

ORDINANCE NO. 2531

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 42 “FIRE PROTECTION AND PREVENTION”, ARTICLE II “FIRE PREVENTION CODE”, OF THE BRYAN CITY CODE; REPEALING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL AND ADOPTING THE 2021 EDITION AND LOCAL AMENDMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the desire of the City Council for the City of Bryan, Texas to adopt the 2021 edition of the International Fire Code, published by the International Code Council, as well as local amendments to same, and to repeal the 2015 edition currently in effect; and

WHEREAS, the adoption of additional local amendments to the code will facilitate proper inspection activities by the City of Bryan, Texas relating to the construction and maintenance of buildings and premises within the corporate limits of the City and relating to public, health, safety and welfare; and

WHEREAS, the City of Bryan’s Board of Adjustment and Appeals recommended approving the adoption of the 2021 edition of the International Fire Code with local amendments during a public meeting held on October 4, 2021.

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

1.

That Chapter 42, ARTICLE II “FIRE PREVENTION CODE” is amended to read as follows:

ARTICLE II. – FIRE PREVENTION CODE

Sec. 42-35. - International Fire Code adopted by reference.

The 2021 edition of the International Fire Code, including appendix B, C, D, E, F, and G as published by the International Code Council, a copy of which is on file with the city secretary and the fire marshal, is adopted to the same extent as though such code were copied at length herein, subject however to the omissions, additions, supplements, and amendments contained in this article.

Sec. 42-36. - Amendments to code.

The following sections of the International Fire Code adopted by section 42-35 are hereby amended as follows:

Section 101.1 (Title) is amended by deleting "[NAME OF JURISDICTION]"and replacing with "The City of Bryan".

Section 102.1 (Applicability) Amend to read as follows: 3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code.

Section 111 (Means of Appeals) is deleted in its entirety.

Section 112.4. (Violation penalties). Amend by deleting “[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment” and replacing it with “misdemeanor punishable by a fine pursuant to Section 1-14 of the Bryan City Code.”

Section 202 (General Definitions) amend and/or add definitions as follows:

(Ambulatory Care Facility) Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable. This group may include but not be limited to the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

(Defend in Place) A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

(Fire Watch) A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the fire code official, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

(High-Piled Combustible Storage) Add a second paragraph to read as follows:

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

(Occupancy Classification Assembly Group A-3) is amended to include “Tutorial Services”.

(Repair Garage) Add to definition: This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspection, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

(Townhouse) is amended by deleting the definition of “Townhouse” in its entirety and replacing with the following: A single family dwelling unit constructed in a group of attached units separated by property lines in which each unit extends a common rated fire wall from foundation to roof and with open space on at least two sides.

Section 307.3. (Extinguishment Authority) is amended by deleting the entire text and replacing with “The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.”

Section 307.4.1 (Bonfires) is amended by deleting the entire text and replacing with "Bonfires are illegal within the city limits of the City of Bryan."

Section 308.1.6.3. (Sky Lanterns) Is amended to read as follows: A person shall not release or cause to be released an unmanned free-floating device containing an open flame or other heat source, such as but not limited to a sky lantern.

Section 501.4. (Timing of Installation). Is amended to read as follows: When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

Section 503.2.1. (Dimensions). Is amended by replacing "13 feet 6 inches" (4115mm) with "14 feet".

Section 503.2.2 (Authority). Is amended to read as follows: The fire code official shall have the authority to require or permit modification to the required access and vertical clearances where they are inadequate for fire or rescue operations.

Section 503.2.3 (Surface) Amended to read as follows: Fire apparatus access roads shall be designed and maintained to support imposed loads of 84,000 lbs. for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

Section 503.3 (Marking). Is amended by deleting the section in its entirety and replacing with the following:

The owner, manager, or person in charge of any building or property to which fire lanes have been approved or required shall mark and maintain said fire lanes in the following manner: All curbs and curb ends shall be painted red with four inch (4") white lettering stating "FIRE LANE NO PARKING - TOW AWAY ZONE". The phrases should be spaced fifteen feet (15') apart continuously. Ex: FIRE LANE (15 foot space) NO PARKING (15 foot space) TOW AWAY ZONE (15 foot space) FIRE LANE....

In areas where fire lanes are required but no continuous curb is available, one of the following methods shall be used, in conjunction with the curb markings, to indicate that the fire lane is continuous:

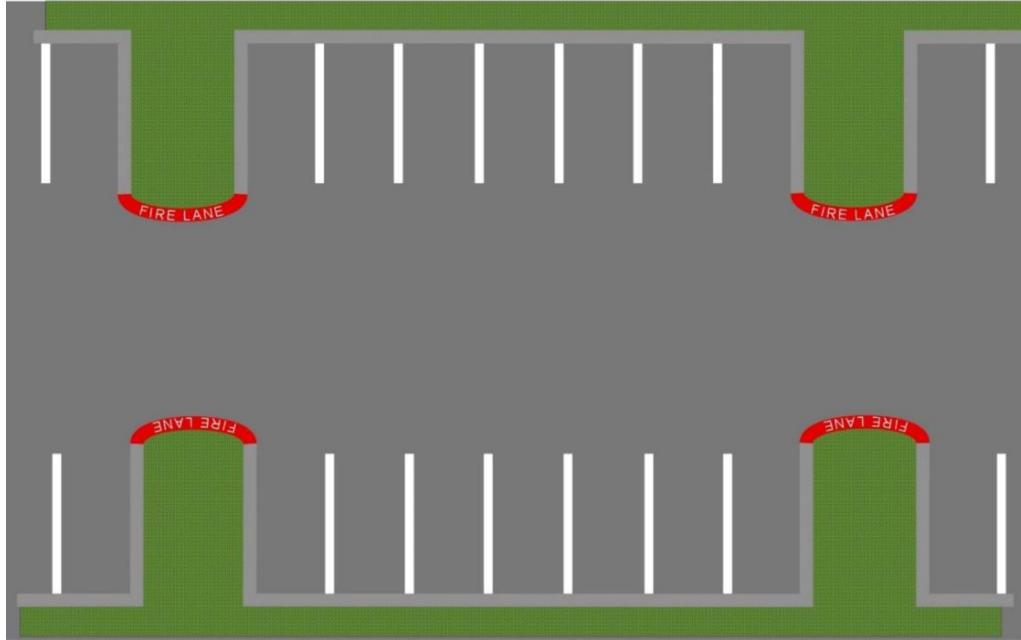
Option 1: A sign twelve inches (12") wide and eighteen inches (18") in height stating "FIRE LANE DESIGNATED PARKING ONLY" with a companion sign twelve inches (12") wide and six inches (6") in height stating "TOW AWAY ZONE" shall be mounted in a conspicuous location at each entrance to the property. The bottom of the sign shall be permanently affixed to a stationary post at 6ft above grade. (See Sign Detail and Option 1 below for painting detail)

Option 2: Where there is no curb including behind parking spaces a continuous eight inch (8") red stripe with four inch (4") white lettering stating "FIRE LANE - NO PARKING - TOW AWAY ZONE" Each phrase should be spaced no more than 15ft apart. Ex: FIRE LANE (15ft space) NO PARKING (15ft space) TOW AWAY ZONE (15ft space) FIRE LANE (15ft space). Lettering shall be repeated throughout the entirety of the fire lane. (See Option 2 below for painting detail)



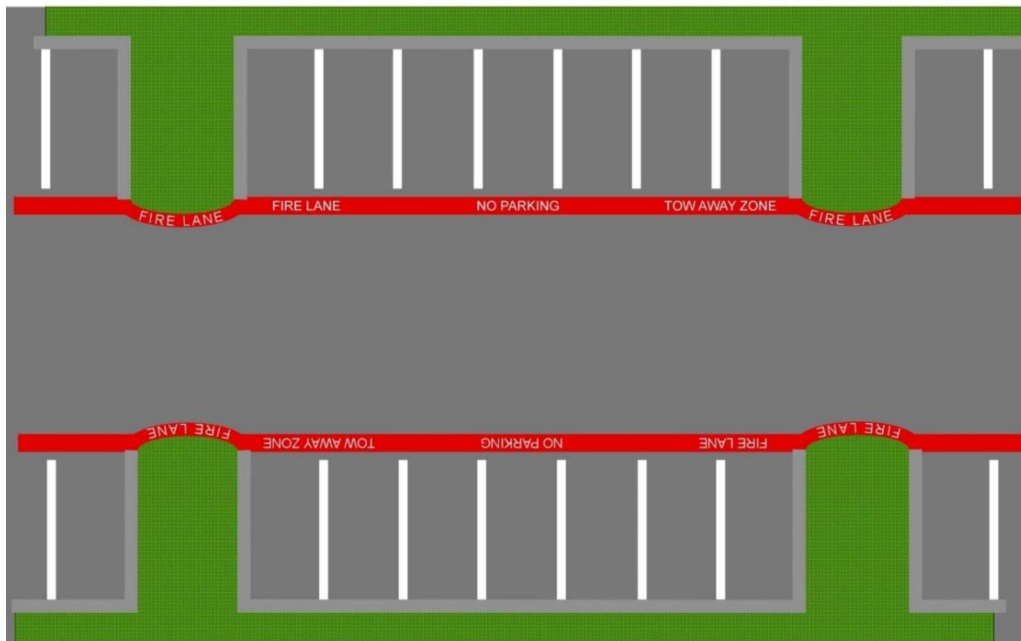
Option #1

FIRE LANE WITH DESIGNATED PARKING ONLY SIGN



Option #2

TYPICAL FIRE LANE WITHOUT SIGN AT ALL ENTRANCES



Section 503 (Fire Apparatus Access Roads) is amended by adding Sections 503.3.1 (Destruction of Fire Lane and Tow-Away Signs), 503.3.2 (Abandonment or Closing) and 503.3.3 (Authority Under Emergency Conditions) to read as follows:

Section 503.3.1 (Destruction of Fire Lane or Tow-Away Signs)

It is hereby unlawful for any person without lawful authority to attempt or in fact alter, destroy, deface, injure, knock down, or remove any sign designating a fire lane or tow-away zone erected under the terms of this code, or to deface a curb marking in any way.

Section 503.3.2 (Abandonment or Closing)

No owner, manager, or person in charge of any premises served by a required fire lane shall abandon or close such fire lane without written permission of the Fire Marshal.

Section 503.3.3 (Authority Under Emergency Conditions)

The Fire Official is hereby authorized to establish fire lanes during any fire, and to exclude all persons other than those authorized to assist in extinguishing the fire or the owner or occupants of the burning property from within such lanes.

Section 503.4 (Obstruction of Fire Apparatus Access Roads) is amended by deleting the section in its entirety and replacing with the following:

No person shall park, place, allow, permit, or cause to be parked, placed, any motor vehicle, trailer, boat, or similar obstruction within or upon an area designated as a fire lane and marked by an appropriate sign or curb marking.

Section 503 (Fire Apparatus Access Roads) is amended by adding Sections 503.4.1 (Traffic Calming devices), 503.4.2 (Obstructing Fire Lanes), and 503.4.3 (Enforcement; Issuance of Citations; Impoundment of Obstructions) to read as follows:

Section 503.4.1 (Traffic Calming Devices)

Traffic calming devices shall be prohibited unless approved by the fire code official.

Section 503.4.2 (Obstructing Fire Lanes)

Any motor vehicle, trailer, boat, or similar obstruction found parked within an area designated as a fire lane as required by this section is hereby declared a nuisance per se and any such motor vehicle, trailer, boat, or similar obstruction parked or unoccupied in such a manner as to obstruct in whole or in part any such fire lane shall be prima facie evidence that the registered owner unlawfully parked, placed, or permitted to be parked or placed such obstruction within a fire lane.

The records of the State Highway Department or the County Highway License Department showing the name of the person to whom the Texas highway license or boat or trailer license is issued shall constitute prima facie evidence of ownership by the named persons.

Section 503.4.3 (Enforcement; Issuance of Citations; Impoundment of Obstructions)

The Fire Official or any member of the Fire Department designated by the Fire Chief, the Chief of Police, or any member of the Police Department designated by the Chief of Police are hereby authorized to issue parking citations for any motor vehicle, trailer, boat, or similar obstruction found parked or unattended in or upon a designated fire lane and may have such obstruction removed by towing it away. Such vehicle or obstruction may be redeemed by payment of the towage and storage charges at the owner's expense.

No parking citations shall be voided, nor shall the violator be relieved of any penalty assessed by a judge of the Municipal Court for any provision by the redemption of the obstruction from the storage facility."

Section 505.1 (Address identification) is amended by deleting the section in its entirety and adding the following:

505.1 (Address identification). New and existing buildings shall be provided with approved address identification.

(a) An official address, assigned by the chief building official, or his or her designee, shall be provided and placed pursuant to this section in such a position as to be plainly legible and clearly visible from the public street or roadway fronting the property. All numbers used shall be Western Arabic Numerals (0,1,2,3,4,5,6,7,8,9). Wording or Roman numerals will not be acceptable. All address numbers shall be composed of a durable material and of a color that provides a contrast to the background itself. Durable materials used for the official address shall include, but not be limited to, wood, plastic, metal, weather resistant paint, weather resistant vinyl, or weather resistant material designed for outside use on a glass surface. Address numbers shall not be obstructed by landscaping, vegetation, or other permanent objects.

(b) Addresses must be temporarily posted for a structure under construction, as soon as work commences on the property.

(c) Residential Homes. Addresses placed pursuant to this section shall be a minimum of four (4) inches in height and stroke of no less than 0.5 inch. The official address shall be placed a minimum of three (3) feet and a maximum of twelve (12) feet in height measured from the ground level. Buildings or structures located more than fifty (50) feet from the street curb shall have an official address at least five (5) inches in height. Residential structures, which provide for rear vehicular access from a dedicated public alley, street or designated fire lane, shall conspicuously post an official address at least three (3) inches in height so that it is visible from the public alley, street or designated fire lane.

(d) Single Commercial Structures. Addresses placed pursuant to this section shall be a minimum of four (4) inches in height and stroke of no less than 0.5 inch. The official address shall be placed a minimum of three (3) feet and a maximum of thirty (30) feet in height measured from the ground level. Buildings or structures located more than fifty (50) feet from the street curb shall have an official address at least five (5) inches in height. Single commercial structures, which provide for rear vehicular access from a dedicated public alley, street or designated fire lane, shall conspicuously post an official address at least 4 inches in height so that it is visible from the public alley, street or designated fire lane.

(e) Commercial & Residential Building Complexes. A building complex composed of multiple buildings and/or multiple dwellings or units shall have an approved building and unit number plan. There may be a main address assigned with building and unit numbers or, if there is sufficient street frontage, each building, suite, or tenant, may also be assigned an official address number.

(1) Building Numbers

A complex with multiple buildings shall have a building number posted in a location that is plainly legible and clearly visible from the fire lane and access road. The building number shall be a minimum of 6 inches in height with a 1/2 inch stroke. If a building contains four

(4) or more commercial or residential units, unit numbers shall be posted and maintained at each end of said building indicating the units contained therein. The residential unit numbers shall be at least four (4) inches in height and shall be permanently affixed to the outside of the building. Building and residential unit numbers shall be of a color that is in contrast to the background. If the residential unit numbers posted at one end of the building are clearly visible from a public street or private driveway, and the opposite end of the building is not visible from either a public street or a private driveway, residential unit numbers shall be required only on the end of the building that is clearly visible from the public street or private driveway. Building numbers should be externally or internally illuminated by a sufficient light source or made from material with a reflective finish. Please reference Exhibits A and B below:

Exhibit A.



Exhibit B.



(2) Unit Numbers

Each suite or unit number shall be posted and maintained on or within 18 inches of the primary entrance to the unit, or such greater distance as the chief building official or fire marshal may approve. Posted suite or unit numbers must be a minimum 3 inches in height with a 1/4 inch stroke. The unit number will follow the following standard:

- i. first character/s will be the building number,
- ii. second character/s will be the floor number,
- iii. third character/s will be the individual space.

(3) Commercial buildings with side or rear access in addition to the main entrance shall also display the business name and official address and suite number on each side or rear door with characters at least 3 inches in height.

(4) The owner or manager of a building complex, which contain enclosed suites accessed from a main entrance door with individual entry doors located internally, shall submit, for approval by the chief building official or fire marshal, a diagram or floor plan of the entire complex, indicating the location and number of each unit or suite. When making a change in a business name or location, the owner or manager shall notify the chief building official or fire marshal in writing.

(5) Two or more entrances are considered primary entrances if the person in control of the property so desires. Where two or more entrances are considered primary entrances, all numbers must be posted and maintained at each such entrance as though it were the only primary entrance. When required by the chief building official or fire marshal, address numbers shall be provided in additional approved locations to facilitate emergency response.

(f) **Manufactured/Mobile Home Parks.** Manufactured/mobile home parks shall be assigned a main property address based on the location of property frontage and driveway access from a public roadway. The owner of a manufactured/mobile home park shall submit a park addressing plan for approval by the chief building official and fire marshal, or their designee, which assigns lot numbers for individual units. Private street names are allowed within a park, but such street names shall not be used for addressing purposes, and addresses will be based on the main address and unit number. The main address assigned to the manufactured/mobile home park shall be posted in a location that is plainly legible and clearly visible from the fire lane and any access roads. Individual lot numbers must be located to the left, on the side of the structure that is facing the primary drive aisle or roadway. Lot numbers shall be a minimum of four (4) inches in height and stroke of no less than 0.5 inch. Lot numbers shall be placed a minimum of three (3) feet in height measured from ground level. Please reference Exhibit C below:

Exhibit C.



(g) Variations from these standards will require approval by the chief building official or fire marshal.

Section 507.5.1 (Where required). Is amended by deleting "400" and replacing with "300", by deleting "600" and replacing with "500" in exception 1, and by deleting exception 2.

Section 507.5.3 is amended by adding Section 507.5.3.1 (Painting Requirements for Private Hydrants) which will read as follows:

A private hydrant within the City of Bryan will be painted according to the requirements in this section. The hydrant body will be painted "Safety Red", the bonnet will be painted "Reflective White", the operating nut will be painted "Safety Orange", and the caps will be painted according to their flow capability listed below.

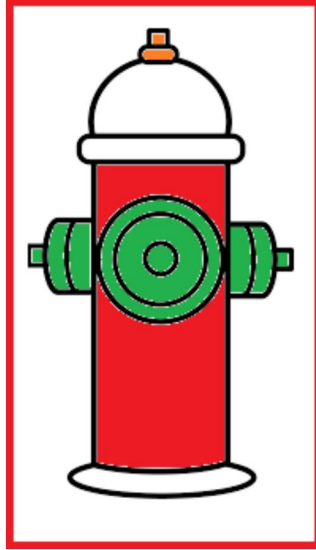
Cap Color Coding

- a. Less than 500 gpm - Safety Red
- b. 500 gpm to 999 gpm - Safety Yellow

c. 1000 gpm to 1499 gpm - Safety Green

d. 1500 gpm or greater - Safety Blue

(See example below showing a hydrant that should flow between 1000 and 1499 gallons per minute)



Section 509 is amended by adding Section 509.1.2 (Sign Requirements) added to read:

Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches when located inside a building and 3 inches when located outside, or as approved by the fire code official. The letters shall be white in color with a red background. Indoor signs should be of durable material. Outdoor material should be durable weather/UV resistant materials. All signs for doors should be mounted at 60 inches from the floor or ground.

Section 509.2 (Equipment Access) is amended by adding the following text at the end of said section: “Access to the fire sprinkler riser must be on the exterior of the structure unless authorized by the fire code official.”

Section 605.4.1 (Fuel Oil Storage in Outside, Above Ground Tanks) is amended by adding “and Chapter 57.” after NFPA 31.

Sections 901 is amended by adding 901.6.4 (False Alarms and Nuisance Alarms)

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

Section 901.7 (Systems Out of Service). Change to read as follows: Where a required fire protection system is out of service or in the event of an excessive number of activations, the fire department and the fire code official shall be notified immediately and, where... (Remaining text unchanged)

Section 903.2 (Where required) is amended by adding the following text at the end of said section:

In addition to the requirements of this section, an automatic sprinkler system shall be provided throughout all new buildings and structures as follows:

Where the fire area exceeds 12,000 square feet (1115 m²).
Where the height exceeds two stories regardless of area.

Section 903.2.4 (Group F-1) is amended by replacing "three" with "two" in item "2".

Section 903.2.7 (Group M) is amended by replacing "three" with "two" in item "2".

Section 903.2.8 (Group R) is amended by adding the following exceptions:

Exceptions:

1. Boarding houses (transient), rooming houses (transient), bed and breakfast inns and other similar occupancies (not including hotels or motels) containing not more than four guest rooms for which rent is paid and that are occupied by transient guests only.

Section 903.2.9 (Group S-1) is amended by replacing "three" with "two" in item "2".

Section 903.2.11 (Specific Buildings Areas and Hazards) add Section 903.2.11.7 (High-Piled Combustible Storage) and 903.2.11.8 (Spray Booths and Rooms).

Section 903.2.11.7 (High-Piled Combustible Storage) Any building with a clear height exceeding 12 feet, see Chapter 32 to determine if those provisions apply. Any building classified as a group S Occupancy or Speculative Building exceeding 12,000sqft that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities to the maximum pile height.

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. Once identified a property will be allowed a year to make the necessary improvements.

Section 903.4.2 (Alarms) Add a second paragraph to read as follows: The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

Section 1103.5.3 (Group I-2) replace [Date by which sprinkler system must be installed] with "by 1/1/2023".

Section 3311.1 (Access For Fire Fighting) Is amended to read as follows: When fire apparatus access roads (temporary or permanent) or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

Appendix C (Fire Hydrant Locations and Distribution) Section C103.1 (Hydrant Spacing) is amended to read as follows:

Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3 or be approved by the fire code official.

Appendix D (Fire Apparatus Access Roads) Section D102.1 (Access and Loading) is amended to read as follows:

Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 84,000 pounds.

2.

That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

3.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

4.

Should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby and to this end the provisions of this Ordinance are declared to be severable.

5.

It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public, as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meeting was given.

6.

It is the intention of the City Council that this Ordinance shall become a part of the Code of the City of Bryan, Texas, and it may be renumbered and codified therein accordingly.

7.

That the City Secretary is directed to publish this Ordinance in a newspaper of general circulation in the City of Bryan in accordance with the provisions of Section 9 of the City Charter, which publication shall be sufficient if it contains the title, penalty, and effective date of this Ordinance.

8.

This Ordinance will be effective from and after its final passage and publication as required by law. The effective date of this Ordinance will be January 1, 2022.

PASSED, ADOPTED, AND APPROVED after the first and only reading on the 9th day of November, 2021, at a regular meeting of City Council of the City of Bryan, Texas, by a vote of 6 yeses and 0 noes.

ATTEST:

Mary L. Stratta

Mary Lynne Stratta, City Secretary

CITY OF BRYAN:

Andrew Nelson

Andrew Nelson, Mayor

APPROVED AS TO FORM:

Thomas A. Leeper

Thomas A. Leeper, Interim City Attorney

