under Section 105.2

111.1.1 Responsible party. Any person, firm or corporation who violates any portion of this section by using or occupying a building or structure without obtaining a certificate of occupancy shall be guilty of a misdemeanor. Both the tenant and the landlord shall be deemed guilty of violation in the event of use or occupancy of leased premises without a certificate of occupancy.

111.1.2 Authority to remove utilities. In order to further compliance with this section, the building official may order that no utility, including water and/or electrical, be provided to the building, or portion thereof, which is occupied or used without a valid certificate of occupancy. In the event that a leased portion of any building is in violation of the ordinance, the utility provided to the entire building may be discontinued upon order of the building official until the violation is abated. However, in the event that the portion of the lease portion of the building which is in violation of the ordinance is separately metered, then the building official's order to stop utilities shall apply only to that meter which controls the service(s) provided to the portion of the building in violation of this section. The utility department(s) shall give full force and effect to the order of the building official.

****Section 111.2; Amend section 111.2 to read as follows:**

[A] 111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by

the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The permit number
2. The name and address of the occupant or structure.
3. The name and address of the building owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the *building official*.
7. The use and occupancy, in accordance with the provisions of Chapter 3.
8. The type of construction as defined in Chapter 6.
9. The design *occupant load*.
10. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
11. Any special stipulations and conditions of the building *permit*.

****Section 111.3; Amend section 111.3 to read as follows:**

111.3 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely and all sanitary and life-safety requirements are installed and completed. The building official shall set a time period not to exceed 60 days in which the temporary certificate of occupancy is valid. The fire marshal or his designee shall also approve all temporary occupancies.

****Section 111.4; Amend section 111.4 to read as follows:**

111.4 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance, regulation, or law, or any provisions of the building, zoning, and health codes adopted by the City of North Richland Hills. The building official is also authorized to, in writing, to suspend or revoke a certificate of occupancy when it is determined that a building is used or occupied for activities that are not in compliance with Chapter 118 of the City Code of Ordinances or used to house activities that are in violation of other local, state, and/or federal laws.

Section 113; Delete entire section and replace as follows:

**SECTION 113
BOARD OF APPEALS**

113.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the North Richland Hills Construction Board of Appeals per Sections 98-42, 98-43, and 98-185(f) of the North Richland Hills Code of Ordinances. The application for appeal shall be based on a claim that the true intent of this code or the rules adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The Construction Board of Appeals is not authorized to waive specific requirements of this code.

****Section 114; Modify sections 114.1, 114.2, and 114.3, to read as follows:**

SECTION 114 - VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, remove, convert or demolish, equip, use, occupy or maintain any building, structure or equipment or cause or permit the same to be done in violation of this code.

114.1.1 Unsafe buildings. Failure to correct an unsafe building as provided for in Sections 110.6.1 or 116, shall constitute a violation of this code.

114.1.2 Occupancy violations. Whenever any site, building, structure or equipment therein regulated by this code or any other code is being used contrary to the provisions of this code or any other code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the site, building, structure, or portion thereof, or equipment comply with the requirements of this code.

114.1.3 Failure to comply with notice. Failure to comply with a notice shall be considered a violation of this code.

114.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Citations for violations of this code may be issued without requiring the issuance of a notice. When a notice is issued, it is not necessary to reissue a notice prior to issuance of any further citations for the same violation.

114.3 Prosecution of violation. A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

****Section 116; Replace section 116.1 to read as follows:**

SECTION 116 - UNSAFE BUILDINGS, STRUCTURES OR EQUIPMENT

116.1 Unsafe buildings. All buildings, structures or equipment regulated by this code that are structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in this code are hereby designated as unsafe building appendages.

All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in this code or such alternate procedures as may have been or as may be adopted by this jurisdiction. As an alternative, the building official, or other employee or official of this jurisdiction as designated by the governing body, may institute any other appropriate action to prevent, restrain, correct or abate the violation. This may include ordering the disconnection of water and/or electrical utilities.

A vacant structure that is not secured against entry shall be deemed unsafe. Materials used to secure a structure, which deteriorate or increase in susceptibility to fire hazard over time, shall be replaced or treated to eliminate the increase of the hazard.

Any work covered or concealed without inspection shall be considered to constitute an unsafe structure. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

116.1.2 Dangerous Demolition. The Building Official may order the cessation of the wrecking or demolition of any building or structure within the City when the same is being accomplished in a reckless or careless manner or in such a manner so as to endanger

life and property. When such work has been ordered stopped by the Building Official, same shall not be resumed until said official is satisfied that adequate precautions have been or will be taken for protection for life and property. To continue such work without the expressed approval of the Building Official shall constitute a violation of this ordinance, and each day that such work continues shall constitute a separate offense.

****Section 202; add/replace definitions as follows:**

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, dental, surgical, psychiatric, nursing or similar care to patients on a less than 24-hour basis to individuals who are rendered incapable of self-preservation by the services provided. This includes, but is not limited to, out-patient surgery centers, dental clinics providing sedation treatments using medications and/or nitrous oxide, dialysis centers, colonic centers, plastic surgery centers, psychiatric centers, and similar occupancies that use anesthesia, gas, medications, or other medical treatments which may render patients temporarily incapable of taking action for self-preservation without the assistance of others.

ASSISTED LIVING FACILITIES. A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

ATRIUM. An opening connecting three or more stories... *{Balance remains unchanged}*

CHANGE OF OCCUPANCY. A change in the use of a building or a portion of a building which results in one or more of the following:

1. A change of occupancy classification as described in Chapter 3 of this code.
2. A change from one group to another group within an occupancy classification as described in Chapter 3 of this code.
3. Any change in use within a group for which there is a change in application of the requirements of this code.

The definition shall also apply to usage of the surrounding site and access to and from the building, structure or site, as necessary to achieve the purpose of this code, and to obtain compliance with other codes and ordinances of this jurisdiction. No building or lease space shall be allowed to change use types without meeting all the requirements of this code

ELECTRICAL CODE. Electrical Code shall mean NFPA 70, the National Electrical Code, as adopted by this jurisdiction. For the purpose of this code, all references to NFPA 70 and/or the ICC Electrical Code shall be assumed to mean the Electrical Code as defined herein.

ENERGY CODE. Energy Code shall mean the International Energy Code as adopted by this jurisdiction.

FIRE AREA. The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor above. For purposes of determining automatic sprinkler systems required in Chapter 9, a fire area shall be determined by the aggregate floor area enclosed and bounded by the exterior walls of a building and/or the horizontal projection of the roof.

FIRE PREVENTION CODE (FIRE CODE). Fire Prevention Code, or Fire Code, shall mean the International Fire Code as adopted by this jurisdiction.

FUEL GAS CODE. Fuel Gas code shall mean the International Fuel Gas Code as adopted by this jurisdiction.

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.

MECHANICAL CODE. Mechanical Code shall mean the International Mechanical Code as adopted by this jurisdiction.

OCCUPIABLE SPACE. A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes or in which occupants are engaged at labor, and which is equipped with means of egress and light and ventilation facilities meeting the requirements of this code. Any space that could be assumed to be occupiable shall not be exempt to the requirements of this code by designing the space without means of egress, light or ventilation.

PLUMBING CODE. Plumbing Code shall mean the International Plumbing Code in conjunction with the International Fuel Gas Code as adopted by this jurisdiction.

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.

RESIDENTIAL CODE. Residential Code shall mean the International Residential Code for One- and Two-Family Dwellings as adopted by this jurisdiction.

SPECIAL INSPECTOR. A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

****Section 303.1.3; add a sentence to read as follows:**

303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy except when applying the assembly requirements of Chapter 10 and 11.

****Section 304.1; add the following to the list of occupancies:**

Fire stations without sleeping areas (fire stations with sleeping areas shall be considered a B/R-2 mixed occupancy)

Police stations with detention facilities for 5 or less

****Section 307.1.1, item #4 and #7; changed to read as follows:**

4. Cleaning establishments... *{text unchanged}* ...with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also IFC Chapter 21, Dry Cleaning Plant provisions.
7. Refrigeration systems where the chemicals involved are in the piping, connected tanks, or overflow tanks directly connected as part of the operational system. Extra storage tanks, not directly connected as part of the operational system, are not considered part of the refrigeration system.

**** Section 308.2; add use under I-1 as follows:**

State of Texas, Type A Assisted Living

**** Section 308.3; add two (2) uses under I-2 as follows:**

State of Texas, Type B Assisted Living
State of Texas, Special Care Facility

**** Section 311.4; add new section to read as follows:**

311.4 Building characteristics. All S-2 occupancies shall meet the same requirements as S-1 occupancies found in Tables 504.4, Table 506.2, Table 602, Table 706.4, Table 707.3.10, Section 903.2.9 and Section 903.2.9.1.

**** Section 403.1, exception #3: changed to read as follows:**

3. The open air portion of a building containing a Group A-5 occupancy in accordance with Section 303.6; however, this exception does not apply to

accessory uses including but not limited to sky boxes, restaurants, stores, storage rooms, and similarly enclosed areas.

**** Section 403.2.1, delete 403.2.1 & 403.2.1.1.**

****Section 403.3, exception #2; delete.**

****Section 403.3.2; change to read as follows:**

403.3.2 Water supply to required fire pumps. In buildings that are more than 120 feet (36.5 m) in building height *{Balance remains unchanged}*.

****Section 404.5; delete exception.**

****Section 406.3.3.1; Carport separation; add sentence to read as follows:**

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).

****Section 406.4.2; change to read as follows:**

406.4.2 Vehicle barriers. Vehicle barriers not less than 2 feet 9 inches (835 mm) in height shall be provided at all public parking garages and public parking lots where the vertical distance from the parking surface or drive lane to the ground or surface directly below is greater than 1 foot (305 mm). Vehicle barriers shall comply with the loading requirements of Section 1607.8.3.

****Section 406.8; add a second paragraph to read as follows:**

This occupancy shall 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.

****Section 422; replace sec. 422.1 to read as follows:**

Section 422.1 Ambulatory Care Facilities

422.1 Ambulatory Care Facilities. Occupancies classified as *ambulatory care facilities* where the potential for four or more care recipients who may be rendered incapable of self-preservation at any time shall comply with the provisions of Sections 422.1 through 422.7 and other applicable provisions of this code. *Ambulatory health care facilities* include, but are not limited to, out-patient surgery centers, dental clinics providing sedation treatments using medications and/or nitrous oxide, dialysis centers, plastic surgery centers and similar occupancies, that use anesthesia, gas, drugs, or other

medical treatments which may render patients temporarily incapable of taking action for self-preservation without the assistance of others.

****Section 503.1; Modify last sentence to read as follows:**

503.1 General. *{Main body of section to remain unchanged}*...Except when determining automatic sprinkler system requirements of Section 903.2, for purposes of determining are limitations, height limitations and type of construction, each portion of a building separated by one or more fire walls complying with Section 706 shall be considered to be a separate building.

****Section 503.2 and 503.3; added to read as follows:**

503.2 Yards. When yards are provided for determination of exterior wall rating, exterior opening protection or increase in allowable area calculations, under this code or any previous code, they shall be maintained clear and unobstructed in accordance with their original approval, unless permitted to be removed or reduced by this code.

503.3 Fire protection systems. Any existing fire extinguishing system or fire alarm system, whether installed voluntarily or as a requirement of any previous code, shall be maintained and kept operational as required in the Fire Code. Such systems shall not be removed unless permitted to be removed or reduced by this code and the Fire Code.

**** Table 506.2; modify footnote i to read as follow:**

- i. The maximum allowable area for a single-story non-sprinkled Group U greenhouse is permitted to be 6,000 square feet.

****Section 506.3.1; add sentence to read as follows:**

506.3.1 Minimum percentage of perimeter. *{Existing text to remain}*

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.

****Section 507.3; delete entire section**

****Section 507.4; modify as follows**

507.4 Sprinklered, one story buildings. The area of single story Group A-4, B, F, M or S building of other than Type V construction, shall not be limited where the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1 and is...*{remainder of section unchanged}*

****Section 507.5; modify as follows**

507.5 Two-story buildings. The area of a Group B, F, M or S building not more than two stories above grade plane of other than Type V or Type III construction, shall not be limited where the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1 and is...*{remainder of section unchanged}*

****Section 508.3.2; add additional paragraph to read as follows:**

When using this option the most restrictive requirement of all the non-separated occupancy types shall apply:

- i. The occupancy with the most restrictive height, area and permitted increases shall apply to all occupancies.
- ii. When fire protection systems are required by the most restrictive occupancy, it shall apply to all occupancies.
- iii. The occupancy with the most restrictive exit provisions shall apply to all occupancies.
- iv. The occupancy with the most restrictive construction type, fire wall rating, fire barrier rating, fire partition rating, etc. shall apply to all occupancies.
- v. Most restrictive is applicable on an item by item basis. One (1) occupancy may be most restrictive for sprinklers, while another occupancy is most restrictive for area and height, while another occupancy is most restrictive for exits.

****Table 601; replace Table 601 as follows:**

TABLE 601
FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (HOURS)

BUILDING ELEMENT	TYPE I		TYPE II		TYPE III		TYPE IV	TYPE V	
	A	B	A	B	A	B	HT	A	B
Primary structural frame ^f (see Section 202)	3 ^{a, b}	2 ^{a, b}	1 ^b	0	1 ^b	0	HT	1 ^b	0
Bearing walls									
Exterior ^{e, f} includes structural framing at or near exterior wall in Type III	3	2	1	0	2	2	2	1	0
Interior	3 ^a	2 ^a	1	0	1	0	1/HT	1	0
Nonbearing walls and partitions	See Table 602								
Exterior									
Nonbearing walls and partitions	See Section 2304.11.2								
Interior ^d									
Floor construction and associated secondary members (see Section 202)	2	2	1	0	1	0	HT	1	0
Roof construction and associated secondary members (see Section 202)	1½ ^b	1 ^{b, c}	1 ^{b, c}	0 ^c	1 ^{b, c}	0	HT	1 ^{b, c}	0

For SI: 1 foot = 304.8 mm.

- a. Roof supports: Fire-resistance ratings of primary structural frame and bearing walls are permitted to be reduced by 1 hour where supporting a roof only.
- b. Except in Group F-1, H, M and S-1 occupancies, fire protection of structural members in roof construction shall not be required, including protection of primary structural frame members, roof framing and decking where every part of the roof construction is 20 feet or more above any floor immediately below. Fire-retardant-treated wood members shall be allowed to be used for such unprotected members.
- c. In all occupancies, heavy timber complying with Section 2304.11 shall be allowed where a 1-hour or less fire-resistance rating is required.
- d. Not less than the fire-resistance rating required by other sections of this code.
- e. Not less than the fire-resistance rating based on fire separation distance (see Table 602)
- f. Not less than the fire-resistance rating as referenced in Section 704.10.

****Section 602.1.1; add sentence to read as follows:**

602.1.1 Minimum Requirements. *{Existing text to remain unchanged}*.

Where a building contains more than one distinct type of construction, the building shall comply with the most restrictive area, height, and stories for the lesser type of construction or be separated by fire walls.

****Section 705.5 Replace section to read as follows:**

705.5 Fire-resistance ratings. Exterior walls shall be fire-resistance rated in accordance with Tables 601 and 602 and this section. Fire-resistance ratings of all exterior walls required to be fire rated shall be rated for exposure to fire from both sides.

****Section 706.1; add second paragraph to read as follows:**

Required fire walls shall be installed at the time of new construction and shall not wait for tenant layout locations.

****Section 706.1.1 Party walls; delete exception #2.**

****Section 708.4.2; change exception #1 to read as follows:**

708.4.2 Fireblocks and draftstops in combustible construction. *{Body of text unchanged}*

Exceptions:

1. Buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, or in accordance with Section 903.3.1.2 provided that sprinkler protection is provided in the space between the top of the fire partition and the underside of the floor or roof sheathing, deck or slab above as required for systems complying with Section 903.3.1.1. Portions of buildings containing concealed spaces filled with noncombustible insulation as permitted for sprinkler omission shall not apply to this exception for draftstopping. [Remainder unchanged]

****Section 712.1.9, change item 5 to read as follows:**

4. Is not open to a corridor in Group I, R and H occupancies.

****Section 718.3; change sentence to read as follows:**

718.3 Draftstopping in floors. *{Body of text unchanged}*

Exception: Buildings equipped throughout with an automatic sprinkler system in

accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

****Section 718.4; change sentence to read as follows:**

718.4 Draftstopping in attics. *{Body of text unchanged}*

Exception: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and provided that in combustible construction, sprinkler protection is provided in the attic space.

****Section 901.6.1.1 Standpipe Testing; add section to read as follows:**

901.6.1.1 Standpipe Testing. Building owners/managers must utilize a licensed fire protection contractor to test and certify standpipe systems. In addition to the testing and maintenance requirements of NFPA 25 applying to standpipe systems, 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 contractor 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. 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.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's. Contact the Fire Marshal for additional information.
5. Upon successful completion of standpipe test, the contractor shall place a blue tag (as per "Texas Administrative Code, Title 28. Insurance, Part I. Texas Department of Insurance, Chapter 34. State Fire Marshal, Subchapter G. Fire Sprinkler Rules, 28 TAC § 34.720. Inspection, Test and Maintenance Service (ITM) Tag") at the bottom of each standpipe riser in the building. An example of this tag is located at the end of this SOP. 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 contractor shall follow the procedures as required by “Texas Administrative Code, Title 28. Insurance, Part I. Texas Department of Insurance, Chapter 34. State Fire Marshal, Subchapter G. Fire Sprinkler Rules, 28 TAC” 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 Marshal).
7. Additionally, records of the testing shall be maintained by the owner and contractor, 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 Marshal for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this fire fighting 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.

****Section 903.1.1; change 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*.

**** Section 903.1.2; change to read as follows:**

903.1.2 Residential systems. Unless specifically allowed by this code, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13R shall not be recognized for the purposes of exceptions or reductions, commonly referred to as “trade-offs,” permitted by other requirements of this code.

All residential sprinkler systems installed in accordance with NFPA 13R must include attic sprinkler protection.

****Section 903.2; add paragraph to read as follows and delete the exception:**

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. 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.”

****Section 903.2.2; modify item #1 to read as follows:**

1. When the *ambulatory care facility* has the capacity to render four or more care recipients incapable of self-preservation (including but not limited to dentist offices with four or more patient chairs).

**** Section 903.2.8; replace to read as follows:**

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception:

2. One and two-family dwellings regulated by the IRC and which have been preempted from sprinkler requirements by state statute.

****Section 903.2.9.1; replace section to read as follows:**

903.2.9.1 Repair Garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406, as shown:

1. Buildings, including basements, containing a repair garage with a fire area exceeding 5,000 square feet.
2. Buildings with a repair garage servicing vehicles parked in the basement.

****Section 903.2.9.3; change 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 wall installed between every storage compartment.

****Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8 and 903.2.11.9. 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 1510 of the *International Building Code* that is located 35 feet or more above the lowest level of fire department vehicle access.

Exception: Open parking structures in compliance with Section 406.5 of the International Building Code having no other occupancies above the subject garage.

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see IFC Chapter 32 to determine if those provisions apply.

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

903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the International Building Code.

****Section 903.3.1.1.1; replace section 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 . . . {bulk of section unchanged} . . . 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, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

****Section 903.3.1.2.3; delete sections and replace as follows:**

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

1. *{Remainder Unchanged}*
2. *{Remainder Unchanged}*
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with the following: *{Remainder Unchanged}*

****Section 903.3.1.3; replace section as follows:**

[F] 903.3.1.3 NFPA 13D sprinkler systems. *Automatic sprinkler systems* installed in one- and two-family *dwelling*s; Group R-3; and R-4 Condition 1; and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

When *automatic sprinkler systems* are omitted from one and two-family dwellings in accordance with state law, the builder shall file with the county a notarized affidavit indicating that they have chosen to defer to Section 1301.551 of the Texas Occupations Code rather than the requirements of Section 903.2.8 of the 2018 IBC and/or Section R313 of the 2018 IRC. A copy of the filed affidavit shall be provided to the building official prior to occupancy.

****Section 903.3.1.4; add to read as follows:**

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

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

****Section 903.3.5; add a second paragraph to read as follows:**

[F] 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. Reference Section IFC 507.4 for additional design requirements

****Section 903.4 Sprinkler system supervision and alarms; add a second paragraph after the exceptions to read as follows:**

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

****Section 903.4.2 Alarms; add second paragraph to read as follows:**

[F] 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.

****Add Section 903.6 to read as follows:**

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 IFC Section 1504.

****Section 904.13.1; Replace section to read as follows:**

[F] 904.13.1 Domestic cooking systems. Cooktops and ranges shall be protected in accordance with Section 904.13.1.1.

Exception: Cooktops and ranges located in individual dwellings units shall be equipped with recirculating or exterior discharge vent hoods and shall be equipped with passive or active fire suppression as approved by the building official.

****Section 904.13.1.1; Change to read as follows:**

[F] 904.13.1.1 Automatic fire-extinguishing system. A domestic exterior vented cooking hood shall be provided over the cooktop or range, and shall be equipped with an approved automatic fire-extinguishing system in accordance with the manufacturer's instructions and Section 507.2.3 of the mechanical code *{remainder of section unchanged}*.

****Section 905.2; change to read as follows:**

905.2 Installation standards. Standpipe system 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.

****Section 905.3.2; delete exceptions #1 and #2.**

****Add Section 905.3.9: Building Area.**

905.3.9: 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.

****Section 905.4, change item 1, 3, and 5, and add item 7 to read as follows:**

1. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the main floor landing between stories, unless otherwise approved by the fire code official.
2. {No change}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

Exception: Where floor areas adjacent to an exit passageway are reachable from an interior exit stairway hose connection by a {No change to remainder}.

4. {No change}
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 shall be located to serve the roof or at the highest landing of an interior exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

****Section 905.9; 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.

****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.

****Section 907.2.1; change to read as follows:**

[F] 907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with new Section 907.6 shall be installed in Group A occupancies having an occupant load of 300 or more persons, or where the occupant load is more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {unchanged}

Activation of fire alarm notification appliances shall:

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

**** Section 907.2.3; change to read as follows:**

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

**** Section 907.2.3; change exception #1 and add exception #1.1 to read as follows:**

Exceptions:

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of 30 or less 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.)

**** Section 907.2.12, exception #3; change to read as follows:**

3. Open air portions of buildings with an occupancy in group A-5 in accordance with Section 303.1 of the International Building Code; however, this exception does not apply to accessory uses including, but not limited to, sky boxes, restaurants and similarly enclosed areas.

**** Section 907.4.2 Manual fire alarm boxes to read as follows:**

[F] {Text unchanged}.....Sections 907.4.2.1 through 907.4.2.7

****Add Section 907.4.2.7 to read as follows:**

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

****Add Section 907.6.1.1 to read as follows:**

907.6.1.1 Wiring 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 signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from an addressable input (monitor) module may be wired Class B, provided the distance from the addressable module to the initiating device is ten feet or less.

**** Section 907.6.3; delete all four Exceptions.**

****Add Section 907.6.6 add sentence at end of paragraph to read as follows:**

See 907.6.3 for the required information transmitted to the supervising station.

**** Section 910.2; change Exception 2 and 3 to read as follows:**

2. Only manual smoke and heat removal shall be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m \cdot S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

****Section 910.2; add subsections 910.2.3 with exceptions 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.

****Section 910.3; add section 910.3.4 to read as follows:**

910.3.4 Vent Operation. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically.

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

Exception: Manual only systems per Section 910.2.

910.3.4.2 Nonsprinklered Buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically.

by actuation of a heat-responsive device rated at between 100°F (38°C) and 220°F (104°C) above ambient.

Exception: Listed gravity-operated drop out vents.

****Section 910.4.3.1; change to read as follows:**

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be manual or automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

****Section 912.2; Add Section 912.2.3 to read as follows:**

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

****Section 913.2.1; add section 913.2.1.1 and exception to read as follows:**

913.1 Fire Pump Room Access. 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 of the International Fire Code.

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. Access keys shall be provided in the key box as required by Section 506.1 of the International Fire Code.

****Section 1004.5; Delete exception #1**

****Section 1006.2.2.7; add Section 1006.2.2.7 as follows:**

1006.2.2.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

****Section 1009.1; add the following Exception 3:**

Exceptions:

{previous exceptions unchanged}

3. 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.

**** Section 1009.2.1; add sentence at the beginning of section to read as follows:**

1009.2.1 Elevators required. Elevators shall be installed in buildings where an occupied floor is two or more stories above or below a level of exit discharge. {remainder unchanged}

{Exceptions deleted}

***Section 1009.8; add the following Exception 7:**

1009.8 Two Way Communication. A two-way communication system complying with Sections 1009.8.1 and 1009.8.2 shall be provided at the landing serving each elevator required to be accessible on each accessible floor that is one or more stories above or below the level of exit discharge.

Exceptions:

7. Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and chapter 11.

****Section 1010.1; add additional sentence to first paragraph to read as follows:**

1010.1 Doors. *{previous section unchanged}* Where additional doors are provided, and in the opinion of the building official could be assumed by occupants to be for egress purposes, they shall conform to the requirements of this section.

****Section 1010.1.9.4; add the following to the beginning of the first sentence:**

1010.1.9.4 Locks and latches. When approved by the building official {remainder of section unchanged}

****Section 1010.1.9.5; amend exceptions 3 and 4 as follows:**

Exceptions:

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy. *{Remainder unchanged}*
4. Where a pair of doors serves a Group A, B, F, M or S occupancy. *{Remainder unchanged}*

****Section 1010.1.9.9; amend to add item #8 as follows:**

8. Egress access control systems shall be made retroactive in existing buildings within one year upon discovery and notification by fire marshal; or shall be made retroactive and included in the work of any subsequent building permits to alter, expand or remodel.

****Section 1010.1.9.10; amend to add items #7-11 as follows:**

7. The doors shall be arranged to unlock from a manual unlocking device located 40 inches to 48 inches (1016 mm to 1219 mm) vertically above the floor and within 5 feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device and the device shall be clearly identified by a sign that reads "PUSH TO EXIT." When operated, the manual unlocking device shall result in direct interruption of power to the lock-independent of the access control system electronics-and the doors shall remain unlocked for a minimum of 30 seconds.
8. Activation of the building fire alarm system, if provided, shall automatically unlock the doors, and the doors shall remain unlocked until the fire alarm system has been reset.
9. Activation of the building automatic sprinkler or fire detection system, if provided, shall automatically unlock the doors. The doors shall remain unlocked until the fire alarm system has been reset.
10. Entrance doors in buildings with an occupancy in Group A, B, E or M shall not be secured from the egress side during periods that the building is open to the general public.
11. Egress access control systems shall be made retroactive in existing buildings within one year upon discovery and notification by fire marshal; or shall be made retroactive and included in the work of any subsequent building permits to alter, expand or remodel.

**** Section 1011.7.2; add sentence to end of paragraph to read as follows:**

{paragraph to remain unchanged} Exterior stairs shall be provided with a means to restrict the entry from freezing of precipitation. Landings, stairs, and floor levels, shall be weatherproofed and equipped with a storm drainage system as approved by the building official.

****Section 1016.3; add new section 1016.3 to read as follows:**

1016.3 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

****Section 1020.1 Construction; add exception 6 to read as follows:**

6. In existing group B occupancies of 100 occupants or less that do not contain a fire sprinkler system, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor and other areas designated by the Building Official and Fire Marshal. The actuation of any detector must activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors must be connected to an approved automatic fire alarm system where such system is provided.

**** Section 1022.2.; add sentence to end of paragraph to read as follows:**

Exits shall be generally evenly distributed throughout the space and/or building or as otherwise approved by the building official.

**** Section 1027.4.1; add section as follows:**

1027.4.1 Any stairway at the end of an open ended corridor that is pulled into the building shall be considered an exterior stair if in compliance with all of the following provisions:

1. When using switchback stairs, such that the outside edge of the outside landing is no more than 5 feet inside the exterior walls as determined by the building official.
2. When using straight run stairs, individually or in conjunction with a switchback stair, such that the bottom riser is no more than 5 foot inside the exterior walls as determined by the building official.

****Section 1030.1; amend to read as follows:**

1030.1 General. In addition to the *means of egress* required by this chapter, *emergency escape and rescue openings* shall be provided in all Group R and I-1 occupancies in addition to and in accordance with Tables 1006.3.3(1) and 1006.3.3(2).

{Delete items #1 and #2}

Basements and sleeping rooms below the fifth story above grade plane *{Remainder unchanged}*

Exceptions:

{Delete Exceptions 1 and 4}

{Exceptions 2 & 3 unchanged}

****Section 1101.1; add an exception to read as follows:**

Exception: Components of projects regulated and registered with the Architectural Barriers Division of the Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this Chapter.

****Section 1104.4; modify exception #1 to read as follows:**

1. In buildings with less than three stories, an accessible route shall {*remainder of section unchanged*}

**** Section 1209.2.2, exception #2; changed to read as follows:**

2. Toilet rooms that are accessed only through a private office, not for common or public use and which have not more than one water closet; provided that walls around urinals comply with the minimum surrounding material specified by the Plumbing Code.

**** Section 1404.2; add a second paragraph to read as follows:**

All wood or other products exposed to the weather shall be painted or treated with an approved treatment, or shall possess a natural or inherent protection method.

****Table 1505.1; delete footnote c and replace footnote b with the following:**

- b. Non-classified roof coverings shall be permitted on buildings of U occupancies having not more than 120 sq. ft. of protected roof area. When exceeding 120 sq. ft. of protected roof area, buildings of U occupancies may use non-rated non-combustible roof coverings.
- c. {*deleted*}

****Section 1507.10.1; add an exception to read as follows:**

Exception: Engineered roofs designed to provide adequate drainage after the long-time deflection from dead loads or designed to support maximum loads, including possible ponding of water from any source, including snow, due to deflection, may have a design slope of a minimum of one-eight unit vertical in 12 units horizontal (1-percent slope).

**** Section 1511.3.1.1; add an item exception #4 to read as follows:**

4. Where it has not been demonstrated that the roof structure is sufficient to sustain the weight of the additional dead load of the new roofing.

**** Section 1511.4; modify section as follows:**

1511.4 Roof recovering. Where the application of a new roof covering creates a combustible concealed space, the entire existing surface shall be covered with gypsum board, mineral fiber, glass fiber or other approved materials securely fastened in place.

**** Sections 1511.7, 1511.8 and 1511.9; added to read as follows:**

1511.7 Maintain existing provisions. When reroofing, or repairing existing roofing, the installer is required to insure the following items are maintained:

1. Existing roof drains and drainage systems are maintained clear and unobstructed. When in the opinion of the Building Official the existing drainage system appears inadequate, the system shall be re-evaluated and when necessary required to comply with the provisions for new construction.
2. Fire-retardant requirements are maintained.

1511.8 Attic space. Construction of a sloped or flat roof over an existing roof in a manner that creates an attic or a concealed space shall require the removal of any existing roofing material, composed of tar, asphalt or roof insulation, from the newly created attic space.

1511.9 Inspections. When a permit is required, a final inspection and approval shall be obtained from the Building Official when the re-roofing or installation of new roof is complete.

****Section 1610.2; add a paragraph to read as follows:**

Wood retaining walls supporting a surcharge of more than two (2) feet in height shall be prohibited.

**** Section 1612.1; changed to read as follows:**

1612.1 General. Within flood hazard areas as established in other City ordinances Section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvements and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads in accordance with applicable provisions adopted by the Department of Public Works. For buildings that are located in more than one flood hazard area, the provisions associated with the most restrictive flood hazard area shall apply.

At the discretion of the Director of Public Works, or his authorized representative, any or all of the provisions of this section may be used.

**** Section 1612.3; insert name of jurisdiction of the Flood Insurance Study as the City of North Richland Hills, most recent version..**

****Section 1803.7; added to read as follows:**

1803.7 Hazards. Whenever the building official determines that any excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the building official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

**** Section 1804.4.1; add section to read as follows:**

1804.4.1 Lot drainage. All lots in which construction has been authorized are subject to the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) storm water protection program implemented by the Texas Commission of Environmental Quality (TCEQ). Sites shall be adequately protected against surface water runoff with appropriate erosion control methods. Protection methods may include, but are not limited to the use of silt fences, erosion control blankets, or other approved means. Construction sites are subject to storm water pollution inspections at any time during normal business hours.

**** Section 1808.10; added to read as follows:**

1808.10 Minimum distance of swimming pools from foundations. Swimming pools may not be closer to a building foundation than one horizontal foot at finish grade for every vertical foot of swimming pool depth.

Exception: Systems designed by an engineer registered in the State of Texas.

****Add Section 2308.2.7 to read as follows:**

2308.2.7 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.

**** Section 2603.4; change to read as follows:**

2603.4 Thermal barrier. Except as provided for in Section 2603.4.1, foam plastic shall be separated from the interior *{remainder of section unchanged}*.

**** Section 2603.4.1.6; change to read as follows:**

2603.4.1.6 Attics and crawl spaces. Within an attic or crawl space, all foam plastic insulation shall be protected against ignition by an approved ignition barrier, ignition barrier coating, thermal barrier, thermal barrier coating, 1-1/2 inch-thick (38 mm) mineral fiber insulation...{remainder of section unchanged}. Attics with headroom exceeding 36 inches in height that contain doors, pull-down or permanent stairs, shall be assumed to contain limited storage, requiring all foam plastic insulation to protected against ignition by an approved thermal or ignition barrier.

****Section 2603.10; add additional sentence to read as follows:**

2603.10 Special approval. {existing paragraph to remain}. Attics with headroom exceeding 36 inches in height that contain doors, pull-down or permanent stairs, shall be assumed to contain limited storage requiring all foam plastic insulation to protected against ignition by an approved thermal or ignition barrier.

****Section 2901.1; add a sentence to read as follows:**

[P]2901.1 Scope. {existing text to remain} 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.

****Section 2902.1; add a second paragraph to read as follows:**

In other than E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official.

****Table 2902.1; change footnote f to read as follows:**

- f. Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining and/or drinking establishments.

****Section 2902.1.4; add new Section 2902.1.4 to read as follows:**

2902.1.3 Additional fixtures for food preparation facilities. In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

2902.1.3.1 Hand washing lavatory. At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

2902.1.3.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the North Richland Hills Consumer Health Department.

****Section 2903; add new section to read as follows:**

2903 Access to toilet facilities in food service establishments. Food service establishments that provide for the on-premises consumption of food shall be equipped with separate toilet facilities for each sex. Access to toilet facilities must be from inside the food service facility and access may not be through the food preparation area.

****Section 3001.1; Modify section to read as follows:**

3001.1 Scope. Elevators shall be required in all buildings exceeding two stories above grade plane. This chapter governs the design, construction, installation...*{remainder unchanged}*.

****Section 3001.2; delete this section.**

**** Section 3001.6; added to read as follows:**

3001.6 General. The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator or moving walk installation and shall cause periodic inspections, tests and maintenance to be made on such conveyances.

****Section 3002.1 Hoistway Enclosure Protection required. Add exceptions to Section 3002.1 as follows:**

Exceptions:

1. Elevators completely located within atriums shall not require hoistway enclosure protection.
2. Elevators in open or enclosed parking garages that serve only the parking garage, shall not require hoistway enclosure protection.

****Section 3005.4; revised first sentence to read as follows:**

3005.4 Machine rooms, control rooms, machinery spaces and control spaces. Elevator machine rooms, control rooms, control spaces and machinery spaces shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. *{Remainder unchanged}*

****Section 3005.4; Delete exceptions and add two new exceptions to Section 3005.4 as follows:**

Exceptions:

1. Elevator machine rooms, control rooms, machinery spaces and control spaces completely located within atriums shall not require enclosure protection.
2. Elevator machine rooms, control rooms, machinery spaces and control spaces in open or enclosed parking garages that serve only the parking garage, shall not require enclosure protection.

****Section 3005.7 add a Section 3005.7 as follows:**

3005.7 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.

3005.7.1 Automatic sprinkler system. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.7.2.1.

3005.7.2.1 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoistways.

3005.7.2.2 Sprinkler system monitoring. The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

3005.7.3 Water protection. An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

3005.7.4 Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

****Section 3005.8; add Section 3005.8 as follows:**

3005.8 Storage. Storage shall not be allowed within the elevator machine room, control room, machinery spaces and or control spaces. Provide approved signage at each entry to the above listed locations stating: "No Storage Allowed."

****Section 3006.2, Hoistway opening protection required; Revise text as follows:**

5. The building is a high rise and the elevator hoistway is more than 55 feet (16 764 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway."

**** Section 3201.1; add a sentence to read as follows:**

Encroachments shall not be allowed without written permission by the City of North Richland Hills Public Works Director or designee.

**** Section 3202.4; Add additional sentence to read as follows:**

3204.4 Temporary encroachments. {existing section unchanged}. Temporary encroachments of public rights-of-way shall only be allowed where approved by the City of North Richland Hills Public Works Director or designee.

SECTION 8: THAT Section 98 of Appendix A, Fee Schedule, of the North Richland Hills Code of Ordinances be amended to read as follows:

**** Modify TABLE 1(b) as follows:**

Multifamily Remodel*	\$39.00 plus \$0.40 per square foot of remodeled floor area
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**** Add items 32(a), 32(b) and 33 to Table 2 as follows:**

**TABLE 2
MISCELLANIEOUS BUILDING PERMIT FEES**

32.	a.	Residential Re-Roof w/Deck Replacement	\$39.00 +\$0.03 per square feet
	b.	Commercial Re-Roof	\$39.00 +\$0.01 per square feet
33.		Window Replacement (4 or more)	\$8.00 per window

**** Revise text in “New Single-Family or Townhome Unit” category and add fee for “Duct Replacement Only” and “New Multi-Family” category to Table 3(b) as follows:**

**TABLE 3(b)
RESIDENTIAL MECHANICAL PERMIT FEES**

New Single-Family or Townhome Unit	\$250 per dwelling
Duct Replacement Only	\$50.00
New Multi-Family	\$60 per HVAC unit

SECTION 9: Any person intentionally, knowingly, recklessly, or with criminal negligence violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed two thousand dollars (\$2,000). Each day any such violation shall be allowed to continue shall constitute a separate violation and be punishable hereunder.

SECTION 10: This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 11: All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 12: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 13: This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 23rd day of September, 2019.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Clayton Comstock, Director of Planning