

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Fire Department

AGENDA DATE: June 20, 2023

PUBLIC HEARING DATE: July 5, 2023

CONTACT PERSON NAME AND PHONE NUMBER: Jonathan Killings, Fire Chief (915) 212-5665

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 2: Set the Standard for a Safe and Secure City

SUBGOAL: 2.5: Take proactive approaches to prevent fire/medical incidents and lower regional risk

SUBJECT:

An Ordinance amending Title 9 (Health And Safety), Chapter 9.52 (Fire Prevention Code) of the El Paso City Code to adopt the 2021 edition of the International Fire Code and to provide for local amendments to the 2021 International Fire Code, the penalty being as provided in Section 9.52.030.12 (Violations Penalties) of the El Paso City Code.

BACKGROUND / DISCUSSION:

The 2021 edition of the International Fire Code has been published and adoption of the 2021 edition is now proposed.

PRIOR COUNCIL ACTION:

On September 3, 2019, City Council signed Ordinance No. 018969, which ratified the 2015 edition of the International Fire Code.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Fire Department

SECONDARY DEPARTMENT:

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.52 (FIRE PREVENTION CODE) OF THE EL PASO CITY CODE TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE AND TO PROVIDE FOR LOCAL AMENDMENTS TO THE 2021 INTERNATIONAL FIRE CODE, THE PENALTY BEING AS PROVIDED IN SECTION 9.52.030.12 (VIOLATIONS PENALTIES) OF THE EL PASO CITY CODE.

WHEREAS, the 2021 edition of the International Fire Code has been published, and adoption of the 2021 edition is now proposed; and

WHEREAS, the Fire Chief has reviewed and favorably recommend the adoption of the 2021 International Fire Code together with the local amendments appropriate for the City of El Paso;

WHEREAS, the City Council has deemed the proposed local amendments appropriate for the City of El Paso.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 9 (Health and Safety), Chapter 9.52 (Fire Prevention Code) be revised to read as follows:

Chapter 9.52 - FIRE PREVENTION CODE

9.52.010 - Short title.

That this chapter may be cited as the "Fire Code".

9.52.020 Adopted, Amended.

- A. That the book entitled "International Fire Code," 2021 Edition, a copy of which authenticated by the city clerk is on file in the city clerk's office, is hereby adopted as the Fire Code of the City, as if fully copied at length in this chapter, but with the amendments set forth in this chapter, to replace the 2015 Edition of the International Fire Code previously adopted by the City Council.
- B. That any references made in this chapter to "IFC" shall mean the 2021 International Fire Code.
- C. That whenever reference is made in the 2021 International Fire Code, or any other referenced standard or code, to "the authority having jurisdiction," "fire marshal," or "fire code official" for enforcement of the provisions thereof, the term "AHJ" shall be substituted therefore, unless otherwise provided for in this chapter.
- D. That the provisions in the 2021 International Fire Code are intended to be cumulative of other provisions and chapters of the El Paso City Code pertaining to fire prevention, unless otherwise expressly stated herein. To the extent that any provisions of the 2021

International Fire Code are in conflict with Title 18 of the City Building & Construction Code the most restrictive Code shall govern.

9.52.030 – Chapter 1, Scope and Administration, Amended.

International Fire Code, 2021 Edition, Chapter 1, Scope and Administration, is hereby adopted in its entirety with the following amendments:

9.52.030.1 Section 103.1 General, Amended.

103.1 General.

The Fire Prevention Division is established within the fire department. The function of the division shall be the implementation, administration and enforcement of the provisions of this Chapter, or any other standard referenced within the El Paso City Code.

9.52.030.2 Section 103.1.1 Residential care homes, Added

103.1.1 Residential care homes.

The AHJ may conduct fire inspections of residential care homes including adult and child day care homes, residential adult foster/boarding care, and child foster family homes, boarding homes, and lodging houses.

9.52.030.3 Section 104.13 Plan review and approval, Added.

104.13 Plan review and approval.

The AHJ shall examine or cause to be examined submitted plans and accompanying documents for evidence of compliance with the provisions of this Chapter. Plans shall be approved prior to the start of construction, or installation of any fire protection system. The submittal of plans for review does not constitute an authorization to proceed until the required permit is obtained.

9.52.030.4 Section 105.1.1.1 Payment required, Added.

105.1.1.1 Payment required. A permit, although issued, shall not be valid until fees have been paid.

Exception: The City of El Paso, the County of El Paso, the El Paso Housing Authority, the State of Texas and the United States Government are exempted from payment of the permit fees required in this chapter; provided, that only such facilities as owned, operated and maintained by such governmental agencies shall be exempted from payment of such permit fees.

9.52.030.5 Section 105.5 Required operational permits.

105.5.22.1 Exempt materials, Added.

The following materials are specifically exempted from any of the permitting requirements in 105.5.22:

- a. Inert gases, which do not support combustion, to include argon, helium, krypton, neon, xenon, compressed air, carbon dioxide, and nitrogen. These gasses are subject to regulation under Section 105.5.11 when stored as cryogenic fluids.
- b. Any hazardous material that is handled, used, stored, or disposed of and is kept for noncommercial purposes at a private residence in Permissible Quantities.
- c. Any material contained in a transportation vehicle when said vehicle is not being used for permanent hazardous materials storage.
- d. Any material, which is held solely as a pharmaceutical product.
- e. Any hazardous waste material in a hazardous waste management facility that is permitted by the State pursuant to 42 U.S.C. Section 6925; provided, however, such materials shall be listed in the permit application if one is otherwise required.
- f. Radioactive material(s) regulated at the Federal or State level; provided, however, that such material(s) be listed in the permit application if one is otherwise required.
- g. Any material to the extent it is used in Permissible Quantities in routine agricultural operations by the end user.
- h. Commercial products kept in Permissible Quantities and used at a facility solely for janitorial purposes.
- i. Any material in interstate transmission facilities or interstate pipeline facilities regulated by 49 U.S.C. Sec. 60101 et. seq. (1997) and any amendments thereto, and any materials in pipeline facilities regulated by Chapter 117 of the Natural Resources Code, Vernon's Ann. Civ. Stat., and any amendments thereto, or subject to Texas Railroad Commission Pipeline Safety Laws and Regulations, and any amendments thereto.

105.5.38 Outdoor assembly event, Amended.

No special event shall be conducted upon a public right-of-way unless a special event permit allowing such activity has been obtained pursuant to this Chapter.

105.5.44 Refrigeration equipment, Amended.

An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6 of the IFC, and as amended by this Code, containing in excess of 20 pounds of refrigerant, other than air or water.

Exception: Air conditioning units or systems.

105.5.53 Blasting operations, Added.

An operational permit is required to conduct blasting operations. Requirements as set forth in Chapter 56 of the IFC, and as amended by Section 9.52.130 of this Chapter, must be met in order to obtain a blasting permit.

105.5.54 Commercial Day Care Facilities-Children, Added.

An operational permit is required for the operation of a commercial child day care facility.

105.5.55 For Use Permit, Added.

The AHJ may require an operational permit to be issued for any operation, process, special event, public display, or exhibit not specifically covered by this Fire Code when the AHJ deems such operation, process, special event, public display, or exhibit to be hazardous.

105.5.56 Outside Storage of Combustible Material Permit, Added.

Except for operations subject to 105.5.26, 105.5.30, and 105.5.46, an operational permit is required for facilities located at non-residential properties, where the Outside Storage of Combustible Material exists, in a quantity greater than de minimis, as defined in this Subsection.

105.5.56.1 Definitions, Added.

"Baled storage" means combustible material that has been placed in containers other than fully-enclosed containers approved by the Department or grouped together by use of metal or plastic bands for ease in loading, transporting and storing in units.

"Combustible Material" means any material or solid waste that poses a significant fire hazard if ignited by a flame, spark, or any other source of ignition, will readily burn under such conditions, and includes, but is not limited to paper, cardboard, wood, plastics, rubber and fluff (as defined in this sub chapter). Combustible Material shall not include non-solids, or explosives, as defined by Chapter 33 of the IFC.

"De minimis" means the Outside Storage of Combustible Material (as defined in this sub chapter) of a total volume of less than seventy-five (75) cubic yards at a facility.

"Department" means the Fire Department of the City of El Paso, Texas.

"Fluff" means any material that is a by-product of the recycling process that includes but is not limited to, shredding operations, metals separation, compacting or transport operations.

"Loose storage" means the storage of combustible material that is neither baled nor enclosed in containers.

"Non-residential Property" means any property in a district other than a residential- or apartment-zoned district.

"Outside Storage" means storage of any Combustible Material not in a building or structure. Storage of Combustible Material in a fully-enclosed container approved by the Department shall not be considered Outside Storage.

"Pile" means any accumulation of Combustible Material in a heap or mound.

"Unit" means a separate and distinct aggregate of homogeneous stacks, bales, pallet storage units, containers and/or piles of Combustible Material.

105.5.56.2 Permit Application, Added.

The owner or a legally-authorized representative of the owner of a facility regulated by this ordinance shall complete and submit a permit application to the Department, in accordance with the following requirements:

A. An applicant shall submit to the Department an application for an Outside Storage of Combustible Material Permit upon exceeding the De Minimis volume of Combustible Material stored outside at the facility;

B. An applicant that holds a current, valid Outside Combustible Material Storage Permit shall submit a permit renewal application 60 days prior to the permit's expiration;

C. An applicant for an initial permit or permit renewal shall submit at a minimum, the following information, which shall be requested on the permit application form supplied by the Department:

1. Name and physical address of facility;
2. Name and mailing address of facility owner;
3. Name and mailing address of property owner;
4. Description of all Combustible Material stored outside;
5. Estimated quantity (volume) of Combustible Material stored outside;
6. Facility diagram indicating storage area locations for each Unit stored outside;
7. Method of storage for each Unit (baled or loose);
8. Proof of financial responsibility in accordance with Section 105.5.56.8 of this ordinance and as required by any other applicable ordinance; and,
9. The appropriate Tier 1 or Tier 2 permit fee in the amount set by City Council through its budget resolution or other duly adopted resolution.

D. If an owner or a legally-authorized representative of the owner of a facility regulated by this Section fails to submit to the Department an application required by this Section, said failure shall be considered a violation of this Section and shall be subject to the penalties described in Section 9.52.030.17.

105.5.56.3 Issuance, Term and Denial of Permit, Added.

A. The Department shall review all permit applications submitted in accordance with Section 105.5.56.2 and,

B. Within 60 days of a permit renewal or new permit application submitted in accordance with Subsection 105.5.56.2, the Department shall issue a permit renewal or a new permit which, unless revoked, shall be valid for a period of twelve (12) calendar months to the applicant; or

C. The Department shall deny the application in writing and shall inform the applicant of any deficiencies of the permit application if the permit application was incomplete; or

D. Within 30 days of a permit application for a previously revoked permit, the Department shall deny the application in writing if the revocation period of twelve (12) months has not yet elapsed.

105.5.56.4 Revocation of Permit, Added.

The Department may revoke, for a period of up to twelve (12) calendar months from date of written notification, an Outside Storage of Combustible Material Permit issued to an owner or a legally authorized representative of the owner of a facility if one of the following conditions occur:

A. Applicant has supplied the Department false, incorrect or misleading information on an application for permit renewal or new permit;

B. More than two (2) written notices of violation of this Section resulting from inspections by the AHJ have been issued within a period of twelve (12) months to a holder of a current, valid permit; or

C. During or immediately following a fire at a permitted facility, a violation of this Section has occurred and has been documented by the AHJ.

105.5.56.5 Right to Appeal Permit Revocation, Added.

The right to appeal a permit revocation is provided in the City Fire Prevention Code 9.52.030.16 Section 111.1 Board of Appeals and in accordance with Chapter 2.30 of the City Code.

105.5.56.6 Permit Requirements, Added.

A. **Tier 1.** For facilities that maintain no more than one (1) Unit of loose storage and/or no more than one (1) Unit of baled storage, the following requirements shall be met:

1. A facility fire plan, subject to approval by the AHJ, that includes: a description of all Combustible Material at the facility and the manner in which it is stored, routes of facility evacuation for employees, fire awareness and prevention orientation training for facility employees, site plan indicating fixed structures,

Units and fire extinguisher locations, a facility fire alarm system, and a description of security measures to restrict public access to Combustible Material stored outside;

2. A minimum of one (1) type 2A20BC fire extinguisher per Unit, with a distance of no more than 50 feet between the extinguisher and the closest point of the Unit;
3. A minimum of one (1) type 2A20BC fire extinguisher mounted on each vehicle used to manage, load, or move Combustible Material;
4. Installation of a security measure to restrict public access to Combustible Material stored outside by use of a physical barrier, such as a fence or wall, in accordance with applicable zoning ordinance(s);
5. Payment of Outside Storage of Combustible Material Permit Tier 1 permit fee in the amount set by City Council through its budget resolution or other duly adopted resolution; and
6. Proof of Financial Responsibility for the facility, in the principal sum of \$1,000,000.00 and in accordance with Subsection 105.5.56.8 of this ordinance.

B. **Tier 2.** For facilities that maintain more than one (1) Unit of loose storage, more than two (2) Units of baled storage, or any combination of more than two (2) Units of loose or baled storage, the following requirements shall be met:

1. Provisions 1 — 4, permit requirements for Tier 1;
2. Payment of Outside Storage of Combustible Material Permit Tier 2 permit fee in the amount set by City Council through its budget resolution or other duly adopted resolution; and
3. Proof of Financial Responsibility for the facility, in the principal sum of \$2,000,000.00 and in accordance with Subsection 105.5.56.8 of this ordinance.

105.5.56.7 Storage, Added.

Combustible Material stored outside shall be maintained in accordance with the following requirements:

A. For Units of loose storage:

1. Unit height shall not exceed eight (8) feet;
2. Unit footprint shall not exceed a perimeter measurement of three hundred (300) feet;

3. A buffer zone shall be established between each Unit and the physical barrier indicated in the permit application of at least twenty (20) feet; and
4. A storage separation space shall be established between individual Units of Combustible Material of at least twenty (20) feet.

B. For Units of baled storage:

1. Unit height shall not exceed twelve (12) feet;
2. Unit footprint shall not exceed a perimeter measurement of five hundred (500) feet;
3. A buffer zone shall be established between each Unit and the physical barrier indicated in the permit application of at least twenty (20) feet; and
4. A storage separation space shall be established between individual Units of Combustible Material of at least twenty (20) feet.

C. Storage Separation Space and Fire Safety Buffer Zone:

1. No storage of Combustible Material shall be allowed within the buffer zone or in the storage separation space described in this Subsection. In addition, said buffer zone and storage separation space must at all times be kept free and clear of equipment, material and/or accumulation of waste.
2. A reduction to ten (10) feet for the fire safety buffer zone, as described in the immediately preceding paragraph, may be allowed at a facility where Combustible Material is stored in containers approved by the Department.
3. A reduction of the storage separation space may be allowed where the Combustible Material is stored in containers approved by the Department.

105.5.56.8 Financial Responsibility, Added.

A. Insurance. No permit applicant shall be issued a permit until the applicant presents evidence satisfactory to the AHJ that the applicant meets the following minimum insurance requirements:

1. The applicant shall procure and shall maintain during the term of the permit such public liability insurance naming the permittee performing work associated with the permit as insured, co-insured or additionally insured for claims for damages for personal injury, including accidental death, as well as for claim for property damage that may arise from outside storage of combustible material associated with the facility identified on the permit.

2. Minimum limits of liability and coverage shall be \$1,000,000.00 for a Tier 1 Permit or \$2,000,000.00, for a Tier 2 Permit, for each occurrence and in the aggregate. Permit applicants that are governmental entities may comply with the insurance requirements of this Subsection by providing certification that they are self-insured.

3. Such insurance shall be written by an accredited insurance company under the supervision of the Board of Insurance Commissioners of the State of Texas. Evidence of compliance with these insurance requirements shall be considered as having been met when a copy of the insurance policy or a certificate of insurance has been filed with and approved by the AHJ. Such policy shall include an endorsement that the City is named as an additional insured to the full amount of the policy limits and that the AHJ shall be notified at least thirty (30) days in advance in the event the policy or policies are canceled and ten (10) days in advance for non-payment of policy premiums. The certificate of insurance shall recite or attach such endorsement for additional insured and the notice requirements. The permittee shall maintain said insurance with a solvent insurance company authorized to do business in Texas. The policy shall provide that the insurer will defend against all claims and lawsuits which arise and will pay any final judgment of a court of competent jurisdiction against the City, its officers, agents, servants or employees, and permittee, his officers, agents, servants or employees. Failure to keep the insurance policy in full force and effect throughout the term of the permit shall be grounds for permit revocation.

4. A permit applicant who has provided certificates of insurance to the City pursuant to the requirements of a Chapter of the City Code other than this Subchapter that meet all of the requirements established in this Subchapter shall not be required to obtain an additional insurance but is required to provide such certificates of insurance showing present coverage as required in this Subchapter. A permittee who has multiple permits under this Chapter is required to provide only one current valid certificate of insurance for all such permits but may be required to provide a copy of the current certificate of insurance with each application under this Subchapter.

105.5.56.9 Nontransferable, Added.

Permits issued under this chapter shall be personal to the permittee, and shall not be assigned or transferred to any other person or entity.

9.52.030.6 Section 105.6 Required construction permits, Amended.

105.6 Required construction permits.

Where required, application for construction permit shall be made to the building official in accordance with Section 105 of the International Building Code and Title 18, Chapter 18.08 (Building Code) of the El Paso City Code.

9.52.030.7 Section 105.6.18.1 Private fire hydrant construction plans, Added.

105.6.18.1 Private fire hydrant construction plans.

Private fire hydrant construction plans. Private fire hydrant construction plans shall be submitted by a Texas licensed fire protection contractor or a Texas licensed master plumber.

9.52.030.8 Section 105.6.25 Access Control System, Added.

105.6.25 Access Control System Permit.

A permit shall be required for the installation of an access control system in a building that has a fire alarm control panel.

9.52.030.10 Section 107.7 Permits required, Added.

107.7 Permits required.

Permits and licenses required by this Fire Code shall be obtained from the AHJ. Permit and license fees, as required in accordance with the schedule as established by the applicable governing authority, shall be paid to the City prior to issuance of the permit or license. This fee is charged to pay part of the expense of enforcing this section. Any person commencing work or performing any action requiring a permit under this Fire Code without first obtaining the necessary permit shall be subject to a fee of 300% of the scheduled permit fee in addition to the scheduled permit fee and other penalties set forth in Section 112 of this Fire Code. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the AHJ.

9.52.030.11 Section 107.8 Time limit of application, Added.

Section 107.8 Time limitation of application.

An application for an operational permit for any proposed work or operation shall be deemed to have been abandoned if all applicable fees are not paid in full within 30 days after the date of signing of the permit application.

9.52.030.13 Section 108.5 Certificates of Occupancy, Added.

108.5 Certificates of Occupancy, Added.

The building owner, or an occupant, or other person having charge or control of a building, structure or premises or their duly authorized agent shall have a valid certificate of occupancy available for review, upon request by the fire code official conducting an official inspection of a building, structure or premises. Failure to provide a valid certificate of occupancy upon request to the fire code official shall result in the denial of the issuance of an operational permit by the fire code official, unless the building existed prior to November 23, 1955 and has not been structurally altered or experienced a change in use since November 23, 1955.

108.5.1, Added.

Except as provided in Ordinance No. 1448 and other applicable law, it shall be a violation of this title if a building owner or an occupant or other person having charge or control of

a building, structure or premises does not obtain a certificate of occupancy from the building official.

108.5.2, Added.

In accordance with applicable law, the fire code official shall be authorized to take immediate action when life safety issues require such action.

108.5.3, Added.

The provisions of this Subsection 9.52.030.13, including a determination that a certificate of occupancy is not required because the building existed prior to November 23, 1955 and has not been structurally altered or experienced a change in use since November 23, 1955, shall be subject to the appeal process referenced in local amendment 111.1 of Subsection 9.52.030.16 of the City Code.

9.52.030.14 Section 109.2.1.1 Private fire hydrant test and inspection records, Added.

109.2.1.1 Private fire hydrant test and inspection records.

Private fire hydrant test and inspection records shall be filed with the AHJ within two working days from the private hydrant's date of test/inspection.

9.52.030.15 Section 109.2.1.2 Fire hydrant not operative, Added.

109.2.1.2 Private fire hydrant not operative.

If a private fire hydrant is not operative and is not repaired at the time of its test/inspection, the hydrant's condition must be reported to the AHJ immediately.

9.52.030.16 Section 111.1 Board of appeals established, Amended.

111.1 Board of appeals.

Appeals of orders, decisions or determinations by the AHJ relative to the application and interpretation of Fire Code may be appealed to the Construction Board of Appeals in accordance with Chapter 2.30 of the City Code.

9.52.030.17 Section 112.4 Violation penalties, Amended.

112.4 Violation penalties.

Persons who shall violate a provision of this Fire Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the AHJ, or of a permit or certificate used under provisions of this Fire Code, shall be guilty of a misdemeanor, punishable by a fine of not more than two thousand dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

9.52.030.18 Section 112.5 Citations, Added.

112.5 Citations.

The AHJ shall have the authority to issue citations for violations of provisions of this Fire Code.

9.52.030.194 Section 113.4 Failure to comply, Amended.

113.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not more than two thousand dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

9.52.040 – Chapter 2, Definitions, Amended.

International Fire Code, 2021 Edition, Chapter 2, Definitions, is hereby adopted in its entirety with the following amendments:

9.52.040.1 Section 202 General Definitions, Amended.

The following definitions are added to those already included in Section 202 of the 2021 International Fire Code or amend those definitions already in the section.

“Adult Foster Care (AFC) Home” means a home that provides supervised, 24-hour living arrangements for people who are unable to continue living independently in their own homes because of a physical, mental or emotional limitation.

“Alter or Alteration” means any change or modification in construction or occupancy.

“Authority Having Jurisdiction (AHJ)” means an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.

“Building Official” means where the term "Building Official" is used within the fire prevention code and this chapter, it shall have the same meaning as set forth in Section 18.02.102.2 of the El Paso City Code.

“Dry pipe valve” A dry standpipe system normally filled with pressurized air that is arranged through the use of a device, such as a dry pipe valve, to admit water into the system piping automatically upon the opening of a hose valve. The water supply of the automatic dry standpipe system shall not be required to be capable of supplying the system demand.

“Environment” means any surface water, groundwater, drinking water supply, land surface or subsurface strata, or ambient air within or under the control of the United States.

“Fire Barrier” means a fire-resistance-rated wall assembly of materials permanently fixed in place designed to restrict the spread of fire in which continuity is maintained.

“Fire District” means a heavily populated or congested commercial area as described in Chapter 18.08 of the City Code, also known as the 'limits established by law'.

“Flame Effects” means the combustion of solid, liquid, or gas, designed specifically to produce an open flame when ignited to display a thermal, physical, visual, or audible phenomena as defined in NFPA 160. Such devices include paraffin wax candles, LP gas candles, torches, LP-gas burners, and 'sky lantern' type flame illuminated aerial devices and cold spark machines.

“Foster Family Home” means a home that is the primary residence of the foster parents and provides care for six or fewer children or young adults, under the regulation of a child-placing agency.

“Fuel Oil” Kerosene or any hydrocarbon oil having a flash point not less than 100 F (38 C).

“Jurisdictional Area” means an area within the City limits of the City.

“Repair Garage” means a building, structure, or portion thereof used for servicing, or repairing motor vehicles, or a building, structure, or portion thereof used for installation of aftermarket parts and accessories on motor vehicles.

“Vacant” has the same meaning as defined by Chapter 18.40 (Vacant Buildings) of the El Paso City Code.

9.52.050 – Chapter 3, General Requirements, Amended.

International Fire Code, 2021 Edition, Chapter 3, Scope and Administration, is hereby adopted in its entirety with the following amendments:

9.52.050.1 Section 310.1 General, Amended.

310.1 General.

Refer to Chapter 9.50 of the City Code.

9.52.050.2 Section 311.7 Vacant Buildings Ordinance, Added.

311.7 Vacant Buildings Ordinance.

Vacant premises shall also comply with the provisions of Chapter 18.40 (Vacant Buildings) of the City Code.

9.52.050.3 Section 315.3.5 Aisles, Added.

Section 315.3.5 Aisles.

In areas where miscellaneous combustible materials are stored, an aisle of at least 30 inches in width shall be provided for every 50 linear feet of piles, palletized, racked, or bin storage.

9.52.050.4 Section 315.4 Outside storage, Amended.

315.4 Outside storage.

Outside storage, including but not limited to pile storage of combustible materials, shall not be located within 10 feet of a property line, building, and or structure. Outside storage,

including pile storage shall be maintained from an existing fence line a minimum distance equal to the height of the material stored.

Exceptions:

1. The separation distance to a property line is allowed to be reduced to 3 feet for storage not exceeding 6 feet in height.
2. The separation distance to a property line is allowed to be reduced when the AHJ determines that no hazard to the adjoining property exists.

9.52.050.5 Section 315.4.2 Height, Amended.

315.4.2 Height.

Storage in the open, including but not limited to pile storage, shall not exceed 20 feet in height.

9.52.050.6 Section 315.4.3 Width, Added.

315.4.3 Width.

A minimum of 20 feet width separation between all outside storage, including but not limited to, pile storage, shall be provided.

9.52.050.7 Section 319 Mobile Food Preparation Vehicles.

319 Mobile Food Preparation Vehicles, Added.

Beginning Calendar Year 2025 all permitted mobile food preparation vehicles as defined by the 2021 International Fire (IFC) will have to meet all the following requirements.

319.1 General. Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease laden vapors shall comply with this section.

319.2 Permit required. Permits shall be required as set forth in Section 105.5.

319.3 Exhaust hood. Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood in accordance with Section 606.

319.4 Fire protection, amended.

Fire protection shall be provided in accordance with Section 319.4.1.

319.4.1 Fire extinguisher.

Portable fire extinguishers shall be provided in accordance with Section 906.4.

319.5 Appliance connection to fuel supply piping.

Gas cooking appliances shall be secured in place and connected to fuel-supply piping with an appliance connector complying with ANSI Z21.69/CSA 6.16. The connector installation shall be configured in accordance with the manufacturer's installation

instructions. Movement of appliances shall be limited by restraining devices installed in accordance with the connector and appliance manufacturer's instructions.

319.6 Cooking oil storage containers.

Cooking oil storage containers within mobile food preparation vehicles shall have a maximum aggregate volume not more than 120 gallons (454 L), and shall be stored in such a way as to not be toppled or damaged during transport

319.7 Cooking oil storage tanks.

Cooking oil storage tanks within mobile food preparation vehicles shall comply with

Sections 319.7.1 through 319.7.5.2.

319.7.1 Metallic storage tanks.

Metallic cooking oil storage tanks shall be listed in accordance with UL 80 or UL 142, and shall be installed in accordance with the tank manufacturer's instructions.

319.7.2 Nonmetallic storage tanks.

Nonmetallic cooking oil storage tanks shall be installed in accordance with the tank manufacturer's instructions and shall comply with both of the following:

1. Tanks shall be listed for use with cooking oil, including maximum temperature to which the tank will be exposed during use.
2. Tank capacity shall not exceed 200 gallons (757L) per tank.

319.7.3 Cooking oil storage system components.

Metallic and nonmetallic cooking oil storage system components shall include, but are not limited to, piping, connections, fittings, valves, tubing, hose, pumps, vents and other related components used for the transfer of cooking oil.

319.7.4 Design criteria.

The design, fabrication and assembly of system components shall be suitable for the working pressures, temperatures and structural stresses to be encountered by the components.

319.7.5 Tank venting.

Normal and emergency venting shall be provided for cooking oil storage tanks.

319.7.5.1 Normal vents.

Normal vents shall be located above the maximum normal liquid line, and shall have a minimum effective area not smaller than the largest filling or withdrawal connection. Normal vents are not required to vent to the exterior.

319.7.5.2 Emergency vents.

Emergency relief vents shall be located above the maximum normal liquid

line, and shall be in the form of a device or devices that will relieve excessive internal pressure caused by an exposure fire. For nonmetallic tanks, the emergency relief vent shall be allowed to be in the form of construction. Emergency vents are not required to discharge to the exterior.

319.8 LP-gas systems.

Where LP-gas systems provide fuel for cooking appliances, such systems shall comply with Chapter 61 and Sections 319.8.1 through 319.8.5.

319.8.1 Maximum aggregate volume.

The maximum aggregate capacity of LP-gas containers transported on the vehicle and used to fuel cooking appliances only shall not exceed 200 pounds (91 kg) propane capacity.

319.8.2 Protection of container.

LP-gas containers installed on the vehicle shall be securely mounted and restrained to prevent movement.

319.8.3 LP-gas container construction.

LP-gas containers shall be manufactured in compliance with the requirements of NFPA 58.

319.8.4 Protection of system piping.

LP-gas system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage, and damage from vibration.

319.8.5 LP-gas alarms.

A listed LP-gas alarm shall be installed within the vehicle in the vicinity of LP-gas system components, in accordance with the manufacturer's instructions.

319.9 CNG systems.

Where CNG systems provide fuel for cooking appliances, such systems shall comply with Sections 319.9.1 through 319.9.4.

319.9.1 CNG containers supplying only cooking fuel.

CNG containers installed solely to provide fuel for cooking purposes shall be in accordance with Sections 319.9.1.1 through 319.9.1.3.

319.9.1.1 Maximum aggregate volume.

The maximum aggregate capacity of CNG containers transported on the vehicle shall not exceed 1,300 pounds (590 kg) water capacity.

319.9.1.2 Protection of container.

CNG containers shall be securely mounted and restrained to prevent movement. Containers shall not be installed in locations subject to a direct vehicle impact.

319.9.1.3 CNG container construction.

CNG containers shall be an NGV-2 cylinder.

319.9.2 CNG containers supplying transportation and cooking fuel.

Where CNG containers and systems are used to supply fuel for cooking purposes in addition to being used for transportation fuel, the installation shall be in accordance with NFPA 52.

319.9.3 Protection of system piping.

CNG system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage and damage from vibration.

319.9.4 Methane alarms.

A listed methane gas alarm shall be installed within the vehicle in accordance with manufacturer's instructions.

319.10 Maintenance.

Maintenance of systems on mobile food preparation vehicles shall be in accordance with Section 319.10.1.

319.10.1 Exhaust system.

The exhaust system, including hood, grease-removal devices, fans, ducts and other appurtenances, shall be inspected and cleaned in accordance with Section 606.3.

319.10.2 Fire Protection systems and devices.

Fire protection systems and devices shall be maintained in accordance with Section 901.6.

319.10.3 Fuel gas systems.

LP-gas containers installed on the vehicle and fuel-gas piping systems shall be inspected annually by an approved inspection agency or a company that is registered with the US Department of Transportation to requalify LP-gas cylinders, to ensure that system components are free from damage, suitable for the intended service and not subject to leaking. CNG containers shall be inspected every 3 years in a qualified service facility. CNG containers shall not be used past their expiration date as listed on the manufacturer's container label. Upon satisfactory inspection, the approved inspection agency shall affix a tag on the fuel gas system or within the vehicle indicating the name of the inspection agency and the date of satisfactory inspection.

9.52.060 – Chapter 4, Emergency Planning and Preparedness, Amended.

International Fire Code, 2021 Edition, Chapter 4, Emergency Planning and Preparedness, is hereby adopted in its entirety with the following amendments:

9.52.060.1 Section 408 Places of Assembly, Added.

408 Places of Assembly

408.1 Overcrowding in Places of Assembly, Added.

The number of persons in any building or portion thereof shall not exceed the amount permitted in accordance with the Building Code or Fire Code. The owner, supervisor or manager responsible for admitting persons shall be responsible for keeping an accurate occupant count at all times during business hours. In places of assembly with a capacity of 100 or more persons, the occupant count shall be kept in written form and made readily available to AHJ or his authorized representative upon request or at each 30-minute intervals.

408.2 Authority of AHJ in overcrowded conditions, Added.

No person shall permit overcrowding or admittance of any person beyond the approved capacity of any place of assembly. The AHJ, upon finding any overcrowded conditions or obstructions in aisles, passageways or other means of egress, or upon finding any conditions which constitutes a threat to life safety, shall cause the performance, presentation, spectacle or entertainment to be stopped until such condition or obstruction is corrected.

408.3 Offense for allowing overcrowding, Added.

Any owner, supervisor or manager who shall admit persons in excess of the occupant capacity set by the AHJ shall be guilty of a misdemeanor offense punishable by a fine as provided in the City Code. Each person admitted or ticket sold in excess of such number shall constitute a separate offense.

408.4 Failure to comply, Added.

For failure to comply herewith, the AHJ may, in the name of the City, apply to a court of competent jurisdiction for an injunction to compel compliance. Failure to comply with this subsection shall make the person so failing, and any person by whom he was employed at the time he failed to comply, subject to the enforcement provisions of Section 112 of the IFC and Section 9.52.030.194 of the City Code, and he or she shall in addition show cause, if any exists, why he or she should not be eligible for a permit for two (2) years after the date of violation. These penalties are in addition to any criminal penalties provided for by this chapter.

9.52.070 – Chapter 5, Fire Service Features, Amended.

International Fire Code, 2021 Edition, Chapter 5, Fire Service Features, is hereby adopted in its entirety with the following amendments:

9.52.070.1 Section 503.1.4 Facility yards, Added.

503.1.4 Facility yards.

An approved fire apparatus access road shall be provided to within 150 feet of all outside combustible/flammable materials storage, including but not limited to pile storage, located in automobile wrecking yards, junkyards, recycling facilities, or wrecking yards.

9.52.070.2 Section 505.1 Address identification, Amended.

505.1 Address Numbers.

New and existing buildings shall be numbered in accordance with Title 18 of the City Code.

9.52.070.3 Section 506.1.1.1 Electric Gate, Added.

506.1.1.1 Electric Gate.

An approved electric Knox Switch shall be installed on electric access gates where required by the AHJ.

9.52.070.4 Section 507.3.1 Minimum pressure requirement, Added.

507.3.1 Minimum pressure requirement.

When the water supply system is intended to provide firefighting capability, the water supply system must also be designed to maintain a minimum pressure of 20 psi under combined fire and drinking water flow conditions pursuant to 30 Tex. Admin. Code Section 290.46(r).

9.52.070.5 Section 507.4.1 Flow test adjustments.

507.4.1 Flow Test Adjustments, Added.

Water flow test data shall be adjusted to account for daily and seasonal fluctuations, large simultaneous industrial use, future demand on water supply, or any other condition that could affect the water supply. The fire protection system design shall be based on not more than 90% of the water flow test data. The water flow test data shall only be valid if the required data is obtained within five (5) years from the date plans are submitted to the AHJ.

507.4.2 System Water Demand Verification, Added.

Backflow forward flow test shall be performed by the contractor and witnessed by the Fire Marshal inspector to verify water demand calculations submitted by the system designer.

9.52.070.6 Section 507.5.1 Where required, Amended.

507.5.1 Where Required.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 800 feet from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *AHJ*.

9.52.070.7 Section 507.5.5 Clear space around hydrants, Amended.

507.5.5 Clear space around hydrants.

A 5-foot clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved.

9.52.070.8 Section 507.5.7 Private fire hydrants, Added.

507.5.7 Private fire hydrants.

All private fire hydrants shall comply with the current EPWU hydrant installation specifications.

9.52.070.8.1 Section 507.5.7.1 DATV, Added.

507.5.7.1 DATV.

Installation of a Davidson Anti-Terrorism Valve is optional on a private fire hydrant.

9.52.070.9 Section 508.1.2 Separation, Amended.

508.1.2 Separation.

The *fire command center* shall be separated from the remainder of the building by not less than a 1-hour fire-resistance-rated fire barrier constructed in accordance with Section 707 of the *International Building Code* or horizontal assembly constructed in accordance with Section 711 of the *International Building Code*, or both. No openings shall be permitted between the fire command center and the building being protected.

9.52.070.10 Section 510 Emergency Responder Communication Coverage, Added.

510.1 Emergency Responder Communication Coverage in new buildings, Amended.

Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.
2. Where it is determined by the fire code official that the radio coverage system is not needed.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

4. Section 510 of the International Fire Code shall not apply to buildings less than 40,000 square feet or any single-family detached residential dwelling or multifamily building or structure less than 40,000 square feet or any building under four stories with less than 40,000 square feet per floor.

510.2 Emergency responder communication coverage in existing buildings, Amended.
Communications coverage in existing buildings will continue to be evaluated based on the square footage of the building and any identified communications failures.

9.52.080 – Chapter 9, Fire Protection Systems, Amended.

International Fire Code, 2021 Edition, Chapter 9, Fire Protection Systems, is hereby adopted in its entirety with the following amendments:

9.52.080.1 Section 901.2.2 Supporting data, Added.

901.2.2 Supporting data.

The supporting data in the form of hydraulic calculations required by AHJ for installation or modification of all fire suppression systems shall be valid if the flow test data is within 5 years from the date plans are submitted.

9.52.080.2 Section 901.4.3.1 Extending Sprinkler System Coverage, Added.

901.4.3.1 Extending Sprinkler System Coverage.

When a sprinkler system is installed inside a shell building, all tenant improvements that take place inside the shell building are required to have a sprinkler system modification that meets the current NFPA 13 standards.

9.52.080.3 Section 903.2.8 Group R, Amended.

9.03.2.8. An automatic sprinkler system installed in accordance with IFC Section 903.3 shall be provided throughout all buildings with a Group R fire area. For Group R-2 occupancies, an automatic sprinkler system shall be provided throughout all floors of buildings with a Group R-2 fire area where more than two stories in height, including basements, or where having more than 16 dwelling units.

Exceptions:

1. Group R-1, where guestrooms are not more than three stories above the lowest level of exit discharge and each guestroom has at least one door leading directly to an exterior exit access that leads directly to approved exits.
2. A residential sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in buildings, or portions thereof, of Group R-1.
3. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means

of egress, and their accessory structures not more than three stories above grade plane in height conforming with the provisions of the International Residential Code.

9.52.080.4 Section 903.2.10.3 Group S-2 Warehouses, Added.

903.2.10.3 Group S-2 Warehouses.

An automatic sprinkler system shall be provided in accordance with Section 903.3.1.1 throughout a Group S-2 warehouse when the S-2 warehouse fire area exceeds 12,000 square feet.

9.52.080.5 Section 903.2.11.3 Buildings 55 feet or more in height, Amended.

903.2.11.3 Buildings 35 feet or more in height.

An automatic sprinkler system shall be installed throughout buildings that have one or more stories with an occupant load of 30 or more, located 35 feet or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exception: Occupancies in Group F-2.

9.52.080.7 Section 903.3.1.1.4 Hydrostatic Testing, Added.

903.3.1.1.4 Hydrostatic Testing.

A Hydrostatic test at 200 psi is required when more than 20 Mechanical Ts or when new pipe is installed.

9.52.080.8 Section 903.1.1.5 Acceptance Testing, Added.

903.3.1.1.5 Acceptance Testing.

For all new or reconfigured high pile storage warehouses (HPSW), a rack storage array inspection will be conducted after the rack system has been installed in a HPSW. This is to verify that the racks are positioned for proper sprinkler coverage.

9.52.080.10 Section 903.3.5.3 Freeze Protection, Added.

903.3.5.3 Freeze Protection.

Where aboveground water-filled supply pipes, risers, system risers, or feed mains for a fire protection system pass through areas subject to temperatures below 40 degrees Fahrenheit, the pipe shall be protected from freezing by a listed method.

9.52.080.11 Section 903.4 Sprinkler System Supervision & Alarms, Amended.

903.4 Sprinkler System Supervision & Alarms.

Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressure, underground gate valves, and water flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit or as approved by the authority having jurisdiction.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area sprinkler systems installed in accordance with Section 903.3.8.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system and a separate shutoff valve for the automatic sprinkler is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.
8. Underground key or hub gate valves in roadway boxes

9.52.080.12 Section 903.4.2 Alarms, amended.

903.4.2 Alarms.

An approved audible device, located on the exterior and interior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

9.52.080.14 Section 903.4.4 Multi-Tenant and Warehouse Buildings, Added.

903.4.4.1 Multi-Tenant Buildings, Added.

In buildings requiring sprinkler systems with multiple tenants, where no fire alarm is required, each tenant will have the minimum of one notification device (horn/strobe) to provide audio and visual notification upon activation of the monitoring alarm system, in a location approved by the AHJ.

903.4.4.2 Warehouse buildings (S1/S2) Office Areas, Added.

In warehouse buildings requiring sprinkler systems, where no fire alarm is required, a notification device shall be provided in normally occupied office areas. One device per office area if more than one office area exists and-or one device per level of office area if

more than one level exists. Notification devices shall also be provided in storage areas where audio and visual notification would be evident within those areas.

903.4.4.3 Warehouse Buildings (S1/S2) Storage Areas, Added.

In warehouse buildings requiring sprinkler systems and where no fire alarm is required, notification devices shall be provided in storage areas spaced at 3 times the distance required for a full notification system (triple spaced between devices).

9.52.080.15 Section 903.5.1 Underground Pipe, Added.

903.5.1 Underground Pipe.

All underground fire line pipe not installed by EPWU shall be hydrostatically tested per NFPA 13 and NFPA 24 requirements.

9.52.080.19 Section 903.7 Buildings with Multiple Risers, Added

903.7 Buildings with Multiple Risers.

When a building is served by multiple sprinkler system risers, all of the risers shall be served by a manifold system. If the risers are not served by a manifold system, the separate systems boundaries must be clear and able to be described by the addressable fire alarm system.

9.52.080.20 Section 904.2.3 Alternative Automatic Fire Extinguishing Systems, Added.

904.2.3 Alternative Automatic Fire Extinguishing Systems.

Fire Extinguishing Systems installed in lieu of a sprinkler system in areas where occupants will be incapacitated (ex: Hyperbaric Facilities) shall use an extinguishing agent which supports life.

9.52.080.21 Section 904.3.5.1 Single tenant building, Added.

904.3.5.1 Single tenant building.

In a single tenant building, where sprinkler monitoring is installed in accordance with 903.4.1, automatic fire-extinguishing systems shall be connected to sprinkler monitoring and a notification device (horn strobe) shall be placed in or near the space protected by the automatic fire-extinguishing system at a location approved by the AHJ.

9.52.080.22 Section 904.4.2.2 Alarm Notification, Added.

904.4.2.2 Alarm Notification.

A notification appliance is required exclusive for annunciation of the hood suppression system. A bell that is interconnected to the hood suppression system shall be used.

9.52.080.23 Section 904.10.4 Acceptance Testing, Added.

904.10.4 Acceptance Testing.

As part of the Acceptance Test for all clean agent systems, a door fan test is required to be witnessed and verified by the fire code official that it meets the standard specified in NFPA 2001.

9.52.080.24 Section 904.13.2.1 Fire Alarm Control Panel (FACP) Interconnection, Added.

904.13.2.1 Fire alarm Control Panel (FACP) Interconnection.

The automatic fire extinguishing system for commercial cooking systems shall be interconnected to a FACP where a FACP is installed in the building.

9.52.080.25 Section 905.2 Installation Standard for Standpipe Systems, Amended.

905.2.1 Installation Standard for Automatic Standpipe Systems, Added.

NFPA 14 11.5.1 Automatic Standpipe Flow Test/Hydraulic Verification Methods shall be field performed to confirm hydraulic design by way of methods outlined in 7.10.1 Class I and Class III Systems.

905.2.2 Installation Standard for Manual Standpipe Systems, Added.

NFPA 14 11.5.2 Manual Standpipe Flow Test/Hydraulic Verification Methods as depicted in Figure A.11.5.2(a) or Figure A.11.5.2(b) shall be done prior to system final. Contractor under FSYS permit shall be responsible for obtaining their own pump capable of flowing the required gpm and at the required pressure for the system.

Figure A.11.5.2(a) and Figure A.11.5.2(b) on following page.

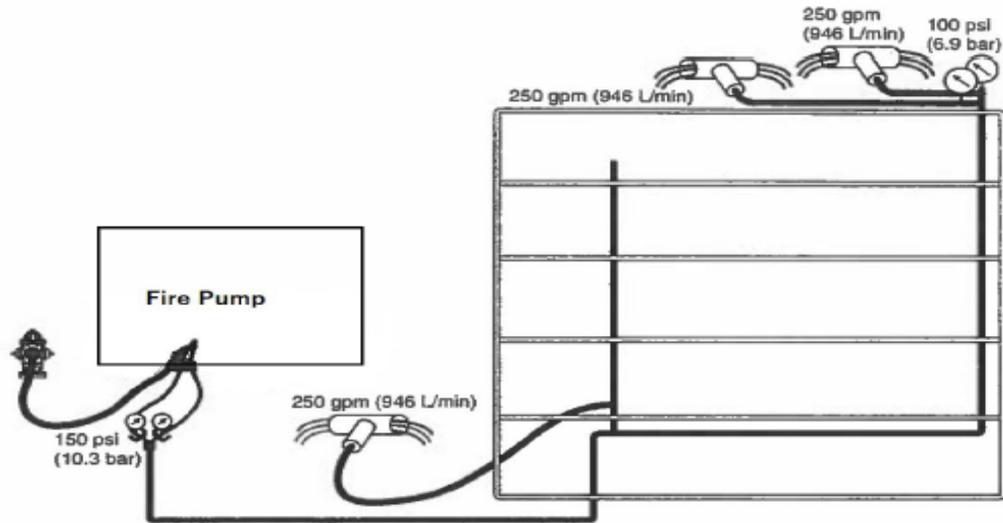


FIGURE A.11.5.2(a) Standpipe Flow Test Methods: Test With Pump Through FDC.

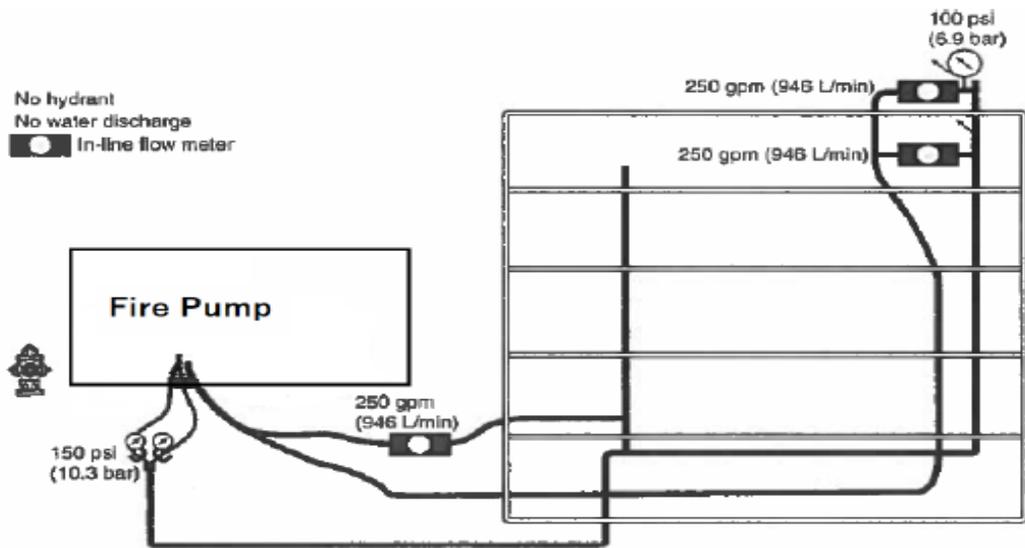


FIGURE A.11.5.2(b) Standpipe Flow Test Methods: Test by Recirculating Water.

9.52.080.26 Section 905.3.9 Mega Structure Special Considerations, Added.

905.3.9 Mega Structure Special Considerations.

All buildings that exceed exit travel distance of 300 ft. require a Class 1 Standpipe system with hose connections. A hose connection shall be provided within 200 ft. of all portions of the building. The distance between each hose connection shall not exceed 400 feet. The hose connections are required to be cross-zoned or on a dedicated standpipe system. A water-flow of 250 gpm at a pressure of 100 psi is required at the most remote hose connection. An acceptance test is required to verify the flow and pressure.

9.52.080.28 Section 905.8 Dry Standpipes, Amended.

905.8 Dry Standpipes, Amended.

A dry pipe valve standpipe system is required for all standpipe systems that are subject to freezing where an automatic dry standpipe system or a semiautomatic dry system is not required. The dry pipe valve must be installed in a conditioned space. Refer to Dry Pipe Valve in definitions.

Exception: Dry standpipes shall be allowed in parking garages where it is subject to freezing.

9.52.080.29 Section 906.1 Where required, Amended.

Section 906.1 Where required.

Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exceptions:

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

9.52.080.30 Section 906.3.5 Minimum extinguisher requirements, Added.

906.3.5 Minimum extinguisher requirements.

Each individual occupancy shall have, at a minimum, one 2A10BC extinguisher for every 3000 square feet, or fraction thereof for Light (low) and Ordinary (moderate) hazard occupancies. Greater protection may be required depending on the nature of the hazard, whereas Table 906.3(1) shall be used.

9.52.080.31 Section 907.2 Where required- new buildings and structures, Amended.

907.2 Where required-new buildings and structures.

An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.25 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

Not fewer than one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed at the main office or at a location where there is an employee or attendant present. If there is no main office or interior main entrance, it may be installed in the riser room.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.

9.52.080.32 Section 907.2.3.1 Portable Classrooms, Added.

907.2.3.1 Portable Classrooms.

In addition to the required notification devices, a manual fire alarm box that initiates the occupant notification signal shall be installed in portable classrooms when a manual fire alarm system is installed on the campus as per Section 907.2.3.

9.52.080.33 Section 907.2.24 Mixed Use Buildings, Added.

907.2.24 Mixed Use Buildings.

In mixed use buildings, not classified as high-rise, provided with a sprinkler monitoring system or fire alarm system as required elsewhere in this Fire Code or El Paso City Code, all notification devices shall activate upon alarm activation.

9.52.080.34 Section 907.2.25 Multiple Buildings, Added.

907.2.25 Multiple Buildings.

For properties where multiple buildings exist and where a fire alarm system or a sprinkler monitoring system has been installed in these properties, a separate FACP is required where the main address differs in each building or set of buildings. Each panel must transmit their own fire alarm signals directly to Central Station.

9.52.080.35 Section 907.6.3 Initiating device identification, Amended.

The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate.

Exception: Fire alarm systems in single-story buildings less than 22,500 square feet in area and not classified E occupancy.

9.52.080.37 Section 907.6.4.3 Zone Descriptions, Added.

907.6.4.3 Zone Descriptions.

When a conventional fire alarm panel is installed, the FACP shall be programmed with zone descriptions for all configured zones regardless of square footage. The length of any zone shall not exceed 300 feet (91.44m) in any direction.

9.52.080.38 Section 907.6.6 Monitoring, Amended.

907.6.6 Monitoring.

Fire alarm systems required by this chapter or by the International Building Code shall be monitored by an approved supervising station in accordance with NFPA 72. Monitoring and reporting by the supervising station shall identify the specific initiating device address, location, device type, floor level where applicable for alarm, trouble and supervisory status, as appropriate.

9.52.080.39 Section 907.6.6.1.1 Dumb Dialers, Added.

907.6.6.1.1 Dumb Dialers.

Dry contact communication dialers for FACP's are not allowed.

9.52.080.40 Section 907.6.6.2.1 Monitor It Yourself (MIY) Revocation, Added.

907.6.6.2.1 MIY Revocation.

The fire code official may revoke the permission to use MIY transmitters to Public Safety Answering Points (PSAP) if these systems do not function properly or if the PSAP call takers are not proficient in using this system. Permission to use this type of system may be revoked after 5 failed tests within a year. The inability to read the fire alarm descriptions or the inability to receive a signal on a timely manner (within 5 minutes) will constitute a failed test.

9.52.080.41 Section 907.6.7 Fire alarm control panel electrical connection, Added.

907.6.7 Fire alarm control panel electrical connection.

Fire alarm control panels (FACP) that will serve multiple tenants are required to be connected to the building electrical house panel.

9.52.080.42 Section 907.6.8 Annunciation location for sprinkler monitoring systems, Added.

907.6.8 Annunciation location for sprinkler monitoring systems.

Where a sprinkler monitoring system is installed, the annunciation location needs to meet the same requirements as the annunciation location for a fire alarm system. (This will allow the FACP or a standalone annunciator to be located at a readily accessible location for fire department access)

9.52.080.44 Section 912.2.1.1 Distance and Accessibility, Added.

912.2.1.1 Distance and Accessibility.

The fire department connection shall be placed no further than 30 feet from an approved fire access road, shall not be obstructed and topography shall be such that it will be readily accessible to fire department personnel.

9.52.080.45 Section 912.2.1.2 Markings, Added.

912.2.1.2 Markings.

The curb immediately adjacent to the fire department connection shall be painted red. If no curb is provided, a six-inch minimum red stripe shall be painted on the pavement immediately adjacent to the FDC. The painted curb or stripe shall measure 10 feet. The

pavement immediately adjacent to the painted curb or stripe, shall be hash marked in red paint and extend out a minimum of 10 feet or as designated by the AHJ.

9.52.080.46 Section 912.2.1.3 Pathway, Added.

912.2.1.3 Pathway.

An unobstructed, level surface no less than 36 inches wide shall be provided from the fire department connection to the nearest point of the fire department access road.

9.52.080.47 Section 912.2.1.4 Shared fire line, Added.

912.2.1.4 Shared fire line.

Where a fire protection system is supplied by the same fire line as a private fire hydrant, the fire department connection for that system shall be connected to the fire protection system above the check valve.

9.52.080.48 Section 912.4.1 Locking fire department connection caps, Amended.

912.4.1 Locking fire department connection caps.

Locking caps on fire department connections for water-based fire protection systems where the responding fire department carries appropriate key wrenches for removal will be required after the effective date of this ordinance. Occupancies will have 2 years to comply with this section.

9.52.080.49 Section 912.6.1 Backflow protection device enclosures, Added.

912.6.1 Backflow protection device enclosures ASSE 1060 hot box.

A backflow protection device shall provide freeze protection by means of an outdoor enclosure. The enclosure must meet ASSE 1060 Class 1 requirements for freeze protection. Existing backflow protection devices that do not meet this requirement will have 2 years to comply.

9.52.080.50 Section 912.6.2 Freeze Protection, Added.

912.6.2 Freeze Protection.

Where aboveground water-filled supply pipes, risers, system risers, feed mains or branch lines for a fire protection system pass through areas subject to temperatures below 40 degrees Fahrenheit, the pipe shall be protected from freezing by a listed method.

9.52.080.51 Section 913.2.3 Fire Pump Cavitation, Added.

9.52.080.51 Section 913.2.3 Fire Pump Cavitation, Added.

913.2.3 Fire Pump Cavitation Protection.

The use of low suction pressure controls shall be used for fire pumps where the intake pressure drops below 30 psi when the fire pump is flowing at 150% at rated capacity, or when the underground is shared with a private hydrant(s).

9.52.080.54 Section 913.2.4 Fire Pump Power Supply Disconnect, Added.

913.2.4 Fire Pump Power Supply Disconnect.

A Mandatory Fire Pump power supply disconnect is required for all fire pump controllers. This disconnect shall not be located in the fire pump room and will be approved by the AHJ. Markings for the disconnecting means shall be in accordance with article 695.4 of the National Electrical Code (NEC).

9.52.080.55 Section 913.6 Jockey Pump Pressures, Added.

913.6 Jockey Pump Pressures.

Jockey pump pressures that serve a fire pump, for new or existing buildings, are not allowed to be artificially set low. Any existing building where this condition exists has up to 1 year to provide an NFPA 13 and NFPA 20 code compliant solution and corrective action for this deficiency.

9.52.080.56 Section 913.7 Fire pump bypass, Added.

913.7 Fire pump bypass.

Fire pump bypass piping shall be installed for all fire pump installations when connected to a pressurized water source such as a municipal water supply or pressurized private source.

9.52.080.57 Section 913.8 Diesel fire pumps, Added.

913.8 Diesel Fire Pumps.

The installation of diesel fire pumps shall not be allowed unless approved by the fire code official.

9.52.080.58 Section 913.9 Low suction throttling valve, Added.

913.9 Low Suction Throttling Valve.

A low suction throttling valve shall be installed and comply with sections 913.9.1 and 913.9.2.

913.9.1 Private fire hydrant.

A low suction throttling valve shall be installed for all fire pump installations that contain a fire hydrant on the private service main shared by both systems.

913.9.2 Suction pressure below 30 psi.

A low suction throttling valve shall be installed for all fire pump installations where the suction pressure falls below 30 psi when flowing the most demanding required fire flow of the sprinkler system, standpipe system, or private hydrant.

9.52.080.59 Section 915.2.3.1 Carbon Monoxide Annunciation in Group E Occupancies, Added.

915.2.3.1 Carbon Monoxide Annunciation in Group E Occupancies.

Carbon monoxide detection shall be installed in classrooms in Group E occupancies. Carbon monoxide alarm signals shall be automatically transmitted through a Fire Alarm Control Panel annunciator or a Carbon Monoxide Detection Panel annunciator to an on-site location that is staffed by school personnel. A supervisory signal shall be initiated and the signal shall also be transmitted to a Central Station monitoring service. In addition, a local audible alarm with the CO temporal code shall be annunciated in the room of origin.

9.52.090 – Chapter 10, Means of Egress, Amended.

International Fire Code, 2021 Edition, Chapter 10, Means of Egress, is hereby adopted in its entirety with the following amendments:

9.52.090.1 Section 1004.7 Outdoor areas, Amended.

Section 1004.7. Outdoor areas.

Yards, patios, occupied roofs, courts and similar outdoor areas accessible to and usable by the building occupants shall be provided with means of egress as required by this chapter. The occupant load of such outdoor areas shall be assigned by the AHJ in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, means of egress requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.

Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one means of egress.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.

9.52.090.3 Table 1020.2 Corridor Fire Resistance Rating, Amended.

Table 1020.2 Corridor Fire-Resistance Rating

**[BE] TABLE 1020.2
CORRIDOR FIRE-RESISTANCE RATING**

OCCUPANCY	OCCUPANT LOAD SERVED BY CORRIDOR	REQUIRED FIRE-RESISTANCE RATING (hours)	
		Without sprinkler system	With sprinkler system
H-1, H-2, H-3	All	Not Permitted	1 ^c
H-4, H-5	Greater than 30	Not Permitted	1 ^c
A, B, E, F, M, S, U	Greater than 30	1	0
R	Greater than 10	Not Permitted	0.5 ^c /1 ^d
I-2 ^a	All	Not Permitted	0
I-1, I-3	All	Not Permitted	1 ^{b, c}
I-4	All	1	0

- a. For requirements for occupancies in Group I-2, see Sections 407.2 and 407.3 of the International Building Code.
- b. For a reduction in the fire-resistance rating for occupancies in Group I-3, see Section 408.8 of the International Building Code.
- c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.
- d. Group R-3 and R-4 buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.3. See Section 903.2.8 for occupancies where automatic sprinkler systems are permitted in accordance with Section 903.3.1.3.
- e. For R occupancies with Corridor Occupant Load greater than 10, a 1-hour fire-resistance rating shall be permitted without sprinkler system.

9.52.100 – Chapter 11, Construction Requirements for Existing Buildings, Amended.

International Fire Code, 2021 Edition, Chapter 11, Construction Requirements for Existing Buildings, is hereby adopted in its entirety with the following amendments:

9.52.100.1 Section 1103.2 Emergency responder communication coverage in existing buildings, amended.

1103.2 Emergency responder communication coverage in existing buildings Communications coverage in existing buildings will continue to be evaluated based on the square footage of the building and any identified communications failures.

9.52.110 – Chapter 32, High-Piled Combustible Storage, Amended.

International Fire Code, 2021 Edition, Chapter 32, High-Piled Combustible Storage, is hereby adopted in its entirety with the following amendments:

9.52.110.1 Section 3201.1.1 Purpose and Intent, Added.

3201.1.1 Purpose and intent. The City Council hereby finds, as a matter directly affecting public safety, protection of property, and the life safety of personnel involved in fire suppression activities, that all existing buildings used for high-piled combustible storage must comply with IFC Chapter 32, as amended.

9.52.110.2 Section 3201.1.2 Applicability, Added.

3201.1.2 Applicability.

The provisions of IFC Chapter 32, as amended, shall apply to all existing buildings used for high-piled combustible storage, on or after December 8, 1998, regardless of the date of construction or prior issuance of a Certificate of Occupancy for that building.

9.52.110.3 Section 3201.1.3 Effective date, Added.

3201.1.3 Effective date.

After the effective date, it shall be unlawful for any person, firm, or corporation to use, or permit the use, of any building, structure, or portion thereof, for high-piled combustible storage which does not fully comply with the requirements of IFC Chapter 32, as amended.

9.52.110.4 Section 3201.1.4, Appeals, Added.

3201.1.4 Appeals.

The owner of a building or an owner's duly authorized agent may appeal a decision of the Fire Code Official or the Building Official related to this Section. All appeals shall be directed to the Construction Board of Appeals, in accordance with Chapters 2.30 and 18.02 of the El Paso City Code.

9.52.110.5 Section 3204.3 Water flow test data adjustment, Added.

3204.3 Water flow test data adjustment.

The water flow test data shall be adjusted by the system designer to account for daily and seasonal fluctuations, large simultaneous industrial use, and future demand on the water supply system, or any other condition that could affect the water supply. The fire protection system design shall be based on not more than 90% of the water flow test data.

9.52.110.6 Section 3206.1.1 Fire protection, Added.

3206.1.1 Fire protection.

All existing buildings used for high-piled combustible storage must comply with the fire protection systems requirements identified in IFC Table 3206.2 and the current adopted International Building Code, (IBC), as amended.

9.52.110.7 Section 3206.7.4 Marking on fire department access doors, Amended.

3206.7.4 Marking on fire department access doors.

Fire department access doors shall comply with 2021 IFC Section 509.1. Fire department access doors shall be plainly marked with the words, "Fire Access Door" in red letters at least 6 inches high with a one-half inch stroke on a white background.

9.52.120 – Chapter 50, Hazardous Materials – General Provisions, Amended.

International Fire Code, 2021 Edition, Chapter 50, Hazardous Materials-General Provisions, is hereby adopted in its entirety with the following amendments:

9.52.120.1 Section 5003.3.1.1 Records, Amended.

5003.3.1.1 Records.

Any person, firm, or corporation responsible for any unauthorized discharge reportable under subsection 5003.3.1.6 shall maintain accurate records of the unauthorized discharge of hazardous materials including the date, time, material, and quantities. Such records shall be kept for at least three years from the date of the unauthorized discharge, and shall be subject to inspection by the AHJ upon request. Any person who knowingly falsifies or destroys such records shall be in violation of this Fire Code.

9.52.120.2 Section 5003.3.1.5 Response Expenses, Added.

5003.3.1.5 Response Expenses.

Any person or persons causing or responsible for an abandonment or an unauthorized discharge or threatened unauthorized discharge of hazardous materials resulting in emergency action, other than routine investigation by the fire department, the department of environmental services, or any other City department, shall be jointly and severally liable to the City for its reasonably and necessarily incurred expenses, as defined below, resulting from such emergency action. Hazardous materials response expenses are defined as those non-reusable materials and supplies which are required for responding to hazardous materials emergencies and which are actually expended in an emergency action. Hazardous materials response expenses are defined to also include reusable response equipment which is required for responding to hazardous materials emergencies and which is rendered non-reusable during an emergency action due to damage other than by wear and tear. Hazardous materials response expenses shall include all labor costs, to include but not be limited to overtime expenditures, necessary to mitigate the emergency action. Hazardous materials responses are not considered to be routine firefighting services. Hazardous materials response expenses shall not include routine firefighting services.

9.52.120.3 Section 5003.3.1.6 Local reporting requirements, Added.

5003.3.1.6 Local reporting requirements.

The AHJ shall be immediately notified by the person, firm or corporation responsible when an unauthorized discharge within the City limit boundaries or within the City's extra territorial jurisdictional boundaries becomes reportable under state, or federal laws or as follows:

a. Any unauthorized discharge of a hazardous material which presents an endangerment to public health, public welfare, or the environment, or any unauthorized discharge of a flammable or combustible material which presents a fire hazard, or any unauthorized discharge of any hazardous material or exposure that results in an injury requiring transport to an off-site medical facility.

b. The person who has care, custody or control of property, materials or equipment shall promptly notify the AHJ by calling 911 immediately upon discovery of an unauthorized discharge of any hazardous material reportable under subsection 5003.3.1.6a above. Immediate notification as required in this section shall be performed prior to or concurrently with necessary initial response actions, but under no conditions shall notification be delayed unnecessarily. At the time of notification, the following information shall be provided:

- 1) What is the location of the incident?
- 2) Has there been a fire or explosion?
- 3) Is anyone sick or injured?
- 4) What is the chemical name or identity of any material involved in the release, if known?
- 5) If chemical name is unknown are any diamond shaped or other markings visible on the vehicle or container? (colors / names / numbers / symbols)
- 6) What type of vehicle or container is involved?
- 7) What is an estimate of the quantity of material that was released?
- 8) What was the time and duration of the release?
- 9) Is there any smoke or vapor cloud visible, audible sounds or unusual odor?
- 10) The name and telephone number of the person or persons to be contacted for further information.

9.52.120.4 Section 5006 Transportation of Hazardous Materials, Added.

5006

TRANSPORTATION OF HAZARDOUS MATERIALS

5006.1 Standing or parking.

It is unlawful for a motor carrier or operator to allow motor vehicles used to transport hazardous materials to stand or park on any street, alley or lot within the limits of the City, except as provided for in accordance with Section 5706.6.2 of this Fire Code.

9.52.130 – Chapter 56, Explosives and Fireworks, Amended.

International Fire Code, 2021 Edition, Chapter 56, Explosives and Fireworks, is hereby adopted in its entirety with the following amendments:

9.52.130.1 Section 5601.1.3 Fireworks, Amended.

5601.1.3 Fireworks.

Fireworks are declared to be a nuisance. No person shall manufacture, sell or use fireworks within the City limits of El Paso except as provided in Section 9.52.030.5 (Required operational permits, as amended).

Exception: The use of fireworks for fireworks displays as allowed in Section 5608.

9.52.130.2 Section 5601.2.4 Financial responsibility, Amended.

5601.2.4 Financial responsibility.

Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The AHJ is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement. The City shall be named as an additional insured on the insurance policy or an additional obligee under the corporate surety bond, at no cost to the City. A bond required by this section must be executed by a corporate surety and approved by the AHJ. If applicable, an insurance policy shall be written by an accredited insurance company under the supervision of the Board of Insurance of the state. Evidence of compliance with this requirement shall be considered as having been met when the policy, a copy thereof, or a certificate of insurance has been filed with and approved by the AHJ. Such policy shall include an endorsement that the AHJ shall be notified at least thirty (30) days in advance in the event the policy or policies are canceled.

9.52.130.3 Section 5601.2.4.3 Indemnity agreement, Added.

5601.2.4.3 Indemnity agreement.

The applicant shall be required to enter into an indemnity agreement with the City indemnifying the City and any of its agents or employees, for any personal injury, property damage or other civil liability whatsoever, caused by an activity, condition or event arising out of any act performed under the permit.

9.52.130.4 Section 5601.6.1 Immediate Notification, Added.

5601.6.1 Immediate Notification.

In case of mechanical failure or traffic accident involving any conveyance carrying explosives, the AHJ and the police department shall be notified immediately.

9.52.130.5 Section 5601.7.1 Disposal of explosives, explosive materials or fireworks, Added.

5601.7.1 Disposal of explosives, explosive materials or fireworks.

The City may file a motion with municipal court requesting an Order of Disposal and/or Destruction for explosives, explosive materials and/or fireworks pursuant to authority granted by the 2021 International Fire Code, Section 5601.7. Said Motion shall be filed with a sworn affidavit of the AHJ stating the underlying circumstances of the seizure and the City shall verify that the explosives, explosive materials and/or fireworks are not being held as evidence to be used in any pending case. A hearing shall be held before a judge of the El Paso municipal court. A judge shall, as soon as practicable, hear the matter, after giving reasonable notice to the AHJ and the person whose explosives, explosive materials and/or fireworks have been removed or impounded. The AHJ and the person whose explosives, explosive materials and/or fireworks have been removed or impounded shall each have the opportunity to present evidence and make argument on their behalf. The formal rules of evidence do not apply to a hearing under this section.

The judge hearing the case shall make his or her ruling on the basis of a preponderance of the evidence presented at the hearing. If the judge finds that the explosives, explosive materials and/or fireworks were lawfully seized and that, at the time of the hearing, the explosives, explosive materials and/or fireworks constitute materials or other items that cannot be lawfully possessed, stored, handled or used in the jurisdictional limits of the City, the judge shall grant the motion. The decision of the judge is final.

9.52.130.6 Section 5608.2 Permit application, Amended.

5608.2 Permit application.

Application for permits shall be made in writing to the AHJ at least 10 days in advance of the date of display. Prior to issuing permits for a fireworks display, plans for the fireworks display, inspection of the display site and demonstrations of the display operations shall be approved. A plan establishing procedure to follow and actions to be taken in the event of that a shell fails to ignite or discharge from a mortar or fails to function over the fallout area or other malfunctions shall be provided to the AHJ.

9.52.130.7 Section 5608.2.3 Indoor displays, Added.

5608.2.3 Indoor displays.

Personnel shall be provided to implement a standby fire watch acceptable to the AHJ if pyrotechnics are used inside a building.

9.52.130.8 Section 5609.1 General, Amended.

5609.1 General.

Temporary storage of consumer fireworks, 1.4G, is not allowed.

9.52.130.9 Section 5610 Flame Effects, Added.

5610 FLAME EFFECTS

5610.1 General.

The use of flame effects for entertainment, exhibition, demonstration, or simulation must comply with NFPA 160. Flame effects deemed as such by the AHJ which could include and limited to LP gas candles and burners must comply with the NFPA 160 edition in use by the Texas Railroad Commission.

5610.2 Permit application.

Prior to issuing permits for flame effects, plans for the exhibition, inspections of the exhibition site, and demonstrations of the flame effects shall be approved by the AHJ.

5610.3 Indoor use or outdoor use, Added.

Personnel shall be provided to implement a standby fire watch acceptable to the AHJ if flame effects (as defined by the AHJ) are used indoors or outdoors.

5610.4 Financial Responsibility.

Before a permit is issued for any flame effects exhibition, the applicant must provide evidence of financial responsibility as set forth in Section 5601.2.4.

5610.5 Texas Flame Effects operator's license required.

At least one Texas Flame Effects licensee must be present on-site at all times where flame effects are used, discharged or ignited.

9.52.140 – Chapter 57, Flammable and Combustible Liquids, Amended.

International Fire Code, 2021 Edition, Chapter 57, Flammable and Combustible Liquids, is hereby adopted in its entirety with the following amendments:

9.52.140.1 Section 5705.3.8.2 Location on property.

Dispensing activities that exceed the quantities set forth in Table 5705.3.8.2 shall not be conducted within 15 feet (4572 mm) of buildings or combustible materials or within 25 feet (7620 mm) of building openings, lot lines, public streets, public alleys or public ways. Dispensing activities that exceed the quantities set forth in Table 5705.3.8.2 shall not be conducted within 15 feet (4572 mm) of storage of Class I, II or III liquids unless such liquids are stored in tanks that are listed and labeled as 2-hour protected tank assemblies in accordance with UL 2085.

Exceptions:

1. The requirements shall not apply to areas where only the following are dispensed: Class III liquids; liquids that are heavier than water; water-miscible liquids; and liquids with viscosities greater than 10,000 centipoise (cp) (10 Pa x s).

2. Flammable and combustible liquid dispensing in refineries, chemical plants, process facilities, gas and crude oil production facilities and oil-blending and packaging facilities, terminals and bulk plants.
3. Mobile fueling dispensing activities shall not be conducted within 30 feet of buildings, building openings, combustible materials, lot lines, public alleys or public ways.

9.52.140.2 Section 5706.1.2 Restricted Locations, Added.

5706.1.2 Restricted Locations.

It is unlawful for any individual, firm, partnership or corporation within the City limits, to install, enlarge or operate a bulk oil station, refinery, or distilling plant, except when such places conform in location and construction and maintain distances and safeguards as hereinafter specified. All storage of oils and gasoline in Classes I and II for the purpose of refining, or distilling or jobbing, or wholesaling, and handled by motor vehicles for delivery, must be installed within the below specified districts, as hereafter designated.

9.52.140.3 Section 5706.1.3 Designated Districts, Added.

5706.1.3 Designated Districts.

The districts in which refineries, wholesale oil stations, or bulk stations may be located are described as follows:

1. Beginning at the intersection of Texaco Road and the north line of Southern Pacific Railroad tracks; thence westerly along the railroad tracks to the east line of Clark Road, thence north along the east line of Clark Road to the south line of Welch Avenue; thence easterly along the south line of Welch Avenue to the south line of Tampa Avenue; thence east along the south line of Tampa Avenue to the west line of the Western Refining South Plant; thence northerly along the west line of Western Refining South Plant to the west line of the Western Refining North Plant; thence northerly along the west line of the Western Refining North Plant to the south line of Gateway Boulevard East; thence easterly along the south line of Gateway Boulevard East to the east line of Airway Boulevard; thence northerly along the east line of Airway Boulevard to the south line of Viscount Boulevard; thence easterly along the south line of Viscount Boulevard to the east line of the Trans Mountain Oil Co.; thence southerly along the east line of the Trans Mountain Oil Co. to the north line of Gateway Boulevard West; thence westerly along the north line of Gateway Boulevard West to the east line of Airway Boulevard; thence south along the east line of Airway Boulevard to the south line of Gateway Boulevard East; thence easterly along Gateway Boulevard East to the east line of Hawkins Road; thence southerly along the east line of Hawkins Road to the east line of Freeport-McMoran; thence southerly along the east line of Freeport-McMoran to the south line of Freeport-McMoran; thence westerly along the south line of Freeport-McMoran to the east line of Western Refining North spur track; thence southerly along the east line of the spur track to the north line of Southern Pacific Railroad track; thence westerly along the north line of Southern Pacific Railroad tracks to the point of beginning to include Western Refining South Plant,

Western Refining North Plant, Trans Mountain Oil Co., Navajo Oil and all property contained within the boundary specified in this section.

2. Beginning at the intersection of the centerline of Lafayette Drive and the centerline of San Paulo Drive westerly to the east side of Lot 7, Block 28; thence northerly to the south line of Lot 1, Block 39; then easterly to the centerline of Lafayette Drive; thence southerly to the point of beginning, to include the Municipal Service Center.

3. Beginning at a point marked by the intersection of the centerline of Beech Street and the northerly right-of-way line of Boeing Drive; thence westerly along the centerline of the Boeing Drive separation median to a point on the east line of Lot 24, Block 4, El Paso International Airport Tracts; then northerly along the east line of Lot 24, Block 4, extended to a point on the south edge of a fifty-foot wide service taxiway; thence westerly along the south edge of the taxiway to a point opposite the easterly line of Lot 10, Block 4, El Paso International Airport Tracts, extended; thence southwestwardly to and along the said easterly line of Lot 10, Block 4, to a point lying one hundred twenty-five feet northerly of the north right-of-way line of Boeing Drive; thence northwesterly perpendicular to the above line across Lot 10, Block 4, to a point lying in the westerly line of the Lot 10, Block 4; thence westerly to a distance of two hundred seventy-five feet to a point lying seventy-five feet north of the northerly right-of-way line of Boeing Drive and being within Lot 9, Block 4, El Paso International Airport Tracts; thence northerly through the remainder of Lot 9, Block 4, and through Lot 8, Block 4, to a point being the southeasterly corner of Lot 6, Block 4, El Paso International Airport Tracts; thence northeasterly across Lot 5, Block 4, to a point being the northeasterly corner of Lot 4, Block 4, El Paso International Airport Tracts; thence northeasterly through the approximate centers of Lots 1 and 2, Block 4, El Paso International Airport Tracts to a point lying in the northeasterly right-of-way line of Northrup Road; thence northwesterly along the right-of-way line of Northrup Road to a point in the southerly right-of-way line of American Drive; thence northeasterly along the southerly right-of-way line of American Drive to a point in the southwestwardly right-of-way line of Convair Road; thence southeasterly along the right-of-way line of Convair Road and along an extension of said line for a total distance of seven hundred feet to a point; thence perpendicular to the above line northeasterly a total distance of two hundred fifty feet to a point; thence perpendicular to the above line northwesterly to a point; the point being an intersection of this line with the northerly right-of-way line of Convair Road extended; thence westerly along the northerly right-of-way line of Convair Road extended to an intersection with a line being an extension of the east line of Taxiway "A"; thence north along said extension of the east line of Taxiway "A" to a point being on the southeasterly line of Runway 4-22; thence northeasterly along the southeasterly line of Runway 4-22 to an intersection with the south line of the Runway 8-26 (left) stopway; then easterly along said south line of the Runway 8-26 (left) stopway to an intersection with the easterly line of Taxiway "M" thence southeasterly along the easterly line of Taxiway "M" to an intersection with the north line of Military Cargo Apron; then

easterly along the north line of the Military Cargo Apron and along an extension of said line for a distance of approximately one thousand one hundred fifty feet to a point; thence northeasterly parallel to the northerly property line of Block 17, El Paso International Airport Tracts for a distance of approximately one thousand eight hundred feet to a point; thence easterly to a point lying in the extended easterly property line of Lot 8, Block 17, El Paso International Airport Tracts, the point also being one hundred twenty-five feet north of the northwest corner of the Lot 8, Block 17; thence southerly to a point being the northwesterly corner of Lot 9, Block 17 (FAA Tower Site); thence westerly to a point being the midpoint of the east line of Lot 6 and the west line of Lot 7, Block 17, El Paso International Airport Tracts; thence southwesterly on a line intersecting the midpoints of the lot lines through Lots 6, 5, 4 and 3 and the line extended straight across Lots 1 and 2 to an intersection with the northerly right-of-way line of Boeing Drive; thence westerly along the northerly right-of-way line of Boeing Drive to the point of beginning; all of which has been laid out and marked on the plat entitled "El Paso International Airport Wholesale Gasoline and Fuel District" and dated April 11, 1968.

4. A portion of Lots 7 and 8, Block 17, El Paso International Airport Tracts, Units 9, El Paso County, Texas, being more particularly described by metes and bounds as follows to wit; from a point, said point being the common southerly corner of Lots 6 and 7, Block 17, El Paso International Airport Tracts, Unit 9, the point also lying in the northerly right-of-way line of Shuttle Columbia Drive; thence along the northerly right-of-way line of Shuttle Columbia Drive 30.00 feet along the arc of a curve to the right, whose central angle is $3^{\circ}11'00''$ whose radius is 540.12 feet and whose chord bears North $69^{\circ}43'31''$ East a distance of 30.01 feet to a point, said point lying on the northerly right-of-way line of Shuttle Columbia Drive, said point also being the point of beginning; thence North $21^{\circ}51'59''$ West a distance of 264.79 feet; thence North $81^{\circ}10'07''$ East a distance of 402.14 feet; thence South $8^{\circ}49'53''$ East a distance of 250.00 feet to a point, the point lying on the northerly right-of-way line of Shuttle Columbia Drive; thence South $81^{\circ}10'07''$ West continuing along the northerly right-of-way line of Shuttle Columbia Drive a distance of 250.00 feet; thence continuing along the northerly right-of-way line of Shuttle Columbia Drive 92.87 feet along the arc of a curve to the left, whose central angle is $9^{\circ}51'06''$ whose radius is 540.12 feet and whose chord bears South $76^{\circ}14'34''$ West a distance of 92.76 feet to the point of beginning and containing in all 2.148 acres of land, more or less, to include Chevron Oil Products.

9.52.140.4 Section 5706.5.4.5 Commercial, industrial, governmental or manufacturing, Amended.

5706.5.4.5 Commercial, industrial, governmental or manufacturing.

Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial industrial, governmental or manufacturing establishments is allowed where permitted, provided that such dispensing operations are conducted in accordance with the following:

1. Dispensing shall occur only at sites that have been permitted to conduct mobile refueling as per IFC section 105.6, as amended by 9.52.030.5 of this Chapter.
2. The representative of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill and carry out appropriate mitigation measures, and describes the process to dispose properly of contaminated materials.
3. Omitted
4. Omitted
5. Omitted
6. Mobile fueling operations shall not take place within 30 feet of buildings, property lines or combustible storage.

9.52.140.5 Section 5706.5.1.11 Switch Loading, Amended.

Tank vehicles or tank cars that have previously contained Class I liquids shall not be loaded with Class II or III liquids until such vehicles and all piping, pumps, hoses and meters connected thereto have been completely drained and flushed.

Exception: Switch loading is permitted when all precautions and practices are met in accordance with API, RP 2003 — 1998 Protection Against Ignitions Arising out of Static, Lightning, and Stray Currents.

9.52.140.6 Section 5706.6.1.3 Vehicle motor shutdown, Amended.

Motors of tank vehicles or tractors shall be shut down during the making or breaking of hose connections. If loading or unloading is performed without the use of a power pump, the tank vehicle or tractor motor shall be shut down throughout such operations.

Exception: Switch loading is permitted when all precautions and practices are met in accordance with API, RP 2003 — 1998 Protection Against Ignitions Arising out of Static, Lightning, and Stray Currents.

9.52.150 – Chapter 61, Liquefied Petroleum Gas, Amended.

International Fire Code, 2021 Edition, Chapter 61, Liquefied Petroleum Gas, is hereby reserved.

9.52.160 – Appendix B, Fire-Flow Requirements for Buildings, Amended.

International Fire Code, 2021 Edition, Appendix B, Fire-flow Requirements for Buildings, is hereby adopted in its entirety with the following amendments:

9.52.160.1 Section B105.4 Fire-Flow requirements for private fire hydrants, Added.

B105.4 Fire-Flow requirements for private fire hydrants. The minimum required Fire Flow for all private fire hydrant shall be 1,000 gallons per minute.

9.52.160.2 Section B105.5 Fire-Flow data, Added.

B105.5 Fire-Flow data.

The water flow test data shall only be valid if the required data is obtained within five years from the date plans are submitted to the AHJ.

9.52.170 - Appendix C, Fire Hydrant Locations and Distributions, Amended.

International Fire Code, 2021 Edition, Appendix C, Fire Hydrant Locations and Distributions, is hereby adopted in its entirety with the following amendments:

9.52.170.2 Section C102.1 Minimum number of fire hydrants for a building, Amended.

C102.1 Minimum number of hydrant requirements. The minimum number of hydrants required shall be determined by the fire-flow requirements referenced in Table C102.1, as amended. The requirements regarding the average spacing between hydrants and the maximum distance from any point on street or road frontage to a hydrant are found in IFC Chapter 5 Fire Service Features and Appendix D Fire Apparatus Access Roads.

Exception: The fire code official is authorized to accept a deficiency of up to 10 percent where existing fire hydrants provide all or a portion of the required fire hydrant service.

9.52.170.3 Table C102.1 Number and distribution of fire hydrants, amended.

TABLE C102.1 — NUMBER AND DISTRIBUTION OF FIRE HYDRANTS

FIRE-FLOW REQUIREMENT (gpm)	MINIMUM NUMBER OF HYDRANTS
1,700 OR LESS	1
2,000 — 2,250	2
2,500	3
3,000	3
3,500 — 4,000	4
4,500 — 5,000	5
5,500	6
6,000	6
6,500 — 7,000	7
7,500 or more	8 or more ^e

For SI: 1 foot = 304.8 mm, 1 gallon per minute = 3.785 L/m.

- a. Reduce by 100 for dead-end streets or roads.

b. Where streets are provided with median dividers which cannot be crossed by fire fighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet on each side of the street and be arranged on a alternating basis up to a fire-flow requirement of 7,000 gallons per minute and 400 feet for higher fire-flow requirements.

c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.

d. Reduce by 50 feet for dead-end streets or roads.

e. One hydrant for each 1,000 gallons per minute or fraction thereof.

9.52.170.1 Section C104.2 Existing private fire hydrants, Added.

C104.2 Existing private fire hydrants. Existing private fire hydrants on adjacent properties shall not be considered available.

9.52.180 – Appendix D, Fire Apparatus Access Roads, Amended.

International Fire Code, 2021 Edition, Appendix D, Apparatus Access Roads, is hereby adopted in its entirety with the following amendments:

9.52.180.1 Section D101.2 Roadways governed by Subdivision Ordinance, Added.

D101.2 Roadways governed by Subdivision Ordinance.

Fire apparatus access roads within subdivisions shall be as prescribed in the Subdivision Ordinance of the City of El Paso, Texas.

9.52.180.2 Section D103.1 Access road width with a hydrant, Amended.

D103.1 Access road width with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 28 feet exclusive of shoulders (See Figure D103.1).

9.52.180.3 Section D103.1.1 Access road length with a hydrant, Added.

D103.1.1 Access road length with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road length shall be 40 feet with the fire hydrant located on center.

9.52.180.4 Section D103.1.1.1 Access road with hydrant access curbs, Added.

D103.1.1.1 Access road with hydrant access curbs.

Hydrant access curbs are to be painted red and be conspicuously and legibly marked with the warning "FIRE LANE—TOW AWAY ZONE" in white letters at least three inches tall with a one-half inch stroke.

9.52.180.5 Section D103.1.1.1 Access road without hydrant access curbs, Added.

D103.1.1.1 Access road without hydrant access curbs.

If no curb is provided, a red stripe a minimum of 6 inches shall be painted on the pavement and be conspicuously and legibly marked with the warning "FIRE LANE—TOW AWAY ZONE" in white letters at least three inches tall with a one-half inch stroke.

9.52.180.6 Section D103.2 Grade, Amended.

D103.2 Grade.

Fire apparatus access roads shall not exceed 11 percent in grade.

Exception: Grades steeper than 11 percent as approved by the fire chief, but not to exceed 15 percent.

9.52.180.7 Section D103.4 Dead ends, Amended.

D103.4 Dead ends.

Dead-end fire apparatus access roads in excess of 250 feet shall be provided with width and turnaround provisions in accordance with Table 103.4.

9.52.180.8 Table 103.4 Requirements for Dead-End Fire Apparatus Access Roads, Amended.

Table 103.4 Requirements for Dead-End Fire Apparatus Access Roads, is hereby amended to read as follows:

Length (feet)	Width (feet)	Turnarounds required
0—250	20	None required
251—300	20	-60-foot "T cul-de-sac", 60-foot "Y" or 90-foot-diameter cul-de-sac in accordance with figure D103.1
301—600' See Note 1	20	90-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 600' See Note 1	Special approval required	Special approval required

Note 1 - Intermediate turnarounds will be required, spaced at a maximum distance of 600' apart.

9.52.180.9 Section D103.5 Fire apparatus access road gates, Amended.

1. Where a single gate is provided, the minimum gate width shall be 20 feet. Where a fire apparatus road consists of a divided roadway (median or guard post), two adjacent gates may be allowed if the minimum width of each gate is not less than 13 feet and the access

road is at a straight approach and departure to the gate. The portion reduced to 13 feet shall be a minimum of 20 feet in approach and departure. The turning radius for all apparatus access roads is still required to be met for all access roads including those allowed by this section.

2. Gates shall be of the horizontal swing, horizontal slide, vertical lift or vertical pivot type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the AHJ.
6. Methods of locking shall be submitted for approval by the AHJ.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

9.52.180.10 Section D103.6 Signs, Amended.

D103.6 Signs and markings.

Where required by the AHJ, fire apparatus access roads shall be marked, at the expense of the owner, with permanent “NO PARKING AT ANY TIME—FIRE LANE” signs. Such signs shall be of standard size, color, lettering and mounting complying with El Paso City Code, Title 19, Subdivision Ordinance — Design Standards for Construction. Placement of fire lane signage shall meet the following:

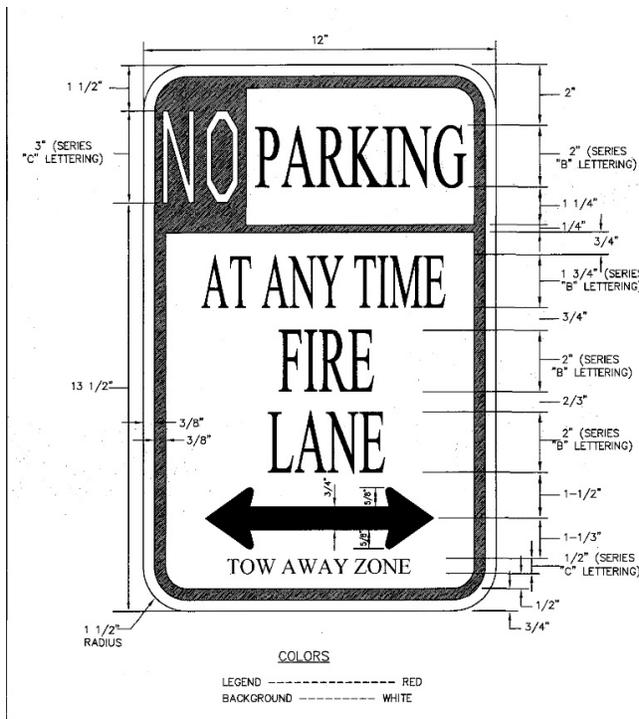
1. One sign shall be posted at each end of an official fire lane. Each sign shall have a single head arrow showing the appropriate direction of the fire lane.
2. A fire lane longer than 100 feet shall have intermediate signs posted at even intervals. Intermediate signs shall have a double headed arrow indicating the fire lane is continuous. The intermediate signs may be posted as necessary, but in no case shall the interval between fire lane signs be greater than 100 feet.
3. The fire lane sign shall be securely fastened to a suitable pole or support with a minimum vertical clearance above the sidewalk of 7 feet.
4. When poles are used to mount fire lane signs they shall be placed 2 feet 6 inches behind the face of the curb. In accordance with the El Paso City Code, Title 12 — Vehicles and Traffic, no pole or obstruction may be placed within 5 feet of a fire hydrant.
5. Fire lane signs shall be posted parallel to the lane or curb to which they apply.
6. When the distance between the curb and a building, pole or other structure is 8 feet or less, the fire lane signs may be posted on the face of the building, light pole

or other structure. The bottom of the sign shall be located 7 feet above the adjacent sidewalk.

7. When required by the AHJ, the owner shall also cause curbs to be painted red and be conspicuously and legibly marked with the warning "FIRE LANE—TOW AWAY ZONE" in white letters at least 3 inches tall with a one-half inch stroke, at intervals not exceeding 50 feet. If no curb is provided, a red stripe a minimum of 6 inches wide shall be painted on the pavement and be conspicuously and legibly marked with the warning "FIRE LANE—TOW AWAY ZONE" in white letters at least 3 inches tall with a one-half inch stroke, at intervals not exceeding 50 feet.

8. It is unlawful for any person, without lawful authority, to remove any signs designating a fire lane. It shall be unlawful for any person to place, maintain or display any unauthorized fire lane, or use the color red for the marking of a no parking zone that purports to be, imitates or resembles official signage or marking of a fire lane.

9.52.180.11 Figure D103.6 Fire Lane Signs, Amended.



9.52.180.12 Section D103.6.1 Roads 20 to 28 feet in width, Amended.

D103.6.1 Roads up to 28 feet in width.

Fire apparatus access roads less than or up to 28 feet wide shall be posted on both sides as a fire lane.

9.52.180.13 Section D103.6.2 Roads more than 28 feet in width, Amended.

D103.6.2 Roads more than 28 feet in width.

Fire apparatus access roads more than 28 feet wide and less than 36 feet wide shall be posted on one side of the road as a fire lane.

9.52.180.14 Section D103.6.3 Responsibility, Added.

D103.6.3 Responsibility.

The owner or his representative of a building which is adjacent to the fire lane shall be responsible for maintaining the fire lane and ensuring that the fire lane free is clear of obstructions. It is unlawful to park any vehicle other than an authorized emergency vehicle in any fire lane. Unauthorized vehicles parked in designated fire lanes that block fire department or other emergency vehicle access may be towed to a designated storage facility by the authority of the AHJ.

9.52.180.15 Section D103.6.4 Records, Added.

D103.6.4 Records.

The official records of the designation and location of any such fire lanes shall be kept by the AHJ. The AHJ may require the property owner to submit site plans for determining and recording fire lanes on the property.

9.52.180.16 Section D103.7 Enforcement, Added.

D103.7 Enforcement.

The AHJ is empowered to enforce all fire lane violations when a designated fire lane is properly identified by signs, painted curbs, painted pavement, or by combination thereof.

9.52.190 - Appendix E, Hazard Categories, Amended.

International Fire Code, 2021 Edition, Appendix E, Hazard Categories, is hereby adopted in its entirety.

9.52.200 - Appendix F, Hazard Ranking, Amended.

International Fire Code, 2021 Edition, Appendix F, Hazard Ranking, is hereby adopted in its entirety.

9.52.210 - Appendix G, Cryogenic Fluids-Weight and Volume Equivalents, Amended.

International Fire Code, 2021 Edition, Appendix G, Cryogenic Fluids Weight and Volume Equivalents, is hereby adopted in its entirety.

9.52.220 - Appendix I, Fire Protection Systems-Noncompliant Conditions, Amended.

International Fire Code, 2021 Edition, Appendix I, Fire Protection Systems Noncompliant Conditions, is hereby adopted in its entirety.

9.52.230 – Appendix N, Indoor Trade Show and Exhibitions, adopted.

International Fire Code, 2021 Edition, Appendix N, Indoor Trade Shows and Exhibitions, is hereby adopted in its entirety.

9.52.240 - APPENDIX O, Fee Schedule, Added.

Appendix O

FEE SCHEDULE

O101 License Fees.

O101.1 The AHJ is authorized to charge a separate fee for each license and permit required by this Fire Code in the amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. When hourly rates are specified in the budget resolution or other appropriately adopted resolution by the City Council, the minimum charge shall be as specified in the resolution. There shall be no reduction in the hourly rate based on services performed taking less than the full hour.

Within the ordinance, budget resolution, application forms, and adopted IFC and amendments, the term license may be also identified by and interchanged with the term permit.

O101.2 Hazardous Materials.

A. When a license for hazardous materials is required by International Fire Code Section 105.6, as amended by 9.52.030.4 this Chapter, for a facility, the owner or operator of such facility shall pay a license fee as identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

B. Temporary Workplaces: When a hazardous materials license is issued for a facility, such location may have temporary workplaces at locations outside of the facility for which the license was issued, provided that such temporary workplaces are listed on the chemical description sheet submitted with the license application or on other forms designed by the Fire Department. Licensees shall submit to the El Paso Fire Department any changes in the location of temporary workplaces and receive approval of such changes by the El Paso Fire Department prior to using such temporary workplaces. To qualify as a temporary workplace, the location shall have fewer than twenty-five reportable chemicals and shall be staffed less than twenty hours a week. Additional licenses shall not be required for temporary workplaces.

O102 Re-inspection fees. For any re-inspection required because the facility and/or fire system failed to comply with this Fire Code or because the work was not ready for the inspection as requested; or if the request is for a partial inspection, partial acceptance and/or phase inspection, a

fee shall be in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Inspections conducted by firefighting companies requiring a Fire Inspector follow-up shall be assessed a re-inspection fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

O103 Investigation/Inspection fees. For any investigation or inspection which is not a part of a regular license or permit program, whether during regular duty hours or at a time other than regular duty hours, the fee shall be identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Said fee may be in addition to any other required fees.

O104 Fire Watch/Standby. The AHJ, as defined in the IFC, shall have authority to require a fire watch, as defined by the section 202 IFC. Fire watch personnel shall be referred to as fire guards, and shall comply with NFPA 601, Standard for Security Services in Fire Loss Prevention. If El Paso Fire Department personnel function as fire guards, whether during regular duty hours or other than regular duty hours, a fee shall be assessed in an amount identified in the adopted budget resolution or other appropriately adopted resolution by the City Council for the current fiscal year. Fire guards shall not be assigned to other duties that will interfere with their fire watch function.

O105 Site Assessments/Non-regulatory Inspections. Inspections that are outside the regulation of the International Fire Code or an ordinance of the City of El Paso, and are not initiated by the El Paso Fire Department, shall be assessed a fee as specified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Such inspections include those requested in order to comply with an applicable government regulation, or which are solely for the purpose of consulting or pre-construction guidance. Home fire safety inspections shall be offered without charge.

O106 Commercial Safety Training. Commercial for-profit entities requesting fire safety training to comply with applicable government regulation shall be assessed a fee as specified in the adopted budget resolution or other appropriately adopted resolution by the City Council for the current fiscal year.

O107 Fire Protection Systems. A fee shall be assessed in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council for the plan review and a separate fee shall be assessed for all fire protection systems initial acceptance tests/site inspections exclusive to El Paso Fire Department review. Fire protection systems failing inspection, in whole or in part, shall be assessed a re-inspection fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

O108 Building Permit Fire Finals. Fire final inspections for building permits shall be assessed a fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

O109 Expedited Services Fees. A fee shall be assessed for expedited inspections, customized plan review, and plans reviewed by appointment upon request in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Such services shall be subject to availability and the approval of the AHJ.

Section 2. Except as expressly herein amended, Title 9 (Health & Safety), of the El Paso City Code shall remain in full force and effect.

(Signatures on the following page)

ADOPTED this _____ day of _____, 2023.

THE CITY OF EL PASO

ATTEST:

Oscar Leeser
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Carlos L. Armendariz
Assistant City Attorney

APPROVED AS TO CONTENT:



Jonathan Killings, Fire Chief
El Paso Fire Department

ORDINANCE NO. _____

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AN ORDINANCE ~~ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE AND AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.52 (FIRE PREVENTION CODE), OF THE EL PASO CITY CODE, TO~~ ADOPT THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE AND TO PROVIDE FOR LOCAL AMENDMENTS TO THE 2021 INTERNATIONAL FIRE CODE, THE PENALTY BEING AS PROVIDED IN SECTION 9.52.030.12 (VIOLATIONS PENALTIES) OF THE EL PASO CITY CODE.

WHEREAS, the 2021 edition of the International Fire Code has been published, and adoption of the 2021 edition is now proposed; and

WHEREAS, the Fire Chief ~~and the Planning and Development Legislative Review Committee~~ has reviewed and favorably recommend the adoption of the 2021 International Fire Code together with the local amendments appropriate for the City of El Paso;

WHEREAS, the City Council has deemed the proposed local amendments appropriate for the City of El Paso.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 9 (Health and Safety), Chapter 9.52 (Fire Prevention Code) be revised to read as follows:

Chapter 9.52 - FIRE PREVENTION CODE

9.52.010 - Short title.

That this chapter may be cited as the "Fire Code".

9.52.020 Adopted, Amended.

- A. That the book entitled "International Fire Code," ~~2021~~2015 Edition, a copy of which authenticated by the city clerk is on file in the city clerk's office, is hereby adopted as the Fire Code of the City, ~~as fully~~ as if fully copied at length in this chapter, but with the amendments set forth in this chapter, to replace the 2015 Edition of the International Fire Code previously adopted by the City Council.
- B. That any references made in this chapter to "IFC" shall mean the ~~2015~~2021 International Fire Code.
- C. That whenever reference is made in the ~~2015~~2021 International Fire Code, or any other referenced standard or code, to "the authority having jurisdiction," "fire marshal," or "fire code official" for enforcement of the provisions thereof, the term "AHJ" shall be substituted therefore, unless otherwise provided for in this chapter.
- D. That the provisions in the ~~2015~~2021 International Fire Code are intended to be cumulative of other provisions and chapters of the El Paso City Code pertaining to fire prevention,

ORDINANCE NO. _____

unless otherwise expressly stated herein. To the extent that any provisions of the ~~2015~~2021 International Fire Code are in conflict with Title 18 of the City Building & Construction Code the most restrictive Code shall govern.

9.52.030 – Chapter 1, Scope and Administration, Amended.

International Fire Code, ~~2015~~2021 Edition, Chapter 1, Scope and Administration, is hereby ~~ratified~~adopted in its entirety with the following amendments:

9.52.030.1 Section 103.1 General, Amended.

103.1 General.

The ~~[INSERT NAME OF DEPARTMENT]~~ Fire Prevention Division is ~~hereby created and the official in charge thereof shall be known as the fire code official.~~ established within the fire department. The function of the ~~agency~~ division shall be the implementation, administration and enforcement of the provisions of this ~~code~~Chapter, or any other standard referenced within the El Paso City Code.

9.52.030.2 Section 103.1.1 Residential care homes, Added

103.1.1 Residential care homes.

The AHJ may conduct fire inspections of residential care homes including adult and child day care homes, residential adult foster/boarding care, and child foster family homes, boarding homes, and lodging houses.

9.52.030.3 Section 104.13 Plan review and approval, Added.

104.13 Plan review and approval.

The AHJ shall examine or cause to be examined submitted plans and accompanying documents for evidence of compliance with the provisions of this Chapter. Plans shall be approved prior to the start of construction, or installation of any fire protection system. The submittal of plans for review does not constitute an authorization to proceed until the required permit is obtained.

9.52.030.4 Section 105.1.1.1 Payment required, Added.

105.1.1.1 Payment required. A permit, although issued, shall not be valid until fees have been paid.

Exception: The City of El Paso, the County of El Paso, the El Paso Housing Authority, the State of Texas and the United States Government are exempted from payment of the permit fees required in this chapter; provided, that only such facilities as owned, operated and maintained by such governmental agencies shall be exempted from payment of such permit fees.

9.52.030.5 Section 105.5 Required operational permits.

105.5.22.1 Exempt materials, Added.

The following materials are specifically exempted from any of the permitting requirements in 105.5.22:

- a. Inert gases, which do not support combustion, to include argon, helium, krypton, neon, xenon, compressed air, carbon dioxide, and nitrogen. These gasses are subject to regulation under Section 105.5.11 when stored as cryogenic fluids.
- b. Any hazardous material that is handled, used, stored, or disposed of and is kept for noncommercial purposes at a private residence in Permissible Quantities.
- c. Any material contained in a transportation vehicle when said vehicle is not being used for permanent hazardous materials storage.
- d. Any material, which is held solely as a pharmaceutical product.
- e. Any hazardous waste material in a hazardous waste management facility that is permitted by the State pursuant to 42 U.S.C. Section 6925; provided, however, such materials shall be listed in the permit application if one is otherwise required.
- f. Radioactive material(s) regulated at the Federal or State level; provided, however, that such material(s) be listed in the permit application if one is otherwise required.
- g. Any material to the extent it is used in Permissible Quantities in routine agricultural operations by the end user.
- h. Commercial products kept in Permissible Quantities and used at a facility solely for janitorial purposes.
- i. Any material in interstate transmission facilities or interstate pipeline facilities regulated by 49 U.S.C. Sec. 60101 et. seq. (1997) and any amendments thereto, and any materials in pipeline facilities regulated by Chapter 117 of the Natural Resources Code, Vernon's Ann. Civ. Stat., and any amendments thereto, or subject to Texas Railroad Commission Pipeline Safety Laws and Regulations, and any amendments thereto.

105.5.38 Outdoor assembly event, Amended.

~~An operation permit is required to conduct an outdoor assembly event where planned attendance exceeds 1,000 persons.~~

No special event shall be conducted upon a public right-of-way unless a special event permit allowing such activity has been obtained pursuant to this Chapter.

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105.5.44 Refrigeration equipment, Amended.

An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6: of the IFC, and as amended by this Code, containing in excess of 20 pounds of refrigerant, other than air or water.

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Exception: Air conditioning units or systems.

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105.5.53 Blasting operations, Added.

An operational permit is required to conduct blasting operations. Requirements as set forth in Chapter 56 of the IFC, and as amended by Section 9.52.130 of this Chapter, must be met in order to obtain a blasting permit.

105.5.54 Commercial Day Care Facilities-Children, Added.

An operational permit is required for the operation of a commercial child day care facility.

105.5.55 For Use Permit, Added.

The AHJ may require an operational permit to be issued for any operation, process, special event, public display, or exhibit not specifically covered by this Fire Code when the AHJ deems such operation, process, special event, public display, or exhibit to be hazardous.

105.5.56 Outside Storage of Combustible Material Permit, Added.

Except for operations subject to 105.5.26, 105.5.30, and 105.5.46, an operational permit is required for facilities located at non-residential properties, where the Outside Storage of Combustible Material exists, in a quantity greater than de minimis, as defined in this Subsection.

105.5.56.1 Definitions, Added.

"Baled storage" means combustible material that has been placed in containers other than fully-enclosed containers approved by the Department or grouped together by use of metal or plastic bands for ease in loading, transporting and storing in units.

"Combustible Material" means any material or solid waste that poses a significant fire hazard if ignited by a flame, spark, or any other source of ignition, will readily burn under such conditions, and includes, but is not limited to paper, cardboard, wood, plastics, rubber and fluff (as defined in this sub chapter). Combustible Material shall not include non-solids, or explosives, as defined by Chapter 33 of the IFC.

"De minimis" means the Outside Storage of Combustible Material (as defined in this sub chapter) of a total volume of less than seventy-five (75) cubic yards at a facility.

"Department" means the Fire Department of the City of El Paso, Texas.

"Fluff" means any material that is a by-product of the recycling process that includes but is not limited to, shredding operations, metals separation, compacting or transport operations.

"Loose storage" means the storage of combustible material that is neither baled nor enclosed in containers.

"Non-residential Property" means any property in a district other than a residential- or apartment-zoned district.

"Outside Storage" means storage of any Combustible Material not in a building or structure. Storage of Combustible Material in a fully-enclosed container approved by the Department shall not be considered Outside Storage.

"Pile" means any accumulation of Combustible Material in a heap or mound.

"Unit" means a separate and distinct aggregate of homogeneous stacks, bales, pallet storage units, containers and/or piles of Combustible Material.

105.5.56.2 Permit Application, Added.

The owner or a legally-authorized representative of the owner of a facility regulated by this ordinance shall complete and submit a permit application to the Department, in accordance with the following requirements:

A. An applicant shall submit to the Department an application for an Outside Storage of Combustible Material Permit upon exceeding the De Minimis volume of Combustible Material stored outside at the facility;

B. An applicant that holds a current, valid Outside Combustible Material Storage Permit shall submit a permit renewal application 60 days prior to the permit's expiration;

C. An applicant for an initial permit or permit renewal shall submit at a minimum, the following information, which shall be requested on the permit application form supplied by the Department:

1. Name and physical address of facility;
2. Name and mailing address of facility owner;
3. Name and mailing address of property owner;
4. Description of all Combustible Material stored outside;
5. Estimated quantity (volume) of Combustible Material stored outside;
6. Facility diagram indicating storage area locations for each Unit stored outside;
7. Method of storage for each Unit (baled or loose);
8. Proof of financial responsibility in accordance with Section 105.5.56.8 of this ordinance and as required by any other applicable ordinance; and,
9. The appropriate Tier 1 or Tier 2 permit fee in the amount set by City Council through its budget resolution or other duly adopted resolution.

D. If an owner or a legally-authorized representative of the owner of a facility regulated by this Section fails to submit to the Department an application required by this Section, said failure shall be considered a violation of this Section and shall be subject to the penalties described in Section 9.52.030.17.

105.5.56.3 Issuance, Term and Denial of Permit, Added.

A. The Department shall review all permit applications submitted in accordance with Section 105.5.56.2 and,

B. Within 60 days of a permit renewal or new permit application submitted in accordance with Subsection 105.5.56.2, the Department shall issue a permit renewal or a new permit which, unless revoked, shall be valid for a period of twelve (12) calendar months to the applicant; or

C. The Department shall deny the application in writing and shall inform the applicant of any deficiencies of the permit application if the permit application was incomplete; or

D. Within 30 days of a permit application for a previously revoked permit, the Department shall deny the application in writing if the revocation period of twelve (12) months has not yet elapsed.

105.5.56.4 Revocation of Permit, Added.

The Department may revoke, for a period of up to twelve (12) calendar months from date of written notification, an Outside Storage of Combustible Material Permit issued to an owner or a legally authorized representative of the owner of a facility if one of the following conditions occur:

A. Applicant has supplied the Department false, incorrect or misleading information on an application for permit renewal or new permit;

B. More than two (2) written notices of violation of this Section resulting from inspections by the AHJ have been issued within a period of twelve (12) months to a holder of a current, valid permit; or

C. During or immediately following a fire at a permitted facility, a violation of this Section has occurred and has been documented by the AHJ.

105.5.56.5 Right to Appeal Permit Revocation, Added.

The right to appeal a permit revocation is provided in the City Fire Prevention Code 9.52.030.16 Section 111.1 Board of Appeals and in accordance with Chapter 2.30 of the City Code.

105.5.56.6 Permit Requirements, Added.

A. **Tier 1.** For facilities that maintain no more than one (1) Unit of loose storage and/or no more than one (1) Unit of baled storage, the following requirements shall be met:

1. A facility fire plan, subject to approval by the AHJ, that includes: a description of all Combustible Material at the facility and the manner in which it is stored, routes of facility evacuation for employees, fire awareness and prevention orientation training for facility employees, site plan indicating fixed structures, Units and fire extinguisher locations, a facility fire alarm system, and a description of security measures to restrict public access to Combustible Material stored outside;

2. A minimum of one (1) type 2A20BC fire extinguisher per Unit, with a distance of no more than 50 feet between the extinguisher and the closest point of the Unit;

3. A minimum of one (1) type 2A20BC fire extinguisher mounted on each vehicle used to manage, load, or move Combustible Material;

4. Installation of a security measure to restrict public access to Combustible Material stored outside by use of a physical barrier, such as a fence or wall, in accordance with applicable zoning ordinance(s);

5. Payment of Outside Storage of Combustible Material Permit Tier 1 permit fee in the amount set by City Council through its budget resolution or other duly adopted resolution; and

6. Proof of Financial Responsibility for the facility, in the principal sum of \$1,000,000.00 and in accordance with Subsection 105.5.56.8 of this ordinance.

B. **Tier 2.** For facilities that maintain more than one (1) Unit of loose storage, more than two (2) Units of baled storage, or any combination of more than two (2) Units of loose or baled storage, the following requirements shall be met:

1. Provisions 1 — 4, permit requirements for Tier 1;

2. Payment of Outside Storage of Combustible Material Permit Tier 2 permit fee in the amount set by City Council through its budget resolution or other duly adopted resolution; and

3. Proof of Financial Responsibility for the facility, in the principal sum of \$2,000,000.00 and in accordance with Subsection 105.5.56.8 of this ordinance.

105.5.56.7 Storage, Added.

Combustible Material stored outside shall be maintained in accordance with the following requirements:

A. For Units of loose storage:

1. Unit height shall not exceed eight (8) feet;

2. Unit footprint shall not exceed a perimeter measurement of three hundred (300) feet;

3. A buffer zone shall be established between each Unit and the physical barrier indicated in the permit application of at least twenty (20) feet; and

4. A storage separation space shall be established between individual Units of Combustible Material of at least twenty (20) feet.

B. For Units of baled storage:

1. Unit height shall not exceed twelve (12) feet;

2. Unit footprint shall not exceed a perimeter measurement of five hundred (500) feet;

3. A buffer zone shall be established between each Unit and the physical barrier indicated in the permit application of at least twenty (20) feet; and

4. A storage separation space shall be established between individual Units of Combustible Material of at least twenty (20) feet.

C. Storage Separation Space and Fire Safety Buffer Zone:

1. No storage of Combustible Material shall be allowed within the buffer zone or in the storage separation space described in this Subsection. In addition, said buffer zone and storage separation space must at all times be kept free and clear of equipment, material and/or accumulation of waste.

2. A reduction to ten (10) feet for the fire safety buffer zone, as described in the immediately preceding paragraph, may be allowed at a facility where Combustible Material is stored in containers approved by the Department.

3. A reduction of the storage separation space may be allowed where the Combustible Material is stored in containers approved by the Department.

105.5.56.8 Financial Responsibility, Added.

A. Insurance. No permit applicant shall be issued a permit until the applicant presents evidence satisfactory to the AHJ that the applicant meets the following minimum insurance requirements:

1. The applicant shall procure and shall maintain during the term of the permit such public liability insurance naming the permittee performing work associated with the permit as insured, co-insured or additionally insured for claims for damages for personal injury, including accidental death, as well as for claim for property damage

that may arise from outside storage of combustible material associated with the facility identified on the permit.

2. Minimum limits of liability and coverage shall be \$1,000,000.00 for a Tier 1 Permit or \$2,000,000.00, for a Tier 2 Permit, for each occurrence and in the aggregate. Permit applicants that are governmental entities may comply with the insurance requirements of this Subsection by providing certification that they are self-insured.

3. Such insurance shall be written by an accredited insurance company under the supervision of the Board of Insurance Commissioners of the State of Texas. Evidence of compliance with these insurance requirements shall be considered as having been met when a copy of the insurance policy or a certificate of insurance has been filed with and approved by the AHJ. Such policy shall include an endorsement that the City is named as an additional insured to the full amount of the policy limits and that the AHJ shall be notified at least thirty (30) days in advance in the event the policy or policies are canceled and ten (10) days in advance for non-payment of policy premiums. The certificate of insurance shall recite or attach such endorsement for additional insured and the notice requirements. The permittee shall maintain said insurance with a solvent insurance company authorized to do business in Texas. The policy shall provide that the insurer will defend against all claims and lawsuits which arise and will pay any final judgment of a court of competent jurisdiction against the City, its officers, agents, servants or employees, and permittee, his officers, agents, servants or employees. Failure to keep the insurance policy in full force and effect throughout the term of the permit shall be grounds for permit revocation.

4. A permit applicant who has provided certificates of insurance to the City pursuant to the requirements of a Chapter of the City Code other than this Subchapter that meet all of the requirements established in this Subchapter shall not be required to obtain an additional insurance but is required to provide such certificates of insurance showing present coverage as required in this Subchapter. A permittee who has multiple permits under this Chapter is required to provide only one current valid certificate of insurance for all such permits but may be required to provide a copy of the current certificate of insurance with each application under this Subchapter.

105.5.56.9 Nontransferable, Added.

Permits issued under this chapter shall be personal to the permittee, and shall not be assigned or transferred to any other person or entity.

9.52.030.6 Section 105.6 Required construction permits, Amended.

105.6 Required construction permits.

ORDINANCE NO. _____

Where required, application for construction permit shall be made to the building official in accordance with Section 105 of the International Building Code and Title 18, Chapter 18.08 (Building Code) of the El Paso City Code.

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The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6 through 105.6.24.

9.52.030.7 Section 105.6.18.1 Private fire hydrant construction plans, Added.

105.6.18.1 Private fire hydrant construction plans.

Private fire hydrant construction plans. Private fire hydrant construction plans shall be submitted by a Texas licensed fire protection contractor or a Texas licensed master plumber.

9.52.030.8 Section 105.6.25 Access Control System, Added.

105.6.25 Access Control System Permit.

A permit shall be required for the installation of an access control system in a building that has a fire alarm control panel.

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9.52.030.10 Section 107.7 Permits required, Added.

107.7 Permits required.

Permits and licenses required by this Fire Code shall be obtained from the AHJ. Permit and license fees, as required in accordance with the schedule as established by the applicable governing authority, shall be paid to the City prior to issuance of the permit or license. This fee is charged to pay part of the expense of enforcing this section. Any person commencing work or performing any action requiring a permit under this Fire Code without first obtaining the necessary permit shall be subject to a fee of 300% of the scheduled permit fee in addition to the scheduled permit fee and other penalties set forth in Section 112 of this Fire Code. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the AHJ.

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9.52.030.11 Section 107.8 Time limit of application, Added.

Section 107.8 Time limitation of application.

An application for an operational permit for any proposed work or operation shall be deemed to have been abandoned if all applicable fees are not paid in full within 30 days after the date of signing of the permit application.

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9.52.030.13 Section 108.5 Certificates of Occupancy, Added.

108.5 Certificates of Occupancy, Added.

The building owner, or an occupant, or other person having charge or control of a building, structure or premises or their duly authorized agent shall have a valid certificate of occupancy available for review, upon request by the fire code official conducting an official inspection of a building, structure or premises. Failure to provide a valid certificate of occupancy upon request to the fire code official shall result in the denial of the issuance

of an operational permit by the fire code official, unless the building existed prior to November 23, 1955 and has not been structurally altered or experienced a change in use since November 23, 1955.

108.5.1, Added.

Except as provided in Ordinance No. 1448 and other applicable law, it shall be a violation of this title if a building owner or an occupant or other person having charge or control of a building, structure or premises does not obtain a certificate of occupancy from the building official.

108.5.2, Added.

In accordance with applicable law, the fire code official shall be authorized to take immediate action when life safety issues require such action.

108.5.3, Added.

The provisions of this Subsection 9.52.030.13, including a determination that a certificate of occupancy is not required because the building existed prior to November 23, 1955 and has not been structurally altered or experienced a change in use since November 23, 1955, shall be subject to the appeal process referenced in local amendment 111.1 of Subsection 9.52.030.16 of the City Code.

9.52.030.14 Section 109.2.1.1 Private fire hydrant test and inspection records, Added.

109.2.1.1 Private fire hydrant test and inspection records.

Private fire hydrant test and inspection records shall be filed with the AHJ within two working days from the private hydrant's date of test/inspection.

9.52.030.15 Section 109.2.1.2 Fire hydrant not operative, Added.

109.2.1.2 Private fire hydrant not operative.

If a private fire hydrant is not operative and is not repaired at the time of its test/inspection, the hydrant's condition must be reported to the AHJ immediately.

9.52.030.16 Section 111.1 Board of appeals established, Amended.

111.1 Board of appeals.

~~In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.~~

Appeals of orders, decisions or determinations by the AHJ relative to the application and interpretation of Fire Code may be appealed to the Construction Board of Appeals in accordance with Chapter 2.30 of the City Code.

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9.52.030.17 Section 112.4 Violation penalties, Amended.

112.4 Violation penalties.

Persons who shall violate a provision of this Fire Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the AHJ, or of a permit or certificate used under provisions of this Fire Code, shall be guilty of a ~~[SPECIFY OFFENSE] misdemeanor~~, punishable by a fine of not more than ~~two thousand dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.

9.52.030.18 Section 112.5 Citations, Added.

112.5 Citations.

The AHJ shall have the authority to issue citations for violations of provisions of this Fire Code.

9.52.030.194 Section 113.4 Failure to comply, Amended.

113.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be ~~subject to fines established by the authority having jurisdiction liable for a fine of not more than two thousand dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

9.52.040 – -Chapter 2, Definitions, Amended.

International Fire Code, ~~2015~~2021 Edition, Chapter 2, Definitions, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.040.1 Section 202 General Definitions, Amended.

The following definitions are added to those already included in Section 202 of the 2021 International Fire Code or amend those definitions already in the section.

“Adult Foster Care (AFC) Home” means a home that provides supervised, 24-hour living arrangements for people who are unable to continue living independently in their own homes because of a physical, mental or emotional limitation.

“Alter or Alteration” means any change or modification in construction or occupancy.

“Authority Having Jurisdiction (AHJ)” means an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.

ORDINANCE NO. _____

“Building Official” means where the term "Building Official" is used within the fire prevention code and this chapter, it shall have the same meaning as set forth in Section 18.02.102.2 of the El Paso City Code. The officer or other designated authority charged with the administration and enforcement of the International Building Code, or a duly authorized representative.

“Dry pipe valve” A dry standpipe system normally filled with pressurized air that is arranged through the use of a device, such as a dry pipe valve, to admit water into the system piping automatically upon the opening of a hose valve. The water supply of the automatic dry standpipe system shall not be required to be capable of supplying the system demand.

“Environment” means any surface water, groundwater, drinking water supply, land surface or subsurface strata, or ambient air within or under the control of the United States.

“Fire Barrier” means a fire-resistance-rated wall assembly of materials permanently fixed in place designed to restrict the spread of fire in which continuity is maintained.~~designed to restrict the spread of fire in which continuity is maintained~~

“Fire District” means a heavily populated or congested commercial area as described in Chapter 18.08 of the City Code, also known as the 'limits established by law'.

“Flame Effects” means the combustion of solid, liquid, or gas, designed specifically to produce an open flame when ignited to display a thermal, physical, visual, or audible phenomena as defined in NFPA 160. Such devices include paraffin wax candles, LP gas candles, torches, LP-gas burners, and 'sky lantern' type flame illuminated aerial devices and cold spark machines.

“Foster Family Home” means a home that is the primary residence of the foster parents and provides care for six or fewer children or young adults, under the regulation of a child-placing agency.

“Fuel Oil” Kerosene or any hydrocarbon oil having a flash point not less than 100 F (38 C).

“Jurisdictional Area” means an area within the City limits of the City.

“Repair Garage” means a building, structure, or portion thereof used for servicing, or repairing motor vehicles, or a building, structure, or portion thereof used for installation of aftermarket parts and accessories on motor vehicles.

“Vacant” has the same meaning as defined by Chapter 18.40 (Vacant Buildings) of the El Paso City Code.

9.52.050 – Chapter 3, General Requirements, Amended.

International Fire Code, ~~2015-2021~~ Edition, Chapter ~~3~~, Scope and Administration, is hereby ~~adopted~~ ratified in its entirety with the following amendments:

9.52.050.1 Section 310.1 General, Amended.

310.1 General.

ORDINANCE NO. _____

~~Refer to Chapter 9.50 of the City Code. The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material is prohibited in the areas indicated in Sections 310.2 through 310.8.~~

9.52.050.2 Section 311.7 Vacant Buildings Ordinance, Added.

311.7 Vacant Buildings Ordinance.

Vacant premises shall also comply with the provisions of Chapter 18.40 (Vacant Buildings) of the City Code.

9.52.050.3 Section 315.3.5 Aisles, Added.

Section 315.3.5 Aisles.

In areas where miscellaneous combustible materials are stored, an aisle of at least 30 inches in width shall be provided for every 50 linear feet of piles, palletized, racked, or bin storage.

9.52.050.4 Section 315.4 Outside storage, Amended.

315.4 Outside storage.

~~Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a lot line.~~ Outside storage, including but not limited to pile storage of combustible materials, shall not be located within 10 feet of a property line, building, and or structure. Outside storage, including pile storage shall be maintained from an existing fence line a minimum distance equal to the height of the material stored.

Exceptions:

1. The separation distance to a property line is allowed to be reduced to 3 feet ~~(914 mm)~~ for storage not exceeding 6 ~~(1829 mm)~~ feet in height.
2. The separation distance to a property line is allowed to be reduced when the AHJ determines that no hazard to the adjoining property ~~does not exist~~.

9.52.050.5 Section 315.4.2 Height, Amended.

315.4.2 Height.

Storage in the open, including but not limited to pile storage, shall not exceed 20 feet ~~(6096 mm)~~ in height.

9.52.050.6 Section 315.4.3 Width, Added.

315.4.3 Width.

A minimum of 20 feet width separation between all outside storage, including but not limited to, pile storage, shall be provided.

9.52.050.7 Section 319 Mobile Food Preparation Vehicles.

319 Mobile Food Preparation Vehicles, Added.

Beginning Calendar Year 2025 all permitted mobile food preparation vehicles as defined by the 2021 International Fire (IFC) will have to meet all the following requirements.

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319.1 General. Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease laden vapors shall comply with this section.

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319.2 Permit required. Permits shall be required as set forth in Section 105.5.

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319.3 Exhaust hood. Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood in accordance with Section 606.

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319.4 Fire protection, amended.

Fire protection shall be provided in accordance with Section 319.4.1.

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319.4.1 Fire extinguisher.

Portable fire extinguishers shall be provided in accordance with Section 906.4.

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319.5 Appliance connection to fuel supply piping.

Gas cooking appliances shall be secured in place and connected to fuel-supply piping with an appliance connector complying with ANSI Z21.69/CSA 6.16. The connector installation shall be configured in accordance with the manufacturer's installation instructions. Movement of appliances shall be limited by restraining devices installed in accordance with the connector and appliance manufacturer's instructions.

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319.6 Cooking oil storage containers.

Cooking oil storage containers within mobile food preparation vehicles shall have a maximum aggregate volume not more than 120 gallons (454 L), and shall be stored in such a way as to not be toppled or damaged during transport

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319.7 Cooking oil storage tanks.

Cooking oil storage tanks within mobile food preparation vehicles shall comply with

Sections 319.7.1 through 319.7.5.2.

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319.7.1 Metallic storage tanks.

Metallic cooking oil storage tanks shall be listed in accordance with UL 80 or UL 142, and shall be installed in accordance with the tank manufacturer's instructions.

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319.7.2 Nonmetallic storage tanks.

Nonmetallic cooking oil storage tanks shall be installed in accordance with the tank manufacturer's instructions and shall comply with both of the following:

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1. Tanks shall be listed for use with cooking oil, including maximum temperature to which the tank will be exposed during use.
2. Tank capacity shall not exceed 200 gallons (757L) per tank.

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319.7.3 Cooking oil storage system components.

Metallic and nonmetallic cooking oil storage system components shall include, but are not limited to, piping, connections, fittings, valves, tubing, hose, pumps, vents and other related components used for the transfer of cooking oil.

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319.7.4 Design criteria.

The design, fabrication and assembly of system components shall be suitable for the working pressures, temperatures and structural stresses to be encountered by the components.

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319.7.5 Tank venting.

Normal and emergency venting shall be provided for cooking oil storage tanks.

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319.7.5.1 Normal vents.

Normal vents shall be located above the maximum normal liquid line, and shall have a minimum effective area not smaller than the largest filling or withdrawal connection. Normal vents are not required to vent to the exterior.

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319.7.5.2 Emergency vents.

Emergency relief vents shall be located above the maximum normal liquid line, and shall be in the form of a device or devices that will relieve excessive internal pressure caused by an exposure fire. For nonmetallic tanks, the emergency relief vent shall be allowed to be in the form of construction. Emergency vents are not required to discharge to the exterior.

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319.8 LP-gas systems.

Where LP-gas systems provide fuel for cooking appliances, such systems shall comply with Chapter 61 and Sections 319.8.1 through 319.8.5.

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319.8.1 Maximum aggregate volume.

The maximum aggregate capacity of LP-gas containers transported on the vehicle and used to fuel cooking appliances only shall not exceed 200 pounds (91 kg) propane capacity.

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319.8.2 Protection of container.

LP-gas containers installed on the vehicle shall be securely mounted and restrained to prevent movement.

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319.8.3 LP-gas container construction.

LP-gas containers shall be manufactured in compliance with the requirements of NFPA 58.

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319.8.4 Protection of system piping.

LP-gas system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage, and damage from vibration.

319.8.5 LP-gas alarms.

A listed LP-gas alarm shall be installed within the vehicle in the vicinity of LP-gas system components, in accordance with the manufacturer's instructions.

319.9 CNG systems.

Where CNG systems provide fuel for cooking appliances, such systems shall comply with Sections 319.9.1 through 319.9.4.

319.9.1 CNG containers supplying only cooking fuel.

CNG containers installed solely to provide fuel for cooking purposes shall be in accordance with Sections 319.9.1.1 through 319.9.1.3.

319.9.1.1 Maximum aggregate volume.

The maximum aggregate capacity of CNG containers transported on the vehicle shall not exceed 1,300 pounds (590 kg) water capacity.

319.9.1.2 Protection of container.

CNG containers shall be securely mounted and restrained to prevent movement. Containers shall not be installed in locations subject to a direct vehicle impact.

319.9.1.3 CNG container construction.

CNG containers shall be an NGV-2 cylinder.

319.9.2 CNG containers supplying transportation and cooking fuel.

Where CNG containers and systems are used to supply fuel for cooking purposes in addition to being used for transportation fuel, the installation shall be in accordance with NFPA 52.

319.9.3 Protection of system piping.

CNG system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage and damage from vibration.

319.9.4 Methane alarms.

A listed methane gas alarm shall be installed within the vehicle in accordance with manufacturer's instructions.

319.10 Maintenance.

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Maintenance of systems on mobile food preparation vehicles shall be in accordance with Section 319.10.1.

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319.10.1 Exhaust system.

The exhaust system, including hood, grease-removal devices, fans, ducts and other appurtenances, shall be inspected and cleaned in accordance with Section 606.3.

319.10.2 Fire Protection systems and devices.

Fire protection systems and devices shall be maintained in accordance with Section 901.6.

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319.10.3 Fuel gas systems.

LP-gas containers installed on the vehicle and fuel-gas piping systems shall be inspected annually by an approved inspection agency or a company that is registered with the US Department of Transportation to requalify LP-gas cylinders, to ensure that system components are free from damage, suitable for the intended service and not subject to leaking. CNG containers shall be inspected every 3 years in a qualified service facility. CNG containers shall not be used past their expiration date as listed on the manufacturer's container label. Upon satisfactory inspection, the approved inspection agency shall affix a tag on the fuel gas system or within the vehicle indicating the name of the inspection agency and the date of satisfactory inspection.

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9.52.060 – Chapter 4, Emergency Planning and Preparedness, Amended.

International Fire Code, ~~2015~~2021-Edition, Chapter 4, Emergency Planning and Preparedness, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.060.1 Section 408 Places of Assembly, Added.

408 Places of Assembly

408.1 Overcrowding in Places of Assembly, Added.

The number of persons in any building or portion thereof shall not exceed the amount permitted in accordance with the Building Code or Fire Code. The owner, supervisor or manager responsible for admitting persons shall be responsible for keeping an accurate occupant count at all times during business hours. In places of assembly with a capacity of 100 or more persons, the occupant count shall be kept in written form and made readily available to AHJ or his authorized representative upon request or at each 30-minute intervals.

408.2 Authority of AHJ in overcrowded conditions, Added.

No person shall permit overcrowding or admittance of any person beyond the approved capacity of any place of assembly. The AHJ, upon finding any overcrowded conditions or obstructions in aisles, passageways or other means of egress, or upon finding any

conditions which constitutes a threat to life safety, shall cause the performance, presentation, spectacle or entertainment to be stopped until such condition or obstruction is corrected.

408.3 Offense for allowing overcrowding, Added.

Any owner, supervisor or manager who shall admit persons in excess of the occupant capacity set by the AHJ shall be guilty of a misdemeanor offense punishable by a fine as provided in the City Code. Each person admitted or ticket sold in excess of such number shall constitute a separate offense.

408.4 Failure to comply, Added.

For failure to comply herewith, the AHJ may, in the name of the City, apply to a court of competent jurisdiction for an injunction to compel compliance. Failure to comply with this subsection shall make the person so failing, and any person by whom he was employed at the time he failed to comply, subject to the enforcement provisions of Section 112 of the IFC and Section 9.52.030.194 of the City Code, and he or she shall in addition show cause, if any exists, why he or she should not be eligible for a permit for two (2) years after the date of violation. These penalties are in addition to any criminal penalties provided for by this chapter.

9.52.070 – -Chapter 5, Fire Service Features, Amended.

International Fire Code, ~~2021~~2015 Edition, Chapter 5, Fire Service Features, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.070.1 Section 503.1.4 Facility yards, Added.

503.1.4 Facility yards.

An approved fire apparatus access road shall be provided to within 150 feet of all outside combustible/flammable materials storage, including but not limited to pile storage, located in automobile wrecking yards, junkyards, recycling facilities, or wrecking yards.

9.52.070.2 Section 505.1 Address identification, Amended.

505.1 Address Numbers.

~~New and existing buildings shall be numbered in accordance with Title 18 of the City Code. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.~~

9.52.070.3 Section 506.1.1.1 Electric Gate, Added.

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506.1.1.1 Electric Gate.

An approved electric Knox Switch shall be installed on electric access gates where required by the AHJ.

9.52.070.4 Section 507.3.1 Minimum pressure requirement, Added.

507.3.1 Minimum pressure requirement.

When the water supply system is intended to provide firefighting capability, the water supply system must also be designed to maintain a minimum pressure of 20 psi under combined fire and drinking water flow conditions pursuant to 30 Tex. Admin. Code Section 290.46(r).

9.52.070.5 Section 507.4.1 Flow test adjustments.

507.4.1 Flow Test Adjustments, Added.

Water flow test data shall be adjusted to account for daily and seasonal fluctuations, large simultaneous industrial use, future demand on water supply, or any other condition that could affect the water supply. The fire protection system design shall be based on not more than 90% of the water flow test data. The water flow test data shall only be valid if the required data is obtained within five (5) years from the date plans are submitted to the AHJ.

507.4.2 System Water Demand Verification, Added.

Backflow forward flow test shall be performed by the contractor and witnessed by the Fire Marshal inspector to verify water demand calculations submitted by the system designer.

9.52.070.6 Section 507.5.1 Where required, Amended.

507.5.1 Where Required.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 4800 feet (~~422 m~~) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *AHJ*.

9.52.070.7 Section 507.5.5 Clear space around hydrants, Amended.

507.5.5 Clear space around hydrants.

A ~~35-foot (914 mm)~~ clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved.

9.52.070.8 Section 507.5.7 Private fire hydrants, Added.

507.5.7 Private fire hydrants.

All private fire hydrants shall comply with the current EPWU hydrant installation specifications.

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9.52.070.8.1 Section 507.5.7.1 DATV, Added.

507.5.7.1 DATV.

Installation of a Davidson Anti-Terrorism Valve is optional on a private fire hydrant.

9.52.070.9 Section 508.1.2 Separation, Amended.

508.1.2 Separation.

The *fire command center* shall be separated from the remainder of the building by not less than a 1-hour fire-resistance-rated fire barrier constructed in accordance with Section 707 of the *International Building Code* or horizontal assembly constructed in accordance with Section 711 of the *International Building Code*, or both. No openings shall be permitted between the fire command center and the building being protected.

9.52.070.10 Section 510 Emergency Responder Communication Coverage, Added.

510.1 Emergency Responder Communication Coverage in new buildings, Amended.

Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.

2. Where it is determined by the fire code official that the radio coverage system is not needed.

3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

4. Section 510 of the International Fire Code shall not apply to buildings less than 40,000 square feet or any single-family detached residential dwelling or multifamily building or structure less than 40,000 square feet or any building under four stories with less than 40,000 square feet per floor.

510.2 Emergency responder communication coverage in existing buildings, Amended.

Communications coverage in existing buildings will continue to be evaluated based on the square footage of the building and any identified communications failures.

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9.52.080 – Chapter 9, Fire Protection Systems, Amended.

International Fire Code, ~~2021~~2015 Edition, Chapter 9, Fire Protection Systems, is hereby ~~ratified~~ adopted in its entirety with the following amendments:

9.52.080.1 Section 901.2.2 Supporting data, Added.

901.2.2 Supporting data.

The supporting data in the form of hydraulic calculations required by AHJ for installation or modification of all fire suppression systems shall be valid if the flow test data is within 5 years from the date plans are submitted.

9.52.080.2 Section 901.4.3.1 Extending Sprinkler System Coverage, Added.

901.4.3.1 Extending Sprinkler System Coverage.

When a sprinkler system is installed inside a shell building, all tenant improvements that take place inside the shell building are required to have a sprinkler system modification that meets the current NFPA 13 standards.

9.52.080.3 Section 903.2.8 Group R, Amended.

9.03.2.8. An automatic sprinkler system installed in accordance with IFC Section 903.3 shall be provided throughout all buildings with a Group R fire area. For Group R-2 occupancies, an automatic sprinkler system shall be provided throughout all floors of buildings with a Group R-2 fire area where more than two stories in height, including basements, or where having more than 16 dwelling units.

Exceptions:

1. Group R-1, where guestrooms are not more than three stories above the lowest level of exit discharge and each guestroom has at least one door leading directly to an exterior exit access that leads directly to approved exits.
2. A residential sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in buildings, or portions thereof, of Group R-1.
3. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height conforming with the provisions of the International Residential Code.

9.52.080.4 Section 903.2.10.3 Group S-2 Warehouses, Added.

903.2.10.3 Group S-2 Warehouses.

ORDINANCE NO. _____

An automatic sprinkler system shall be provided in accordance with Section 903.3.1.1 throughout a Group S-2 warehouse when the S-2 warehouse fire area exceeds 12,000 square feet.

9.52.080.5 Section 903.2.11.3 Buildings 55 feet or more in height, Amended.

903.2.11.3 Buildings 35 feet or more in height.

An automatic sprinkler system shall be installed throughout buildings that have one or more stories with an occupant load of 30 or more, located ~~535 feet (16 764 mm)~~ or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exception: Occupancies in Group F-2.

9.52.080.7 Section 903.3.1.1.4 Hydrostatic Testing, Added.

903.3.1.1.4 Hydrostatic Testing.

A Hydrostatic test at 200 psi is required when more than 20 Mechanical Ts or when new pipe is installed.

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9.52.080.8 Section 903.1.1.5 Acceptance Testing, Added.

903.3.1.1.5 Acceptance Testing.

For all new or reconfigured high pile storage warehouses (HPSW), a rack storage array inspection will be conducted after the rack system has been installed in a HPSW. This is to verify that the racks are positioned for proper sprinkler coverage.

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9.52.080.10 Section 903.3.5.3 Freeze Protection, Added.

903.3.5.3 Freeze Protection.

Where aboveground water-filled supply pipes, risers, system risers, or feed mains for a fire protection system pass through areas subject to temperatures below 40 degrees Fahrenheit, the pipe shall be protected from freezing by a listed method.

9.52.080.11 Section 903.4 Sprinkler System Supervision & Alarms, Amended.

903.4 Sprinkler System Supervision & Alarms.

Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressure, underground gate valves, and water flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit or as approved by the authority having jurisdiction.

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Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area sprinkler systems installed in accordance with Section 903.3.8.

3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system and a separate shutoff valve for the automatic sprinkler is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.
8. Underground key or hub gate valves in roadway boxes

9.52.080.12 Section 903.4.2 Alarms, amended.

903.4.2 Alarms.

An approved audible device, located on the exterior and interior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

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9.52.080.14 Section 903.4.4 Multi-Tenant and Warehouse Buildings, Added.

903.4.4.1 Multi-Tenant Buildings, Added.

In buildings requiring sprinkler systems with multiple tenants, where no fire alarm is required, each tenant will have the minimum of one notification device (horn/strobe) to provide audio and visual notification upon activation of the monitoring alarm system, in a location approved by the AHJ.

903.4.4.2 Warehouse buildings (S1/S2) Office Areas, Added.

In warehouse buildings requiring sprinkler systems, where no fire alarm is required, a notification device shall be provided in normally occupied office areas. One device per office area if more than one office area exists and-or one device per level of office area if more than one level exists. Notification devices shall also be provided in storage areas where audio and visual notification would be evident within those areas.

903.4.4.3 Warehouse Buildings (S1/S2) Storage Areas, Added.

In warehouse buildings requiring sprinkler systems and where no fire alarm is required, notification devices shall be provided in storage areas spaced at 3 times the distance required for a full notification system (triple spaced between devices).

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9.52.080.15 Section 903.5.1 Underground Pipe, Added.

903.5.1 Underground Pipe.

All underground fire line pipe not installed by EPWU shall be hydrostatically tested per NFPA 13 and NFPA 24 requirements.

9.52.080.19 Section 903.7 Buildings with Multiple Risers, Added

903.7 Buildings with Multiple Risers.

When a building is served by multiple sprinkler system risers, all of the risers shall be served by a manifold system. If the risers are not served by a manifold system, the separate systems boundaries must be clear and able to be described by the addressable fire alarm system.

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9.52.080.20 Section 904.2.3 Alternative Automatic Fire Extinguishing Systems, Added.

904.2.3 Alternative Automatic Fire Extinguishing Systems.

Fire Extinguishing Systems installed in lieu of a sprinkler system in areas where occupants will be incapacitated (ex: Hyperbaric Facilities) shall use an extinguishing agent which supports life.

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9.52.080.21 Section 904.3.5.1 Single tenant building, Added.

904.3.5.1 Single tenant building.

In a single tenant building, where sprinkler monitoring is installed in accordance with 903.4.1, automatic fire-extinguishing systems shall be connected to sprinkler monitoring and a notification device (horn strobe) shall be placed in or near the space protected by the automatic fire-extinguishing system at a location approved by the AHJ.

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9.52.080.22 Section 904.4.2.2 Alarm Notification, Added.

904.4.2.2 Alarm Notification.

A notification appliance is required exclusive for annunciation of the hood suppression system. A bell that is interconnected to the hood suppression system shall be used.

9.52.080.23 Section 904.10.4 Acceptance Testing, Added.

904.10.4 Acceptance Testing.

As part of the Acceptance Test for all clean agent systems, a door fan test is required to be witnessed and verified by the fire code official that it meets the standard specified in NFPA 2001.

9.52.080.24 Section 904.13.2.1 Fire Alarm Control Panel (FACP) Interconnection, Added.

904.13.2.1 Fire alarm Control Panel (FACP) Interconnection.

The automatic fire extinguishing system for commercial cooking systems shall be interconnected to a FACP where a FACP is installed in the building.

9.52.080.25 Section 905.2 Installation Standard for Standpipe Systems, Amended.

905.2.1 Installation Standard for Automatic Standpipe Systems, Added.

NFPA 14 11.5.1 Automatic Standpipe Flow Test/Hydraulic Verification Methods shall be field performed to confirm hydraulic design by way of methods outlined in 7.10.1 Class I and Class III Systems.

905.2.2 Installation Standard for Manual Standpipe Systems, Added.

NFPA 14 11.5.2 Manual Standpipe Flow Test/Hydraulic Verification Methods as depicted in Figure A.11.5.2(a) or Figure A.11.5.2(b) shall be done prior to system final. Contractor under FSYS permit shall be responsible for obtaining their own pump capable of flowing the required gpm and at the required pressure for the system.

Figure A.11.5.2(a) and Figure A.11.5.2(b) on following page.~~are on next page.~~

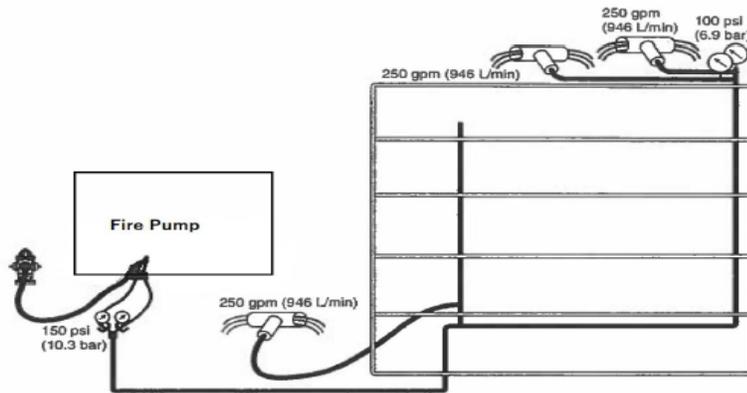


FIGURE A.11.5.2(a) Standpipe Flow Test Methods: Test With Pump Through FDC.

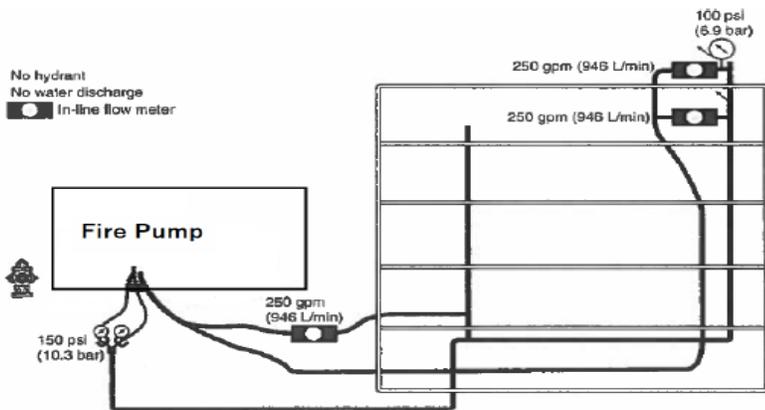


FIGURE A.11.5.2(b) Standpipe Flow Test Methods: Test by Recirculating Water.

9.52.080.26 Section 905.3.9 Mega Structure Special Considerations, Added.

905.3.9 Mega Structure Special Considerations.

All buildings that exceed exit travel distance of 300 ft. require a Class 1 Standpipe system with hose connections. A hose connection shall be provided within 200 ft. of all portions of the building. The distance between each hose connection shall not exceed 400 feet. The hose connections are required to be cross-zoned or on a dedicated standpipe system. A water-flow of 250 gpm at a pressure of 100 psi is required at the most remote hose connection. An acceptance test is required to verify the flow and pressure.

9.52.080.28 Section 905.8 Dry Standpipes, Amended.

905.8 Dry Standpipes, Amended.

~~Dry standpipes shall not be installed. A dry pipe valve standpipe system is required for all standpipe systems that are subject to freezing where an automatic dry standpipe system or a semiautomatic dry system is not required. The dry pipe valve must be installed in a conditioned space. Refer to Dry Pipe Valve in definitions.~~

~~**Exception:** Where subject to freezing and in accordance with NFPA 14, Dry standpipes shall be allowed in parking garages where it is subject to freezing.~~

9.52.080.29 Section 906.1 Where required, Amended.

Section 906.1 Where required.

Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exceptions:

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

~~2. In Group E occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each classroom is provided with a portable fire extinguisher having a minimum rating of 2-A:20-B:C.~~

~~3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:~~

~~3.1 Use of vehicle mounted extinguishers shall be approved by the fire code official.~~

~~3.2 Each vehicle shall be equipped with a 10 pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved by the extinguisher manufacturer or the fire code official for vehicular use.~~

~~3.3 Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher.~~

~~3.4 Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.~~

~~3.5 Inspections of vehicle mounted extinguishers shall be performed daily.~~

- ~~2. Within 30 feet (9144 mm) distance of travel from commercial cooking equipment and from domestic cooking equipment in Group I 1, Condition 1; and R-2 college dormitory occupancies.~~

~~3. In areas where flammable or combustible liquids are stored, used or dispensed.~~

~~4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3316.1.~~

~~5. Where required by the sections indicated in Table 906.1.~~

~~6. Special hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.~~

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~~Exception Portable fire extinguishers are not required at normally unmanned Group U occupancy buildings or structures where a portable fire extinguisher suitable to the hazard of the location is provided on the vehicle of visiting personnel.~~

9.52.080.30 Section 906.3.5 Minimum extinguisher requirements, Added.

906.3.5 Minimum extinguisher requirements.

Each individual occupancy shall have, at a minimum, one 2A10BC extinguisher for every 3000 square feet, or fraction thereof for Light (low) and Ordinary (moderate) hazard occupancies. Greater protection may be required depending on the nature of the hazard, whereas Table 906.3(1) shall be used.

9.52.080.31 Section 907.2 Where required- new buildings and structures, Amended.

907.2 Where required-new buildings and structures.

An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.25 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

Not fewer than one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed ~~at the main office or at a location where there is an employee or attendant present. If there is no main office or interior main entrance, it may be installed in the riser room.~~

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
- ~~2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is open to the public.~~

9.52.080.32 Section 907.2.3.1 Portable Classrooms, Added.

907.2.3.1 Portable Classrooms.

In addition to the required notification devices, a manual fire alarm box that initiates the occupant notification signal shall be installed in portable classrooms when a manual fire alarm system is installed on the campus as per Section 907.2.3.

9.52.080.33 Section 907.2.24 Mixed Use Buildings, Added.

907.2.24 Mixed Use Buildings.

In mixed use buildings, not classified as high-rise, provided with a sprinkler monitoring system or fire alarm system as required elsewhere in this Fire Code or El Paso City Code, all notification devices shall activate upon alarm activation.

9.52.080.34 Section 907.2.25 Multiple Buildings, Added.

907.2.25 Multiple Buildings.

For properties where multiple buildings exist and where a fire alarm system or a sprinkler monitoring system has been installed in these properties, a separate FACP is required where the main address differs in each building or set of buildings. Each panel must transmit their own fire alarm signals directly to Central Station.

9.52.080.35 Section 907.6.3 Initiating device identification, Amended.

The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate.

Exceptions: ~~1. Fire alarm systems in single-story buildings less than 22,500 square feet in area and not classified E occupancy.~~

~~2. Fire alarm systems that only include manual fire alarm boxes, waterflow initiating devices and not more than 10 additional alarm initiating devices.~~

~~3. Special initiating devices that do not support individual device identification.~~

~~4. Fire alarm systems or devices that are replacing existing equipment.~~

9.52.080.37 Section 907.6.4.3 Zone Descriptions, Added.

907.6.4.3 Zone Descriptions.

When a conventional fire alarm panel is installed, the FACP shall be programmed with zone descriptions for all configured zones regardless of square footage. The length of any zone shall not exceed 300 feet (91.44m) in any direction.

9.52.080.38 Section 907.6.6 Monitoring, Amended.

907.6.6 Monitoring.

Fire alarm systems required by this chapter or by the International Building Code shall be monitored by an approved supervising station in accordance with NFPA 72. Monitoring and reporting by the supervising station shall identify the specific initiating device address, location, device type, floor level where applicable for alarm, trouble and supervisory status, as appropriate.

~~Exception: Monitoring by a supervising station is not required for:~~

~~1. Single and multiple station smoke alarms required by Section 907.2.11.~~

~~2. Smoke detectors in Group I-3 occupancies.~~

~~3. Automatic sprinkler systems in one and two family dwellings.~~

9.52.080.39 Section 907.6.6.1.1 Dumb Dialers, Added.

907.6.6.1.1 Dumb Dialers.

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Dry contact communication dialers for FACP's are not allowed.

9.52.080.40 Section 907.6.6.2.1 Monitor It Yourself (MIY) Revocation, Added.

907.6.6.2.1 MIY Revocation.

The fire code official may revoke the permission to use MIY transmitters to Public Safety Answering Points (PSAP) if these systems do not function properly or if the PSAP call takers are not proficient in using this system. Permission to use this type of system may be revoked after 5 failed tests within a year. The inability to read the fire alarm descriptions or the inability to receive a signal on a timely manner (within 5 minutes) will constitute a failed test.

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9.52.080.41 Section 907.6.7 Fire alarm control panel electrical connection, Added.

907.6.7 Fire alarm control panel electrical connection.

Fire alarm control panels (FACP) that will serve multiple tenants are required to be connected to the building electrical house panel.

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9.52.080.42 Section 907.6.8 Annunciation location for sprinkler monitoring systems, Added.

907.6.8 Annunciation location for sprinkler monitoring systems.

Where a sprinkler monitoring system is installed, the annunciation location needs to meet the same requirements as the annunciation location for a fire alarm system. (This will allow the FACP or a standalone annunciator to be located at a readily accessible location for fire department access)

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9.52.080.44 Section 912.2.1.1 Distance and Accessibility, Added.

912.2.1.1 Distance and Accessibility.

The fire department connection shall be placed no further than 30 feet from an approved fire access road, shall not be obstructed and topography shall be such that it will be readily accessible to fire department personnel.

9.52.080.45 Section 912.2.1.2 Markings, Added.

912.2.1.2 Markings.

The curb immediately adjacent to the fire department connection shall be painted red. If no curb is provided, a six inch minimum red stripe shall be painted on the pavement immediately adjacent to the FDC. The painted curb or stripe shall measure 10 feet. The pavement immediately adjacent to the painted curb or stripe, shall be hash marked in red paint and extend out a minimum of 10 feet or as designated by the AHJ.

9.52.080.46 Section 912.2.1.3 Pathway, Added.

ORDINANCE NO. _____

912.2.1.3 Pathway.

An unobstructed, level surface no less than 36 inches wide shall be provided from the fire department connection to the nearest point of the fire department access road.

9.52.080.47 Section 912.2.1.4 Shared fire line, Added.

912.2.1.4 Shared fire line.

Where a fire protection system is supplied by the same fire line as a private fire hydrant, the fire department connection for that system shall be connected to the fire protection system above the check valve.

9.52.080.48 Section 912.4.1 Locking fire department connection caps, Amended.

912.4.1 Locking fire department connection caps.

~~The fire code official is authorized to require locking caps on fire department connections for water based fire protection systems where the responding fire department carries appropriate key wrenches for removal.~~ Locking caps on fire department connections for water-based fire protection systems where the responding fire department carries appropriate key wrenches for removal will be required after the effective date of this ordinance. Occupancies will have 2 years to comply with this section.

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9.52.080.49 Section 912.6.1 Backflow protection device enclosures, Added.

912.6.1 Backflow protection device enclosures ASSE 1060 hot box.

A backflow protection device shall provide freeze protection by means of an outdoor enclosure. The enclosure must meet ASSE 1060 Class 1 requirements for freeze protection. Existing backflow protection devices that do not meet this requirement will have 2 years to comply.

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9.52.080.50 Section 912.6.2 Freeze Protection, Added.

912.6.2 Freeze Protection.

Where aboveground water-filled supply pipes, risers, system risers, feed mains or branch lines for a fire protection system pass through areas subject to temperatures below 40 degrees Fahrenheit, the pipe shall be protected from freezing by a listed method.

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9.52.080.51 Section 913.2.3 Fire Pump Cavitation, Added.

9.52.080.51 Section 913.2.3 Fire Pump Cavitation, Added.

913.2.3 Fire Pump Cavitation Protection.

The use of low suction pressure controls shall be used for fire pumps where the intake pressure drops below 30 psi when the fire pump is flowing at 150% at rated capacity, or when the underground is shared with a private hydrant(s).

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9.52.080.54 Section 913.2.4 Fire Pump Power Supply Disconnect, Added.

913.2.4 Fire Pump Power Supply Disconnect.

A Mandatory Fire Pump power supply disconnect is required for all fire pump controllers. This disconnect shall not be located in the fire pump room and will be approved by the AHJ. Markings for the disconnecting means shall be in accordance with article 695.4 of the National Electrical Code (NEC).

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9.52.080.55 Section 913.6 Jockey Pump Pressures, Added.

913.6 Jockey Pump Pressures.

Jockey pump pressures that serve a fire pump, for new or existing buildings, are not allowed to be artificially set low. Any existing building where this condition exists has up to 1 year to provide an NFPA 13 and NFPA 20 code compliant solution and corrective action for this deficiency.

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9.52.080.56 Section 913.7 Fire pump bypass, Added.

913.7 Fire pump bypass.

Fire pump bypass piping shall be installed for all fire pump installations when connected to a pressurized water source such as a municipal water supply or pressurized private source.

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9.52.080.57 Section 913.8 Diesel fire pumps, Added.

913.8 Diesel Fire Pumps.

The installation of diesel fire pumps shall not be allowed unless approved by the fire code official.

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9.52.080.58 Section 913.9 Low suction throttling valve, Added.

913.9 Low Suction Throttling Valve.

A low suction throttling valve shall be installed and comply with sections 913.9.1 and 913.9.2.

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913.9.1 Private fire hydrant.

A low suction throttling valve shall be installed for all fire pump installations that contain a fire hydrant on the private service main shared by both systems.

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913.9.2 Suction pressure below 30 psi.

A low suction throttling valve shall be installed for all fire pump installations where the suction pressure falls below 30 psi when flowing the most demanding required fire flow of the sprinkler system, standpipe system, or private hydrant.

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9.52.080.59 Section 915.2.3.1 Carbon Monoxide Annunciation in Group E Occupancies, Added.

915.2.3.1 Carbon Monoxide Annunciation in Group E Occupancies.

Carbon monoxide detection shall be installed in classrooms in Group E occupancies. Carbon monoxide alarm signals shall be automatically transmitted through a Fire Alarm Control Panel annunciator or a Carbon Monoxide Detection Panel annunciator to an on-site location that is staffed by school personnel. A supervisory signal shall be initiated and the signal shall also be transmitted to a Central Station monitoring service. In addition, a local audible alarm with the CO temporal code shall be annunciated in the room of origin.

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9.52.090 – Chapter 10, Means of Egress, Amended.

International Fire Code, ~~2021~~2015 Edition, Chapter 10, Means of Egress, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.090.1 Section 1004.7 Outdoor areas, Amended.

Section 1004.7. Outdoor areas.

Yards, patios, occupied roofs, courts and similar outdoor areas accessible to and usable by the building occupants shall be provided with means of egress as required by this chapter. The occupant load of such outdoor areas shall be assigned by the AHJ in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, means of egress requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.

Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one means of egress.
2. Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.

9.52.090.3 Table 1020.2 Corridor Fire Resistance Rating, Amended.

Table 1020.2 Corridor Fire-Resistance Rating

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**[BE] TABLE 1020.2
CORRIDOR FIRE-RESISTANCE RATING**

OCCUPANCY	OCCUPANT LOAD SERVED BY CORRIDOR	REQUIRED FIRE-RESISTANCE RATING (hours)	
		Without sprinkler system	With sprinkler system
H-1, H-2, H-3	All	Not Permitted	1 ^c
H-4, H-5	Greater than 30	Not Permitted	1 ^c
A, B, E, F, M, S, U	Greater than 30	1	0
R	Greater than 10	Not Permitted	0.5 ^c /1 ^d
I-2 ^a	All	Not Permitted	0
I-1, I-3	All	Not Permitted	1 ^{b, c}
I-4	All	1	0

- a. For requirements for occupancies in Group I-2, see Sections 407.2 and 407.3 of the International Building Code.
- b. For a reduction in the fire-resistance rating for occupancies in Group I-3, see Section 408.8 of the International Building Code.
- c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.
- d. Group R-3 and R-4 buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.3. See Section 903.2.8 for occupancies where automatic sprinkler systems are permitted in accordance with Section 903.3.1.3.
- e. For R occupancies with Corridor Occupant Load greater than 10, a 1-hour fire-resistance rating shall be permitted without sprinkler system.

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9.52.100 – Chapter 11, Construction Requirements for Existing Buildings, Amended.
International Fire Code, ~~2021~~2015 Edition, Chapter 11, Construction Requirements for Existing Buildings, is hereby ~~ratified~~ adopted in its entirety with the following amendments:

9.52.100.1 Section 1103.2 Emergency responder communication coverage in existing buildings, amended.

1103.2 Emergency responder communication coverage in existing buildings
Communications coverage in existing buildings will continue to be evaluated based on the square footage of the building and any identified communications failures.

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9.52.110 – Chapter 32, High-Piled Combustible Storage, Amended.

International Fire Code, ~~2021~~2015 Edition, Chapter 32, High-Piled Combustible Storage, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.110.1 Section 3201.1.1 Purpose and Intent, Added.

3201.1.1 Purpose and intent. The City Council hereby finds, as a matter directly affecting public safety, protection of property, and the life safety of personnel involved in fire suppression activities, that all existing buildings used for high-piled combustible storage must comply with IFC Chapter 32, as amended.

9.52.110.2 Section 3201.1.2 Applicability, Added.

3201.1.2 Applicability.

The provisions of IFC Chapter 32, as amended, shall apply to all existing buildings used for high-piled combustible storage, on or after December 8, 1998, regardless of the date of construction or prior issuance of a Certificate of Occupancy for that building.

9.52.110.3 Section 3201.1.3 Effective date, Added.

3201.1.3 Effective date.

After the effective date, it shall be unlawful for any person, firm, or corporation to use, or permit the use, of any building, structure, or portion thereof, for high-piled combustible storage which does not fully comply with the requirements of IFC Chapter 32, as amended.

9.52.110.4 Section 3201.1.4, Appeals, Added.

3201.1.4 Appeals.

The owner of a building or an owner's duly authorized agent may appeal a decision of the Fire Code Official or the Building Official related to this Section. All appeals shall be directed to the Construction Board of Appeals, in accordance with Chapters 2.30 and 18.02 of the El Paso City Code.

9.52.110.5 Section 3204.3 Water flow test data adjustment, Added.

3204.3 Water flow test data adjustment.

The water flow test data shall be adjusted by the system designer to account for daily and seasonal fluctuations, large simultaneous industrial use, and future demand on the water supply system, or any other condition that could affect the water supply. The fire protection system design shall be based on not more than 90% of the water flow test data.

9.52.110.6 Section 3206.1.1 Fire protection, Added.

3206.1.1 Fire protection.

All existing buildings used for high-piled combustible storage must comply with the fire protection systems requirements identified in IFC Table 3206.2 and the current adopted International Building Code, (IBC), as amended.

9.52.110.7 Section 3206.7.4 Marking on fire department access doors, Amended.

3206.7.4 Marking on fire department access doors.

Fire department access doors shall ~~be labeled on the exterior side with the following sign or other approved sign: FIRE DEPARTMENT ACCESS DOOR DO NOT BLOCK~~ The lettering shall be in a contrasting color to the background. Letters shall have a minimum height of 2 inches (51 mm) with a minimum stroke of 3/8 inch (10 mm). comply with 2021 IFC Section 509.1. Fire department access doors shall be plainly marked with the words, "Fire Access Door" in red letters at least 6 inches high with a one-half inch stroke on a white background.

9.52.120 – Chapter 50, Hazardous Materials – General Provisions, Amended.

International Fire Code, ~~2021~~2015 Edition, Chapter 50, Hazardous Materials-General Provisions, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.120.1 Section 5003.3.1.1 Records, Amended.

5003.3.1.1 Records.

~~Records of the unauthorized discharge of hazardous materials by the permittee shall be maintained.~~ Any person, firm, or corporation responsible for any unauthorized discharge reportable under subsection 5003.3.1.6 shall maintain accurate records of the unauthorized discharge of hazardous materials including the date, time, material, and quantities. Such records shall be kept for at least three years from the date of the unauthorized discharge, and shall be subject to inspection by the AHJ upon request. Any person who knowingly falsifies or destroys such records shall be in violation of this Fire Code.

9.52.120.2 Section 5003.3.1.5 Response Expenses, Added.

5003.3.1.5 Response Expenses.

Any person or persons causing or responsible for an abandonment or an unauthorized discharge or threatened unauthorized discharge of hazardous materials resulting in emergency action, other than routine investigation by the fire department, the department of environmental services, or any other City department, shall be jointly and severally liable to the City for its reasonably and necessarily incurred expenses, as defined below, resulting from such emergency action. Hazardous materials response expenses are defined as those non-reusable materials and supplies which are required for responding to hazardous materials emergencies and which are actually expended in an emergency action. Hazardous materials response expenses are defined to also include reusable response equipment which is required for responding to hazardous materials emergencies and which is rendered non-reusable during an emergency action due to damage other than by wear and tear. Hazardous materials response expenses shall include all labor costs, to include but not be limited to overtime expenditures, necessary to mitigate the emergency action. Hazardous materials responses are not considered to be routine firefighting services. Hazardous materials response expenses shall not include routine firefighting services.

9.52.120.3 Section 5003.3.1.6 Local reporting requirements, Added.

5003.3.1.6 Local reporting requirements.

The AHJ shall be immediately notified by the person, firm or corporation responsible when an unauthorized discharge within the City limit boundaries or within the City's extra territorial jurisdictional boundaries becomes reportable under state, or federal laws or as follows:

a. Any unauthorized discharge of a hazardous material which presents an endangerment to public health, public welfare, or the environment, or any unauthorized discharge of a flammable or combustible material which presents a fire hazard, or any unauthorized discharge of any hazardous material or exposure that results in an injury requiring transport to an off-site medical facility.

b. The person who has care, custody or control of property, materials or equipment shall promptly notify the AHJ by calling 911 immediately upon discovery of an unauthorized discharge of any hazardous material reportable under subsection 5003.3.1.6a above. Immediate notification as required in this section shall be performed prior to or concurrently with necessary initial response actions, but under no conditions shall notification be delayed unnecessarily. At the time of notification, the following information shall be provided:

1) What is the location of the incident?

2) Has there been a fire or explosion?

3) Is anyone sick or injured?

4) What is the chemical name or identity of any material involved in the release, if known?

5) If chemical name is unknown are any diamond shaped or other markings visible on the vehicle or container? (colors / names / numbers / symbols)

6) What type of vehicle or container is involved?

7) What is an estimate of the quantity of material that was released?

8) What was the time and duration of the release?

9) Is there any smoke or vapor cloud visible, audible sounds or unusual odor?

10) The name and telephone number of the person or persons to be contacted for further information.

9.52.120.4 Section 5006 Transportation of Hazardous Materials, Added.

5006

TRANSPORTATION OF HAZARDOUS MATERIALS

5006.1 Standing or parking.

It is unlawful for a motor carrier or operator to allow motor vehicles used to transport hazardous materials to stand or park on any street, alley or lot within the limits of the City, except as provided for in accordance with Section 5706.6.2 of this Fire Code.

9.52.130 – Chapter 56, Explosives and Fireworks, Amended.

International Fire Code, ~~2021~~2015-Edition, Chapter 56, Explosives and Fireworks, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.130.1 Section 5601.1.3 Fireworks, Amended.

5601.1.3 Fireworks.

~~The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.~~Fireworks are declared to be a nuisance. No person shall manufacture, sell or use fireworks within the City limits of El Paso except as provided in Section 9.52.030.5 (Required operational permits, as amended).

Exceptions: The use of fireworks for fireworks displays as allowed in Section 5608.

~~1. Storage and handling of fireworks as allowed in Section 5604.~~

~~2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~

~~3. The use of fireworks for fireworks displays as allowed in Section 5608.~~

~~4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided that such fireworks and facilities comply with the 2006 edition of NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOT 49 CFR Parts 100-185, as applicable for consumer fireworks.~~

9.52.130.2 Section 5601.2.4 Financial responsibility, Amended.

5601.2.4 Financial responsibility.

Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The AHJ is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement. The City shall be named as an additional insured on the insurance policy or an additional obligee under the corporate surety bond, at no cost to the City. A bond required by this section must be executed by a corporate surety and approved by the AHJ. If applicable, an insurance policy shall be written by an accredited insurance

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company under the supervision of the Board of Insurance of the state. Evidence of compliance with this requirement shall be considered as having been met when the policy, a copy thereof, or a certificate of insurance has been filed with and approved by the AHJ. Such policy shall include an endorsement that the AHJ shall be notified at least thirty (30) days in advance in the event the policy or policies are canceled.

9.52.130.3 Section 5601.2.4.3 Indemnity agreement, Added.

5601.2.4.3 Indemnity agreement.

The applicant shall be required to enter into an indemnity agreement with the City indemnifying the City and any of its agents or employees, for any personal injury, property damage or other civil liability whatsoever, caused by an activity, condition or event arising out of any act performed under the permit.

9.52.130.4 Section 5601.6.1 Immediate Notification, Added.

5601.6.1 Immediate Notification.

In case of mechanical failure or traffic accident involving any conveyance carrying explosives, the AHJ and the police department shall be notified immediately.

9.52.130.5 Section 5601.7.1 Disposal of explosives, explosive materials or fireworks, Added.

5601.7.1 Disposal of explosives, explosive materials or fireworks.

The City may file a motion with municipal court requesting an Order of Disposal and/or Destruction for explosives, explosive materials and/or fireworks pursuant to authority granted by the 2021 International Fire Code, Section 5601.7. Said Motion shall be filed with a sworn affidavit of the AHJ stating the underlying circumstances of the seizure and the City shall verify that the explosives, explosive materials and/or fireworks are not being held as evidence to be used in any pending case. A hearing shall be held before a judge of the El Paso municipal court. A judge shall, as soon as practicable, hear the matter, after giving reasonable notice to the AHJ and the person whose explosives, explosive materials and/or fireworks have been removed or impounded. The AHJ and the person whose explosives, explosive materials and/or fireworks have been removed or impounded shall each have the opportunity to present evidence and make argument on their behalf. The formal rules of evidence do not apply to a hearing under this section.

The judge hearing the case shall make his or her ruling on the basis of a preponderance of the evidence presented at the hearing. If the judge finds that the explosives, explosive materials and/or fireworks were lawfully seized and that, at the time of the hearing, the explosives, explosive materials and/or fireworks constitute materials or other items that cannot be lawfully possessed, stored, handled or used in the jurisdictional limits of the City, the judge shall grant the motion. The decision of the judge is final.

9.52.130.6 Section 5608.2 Permit application, Amended.

5608.2 Permit application.

~~Prior to issuing permits for a fireworks display, plans for the fireworks display, inspections of the display site and demonstrations of the display operations shall be approved. A plan establishing procedures to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from a mortar or fails to function over the fallout area or other malfunctions shall be provided to the fire code official.~~

~~Application for permits shall be made in writing to the AHJ at least 10 days in advance of the date of display. Prior to issuing permits for a fireworks display, plans for the fireworks display, inspection of the display site and demonstrations of the display operations shall be approved. A plan establishing procedures to follow and actions to be taken in the event of that a shell fails to ignite or discharge from a mortar or fails to function over the fallout area or other malfunctions shall be provided to the AHJ.~~

9.52.130.7 Section 5608.2.3 Indoor displays, Added.

5608.2.3 Indoor displays.

Personnel shall be provided to implement a standby fire watch acceptable to the AHJ if pyrotechnics are used inside a building.

9.52.130.8 Section 5609.1 General, Amended.

5609.1 General.

~~Where the display or temporary storage of fireworks 1.4G (consumer fireworks) is allowed by Section 5601.1.3, Exception 4, such display or storage shall comply with the applicable requirements of NFPA 1124.~~

Temporary storage of consumer fireworks, 1.4G, is not allowed.

9.52.130.9 Section 5610 Flame Effects, Added.

5610 FLAME EFFECTS

5610.1 General.

The use of flame effects for entertainment, exhibition, demonstration, or simulation must comply with NFPA 160. Flame effects deemed as such by the AHJ which could include and limited to LP gas candles and burners must comply with the NFPA 160 edition in use by the Texas Railroad Commission.

5610.2 Permit application.

Prior to issuing permits for flame effects, plans for the exhibition, inspections of the exhibition site, and demonstrations of the flame effects shall be approved by the AHJ.

5610.3 Indoor use or outdoor use, Added.

Personnel shall be provided to implement a standby fire watch acceptable to the AHJ if flame effects (as defined by the AHJ) are used indoors or outdoors.

5610.4 Financial Responsibility.

Before a permit is issued for any flame effects exhibition, the applicant must provide evidence of financial responsibility as set forth in Section 5601.2.4.

5610.5 Texas Flame Effects operator's license required.

At least one Texas Flame Effects licensee must be present on-site at all times where flame effects are used, discharged or ignited.

9.52.140 – Chapter 57, Flammable and Combustible Liquids, Amended.

International Fire Code, ~~2021~~2015 Edition, Chapter 57, Flammable and Combustible Liquids, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.140.1 Section 5705.3.8.2 Location on property.

—Dispensing activities that exceed the quantities set forth in Table 5705.3.8.2 shall not be conducted within 15 feet (4572 mm) of buildings or combustible materials or within 25 feet (7620 mm) of building openings, lot lines, public streets, public alleys or public ways. Dispensing activities that exceed the quantities set forth in Table 5705.3.8.2 shall not be conducted within 15 feet (4572 mm) of storage of Class I, II or III liquids unless such liquids are stored in tanks that are listed and labeled as 2-hour protected tank assemblies in accordance with UL 2085.

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Exceptions:

1. The requirements shall not apply to areas where only the following are dispensed: Class III liquids; liquids that are heavier than water; water-miscible liquids; and liquids with viscosities greater than 10, 000 centipoise (cp) (10 Pa x s).
2. Flammable and combustible liquid dispensing in refineries, chemical plants, process facilities, gas and crude oil production facilities and oil-blending and packaging facilities, terminals and bulk plants.
3. Mobile fueling dispensing activities shall not be conducted within 30 feet of buildings, building openings, combustible materials, lot lines, public alleys or public ways.

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9.52.140.2 Section 5706.1.2 Restricted Locations, Added.

5706.1.2 Restricted Locations.

It is unlawful for any individual, firm, partnership or corporation within the City limits, to install, enlarge or operate a bulk oil station, refinery, or distilling plant, except when such places conform in location and construction and maintain distances and safeguards as hereinafter specified. All storage of oils and gasoline in Classes I and II for the purpose of refining, or distilling or jobbing, or wholesaling, and handled by motor vehicles for delivery, must be installed within the below specified districts, as hereafter designated.

9.52.140.3 Section 5706.1.3 Designated Districts, Added.

5706.1.3 Designated Districts.

The districts in which refineries, wholesale oil stations, or bulk stations may be located are described as follows:

1. Beginning at the intersection of Texaco Road and the north line of Southern Pacific Railroad tracks; thence westerly along the railroad tracks to the east line of Clark Road, thence north along the east line of Clark Road to the south line of Welch Avenue; thence easterly along the south line of Welch Avenue to the south line of Tampa Avenue; thence east along the south line of Tampa Avenue to the west line of the Western Refining South Plant; thence northerly along the west line of Western Refining South Plant to the west line of the Western Refining North Plant; thence northerly along the west line of the Western Refining North Plant to the south line of Gateway Boulevard East; thence easterly along the south line of Gateway Boulevard East to the east line of Airway Boulevard; thence northerly along the east line of Airway Boulevard to the south line of Viscount Boulevard; thence easterly along the south line of Viscount Boulevard to the east line of the Trans Mountain Oil Co.; thence southerly along the east line of the Trans Mountain Oil Co. to the north line of Gateway Boulevard West; thence westerly along the north line of Gateway Boulevard West to the east line of Airway Boulevard; thence south along the east line of Airway Boulevard to the south line of Gateway Boulevard East; thence easterly along Gateway Boulevard East to the east line of Hawkins Road; thence southerly along the east line of Hawkins Road to the east line of Freeport-McMoran; thence southerly along the east line of Freeport-McMoran to the south line of Freeport-McMoran; thence westerly along the south line of Freeport-McMoran to the east line of Western Refining North spur track; thence southerly along the east line of the spur track to the north line of Southern Pacific Railroad track; thence westerly along the north line of Southern Pacific Railroad tracks to the point of beginning to include Western Refining South Plant, Western Refining North Plant, Trans Mountain Oil Co., Navajo Oil and all property contained within the boundary specified in this section.

2. Beginning at the intersection of the centerline of Lafayette Drive and the centerline of San Paulo Drive westerly to the east side of Lot 7, Block 28; thence northerly to the south line of Lot 1, Block 39; then easterly to the centerline of Lafayette Drive; thence southerly to the point of beginning, to include the Municipal Service Center.

3. Beginning at a point marked by the intersection of the centerline of Beech Street and the northerly right-of-way line of Boeing Drive; thence westerly along the centerline of the Boeing Drive separation median to a point on the east line of Lot 24, Block 4, El Paso International Airport Tracts; then northerly along the east line of Lot 24, Block 4, extended to a point on the south edge of a fifty-foot wide service taxiway; thence westerly along the south edge of the taxiway to a point opposite the easterly line of Lot 10, Block 4, El Paso International Airport Tracts, extended; thence southwesterly to and along the said easterly line of Lot 10, Block 4, to a point lying one hundred twenty-five feet northerly of the north right-of-way line of Boeing Drive; thence northwesterly perpendicular to the above line across Lot 10, Block 4, to a point lying in the westerly line of the Lot 10, Block 4; thence westerly to a distance of two hundred seventy-five feet to a point lying seventy-five feet

north of the northerly right-of-way line of Boeing Drive and being within Lot 9, Block 4, El Paso International Airport Tracts; thence northerly through the remainder of Lot 9, Block 4, and through Lot 8, Block 4, to a point being the southeasterly corner of Lot 6, Block 4, El Paso International Airport Tracts; thence northeasterly across Lot 5, Block 4, to a point being the northeasterly corner of Lot 4, Block 4, El Paso International Airport Tracts; thence northeasterly through the approximate centers of Lots 1 and 2, Block 4, El Paso International Airport Tracts to a point lying in the northeasterly right-of-way line of Northrup Road; thence northwesterly along the right-of-way line of Northrup Road to a point in the southerly right-of-way line of American Drive; thence northeasterly along the southerly right-of-way line of American Drive to a point in the southwesterly right-of-way line of Convair Road; thence southeasterly along the right-of-way line of Convair Road and along an extension of said line for a total distance of seven hundred feet to a point; thence perpendicular to the above line northeasterly a total distance of two hundred fifty feet to a point; thence perpendicular to the above line northwesterly to a point; the point being an intersection of this line with the northerly right-of-way line of Convair Road extended; thence westerly along the northerly right-of-way line of Convair Road extended to an intersection with a line being an extension of the east line of Taxiway "A"; thence north along said extension of the east line of Taxiway "A" to a point being on the southeasterly line of Runway 4-22; thence northeasterly along the southeasterly line of Runway 4-22 to an intersection with the south line of the Runway 8-26 (left) stopway; then easterly along said south line of the Runway 8-26 (left) stopway to an intersection with the easterly line of Taxiway "M" thence southeasterly along the easterly line of Taxiway "M" to an intersection with the north line of Military Cargo Apron; then easterly along the north line of the Military Cargo Apron and along an extension of said line for a distance of approximately one thousand one hundred fifty feet to a point; thence northeasterly parallel to the northerly property line of Block 17, El Paso International Airport Tracts for a distance of approximately one thousand eight hundred feet to a point; thence easterly to a point lying in the extended easterly property line of Lot 8, Block 17, El Paso International Airport Tracts, the point also being one hundred twenty-five feet north of the northwest corner of the Lot 8, Block 17; thence southerly to a point being the northwesterly corner of Lot 9, Block 17 (FAA Tower Site); thence westerly to a point being the midpoint of the east line of Lot 6 and the west line of Lot 7, Block 17, El Paso International Airport Tracts; thence southwesterly on a line intersecting the midpoints of the lot lines through Lots 6, 5, 4 and 3 and the line extended straight across Lots 1 and 2 to an intersection with the northerly right-of-way line of Boeing Drive; thence westerly along the northerly right-of-way line of Boeing Drive to the point of beginning; all of which has been laid out and marked on the plat entitled "El Paso International Airport Wholesale Gasoline and Fuel District" and dated April 11, 1968.

4. A portion of Lots 7 and 8, Block 17, El Paso International Airport Tracts, Units 9, El Paso County, Texas, being more particularly described by metes and bounds as follows to wit; from a point, said point being the common southerly corner of Lots 6 and 7, Block 17, El Paso International Airport Tracts, Unit 9, the point also

lying in the northerly right-of-way line of Shuttle Columbia Drive; thence along the northerly right-of-way line of Shuttle Columbia Drive 30.00 feet along the arc of a curve to the right, whose central angle is 3°11'00" whose radius is 540.12 feet and whose chord bears North 69°43'31" East a distance of 30.01 feet to a point, said point lying on the northerly right-of-way line of Shuttle Columbia Drive, said point also being the point of beginning; thence North 21°51'59" West a distance of 264.79 feet; thence North 81°10'07" East a distance of 402.14 feet; thence South 8°49'53" East a distance of 250.00 feet to a point, the point lying on the northerly right-of-way line of Shuttle Columbia Drive; thence South 81°10'07" West continuing along the northerly right-of-way line of Shuttle Columbia Drive a distance of 250.00 feet; thence continuing along the northerly right-of-way line of Shuttle Columbia Drive 92.87 feet along the arc of a curve to the left, whose central angle is 9°51'06" whose radius is 540.12 feet and whose chord bears South 76°14'34" West a distance of 92.76 feet to the point of beginning and containing in all 2.148 acres of land, more or less, to include Chevron Oil Products.

9.52.140.4 Section 5706.5.4.5 Commercial, industrial, governmental or manufacturing, Amended.

5706.5.4.5 Commercial, industrial, governmental or manufacturing.

Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial industrial, governmental or manufacturing establishments is allowed where permitted, provided that such dispensing operations are conducted in accordance with the following:

1. Dispensing shall occur only at sites that have been permitted to conduct mobile refueling as per IFC section 105.6, as amended by 9.52.030.5 of this Chapter.
2. The representative of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill and carry out appropriate mitigation measures, and describes the process to dispose properly of contaminated materials.

3. Omitted

4. Omitted

5. Omitted

~~3. A detailed site plan shall be submitted with each application for a permit. The site plan shall indicate: all buildings, structures and appurtenances on site and their use or function; all uses adjacent to the lot lines of the site; the locations of all storm drain openings, adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be retained on the site property; and the scale of the site plan.~~

~~4. The fire code official is allowed to impose limits on the times and days during which mobile fueling operations is allowed to take place and specific locations on a site where fueling is permitted.~~

~~5. Mobile fueling operations shall be conducted in areas not open to the public or shall be limited to times when the public is not present.~~
~~6. Mobile fueling operations shall not take place within 15 feet (4572 mm) 30 feet of buildings, property lines, or combustible storage or storm drains.~~

~~Exceptions:~~

~~1. The distance to storm drains shall not apply where an approved storm drain cover or an approved equivalent that will prevent any fuel from reaching the drain is in place prior to fueling or a fueling hose being placed within 15 feet (4572 mm) of the drain. Where placement of a storm drain cover will cause the accumulation of excessive water or difficulty in conducting the fueling, such cover shall not be used and the fueling shall not take place within 15 feet (4572 mm) of a drain.~~

~~2. The distance to storm drains shall not apply for drains that direct influent to approved oil interceptors.~~

~~7. The tank vehicle shall comply with the requirements of NFPA 385 and local, state and federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.~~

~~8. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the tank vehicle or the point of fueling shall be prominently posted on three sides of the vehicle including the back and both sides.~~

~~9. A portable fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.~~

~~10. The dispensing nozzles and hoses shall be of an approved and listed type.~~

~~11. The dispensing hose shall not be extended from the reel more than 100 feet (30 480 mm) in length.~~

~~12. Absorbent materials, nonwatery absorbent pads, a 10-foot long (3048 mm) containment boom, an approved container with lid and a nonmetallic shovel shall be provided to mitigate a minimum 5-gallon (19 L) fuel spill.~~

~~13. Tank vehicles shall be equipped with a "fuel limit" switch such as a count back switch, to limit the amount of a single fueling operation to not more than 500 gallons (1893 L) before resetting the limit switch.~~

~~Exception: Tank vehicles where the operator carries an can utilize a remote emergency shutoff device that, when activated, immediately causes flow of fuel from the tank vehicle to cease.~~

~~14. Persons responsible for dispensing operation shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill. Training records shall be maintained by the dispensing company.~~

~~15. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.~~

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- ~~16. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.~~
- ~~17. Fuel dispensing shall be prohibited within 25 feet (7620 mm) of any source of ignition.~~
- ~~18. The engines of vehicles being fueled shall be shut off during dispensing operations.~~
- ~~19. Nighttime fueling operations shall only take place in adequately lighted areas.~~
- ~~20. The tank vehicle shall be positioned with respect to vehicles being fueled to prevent traffic from driving over the delivery hose.~~
- ~~21. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.~~
- ~~22. Motor vehicle fuel tanks shall not be topped off.~~
- ~~23. The dispensing hose shall be properly placed on an approved reel or in an approved compartment prior to moving the tank vehicle.~~
- ~~24. The fire code official and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.~~
- ~~25. Operators shall place a drip pan or an absorbent pillow under each fuel fill opening prior to and during dispensing operations. Drip pans shall be liquid tight. The pan or absorbent pillow shall have a capacity of not less than 3 gallons (11.36 L). Spills retained in the drip pan or absorbent pillow need not be reported. Operators, when fueling, shall have on their person an absorbent pad capable of capturing diesel fuel overfills. Except during fueling, the nozzle shall face upward and an absorbent pad shall be kept under the nozzle to catch drips. Contaminated absorbent pads or pillows shall be disposed of regularly in accordance with local, state and federal requirements.~~

9.52.140.5 Section 5706.5.1.11 Switch Loading, Amended.

Tank vehicles or tank cars that have previously contained Class I liquids shall not be loaded with Class II or III liquids until such vehicles and all piping, pumps, hoses and meters connected thereto have been completely drained and flushed.

Exception: Switch loading is permitted when all precautions and practices are met in accordance with APL RP 2003 — 1998 Protection Against Ignitions Arising out of Static, Lightning, and Stray Currents.

9.52.140.6 Section 5706.6.1.3 Vehicle motor shutdown, Amended.

Motors of tank vehicles or tractors shall be shut down during the making or breaking of hose connections. If loading or unloading is performed without the use of a power pump, the tank vehicle or tractor motor shall be shut down throughout such operations.

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Exception: Switch loading is permitted when all precautions and practices are met in accordance with API, RP 2003 — 1998 Protection Against Ignitions Arising out of Static, Lightning, and Stray Currents.

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9.52.150 – Chapter 61, Liquefied Petroleum Gas, Amended.

International Fire Code, ~~2021~~2015 Edition, Chapter 61, Liquefied Petroleum Gas, is hereby reserved.

9.52.160 – Appendix B, Fire-Flow Requirements for Buildings, Amended.

International Fire Code, ~~2021~~2015 Edition, Appendix B, Fire-flow Requirements for Buildings, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.160.1 Section B105.4 Fire-Flow requirements for private fire hydrants, Added.

B105.4 Fire-Flow requirements for private fire hydrants. The minimum required Fire-Flow for all private fire hydrant shall be 1,000 gallons per minute.

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9.52.160.2 Section B105.5 Fire-Flow data, Added.

B105.5 Fire-Flow data.

The water flow test data shall only be valid if the required data is obtained within five years from the date plans are submitted to the AHJ.

9.52.170 - Appendix C, Fire Hydrant Locations and Distributions, Amended.

~~Internationals~~International Fire Code, 2021 Edition, Appendix C, Fire Hydrant Locations and Distributions, is hereby adopted ~~and amended~~ in its entirety with the following amendments:

9.52.170.2 Section C102.1 Minimum number of fire hydrants for a building, Amended.

C102.1 Minimum number of hydrant requirements. The minimum number of hydrants required shall be determined by the fire-flow requirements referenced in Table C102.1, as amended. The requirements regarding the average spacing between hydrants and the maximum distance from any point on street or road frontage to a hydrant are found in IFC Chapter 5 Fire Service Features and Appendix D Fire Apparatus Access Roads.

Exception: The fire code official is authorized to accept a deficiency of up to 10 percent where existing fire hydrants provide all or a portion of the required fire hydrant service.

9.52.170.3 Table C102.1 Number and distribution of fire hydrants, amended.

TABLE C102.1 — NUMBER AND DISTRIBUTION OF FIRE HYDRANTS

FIRE-FLOW REQUIREMENT (gpm)	MINIMUM NUMBER OF HYDRANTS
1,700 OR LESS	1
2,000 — 2,250	2
2,500	3
3,000	3
3,500 — 4,000	4
4,500 — 5,000	5
5,500	6
6,000	6
6,500 — 7,000	7
7,500 or more	8 or more ^e

For SI: 1 foot = 304.8 mm, 1 gallon per minute = 3.785 L/m.

- a. Reduce by 100 for dead-end streets or roads.
- b. Where streets are provided with median dividers which cannot be crossed by fire fighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute and 400 feet for higher fire-flow requirements.
- c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
- d. Reduce by 50 feet for dead-end streets or roads.
- e. One hydrant for each 1,000 gallons per minute or fraction thereof.

9.52.170.1 Section C104.2 Existing private fire hydrants, Added.

C104.2 Existing private fire hydrants. Existing private fire hydrants on adjacent properties shall not be considered available.

9.52.180 – Appendix D, Fire Apparatus Access Roads, ~~is hereby adopted and a~~Amended.

International Fire Code, ~~2021~~2015-Edition, Appendix D, Apparatus Access Roads, is hereby ~~adopted~~ratified in its entirety with the following amendments:

9.52.180.1 Section D101.2 Roadways governed by Subdivision Ordinance, Added.

D101.2 Roadways governed by Subdivision Ordinance.

Fire apparatus access roads within subdivisions shall be as prescribed in the Subdivision Ordinance of the City of El Paso, Texas.

9.52.180.2 Section D103.1 Access road width with a hydrant, Amended.

D103.1 Access road width with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be ~~286 (7925 mm)~~ feet exclusive of shoulders (See Figure D103.1).

9.52.180.3 Section D103.1.1 Access road length with a hydrant, Added.

D103.1.1 Access road length with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road length shall be 40 feet with the fire hydrant located on center.

9.52.180.4 Section D103.1.1.1 Access road with hydrant access curbs, Added.

D103.1.1.1 Access road with hydrant access curbs.

Hydrant access curbs are to be painted red and be conspicuously and legibly marked with the warning "FIRE LANE—TOW AWAY ZONE" in white letters at least three inches tall with a one-half inch stroke.

9.52.180.5 Section D103.1.1.1.1 Access road without hydrant access curbs, Added.

D103.1.1.1.1 Access road without hydrant access curbs.

If no curb is provided, a red stripe a minimum of 6 inches shall be painted on the pavement and be conspicuously and legibly marked with the warning "FIRE LANE—TOW AWAY ZONE" in white letters at least three inches tall with a one-half inch stroke.

9.52.180.6 Section D103.2 Grade, Amended.

D103.2 Grade.

Fire apparatus access roads shall not exceed ~~11~~ percent in grade.

Exception: Grades steeper than ~~11~~ percent as approved by the fire ~~code official chief, but not to exceed 15 percent.~~

9.52.180.7 Section D103.4 Dead ends, Amended.

D103.4 Dead ends.

Dead-end fire apparatus access roads in excess of ~~125~~ feet (~~45-720~~) shall be provided with width and turnaround provisions in accordance with Table 103.4.

9.52.180.8 Table 103.4 Requirements for Dead-End Fire Apparatus Access Roads, Amended.

Table 103.4 Requirements for Dead-End Fire Apparatus Access Roads, is hereby amended to read as follows:

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Length (feet)	Width (feet)	Turnarounds required
0— 1250	20	None required
1251—3500	20	120-foot Hammerhead, 60-foot "Y" or 96-60-foot "T cul-de-sac", 60-foot "Y" or 90-foot-diameter cul-de-sac in accordance with figure D103.1
5301—75600' <u>See Note 1</u>	20 <u>206</u>	120-foot Hammerhead, 60-foot "Y" or 96-90-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750600' <u>See Note 1</u>	Special approval required	Special approval required

Note 1 - Intermediate turnarounds will be required, spaced at a maximum distance of 600' apart.

9.52.180.9 Section-D103.5 Fire apparatus access road gates, Amended.

1. Where a single gate is provided, the minimum gate width shall be 20 feet (~~6096 mm~~). Where a fire apparatus road consists of a divided roadway (median or guard post), two adjacent gates may be allowed if the minimum width of each gate is not less than 13 feet and the access road is at a straight approach and departure to the gate. The portion reduced to 13 feet shall be a minimum of 20 feet in approach and departure. The turning radius for all apparatus access roads is still required to be met for all access roads including those allowed by this section.
2. Gates shall be of the horizontal swing, horizontal slide, vertical lift or vertical pivot type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the AHJ.
6. Methods of locking shall be submitted for approval by the AHJ.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

9.52.180.10 Section D103.6 Signs, Amended.

D103.6 Signs and markings.

Where required by the AHJ, fire apparatus access roads shall be marked, at the expense of the owner, with permanent "NO PARKING AT ANY TIME—FIRE LANE" signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2. Such signs shall be of standard size, color, lettering and

mounting complying with El Paso City Code, Title 19, Subdivision Ordinance — Design Standards for Construction. Placement of fire lane signage shall meet the following:

1. One sign shall be posted at each end of an official fire lane. Each sign shall have a single head arrow showing the appropriate direction of the fire lane.
2. A fire lane longer than 100 feet shall have intermediate signs posted at even intervals. Intermediate signs shall have a double headed arrow indicating the fire lane is continuous. The intermediate signs may be posted as necessary, but in no case shall the interval between fire lane signs be greater than 100 feet.
3. The fire lane sign shall be securely fastened to a suitable pole or support with a minimum vertical clearance above the sidewalk of 7 feet.
4. When poles are used to mount fire lane signs they shall be placed 2 feet 6 inches behind the face of the curb. In accordance with the El Paso City Code, Title 12 — Vehicles and Traffic, no pole or obstruction may be placed within 5 feet of a fire hydrant.
5. Fire lane signs shall be posted parallel to the lane or curb to which they apply.
6. When the distance between the curb and a building, pole or other structure is 8 feet or less, the fire lane signs may be posted on the face of the building, light pole or other structure. The bottom of the sign shall be located 7 feet above the adjacent sidewalk.
7. When required by the AHJ, the owner shall also cause curbs to be painted red and be conspicuously and legibly marked with the warning "FIRE LANE—TOW AWAY ZONE" in white letters at least 3 inches tall with a one-half inch stroke, at intervals not exceeding 50 feet. If no curb is provided, a red stripe a minimum of 6 inches wide shall be painted on the pavement and be conspicuously and legibly marked with the warning "FIRE LANE—TOW AWAY ZONE" in white letters at least 3 inches tall with a one-half inch stroke, at intervals not exceeding 50 feet.
8. It is unlawful for any person, without lawful authority, to remove any signs designating a fire lane. It shall be unlawful for any person to place, maintain or display any unauthorized fire lane, or use the color red for the marking of a no parking zone that purports to be, imitates or resembles official signage or marking of a fire lane.

9.52.180.11 Figure D103.6 Fire Lane Signs, Amended.



FIGURE D103.6 FIRE LANE SIGNS

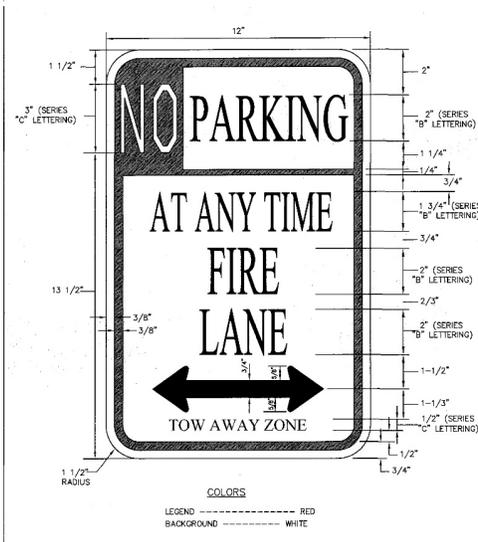
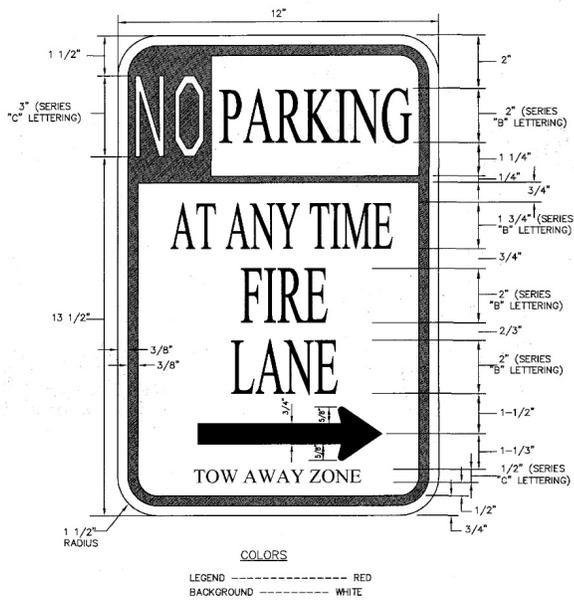


Figure
D103.6
Fire Lane
Signs



**See Title 19-Subdivision and Development Plats, Article 2,
Subdivision Standards**

9.52.180.12 Section D103.6.1 Roads 20 to 268 feet in width, Amended.

D103.6.1 Roads up to 268 feet in width.

Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads more than 20 to 26 feet wide (6096 to 7925 mm). Fire apparatus access roads less than or up to 28 feet wide shall be posted on both sides as a fire lane.

9.52.180.13 Section D103.6.2 Roads more than 28 feet in width, Amended.

D103.6.2 Roads more than 286 feet in width.

Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm). Fire apparatus access roads more than 28 feet wide and less than 36 feet wide shall be posted on one side of the road as a fire lane.

9.52.180.14 Section D103.6.3 Responsibility, Added.

D103.6.3 Responsibility.

The owner or his representative of a building which is adjacent to the fire lane shall be responsible for maintaining the fire lane and ensuring that the fire lane free is clear of obstructions. It is unlawful to park any vehicle other than an authorized emergency vehicle in any fire lane. Unauthorized vehicles parked in designated fire lanes that block fire department or other emergency vehicle access may be towed to a designated storage facility by the authority of the AHJ.

9.52.180.15 Section D103.6.4 Records, Added.

D103.6.4 Records.

The official records of the designation and location of any such fire lanes shall be kept by the AHJ. The AHJ may require the property owner to submit site plans for determining and recording fire lanes on the property.

9.52.180.16 Section D103.7 Enforcement, Added.

D103.7 Enforcement.

The AHJ is empowered to enforce all fire lane violations when a designated fire lane is properly identified by signs, painted curbs, painted pavement, or by combination thereof.

9.52.190 - Appendix E, Hazard Categories, Amended.

International Fire Code, 2021~~2015~~ Edition, Appendix E, Hazard Categories, is hereby ~~ratified and~~ adopted in its entirety.

9.52.200 - Appendix F, Hazard Ranking, Amended.

ORDINANCE NO. _____

International Fire Code, ~~2021~~2015 Edition, Appendix F, Hazard Ranking, is hereby ~~ratified and~~ adopted in its entirety.

9.52.210 - Appendix G, Cryogenic Fluids-Weight and Volume Equivalents, Amended.

International Fire Code, ~~2021~~2015 Edition, Appendix G, Cryogenic Fluids Weight and Volume Equivalents, is hereby ~~ratified and~~ adopted in its entirety.

9.52.220 - Appendix I, Fire Protection Systems-Noncompliant Conditions, Amended.

International Fire Code, ~~2021~~2015 Edition, Appendix I, Fire Protection Systems Noncompliant Conditions, is hereby ~~ratified and~~ adopted in its entirety.

9.52.230 – Appendix N, Indoor Trade Show and Exhibitions, adopted.

~~International Fire Code, 2021 Edition, Appendix N, Indoor Trade Shows and Exhibitions, is hereby adopted in its entirety.~~

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9.52.240 - APPENDIX O, Fee Schedule, Added.

Appendix O

FEE SCHEDULE

O101 License Fees.

O101.1 The AHJ is authorized to charge a separate fee for each license and permit required by this Fire Code in the amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. When hourly rates are specified in the budget resolution or other appropriately adopted resolution by the City Council, the minimum charge shall be as specified in the resolution. There shall be no reduction in the hourly rate based on services performed taking less than the full hour.

Within the ordinance, budget resolution, application forms, and adopted IFC and amendments, the term license may be also identified by and interchanged with the term permit.

O101.2 Hazardous Materials.

A. When a license for hazardous materials is required by International Fire Code Section 105.6, as amended by 9.52.030.4 this Chapter, for a facility, the owner or operator of such facility shall pay a license fee as identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

B. Temporary Workplaces: When a hazardous materials license is issued for a facility, such location may have temporary workplaces at locations outside of the facility for which the license was issued, provided that such temporary workplaces are listed on the chemical description sheet

ORDINANCE NO. _____

submitted with the license application or on other forms designed by the Fire Department. Licensees shall submit to the El Paso Fire Department any changes in the location of temporary workplaces and receive approval of such changes by the El Paso Fire Department prior to using such temporary workplaces. To qualify as a temporary workplace, the location shall have fewer than twenty-five reportable chemicals and shall be staffed less than twenty hours a week. Additional licenses shall not be required for temporary workplaces.

O102 Re-inspection fees. For any re-inspection required because the facility and/or fire system failed to comply with this Fire Code or because the work was not ready for the inspection as requested; or if the request is for a partial inspection, partial acceptance and/or phase inspection, a fee shall be in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Inspections conducted by firefighting companies requiring a Fire Inspector follow-up shall be assessed a re-inspection fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

O103 Investigation/Inspection fees. For any investigation or inspection which is not a part of a regular license or permit program, whether during regular duty hours or at a time other than regular duty hours, the fee shall be identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Said fee may be in addition to any other required fees.

O104 Fire Watch/Standby. The AHJ, as defined in the IFC, shall have authority to require a fire-watch, as defined by the section 202 IFC. Fire watch personnel shall be referred to as fire guards, and shall comply with NFPA 601, Standard for Security Services in Fire Loss Prevention. If El Paso Fire Department personnel function as fire guards, whether during regular duty hours or other than regular duty hours, a fee shall be assessed in an amount identified in the adopted budget resolution or other appropriately adopted resolution by the City Council for the current fiscal year. Fire guards shall not be assigned to other duties that will interfere with their fire watch function.

O105 Site Assessments/Non-regulatory Inspections. Inspections that are outside the regulation of the International Fire Code or an ordinance of the City of El Paso, and are not initiated by the El Paso Fire Department, shall be assessed a fee as specified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Such inspections include those requested in order to comply with an applicable government regulation, or which are solely for the purpose of consulting or pre-construction guidance. Home fire safety inspections shall be offered without charge.

O106 Commercial Safety Training. Commercial for-profit entities requesting fire safety training to comply with applicable government regulation shall be assessed a fee as specified in the adopted budget resolution or other appropriately adopted resolution by the City Council for the current fiscal year.

O107 Fire Protection Systems. A fee shall be assessed in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council for the plan review and a separate fee shall be assessed for all fire protection systems

initial acceptance tests/site inspections exclusive to El Paso Fire Department review. Fire protection systems failing inspection, in whole or in part, shall be assessed a re-inspection fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

O108 Building Permit Fire Finals. Fire final inspections for building permits shall be assessed a fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

O109 Expedited Services Fees. A fee shall be assessed for expedited inspections, customized plan review, and plans reviewed by appointment upon request in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Such services shall be subject to availability and the approval of the AHJ.

Section 2. Except as expressly herein amended, Title 9 (Health & Safety), of the El Paso City Code shall remain in full force and effect.

(Signatures on the following page)

ADOPTED this _____ day of _____, 2023.

THE CITY OF EL PASO

ATTEST:

Oscar Leeser
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Carlos L. Armendariz
Assistant City Attorney

Jonathan Killings, Fire Chief
El Paso Fire Department

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