



City of Rowlett

Meeting Agenda

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.

Tuesday, April 1, 2014

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

1. **CALL TO ORDER**
2. **EXECUTIVE SESSION (5:30 P.M.)* Times listed are approximate**
 - 2A. The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects that the City may seek to have locate in or near Elgin B. Robertson Park. (15 minutes)
 - 2B. The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney regarding management by American Golf of the Waterview Golf Course and contractual options. (15 minutes)
3. **WORK SESSION (6:00 P.M.)* Times listed are approximate**
 - 3A. Discuss the replacement of Municipal Court Software. (30 minutes)
 - 3B. Discuss proposed amendments to the Code of Ordinances related to the adoption of the 2012 editions of the International Building, Residential, Mechanical, Plumbing, Fuel Gas, and Fire Codes; the 2011 edition of the National Electric Code; and the 2009 edition of the International Energy Conservation Code, along with the North Central Texas Council of Governments recommended amendments. (20 minutes)
 - 3C. Discuss amending the Code of Ordinances to amend Division 6 (“Hand-Held Communications Devices in School Zones”) of Article II (“Specific Street Regulations”) of Chapter 66 (“Traffic and Vehicles”) to repeal Section 66-140 and replace Section 66-140 with a new section to prohibit

the use of hand-held wireless communication devices to transmit and receive text messages while operating a motor vehicle. (30 minutes)

4. DISCUSS CONSENT AGENDA ITEMS

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)*

INVOCATION

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamation recognizing National Public Safety Telecommunicators Week as April 13-19, 2014.

5B. Hear presentation of the Monthly Financial report for the period ending February 28, 2014.

5C. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

6. CITIZENS' INPUT

At this time, three-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. No action can be taken by the Council during Citizens' Input.

7. CONSENT AGENDA

The following may be acted upon in one motion. A City Councilmember or a citizen may request items be removed from the Consent Agenda for individual consideration.

7A. Consider action to approve minutes from the March 18, 2014, City Council Meeting.

7B. Consider action approving a resolution amending the Master Fee Schedule for rate and fee changes to the Solid Waste Fee section for Residential and Commercial Solid Waste Collection Rates.

7C. Consider action to approve a resolution entering into an Interlocal Agreement with North Central Texas Council of Governments (NCTCOG) for cooperative purchasing of goods and services.

7D. Consider a resolution approving Change Order Number 1 to the contract with Crescent Constructors, Incorporated in the amount of \$62,664 for replacement of the existing fence for

the Rowlett Road Lower Pressure Plane Pump Station Project and authorizing the Mayor to execute the necessary documents.

- 7E. Consider action to approve a resolution awarding the annual bid for concrete repair/replacement for streets and alleys to Tri-Con Services, Incorporated in the unit amounts bid and in an estimated annual amount of \$1,500,000 and authorizing the Mayor to execute the Standard Public Works Construction contract for said service.
- 7F. Consider action to approve an Ordinance adopting the 2012 editions of the International Building, Residential, Mechanical, Plumbing, Fuel Gas, and Fire Codes; the 2011 edition of the National Electric Code; and the 2009 edition of the International Energy Conservation Code, along with the North Central Texas Council of Governments recommended amendments.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

If a Public Hearing is listed, the City Council will conduct such public hearing to receive comments concerning the specific items listed in the agenda. Any interested persons may appear and offer comments, either orally or in writing; however, questioning of those making presentations will be reserved exclusively to the presiding officer as may be necessary to ensure a complete record. While any person with pertinent comments will be granted an opportunity to present them during the course of the hearing, the presiding officer reserves the right to restrict testimony in terms of time and repetitive content. Organizations, associations, or groups are encouraged to present their commonly held views and identical or similar comments through a representative member when possible. Presentations must remain pertinent to the issues being discussed. A person may not assign a portion of his or her time to another speaker.

- 8A. Conduct a public hearing and consider an ordinance approving a Major Warrant for property located at 10000 Beacon Harbor and within the New Neighborhood Form Based District to increase the maximum allowable height from 2.5 stories to 4 stories to accommodate a proposed mixed residential development.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

9. ADJOURNMENT

Laura Hallmark

Laura Hallmark, City Secretary

I certify that the above notice of meeting was posted on the bulletin boards located inside and outside the doors of the Municipal Center, 4000 Main Street, Rowlett, Texas, as well as on the City's website (www.rowlett.com) on the 27th day of March 2014, by 5:00 p.m.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 2A

TITLE

The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects that the City may seek to have locate in or near Elgin B. Robertson Park. (15 minutes)



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
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AGENDA DATE: 04/01/14

AGENDA ITEM: 2B

TITLE

The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney regarding management by American Golf of the Waterview Golf Course and contractual options. (15 minutes)



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
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AGENDA DATE: 04/01/14

AGENDA ITEM: 3A

TITLE

Discuss the replacement of Municipal Court Software. (30 minutes)

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer
Lori Prentice, Municipal Court Administrator

SUMMARY

The City's Municipal Court has operated using the Municipal Court module in the SunGard product, H.T.E. since this software was installed in 1996 and went "live" in 1997. Like the H.T.E financial software, the court software is reaching its end-of-life and will not be supported by SunGard in the next few years. In addition, the software lacks functionality and has required Court staff to create workarounds using manual processes and spreadsheets to process court activity, including the preparation of state-required reports.

Staff has completed a Request for Proposal (RFP) process to solicit proposals to replace the current court software. The purpose of this discussion item is to provide information to the Council related to the acquisition of this software, including the reasons why this software must be replaced, the process used to compare and evaluate various software options, and the recommended software solution.

BACKGROUND INFORMATION

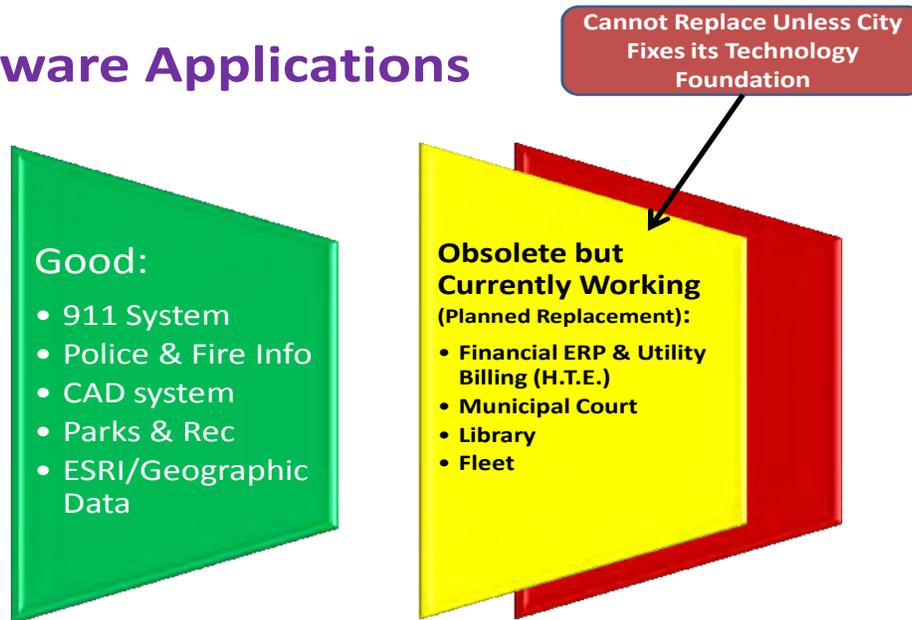
The City Council was briefed on the status of the City's technology at the work session on April 2, 2013, by Information Technology Consultant Chip Collins. The presentation included information from the sustainability presentation made to Council in FY2010 and provided a context for the need to make significant investments in both hardware and software. Because of funding limitations over the past four-five years, the City has been forced to be very strategic about where it allocates its investment and has further challenged the City in being fiscally sustainable.

Regarding the City's primary software systems, Mr. Collins provided the following analysis. His evaluation of the software included an assessment of how long the City had owned the software, the version of the software currently installed versus the most current version available, and the maintenance and upgrade history of the software. He also took into consideration functionality issues as identified by users. Based on these criteria, he classified the City's main applications listed below as either "Good", or "Obsolete but Currently Working". Funding for purchasing of or lease payments for these have also been included in the FY2014 budget and five-year financial model. Municipal Court software was identified as one of the

systems that is “obsolete but currently working,” and Mr. Collins identified it as one that needed to be replaced after the technology foundation had been fixed.

CHART 1

Software Applications



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DISCUSSION

Goal:

The goal from the organizational work plan driving the acquisition of new software is to create an organization that embraces excellence through innovation by creating opportunities to improve efficiencies and effectiveness. The current software lacks functionality and has required staff to create and maintain multiple spreadsheets and other instruments for reporting and management purposes. These workarounds require redundant entries that waste time and create opportunities for errors. The Tyler InCode system being proposed is a sophisticated, robust software system with high functionality that will improve efficiency and effectiveness across the organization.

Why what we currently have cannot continue?

The current H.T.E. court case management software, provided by SunGard, is 17 years old and reaching its end-of-life. SunGard has indicated that it will not support it within a few years. The software lacks functionality and does not allow court staff to be as efficient and effective as needed. Daily tasks have to be generated manually in a lengthy step-by-step process. Many of these processes make work more complex for the court clerks, the judges, the prosecutor, Police Department personnel and citizens that come to Court.

Many of the tasks we are doing now require the use of spreadsheets and shadow systems. These include:

- Quarterly Financial Reports Payable to the State Comptroller's Office
- Monthly Statistical Reports to the State Comptroller's Office
- Processing of Weekly and Monthly Cash Bond and Reports
- Specified/Manual Statistic Reports
- Tracking warrants sent to collection agency

Below are some examples of how court processes are conducted with the current system.

Quarterly Report to the State Comptroller's Office

SunGard/H.T.E.'s Process - Time per quarter – 2 hours

Each quarter the court has to run revenue reports and re-enter the data into an Excel spreadsheet in order to process payments to the state. The state receives a percentage of the court's revenue. The required steps are:

1. Process revenue report
2. Re-enter data into Excel spreadsheet
3. Enter data on State Form
4. Process Authorization for Payment for finance
5. Make copies
6. Send to Finance Department
7. Process payment Finance Department
8. Mail state form

InCode Process – Time per quarter – 10 minutes

1. Automated report that extracts/produces quarterly report
2. Send to Finance Department
3. Processed in Finance Department
4. Mail state form

Time savings per year = 7 hours 20 minutes or a value of \$177

Issuance of warrants

SunGard/H.T.E.'s Process - Time per month – 70 hours per month

Warrants are issued 14 days after the defendant fails to appear on the original court date. The required steps are:

1. Retrieve each individual case for process
2. Each case re-entered into the system
3. Each probable cause affidavits manually entered into the system
4. Court seal stamped on each warrant
5. Judge signs all warrants
6. Warrants have to be separated
7. Original delivered to Dispatch with copy of each citation
8. Copies filed into each case file

9. Each case filed into file cabinets

InCode Process - Time per month – 4 hours per month

1. Cases electronically batched by date and warrant is issued
2. Warrants sent to Judge's queue for review
3. Judges signature is added electronically onto warrant document
4. Warrants delivered to dispatch for entry

Time savings per year = 792 hours or a value of \$19,150

Pre-Trial Process

SunGard/H.T.E.'s Process - Time per month – 15 hours

Defendants who enter a plea of not guilty are set for a pre-trial hearing. Each defendant's pre-trial hearing is prepared individually for the pre-trial docket date.

The steps are:

1. A pre-trial docket is manually created in Word for assignment of each date and time of hearing
2. At the court window a pre-trial form is completed by the clerk with the date and time of setting for the defendant
3. A copy of the complaint is made and provided to the defendant
4. The setting is then entered into each defendant's case
5. A pre-trial questionnaire is prepared and sent to the officer
6. If a summons/subpoena is requested by the prosecutor, each one is prepared by the clerk, signed by the judge, peace officer and mailed to the defendant/witnesses by certified mail
7. Case copies are made for the prosecutor's review, which includes the citation, complaint, pre-trial questionnaire, officer notes and any related discovery material

NOTE: All forms are currently printed from Word, filled out by the clerks, and given to the defendants.

InCode Process – Time per month – 2 hours

1. When a not guilty plea is entered, an automated pre-trial form with the date and time is assigned in the court room
2. System allows defendant to sign electronically. Setting and complaint is printed for the defendant in the court room

NOTE: All pre-trial questionnaires, summons and subpoenas are in template form within the InCode system

Time savings per year = 156 hours or a value of \$3,772

Just these three processes save 955 hours at a value of \$23,099. This is equivalent to 0.46 FTE. The Municipal Court and the Warrant Officers in the Police Department have more than 30 additional processes where the new software will replace a manual process saving hundreds of additional hours of time.

Early on in the selection process, a stakeholders group was identified including staff from Municipal Court, Police, Purchasing, and Finance. A meeting of the stakeholders was held to lay out the steps in the Request for Proposal (RFP) process and to prepare the Request for Proposal specifications, as well as developing a flow chart of court operation processes.

Notice to bidders was published in the *Rowlett Lakeshore Times* on August 8 and 15, 2013. Sealed proposals were received in the Purchasing Office until 2:00 pm, September 19, 2013, and then publicly opened and the names of the competitors announced in the City Annex Conference Room in accordance with Texas Local Government Code.

Proposals were received from three vendors as follows:

- Tyler Technologies, Incorporated
- SunGard Public Sector
- AMCAD

The proposals were distributed to the Court System RFP stakeholders team. The proposals were compared and evaluated using the RFP's System and Function Matrix Questionnaire as specified in the RFP. In addition, Municipal Court staff has conducted three on-site visits to inspect the InCode software product.

EVALUATION CRITERIA

Our evaluation committee assessed the information provided by vendors in response to the criteria established below. The scores of all evaluators were used to determine the ranking of each proposal. **Proposals were evaluated on a matrix of the following criteria/weights:**

Elements of Responsiveness:

Maximum Possible Points	Quality Elements
200	Functional Requirements
150	Technical Requirements
150	Implementation Approach
300	Qualifications
800	TOTAL POINTS

Weighting of Price

Price was a weighed element. The total number of points awarded for price is 200. Price points are determined using the following formula:

- Maximum price points multiplied by (lowest price/vendor's price) = total price points. An example of how this might be used is as follows:

Example	Score	Price	Price Points	Total Points
	(pts)	(K)	200*(lowest \$\$/vender \$\$)	(out of 1000)
Vendor A	625	\$100	150	775
Vendor B	750 ← Highest Quality	\$200	75	825
Vendor C	500	\$150	100	600
Vendor D	400	\$75 ← Lowest Price	200	600

**CITY OF ROWLETT
OVERALL EVALUATION OF VENDORS
FOR COURT CASE MANAGEMENT SYSTEM**

Hard Cost Including 5 Years Maintenance or Hosting Subscription

VENDORS	SCORE POINTS (Average)	PRICE	PRICE POINTS 200 (Lowest \$/ Vendor \$)	TOTAL POINTS (OUT OF 1000)
Tyler/SaaS*	634.5	\$322,003	130	764.50
Tyler/On-Premise	634.5	\$330,078	122	756.50
SunGard	465	\$178,425	200	565.00
AMCAD	294.22	\$500,192	76	370.22

***Software as a Service (SaaS)**

If the City were to select an on-premise solution, soft costs would also need to be considered. These include a portion of a System Administrator position (1/2 day per week) and a share of the new network/servers, estimated at 10 percent. The total annual amount for these soft costs is \$22,026. Over five years, the cost is \$110,130. A summary of the four proposals are as follows:

Tyler/SaaS-

Hard Costs (new outlays):

Initial cost including implementation , configuration	\$ 72,043
Five year hosting Subscription Fee	<u>249,960</u>
Five Year Total Cost of Ownership	<u>\$322,003</u>

Tyler/On-Premise

Hard Costs (new outlays):	
Initial cost including software, hardware and implementation	\$190,928
Five year maintenance, upgrades, etc.	<u>\$139,150</u>
Total Hard Cost	<u>\$330,078</u>
Soft Costs (absorbed costs):	
City Costs (Staff hours, network/server allocation)	\$110,130
Total Soft Costs	<u>\$110,130</u>
Total Hard Costs & Five year Total Cost of Ownership	<u>\$440,208</u>

SunGard/On-Premise

Hard Costs (new outlays):	
Initial cost including software, hardware and implementation	\$134,285
Five year maintenance, upgrades, etc.	<u>\$ 44,140</u>
Total Hard Cost	<u>\$178,425</u>
Soft Costs (absorbed costs):	
City Costs (Staff hours, network/server allocation)	\$110,130
Total Soft Costs	<u>\$110,130</u>
Total Hard Costs & Five year Total Cost of Ownership	<u>\$288,555</u>

AMCAD/On-Premise

Hard Costs (new outlays):	
Initial cost including software, hardware and implementation	\$382,138
Five year maintenance, upgrades, etc.	<u>\$118,054</u>
Total Hard Cost	<u>\$500,192</u>
Soft Costs (absorbed costs):	
City Costs (Staff hours, network/server allocation)	\$110,130
Total Soft Costs	<u>\$110,130</u>
Total Hard Costs & Five year Total Cost of Ownership	<u>\$610,322</u>

Note – SunGard and AMCAD did not propose a hosted solution.

Why staff is recommending the InCode product from Tyler Technologies – Tyler Technologies product, InCode, will allow the court to efficiently manage court calendars, scheduling, and reporting from efficient master files that reduce duplication of data entry. InCode court case management facilitates data sharing within the court and among other departments, ensuring that courts, public safety and financials are all on the same page. Automated processes flow throughout InCode, easing repetitive workload. Some of these features include:

- Allow the court to change case statuses for multiple cases – all at once, from one screen
- Flexible courtroom & trial docketing
- Customized docket review
- Live docket for instant case updates in the courtroom

- Automate after-court processing and reporting
- Efficient batch processing for court activities and reports
- Case workflow streamlines review, updating and processes
- User-friendly security parameters to keep data secure

InCode has more than 80 standard built in reports, including all state-mandated reports, dockets, warrants, officers, offenses, profiling, statistical and more. It also allows the user to create reports needed with a drag-and-drop report writer and an unlimited number of custom reports as needed with built-in reporting tools.

Powerful Warrants Management

InCode allows easier management of warrants and failure to appear. They can be issued automatically or selected and printed individually or in batches along with letters and defendant communications. InCode also enables the court to:

- Track warrants sent to collection agencies and regional databases
- Flag cases and defendants for active warrants
- Clear warrants automatically when payments are made or time is served
- Track detailed history of warrant activities
- Create warrant cards for filing purposes
- Cancel, recall or inactivate a warrant
- Create numerous warrant reports

Payments, Collections and Credits Capabilities

- Credit can be applied to a case for various types of community service or jail time served
- Numbered receipts printed for each transaction
- Case status codes allow the user to automatically add new fees to a case when the case status is changed
- Payments are posted by the system to the proper fees/costs/fines in the order defined by the court. A record is created on each case as to which fees have been paid. The balance of the fees due any credit that has been applied to the case
- With the cash collections system, the user can take multiple payments on one receipt with the balance due for case listed on the receipt
- Interface file for uploading into general ledger systems

Paperless Court

- Content Management: Case files are electronically filed and archived for easy search and retrieval
- Output Processor: Group export notices, letters and reports for electronic distribution
- Electronic Signatures and Biometrics: Securely capture court and non-court personnel signatures and fingerprints and electronically attach to case file
- Defendant Notification: Paperless communication tool automatically calls defendants informing them of unpaid citations, warrant notices, appointments and more

Why not select SunGard?

Why is staff recommending the InCode product even though the SunGard product is less expensive? The first reason for selecting InCode is that it was the only vendor that offered a hosted solution. Staff feels that this application is best suited for a hosted solution because it will not require a dedicated local server or IT staff support.

The second reason for selecting InCode over SunGard has been the maintenance and support record of the SunGard H.T.E. product. SunGard support has not been responsive or successful in addressing several product issues, including the monthly statistical report required by the State of Texas. In addition, the H.T.E. product has required weekly support calls due to problems downloading citation information from the Brazos ticket system used by the Rowlett Police Department. Their inability to provide a permanent solution has had an adverse effect on production. Finally, it is not compatible with the City's records management software, Laserfiche.

On the positive side, InCode had the only proposal among the three that has the ability to generate special reports requested by the Rowlett Police Department. These four issues make InCode the clear choice for this acquisition.

Hosted versus On-Premise Solutions

In considering the hosted or SaaS solution versus the on-premise, or purchased software solution, staff looked at several criteria including price. In this case, the SaaS solution makes sense from an operational perspective as well as a financial perspective. From an operational viewpoint, IT staff will not have to be dedicated to providing support for the software. All updates will be made by Tyler, including legislative updates to regulations and fine schedules. Finally, the software and data storage will not use space on the City's servers.

From a financial viewpoint, the total cost of ownership for the SaaS solution over a five-year period is \$118,205 less than Tyler's on-premise solution. In this case, the hosted solution in the Cloud is the best value for the City of Rowlett.

FINANCIAL/BUDGET IMPLICATIONS

Funding for this project will initially come from the Court Technology Fund. A portion of all fines collected is allocated to this fund, and this fund can only be used to purchase technology for use by Municipal Court. This fund currently has a balance of \$173,655. The first year expense for implementation of the Tyler InCode hosted solution is \$122,035. It is estimated that the Court Technology Fund will be able to pay the second year of the subscription fee, and with revenues added over FY2014 and FY2015, approximately 50 percent of the fee in FY2016. The General Fund will then be needed to pay a significant portion of the subscription fee going forward (50 percent in FY2016 and more than 50 percent in subsequent years) since revenues to the Court Technology are not expected to grow significantly in any one fiscal year.

Budget Account Number and/or Project Code	Account or Project Title	Budget Amount	Proposed Amount
120-2011-430-7412	Municipal Court Software	\$130,000*	\$122,035
Total		\$130,000	\$122,035

*NOTE – This account will need to be amended in the next budget amendment to include this expense. These funds have been intended for this purpose. Staff has been waiting to receive firm proposals before amending the budget for this project.

RECOMMENDED ACTION

It is recommended that the City Council direct staff to bring forward an agenda item to award the purchase of Municipal Court software to Tyler Technologies, Incorporated for the InCode product using the hosted solution.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
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AGENDA DATE: 04/01/14

AGENDA ITEM: 3B

TITLE

Discuss proposed amendments to the Code of Ordinances related to the adoption of the 2012 editions of the International Building, Residential, Mechanical, Plumbing, Fuel Gas, and Fire Codes; the 2011 edition of the National Electric Code; and the 2009 edition of the International Energy Conservation Code, along with the North Central Texas Council of Governments' recommended amendments. (20 minutes)

STAFF REPRESENTATIVE

Marc Kurbansade, Director of Development Services
Neil Howard, Fire Chief

SUMMARY

It is typical for municipalities to periodically update their Building and Fire Codes as building practices evolve. The City currently follows the 2006 editions of the International Codes, and the 2005 edition of the National Electrical Code. The purpose of this item is to update City Council on the proposed changes prior to consideration of the item.

It should be noted that this item is included for formal consideration on tonight's Consent Agenda. Please reference the Regular Agenda Item staff report for a more detailed description of the proposed Ordinance.

BACKGROUND INFORMATION

The International Codes are updated by the International Code Council (ICC) in three-year cycles, with the companion National Electric Code (NEC) always being one year behind. Many municipalities schedule their updates to coincide with these three-year cycles. After the ICC publishes their Code updates, the North Central Texas Council of Governments (NCTCOG) will work to prepare recommended amendments that are based on regional practices that are specific to North Central Texas.

The City of Rowlett last updated their Codes in November 2008 to the 2006 editions of each of the International Codes and the 2005 edition of the National Electrical Code.

DISCUSSION

The adoption of more recent editions of International Codes is periodically performed in order to ensure that best practices are being utilized in inspection of development and construction and to preserve and protect the City's ISO rating.

A comprehensive list of proposed amendments can be found in Exhibit A of the Ordinance attached to the Staff Report for the associated Consent Agenda Item. However, below is a list of what staff has determined to be the proposed amendments warranting additional attention:

- **International Building Code Section 310.4** – update made to Code to treat live/work units as one occupancy type where residential and non-residential activities occur in the same residential unit.
- **International Building Code Section 419.3** – update for plumbing requirements tailored specifically to the functionality of the non-residential space of a live/work unit.
- **International Residential Code Section R314** – Code has been updated to recognize wireless technology in lieu of interconnection for smoke alarms installations in both new and existing dwelling units.
- **International Fire Code Section 104.2** – Additional language was added by Staff to allow the Fire Marshal to delegate review of applications and permits to third-party professionals/consultants, and require the applicant to compensate the third-party for their review services.
- **International Fire Code Section 202** – In order to clarify the ranges of uses in the definition for Ambulatory Care Facilities, additional uses (dialysis centers, sedation dentistry, surgery centers, colonic centers, psychiatric centers) were added to the definition.
- **International Fire Code Section 308.1.1** – A new section was added to prohibit “unmanned free-floating devices containing an open flame or other heat source, such as but not limited to sky lanterns.” This was due to the inherent fire risk presented by this activity.
- **International Fire Code Section 501.4** – Language was added to this section that prohibits a building from going vertical (i.e., cannot progress past the installation of the foundation) without necessary fire apparatus access roads or a water supply.
- **International Fire Code Section 903.2** – Fire sprinkler requirements for the following occupancy types is set at 5,000 square feet, which is a reduction from 6,000 square feet.
 - Group A – Assembly
 - Group E – Educational
 - Group F – Factory Industrial
 - Group M – Mercantile
 - Group S-1 – Moderate-hazard storage
 - Repair Garages

It should be noted that in the current City of Rowlett Fire Code, this threshold is set at 500 square feet for the above occupancy types.

- **International Fire Code Section 1103.5.3** – Amendment to provide additional fire suppression protection for paint spray booths and rooms.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

This is a discussion item only and no action is required. The item will be formally considered as part of the Consent Agenda at this meeting on April 1, 2014.



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 3C

TITLE

Discuss amending the Code of Ordinances to amend Division 6 (“Hand-Held Communications Devices in School Zones”) of Article II (“Specific Street Regulations”) of Chapter 66 (“Traffic and Vehicles”) to repeal section 66-140 and replace section 66-140 with a new section to prohibit the use of hand-held wireless communication devices to transmit and receive text messages while operating a motor vehicle. (30 minutes)

STAFF REPRESENTATIVE

Mike Brodnax, Chief of Police

SUMMARY

Texting and driving has become a national epidemic and is directly responsible for thousands of automobile traffic accidents and deaths on our roadways. There is currently no national law that prohibits texting and driving. The State of Texas has only passed laws that prohibit texting and driving in school zones. In an effort to bring attention to this problem, many cities have begun to pass their own ordinances that prohibit texting and driving on all public roadways within their incorporated city limits. Rowlett is a safety-conscious city that wants to provide safe streets on which our public may travel.

BACKGROUND INFORMATION

The popularity of mobile devices has brought some unintended and dangerous consequences to our public roadways. Studies demonstrate that mobile communications in vehicles have attributed to an increase in distracted driving resulting in injury and loss of life.

There are numerous research studies on this topic. The National Safety Council’s website provides the following information about this topic.

- At least 1.6 million crashes each year involve drivers using cell phones and texting.
- Despite the risks, the majority of teen drivers ignore cell phone driving restrictions.
- Talking on a cell phone while driving can make a young driver’s reaction time as slow as that of a 70-year-old.
- 56% of teenagers admit to talking on their cell phones behind the wheel, while 13% admit to texting while driving. (Note: Because this information was given voluntarily by teens, actual cell phone use numbers may be much higher.)
- 40% of all American teens say they have been in a car when the driver used a cell phone in a way that put people in danger.
- 48% of young Americans from 12-17 say they’ve been in a car while the driver was texting.

- 52% of 16 and 17 year-old teen drivers confess to making and answering cell phone calls on the road. 34% admit to text messaging while driving. Teens themselves confirm that texting is their number one driving distraction.
- 11% of all drivers under the age of 20 involved in fatal crashes were reported as distracted at the time of the crash. This age group has the largest proportion of drivers who were distracted.
- 18% of injury crashes in 2010 were reported as distraction-affected crashes.
- Each year, 21% of fatal car crashes involving teenagers between the ages of 16 and 19 were the result of cell phone usage. This result has been expected to grow as much as 4% every year.
- When asked about the impact of sending text messages or e-mails while driving, however, 25% of all drivers said it makes no difference (NHTSA).
- Of all cell phone related tasks – including talking, dialing, or reaching for the phone – texting while driving is the most dangerous.
- Teen drivers are four times more likely than adults to get into car crashes or near crash events directly related to talking on a cell phone or texting.
- A car driver dialing a cell phone is 2.8 times more likely to get into a crash than a non-distracted driver.
- A driver reaching for a cell phone or any other electronic device is 1.4 times more likely to experience a car crash.
- A car driver talking on their phone is 1.3 times more likely to get into an accident.
- A truck driver texting while driving is 23.2 times more likely to get into an accident than a trucker paying full attention to the road.
- A truck driver dialing a cell is 5.9 times more likely to crash. A trucker reaching for a phone or other device is 6.7 times more likely to experience a truck accident.
- For every 6 seconds of drive time, a driver sending or receiving a text message spends 4.6 of those seconds with their eyes off the road. This makes texting the most distracting of all cell phone related tasks.
- 20% of injury crashes in 2009 involved reports of distracted driving. (NHTSA).
- Of those killed in distracted-driving-related crashes, 995 involved reports of a cell phone as a distraction (18% of fatalities in distraction-related crashes). (NHTSA)
- In 2009, 5,474 people were killed on U.S. roadways and an estimated additional 448,000 were injured in motor vehicle crashes that were reported to have involved distracted driving. (FARS and GES)
- The age group with the greatest proportion of distracted drivers was the under-20 age group – 16 percent of all drivers younger than 20 involved in fatal crashes were reported to have been distracted while driving. (NHTSA)
- Drivers who use hand-held devices are four times as likely to get into crashes serious enough to injure themselves. (Source: Insurance Institute for Highway Safety)
- Deaths from distracted driving rose 28% from 2005 to 2008, at the same time text messaging rates skyrocketed from 1 million texts per month in 2001 up to a staggering 110 million per month in 2008.

- Handset ownership also ballooned-in 1999, only 33% of Americans had a cell phone, while in 2008, 91% had a cell phone. Presumably, increased ownership leads to an increase in the car usage and an increase in the rate of distracted driving.
- 6% of US drivers, at any given time, are using a cell phone while behind the wheel. Though this figure has remained steady since 2005, usage has changed from talking while driving to the more dangerous texting while driving.
- Using a cell phone while driving, whether it's hand-held or hands-free, delays a driver's reactions as much as having a blood alcohol concentration at the legal limit of .08 percent.

Texting and driving is a dangerous activity and is costing millions of dollars in property damage, and thousands of injuries and deaths.

The current provisions of section 66-140 of the Code of Ordinances (prohibiting the use of cell phones in school districts) is intended to be repealed since it has been preempted by section 545.425 of the Texas Transportation Code and would be replaced by the new provisions dealing with texting while driving.

DISCUSSION

The City of Rowlett wants to ensure that we provide safe roadways on which our public may travel. Based on what we now know about the use of mobile devices while driving, it is appropriate to have a public discussion to determine what action is needed to enhance the safety of our roadways. One option is to pass an ordinance that prohibits texting and driving on the public roadways of Rowlett. On the other side of this discussion is the individual right of citizens to utilize mobile devices while in their personal vehicle. This discussion should determine which decision is in the best interest of the citizens of Rowlett.

The following cities have enacted ordinances that ban texting and driving: Alamo, Arlington, Austin, Bellaire, Brownsville, Conroe, El Paso, Galveston, Harlingen, Magnolia, McAllen, Mission, Missouri City, Mount Vernon, Nacogdoches, Palmview, Penitas, San Antonio, Shoreacres, Stephenville, Tomball, Universal City, West University Place.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Provide direction to staff to either proceed or to withdraw from amending Division 6 ("Hand-Held Communications Devices in School Zones") of Article II ("Specific Street Regulations") of Chapter 66 ("Traffic and Vehicles") to repeal section 66-140 and replace section 66-140 with a new section to prohibit the use of hand-held wireless communication devices to transmit and receive text messages while operating a motor vehicle.

ATTACHMENT

Attachment 1 – Proposed ordinance

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF ROWLETT, TEXAS, TO AMEND DIVISION 6 (“HAND-HELD COMMUNICATIONS DEVICES IN SCHOOL ZONES”) OF ARTICLE II (“SPECIFIC STREET REGULATIONS”) OF CHAPTER 66 (“TRAFFIC AND VEHICLES”) TO REPEAL SECTION 66-140 AND REPLACE SECTION 66-140 WITH A NEW SECTION TO PROHIBIT THE USE OF HAND-HELD WIRELESS COMMUNICATION DEVICES TO TRANSMIT AND RECEIVE TEXT MESSAGES WHILE OPERATING A MOTOR VEHICLE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett, Texas, has previously adopted Ordinance ORD-014-08 on June 17, 2008 to adopt Section 66-140 of Chapter 66 of the Code of Ordinances, prohibiting the use of wireless communication devices in school zones; and

WHEREAS, following the adoption of Section 66-140, effective September 1, 2009, the Texas Legislature amended the Texas Transportation Code to adopt Section 545.425, which prohibits the use of wireless communication devices in school zones and which preempts Section 66-140 of the Code of Ordinances, thereby rendering Section 66-140 of the Code of Ordinances obsolete and appropriate for repeal; and

WHEREAS, the City Council finds that there is a high incidence of Rowlett drivers using wireless communication devices for texting while operating motor vehicles upon public roadways; and

WHEREAS, according to the first published work in the United States to examine texting while driving in an actual driving environment, researchers at the Texas A&M Transportation Institute have determined that a driver’s reaction time is doubled when distracted by reading or sending a text message; and

WHEREAS, according to the same study, drivers who faced a flashing light when texting were eleven times more likely to miss the flashing light; and

WHEREAS, according to the same study, drivers were less able to safely maintain their position in the driving lane and/or maintain a constant speed when they were texting while driving, tending to slow down in an effort to reduce the demand of multiple tasks; and

WHEREAS, according to the Virginia Tech Transportation Institute, drivers who text message while driving are 23 times more likely to be involved in a crash, near crash or a crash relevant conflict than those driving while not distracted; and

WHEREAS, the City Council finds that safe roadways promote and protect the public health, safety and welfare of the citizens of Rowlett.

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

SECTION 1. That the Code of Ordinances, City of Rowlett, Texas, be and is hereby amended by amending Division 6 (“Hand-Held Communications Devices in School Zones”) of Article II (“Specific Street Regulations”) of Chapter 66 (“Traffic and Vehicles”) to change the title of Division 6 to read “Texting While Driving,” and to repeal Section 66-140 and replace Section 66-140 with a new section to prohibit the use of hand-held wireless communication devices to transmit and receive text messages while driving, said Section 66-140 to henceforth read in its entirety as follows:

**“CHAPTER 66
TRAFFIC AND VEHICLES**

...

ARTICLE II. SPECIFIC STREET REGULATIONS

...

DIVISION 6. TEXTING WHILE DRIVING

Sec. 66-140. Texting While Driving

(a) The following words, terms and phrases, when used in the section, shall have the meanings assigned in this section, except where the context clearly indicates a different meaning:

Electronic message means a communication in which data (composed in whole or in part of text, numbers, images, or symbols) is sent, entered, or received by a method other than by voice using a wireless communication device and includes SMS and MMS messages.

Wireless communication device means a device that uses a commercial mobile service as defined by 47 U.S.C. Section 332, and includes an electronic communication device capable of creating, sending or receiving an electronic message such as a mobile phone, a personal digital assistant, a computer, a mobile computer, a tablet computer, a media player and a vehicle’s onboard computer.

(b) It shall be unlawful for a person to use a wireless communication device to view, send, or create an electronic message while operating a motor vehicle upon a public street or highway within the City.

(c) It is an affirmative defense to prosecution of an offense under this section if the wireless communication device was being used:

- (1) In the course and scope of the user’s duties as the operator of an emergency vehicle;

- (2) To communicate with an emergency response operator, fire department, law enforcement agency, hospital, physician's office, or health clinic regarding a medical or other emergency situation;
- (3) In a vehicle that was parked or stopped out of the traffic lanes of a street or highway;
- (4) In a global positioning or navigation system device attached to or installed in the vehicle;
- (5) Solely in a voice-activated or other hands-free mode; or
- (6) Under a license issued by the Federal Communications Commission.

(d) An offense under this section is a misdemeanor punishable by a fine of not less than one dollar nor more than five hundred dollars. No culpable mental state shall be required to be plead or proven to substantiate guilt in the prosecution of any case in which an offense under this section is alleged.

Secs. 66-141—66-160. Reserved.”

SECTION 2. That all ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 3. That should any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the Code of Ordinances of the City of Rowlett.

SECTION 4. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punished by fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 5A

TITLE

Proclamation recognizing National Public Safety Telecommunicators Week as April 13-19, 2014.

STAFF REPRESENTATIVE

Paul Sandman, Assistant Chief of Police
Beth English, Director of Communications

SUMMARY

The purpose of this item is to proclaim National Public Safety Telecommunicators Week as April 13-19, 2014.

BACKGROUND INFORMATION

For the past several years, Public Safety Agencies nationwide have recognized the pivotal role played by telecommunicators, or dispatchers, who utilize telephones, radios, computers and technical skills to provide support to Law Enforcement, Fire Services, Emergency Medical Services and other governmental field personnel. Each year, the second full week of April is dedicated to the men and women who serve as public safety telecommunicators. In 1991, Congress proclaimed it as a nationally recognized week of recognition.

DISCUSSION

As in most communities across the nation, the Rowlett Police Department's Communication Officers are the voice of 9-1-1. They are the first public safety officials a citizen speaks to in a moment of crisis. Communication Officers are highly trained specialists capable of quickly and efficiently getting a citizen the necessary police, fire, or medical assistance.

Communication Officers work behind the scenes and are a critical part of the Police and Fire team. They are on duty 24-hours a day, seven days a week, 365 days a year, providing rapid access to Police and Fire services, as well as a calm, reassuring voice to citizens in distress. The Police and Fire Departments of the City of Rowlett, as well as its citizens are very fortunate to be served by such professionals. It is an honor to recognize their services to the community by declaring the week of April 13-19, 2014, as National Public Safety Telecommunicators Week.

ATTACHMENT

Proclamation

NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK

WHEREAS, emergencies can occur at anytime that require police, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the City of Rowlett Police and Fire Emergency communications center; and

WHEREAS, Public Safety Communication Officers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Communication Officers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring the safety; and

WHEREAS, Public Safety Communication Officers of the City of Rowlett Police Department have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each communication officer has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE, I, Todd W. Gottel, Mayor of the City of Rowlett, do hereby proclaim the week of April 13-19, 2014 as

NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK

in honor of the men and women whose diligence and professionalism keep our city and citizens safe.



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 5B

TITLE

Hear presentation of the Monthly Financial report for the period ending February 28, 2014.

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer

SUMMARY

Attached is the Comprehensive Monthly Financial Report for February, 2014, in accordance with the City Council's financial strategy to provide timely and accurate reporting. The fiscal year for the City of Rowlett is October 1 through September 30. Five months of FY2014, or 41.7 percent of the fiscal year is complete.

BACKGROUND INFORMATION

The City of Rowlett Department of Financial Services is dedicated to excellence in local government, comprehensive fiscal management, compliance and reporting. The Comprehensive Monthly Finance Report (CMFR) is a unique document that is prepared each month and is directed at providing our audience (internal and external users), with important information about the City's financial position and operations.

DISCUSSION

Attached is the Comprehensive Monthly Financial report for February, 2014. Five months of FY 2014, or 41.7 percent of the fiscal year is complete.

Revenues: Overall, the City has earned or received \$45.0 million for FY2014. This amount is 55.3 percent of the approved operating budget of \$81.4 million and is 1.0 percent more than forecast through the month of February.

- General Fund revenues are \$0.8 million or 3.7 percent higher than expected.
- Utility Fund revenues are \$0.3 million or 3.1 percent lower than expected.

Expenditures: Expenses totaled \$34.7 million year-to-date for FY2014. This amount is 42.8 percent of the approved operating budget of \$81.0 million and is 2.5 percent lower than forecast through the month of February.

- General Fund expenditures are \$1.0 million or 7.3 percent lower than expected.
- Utility Fund expenditures are \$0.1 million or 1.1 percent higher than expected.

Surplus: The net surplus from operations through February is \$10.3 million, which is \$1.3 million better than expected at this point in the year. The adopted operating budget for the fiscal year anticipates a total increase of \$0.4 million.

In March, the City Council approved an amendment to the budget reducing the projected Utility Fund revenue by \$1.7 million and a corresponding amount from the transfer to the Utility Cash CIP. This action was necessary due to a substantial decline in water usage/sales brought on by Stage 3 water restrictions. Water usage in February was down by 46.6 million gallons, or 42.4 percent from the projection for the month. Overall water usage is down 20.8 percent from the forecast for the fiscal year. Staff will continue to monitor this situation.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Information only. The Comprehensive Monthly Financial Report – February 28, 2014, is attached to this agenda item as Attachment 1.

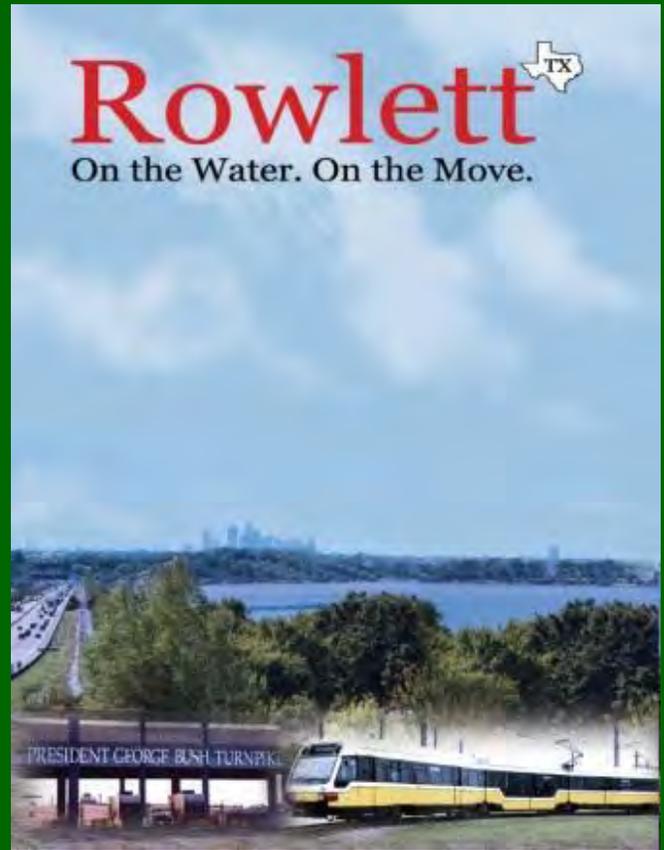
ATTACHMENT

Attachment 1 – Comprehensive Monthly Financial Report – February 28, 2014



Comprehensive Monthly Financial Report

February 2014





MONTHLY FINANCIAL REPORT

PERFORMANCE AT A GLANCE

FEBRUARY 2014

	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY	POSITIVE	Page 4
GENERAL FUND REV VS EXP	POSITIVE	Page 5
PROPERTY TAXES	POSITIVE	Page 5
SALES TAXES	POSITIVE	Page 6
FRANCHISE FEES	POSITIVE	Page 6
UTILITY FUND REV VS EXP	WARNING	Page 7
SEWER REVENUES	WARNING	Page 7
WATER REVENUES	NEGATIVE	Page 8
WATER USAGE	NEGATIVE	Page 8
REFUSE FUND REV VS EXP	NEGATIVE	Page 9
DRAINAGE FUND REV VS EXP	POSITIVE	Page 9
DEBT SERVICE FUND REV VS EXP	POSITIVE	Page 10
EMPLOYEE BENEFITS REV VS EXP	POSITIVE	Page 10

PERFORMANCE INDICATORS

POSITIVE = Positive variance or negative variance < 1% compared to seasonal trends.

WARNING = Negative variance of 1-5% compared to seasonal trends

NEGATIVE = Negative variance of >5% compared to seasonal trends.



ECONOMIC INDICATORS

FEBRUARY 28, 2014 – NEWS FOR YOU

ECONOMY

National GDP:

GDP - the output of goods and services produced by labor and property located in the US – increased at a rate of 2.4% in the 4th quarter of 2013 after increasing 4.1% in the 3rd quarter of 2013 as reported by the Bureau of Economic Analysis. The slowdown in growth reflected a slowdown in inventory investment.

Texas Retail Sales:

Texas retail sales totaled \$40.0 billion for the month of December, an increase of \$1.9 billion (5.0%) over December 2012.

Texas Leading Index:

The Texas Leading Index is a single summary statistic that sheds light on the future of the state's economy. The index is a composite of eight leading indicators—those that tend to change direction before the overall economy. The index decreased 0.5% between the months of December and January.

UNEMPLOYMENT

National Unemployment:

The national unemployment rate increased from 6.6% in January to 6.7% in February.

State-Wide:

The Texas unemployment rate for Jan., 2014 was 5.7%, 0.3% less than December, 2013.

Rowlett:

The City of Rowlett unemployment rate for January, 2014 was 5.7%, 0.4% more than December, 2013. Note – city unemployment rates are not seasonally adjusted.

Attached is the Comprehensive Monthly Financial report for February 2014. Five months of FY 2014, or 41.7% of the fiscal year is complete.

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NOTEWORTHY

STAGE 3 WATER RESTRICTIONS EXTENDED THROUGH MARCH 31, 2014

The North Texas Municipal Water District (NTMWD) Board of Directors has unanimously voted to remain in Stage 3 water restrictions. Continuation of Stage 3 is necessary due to below average rainfall, declining water levels of NTMWD reservoirs and the ongoing prohibition of pumping water from Lake Texoma due to the zebra mussel infestation.

ROWLETT: MY COMMUNITY, MY MONEY, MY CHOICE:

Citizen input is sought about the future of city services no longer sustainable at the current tax rate. Meetings to be held on Mondays and Thursdays throughout April at locations across the community. All meetings start at 7:00 pm. Questions? Email myrowlett@rowlett.com



CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
February 28, 2014

BUDGET SUMMARY OF ALL FUNDS FY2014

	2014 <u>Budget</u>	2014 <u>Forecast</u>	2014 <u>Year-to-Date</u>	<u>Variance</u>
Beginning Reserves	\$ 16,862,505	\$ 16,862,505	\$ 16,862,505	0.0%
Revenues:				
General	33,671,772	21,314,510	22,102,759	3.7%
Water & sewer	27,531,543	10,581,749	10,251,786	-3.1%
Debt service	8,246,662	7,647,600	7,603,458	-0.6%
Drainage	1,346,939	561,075	553,357	-1.4%
Refuse	4,835,889	2,014,147	1,986,171	-1.4%
Employee health benefits	4,095,123	1,706,301	1,624,685	-4.8%
Impact fees	44,357	16,677	166,724	899.7%
Police seizure	100,550	41,896	27,587	-34.2%
Economic development	316,694	131,956	131,890	0.0%
Innovations	-	-	774	0.0%
Hotel/motel tax	47,752	18,361	21,665	18.0%
P.E.G.	85,042	20,972	22,778	8.6%
Grants	41,838	13,365	15,527	16.2%
Community Development Block Grant	191,254	79,690	159,927	100.7%
Inspection Fees Fund	169,333	70,555	-	-100.0%
Juvenile diversion	33,281	13,867	13,704	-1.2%
Court technology	26,936	11,223	11,134	-0.8%
Court security	20,035	8,348	8,044	-3.6%
Golf course	601,728	300,260	301,247	0.3%
Total Revenues	\$ 81,406,728	\$ 44,552,553	\$ 45,003,216	1.0%
Expenses:				
General	35,101,079	14,203,822	13,167,169	-7.3%
Water & sewer	25,703,823	9,427,314	9,527,318	1.1%
Debt service	8,246,662	6,765,370	6,795,760	0.4%
Drainage	1,303,580	659,027	615,820	-6.6%
Refuse	4,728,613	1,998,091	2,244,136	12.3%
Employee health benefits	4,070,097	1,695,874	1,414,917	-16.6%
Impact fees	30,000	12,500	-	-100.0%
Police seizure	100,550	41,896	297,448	610.0%
Economic development	355,588	141,106	141,105	0.0%
Innovations	224,605	93,585	-	-100.0%
Hotel/motel tax	42,749	17,812	1,810	-89.8%
P.E.G.	71,811	27,620	26,363	-4.5%
Grants	41,838	13,365	15,527	16.2%
Community Development Block Grant	191,254	79,690	159,927	100.7%
Inspection Fees Fund	146,144	60,893	-	-100.0%
Juvenile diversion	33,210	13,838	11,135	-19.5%
Court technology	29,145	12,144	30,089	147.8%
Court security	24,102	10,043	12,362	23.1%
Golf course	601,728	280,649	204,583	-27.1%
Total Expenses	\$ 81,046,578	\$ 35,554,637	\$ 34,665,469	-2.5%
Current Year Surplus/(Shortfall)	\$ 360,150	\$ 8,997,916	\$ 10,337,747	14.9%
Ending Reserves	\$ 17,222,655	\$ 25,860,421	\$ 27,200,252	5.2%

Positive
Warning
Negative

Positive variance or negative variance <1% compared to forecast
Negative variance between 1%-5% compared to forecast
Negative variance >5% compared to forecast

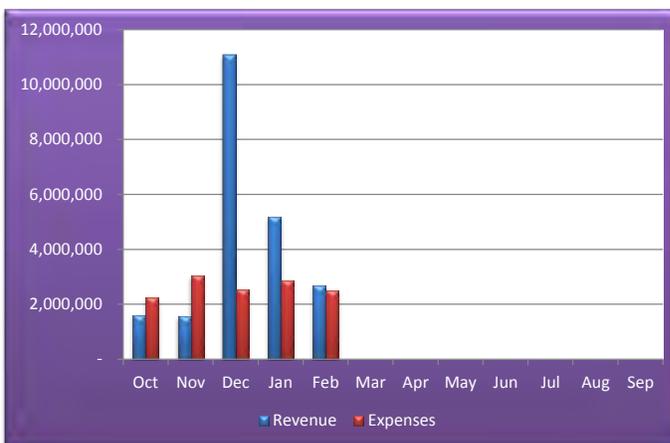


**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
February 28, 2014**

OVERALL FUND PERFORMANCE

GENERAL FUND REVENUES VS EXPENSES FY2014

Month	2014 Revenue	2014 Expenses	Monthly Variance
Oct	1,600,503	2,235,034	\$ (634,531)
Nov	1,555,810	3,052,790	(1,496,980)
Dec	11,090,742	2,532,120	8,558,622
Jan	5,184,857	2,858,962	2,325,895
Feb	2,670,847	2,488,264	182,583
Mar	-	-	-
Apr	-	-	-
May	-	-	-
Jun	-	-	-
Jul	-	-	-
Aug	-	-	-
Sep	-	-	-
Total	\$ 22,102,759	\$ 13,167,169	\$ 8,935,589
Cumulative Forecast	\$ 21,314,510	\$ 14,203,822	\$ 7,110,688
Actual to Forecast \$	\$ 788,249	\$ (1,036,653)	\$ 1,824,902
Actual to Forecast %	3.7%	-7.3%	



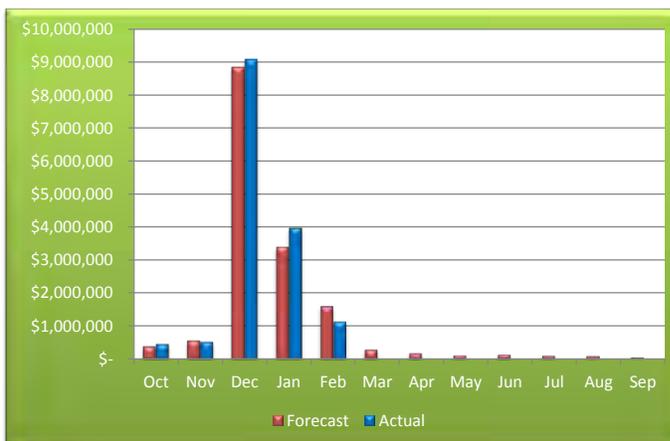
Positive

Cumulatively overall, the General Fund is better than forecasted for this time of the year, with revenues exceeding the forecast by 3.7% and expenses 7.3% lower than forecasted. These differences are primarily due to higher than expected property tax collections and franchise fees, vacancy savings and lower than expected supplies expenses.

REVENUE ANALYSIS

PROPERTY TAXES FY2014

Month	2014 Forecast	2014 Actual	Monthly Variance
Oct	\$ 388,488	\$ 460,233	\$ 71,745
Nov	561,872	531,720	(30,152)
Dec	8,847,877	9,078,518	230,641
Jan	3,403,794	3,978,058	574,264
Feb	1,608,725	1,136,084	(472,641)
Mar	290,844	-	-
Apr	184,755	-	-
May	117,901	-	-
Jun	140,464	-	-
Jul	102,440	-	-
Aug	89,645	-	-
Sep	50,372	-	-
Total	\$ 15,787,177	\$ 15,184,612	\$ 373,856
Actual to Forecast			2.5%



Positive

Property taxes represents nearly 50% of the total General Fund revenue budget and serves as the primary funding source for the general government. Property taxes are generally collected in December of each year. Cumulatively overall, property tax revenues are 2.5% higher than forecasted for this time of the year.

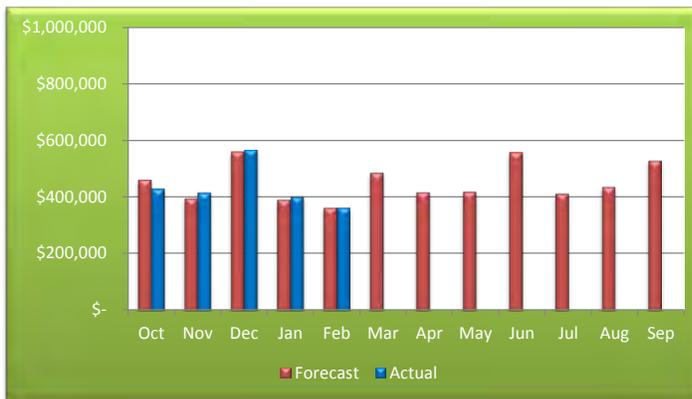


**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
February 28, 2014**

REVENUE ANALYSIS

SALES TAXES FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 459,941	\$ 427,851	\$ (32,090)
Nov	394,348	414,283	19,935
Dec	558,732	565,590	6,858
Jan	389,630	399,637	10,007
Feb	361,544	361,544	-
Mar	485,196		
Apr	416,016		
May	417,960		
Jun	557,046		
Jul	410,975		
Aug	434,864		
Sep	526,923		
Total	\$ 5,413,175	\$ 2,168,904	\$ 4,709
<i>Actual to Forecast</i>			0.2%



Positive

Sales tax is an important indicator of financial health for the Rowlett community. Sales taxes are collected by the State Comptroller and are recorded two months later. The sales taxes reported here for January are 2.6% higher than projected. Cumulatively, sales taxes are 0.2% higher than projected. Sales taxes for February are an estimate.

REVENUE ANALYSIS

FRANCHISE FEES FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	\$ -	\$ -	\$ -
Nov	-	-	-
Dec	652,928	-	(652,928)
Jan	-	405,092	405,092
Feb	333,775	659,673	325,898
Mar	642,098		
Apr	-		
May	-		
Jun	528,568		
Jul	-		
Aug	-		
Sep	852,633		
Total	\$ 3,010,000	\$ 1,064,765	\$ 78,062
<i>Actual to Forecast</i>			7.9%



Positive

Franchise fees represents nearly 10% of the total General Fund budget and include electric, gas, cable and telecommunications. Most fees are paid quarterly with natural gas being paid yearly in February. Franchise payments are currently 7.9% higher than projected for the fiscal year.



**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
February 28, 2014**

OVERALL FUND PERFORMANCE

UTILITY FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 2,506,570	\$ 1,769,999	\$ 736,571
Nov	2,111,806	2,053,463	58,343
Dec	1,899,070	1,913,043	(13,973)
Jan	1,894,254	1,945,298	(51,044)
Feb	1,840,086	1,845,514	(5,429)
Mar			-
Apr			-
May			-
Jun			-
Jul			-
Aug			-
Sep			-
Total	\$ 10,251,786	\$ 9,527,318	\$ 724,468
Cumulative Forecast	\$ 10,581,749	\$ 9,427,314	\$ 1,154,435
Actual to Forecast \$	\$ (329,964)	\$ 100,004	\$ (429,967)
Actual to Forecast	-3.1%	1.1%	



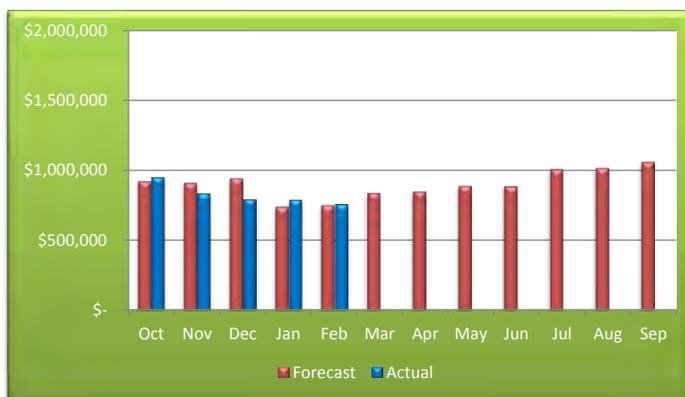
Warning

Utility fund revenues are 3.1% lower than forecast, and expenses are 1.1% higher than expected. These differences are primarily due to lower than expected water and sewer revenues and higher than expected personnel costs.

REVENUE ANALYSIS

SEWER REVENUES FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 919,553	\$ 950,609	\$ 31,056
Nov	907,875	832,809	(75,066)
Dec	942,658	791,813	(150,845)
Jan	738,313	788,346	50,033
Feb	750,346	757,401	7,055
Mar	837,264		
Apr	847,397		
May	886,960		
Jun	884,119		
Jul	1,006,135		
Aug	1,014,318		
Sep	1,058,609		
Total	\$ 10,793,547	\$ 4,120,978	\$ (137,767)
Actual to Forecast			-3.2%



Warning

Sewer sales represent over 40% of the Utility Fund budget and cover the cost of sewer treatment paid to City of Garland. Cumulatively overall, sewer revenues are 3.2% lower than forecasted for this time of year.

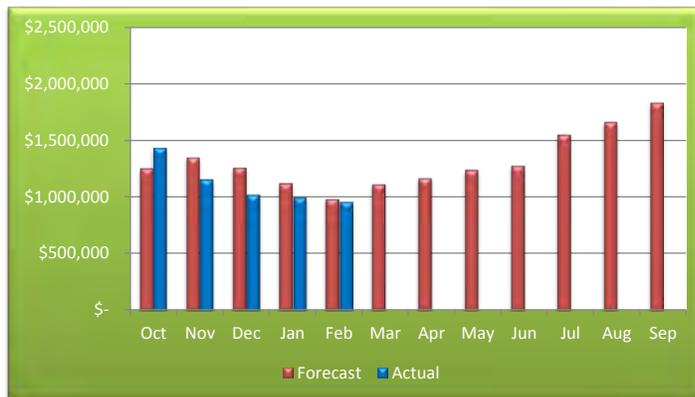


**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
February 28, 2014**

REVENUE ANALYSIS

WATER REVENUES FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 1,256,608	\$ 1,432,250	\$ 175,642
Nov	1,350,960	1,153,189	(197,771)
Dec	1,260,545	1,019,459	(241,086)
Jan	1,121,060	995,804	(125,256)
Feb	983,482	955,899	(27,583)
Mar	1,114,506		
Apr	1,167,772		
May	1,239,689		
Jun	1,278,088		
Jul	1,552,096		
Aug	1,663,331		
Sep	1,831,139		
Total	\$ 15,819,276	\$ 5,556,601	\$ (416,054)
<i>Actual to Forecast</i>			<i>-7.0%</i>



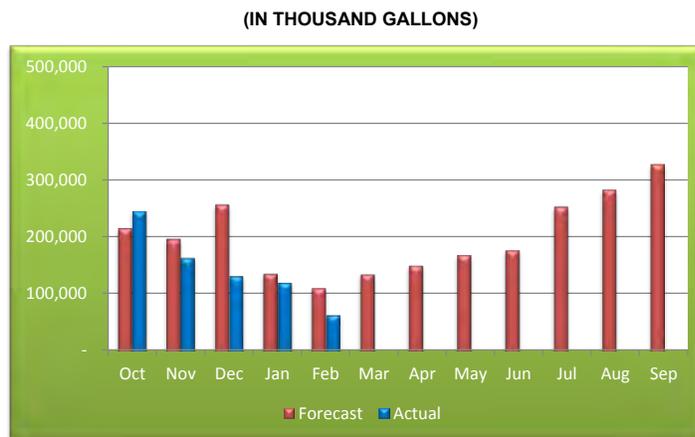
Negative

Water sales represent just over 50% of the total Utility Fund budget and cover the cost of water acquisition from the North Texas Municipal Water District. Water revenues are 7.0% less than forecasted for this time of year.

REVENUE ANALYSIS

WATER USAGE FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	214,791	244,924	30,133
Nov	196,050	163,192	(32,858)
Dec	256,386	131,044	(125,342)
Jan	135,250	119,810	(15,440)
Feb	109,903	63,297	(46,606)
Mar	134,556		
Apr	149,742		
May	168,338		
Jun	176,946		
Jul	252,733		
Aug	282,281		
Sep	326,843		
Total	2,403,819	722,267	(190,114)
<i>Actual to Forecast</i>			<i>-20.8%</i>



Negative

The City purchases its water from the North Texas Municipal Water District. Customer usage is 20.8% lower than forecasted for this time of the year. The contract with NTMWD requires the City to pay for a minimum of 3.2 billion gallons of water per year.



**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
February 28, 2014**

OVERALL FUND PERFORMANCE

REFUSE FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 393,619	\$ 395,068	\$ (1,449)
Nov	396,211	388,645	7,567
Dec	401,618	388,287	13,331
Jan	398,650	391,384	7,266
Feb	396,073	680,753	(284,680)
Mar	-	-	-
Apr	-	-	-
May	-	-	-
Jun	-	-	-
Jul	-	-	-
Aug	-	-	-
Sep	-	-	-
Total	\$ 1,986,171	\$ 2,244,136	\$ (257,965)
Cumulative Forecast	\$ 2,014,147	\$ 1,998,091	\$ 16,056
Actual to Forecast \$	\$ (27,976)	\$ 246,045	\$ (274,021)
Actual to Forecast	-1.4%	12.3%	



Negative

The Refuse Fund accounts for monies collected from customers on their utility bills and remitted to our solid waste provider. Revenues are currently 1.4% lower than forecasted, and expenses are 12.3% higher than forecasted due to expenses from the ice storm cleanup.

OVERALL FUND PERFORMANCE

DRAINAGE FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 111,003	\$ 61,084	\$ 49,919
Nov	110,081	63,512	46,569
Dec	110,877	73,691	37,186
Jan	110,715	70,278	40,437
Feb	110,681	347,255	(236,574)
Mar	-	-	-
Apr	-	-	-
May	-	-	-
Jun	-	-	-
Jul	-	-	-
Aug	-	-	-
Sep	-	-	-
Total	\$ 553,357	\$ 615,820	\$ (62,463)
Cumulative Forecast	\$ 561,075	\$ 659,027	\$ (97,952)
Actual to Forecast \$	\$ (7,718)	\$ (43,207)	\$ 35,489
Actual to Forecast	-1.4%	-6.6%	



Positive

The Drainage Fund accounts for monies collected from customers on their utility bills for the municipal drainage system. Cumulatively overall, the fund is better than forecasted for this time of the year, with revenues 1.4% lower than forecasted but expenses 6.6% lower than forecasted. The first of two semi-annual bond payments was made in February.



**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
February 28, 2014**

OVERALL FUND PERFORMANCE

DEBT SERVICE FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 242,680	\$ 13,921	\$ 228,759
Nov	276,231	130,274	145,957
Dec	4,377,953	7,593	4,370,360
Jan	1,934,744	12,067	1,922,677
Feb	771,850	6,631,905	(5,860,055)
Mar	-	-	-
Apr	-	-	-
May	-	-	-
Jun	-	-	-
Jul	-	-	-
Aug	-	-	-
Sep	-	-	-
Total	\$ 7,603,458	\$ 6,795,760	\$ 807,698
Cumulative Forecast	\$ 7,647,600	\$ 6,765,370	\$ 882,231
Actual to Forecast \$	\$ (44,142)	\$ 30,390	\$ (74,533)
Actual to Forecast	-0.6%	0.4%	



Positive

General Debt Service Fund is used to pay principal and interest on tax-supported debt. Overall, the fund is better than forecasted, with revenues 0.6% lower than projected, and expenses 0.4% higher than expected. The fund makes semi-annual debt payments in February and August.

OVERALL FUND PERFORMANCE

EMPLOYEE HEALTH BENEFITS FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 377,939	\$ 348,484	\$ 29,455
Nov	313,479	182,787	130,692
Dec	267,500	268,769	(1,269)
Jan	303,830	252,833	50,997
Feb	361,937	362,044	(107)
Mar	-	-	-
Apr	-	-	-
May	-	-	-
Jun	-	-	-
Jul	-	-	-
Aug	-	-	-
Sep	-	-	-
Total	\$ 1,624,685	\$ 1,414,917	\$ 209,768
Cumulative Forecast	\$ 1,706,301	\$ 1,695,874	\$ 10,428
Actual to Forecast \$	\$ (81,616)	\$ (280,957)	\$ 199,341
Actual to Forecast	-4.8%	-16.6%	



Positive

Employee Health Benefits Fund accounts for all health related claims paid from the City's partial self-insured fund. Overall, revenues are 4.8% lower than forecasted due to vacant positions (lower than expected employee contributions). Expenses are 16.6% lower than forecasted due to lower than expected claims.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 5C

TITLE

Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

STAFF REPRESENTATIVE

Brian Funderburk, City Manager



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 7A

TITLE

Consider action to approve minutes from the March 18, 2014, City Council Meeting.

STAFF REPRESENTATIVE

Laura Hallmark, City Secretary

SUMMARY

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
 - (1) state the subject of each deliberation; and
 - (2) indicate each vote, order, decisions or other action taken.

BACKGROUND INFORMATION

N/A

DISCUSSION

N/A

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Move to approve, amend or correct the minutes from the March 11, 2014 City Council Special Meeting, the March 13, 2014 City Council Special Meeting, and the March 18, 2014, City Council Meeting.

ATTACHMENT

03-18-14 City Council Meeting minutes



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.

Tuesday, March 18, 2014

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Mayor Pro Tem Kilgore, Deputy Mayor Pro Tem Gallops, Councilmember Bobbitt, Councilmember Dana-Bashian, and Councilmember Pankratz

Absent: Councilmember Phillips

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:30 p.m.

2. EXECUTIVE SESSION (5:30 P.M.)* Times listed are approximate

- 2A.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects that the City may seek to have locate in or near Elgin B. Robertson Park. (15 minutes)

Council convened in Executive Session at 5:30 p.m. Out at 5:37 p.m.

- 2B.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney regarding confidentiality of matters discussed in executive session and public relations between council members and citizens. (15 minutes)

Council convened in Executive Session at 5:37 p.m. Out at 6:01 p.m.

3. WORK SESSION (6:00 P.M.)* Times listed are approximate

- 3A.** Discuss Golf Advisory Board recommendations for projects at the Waterview Golf Course. (30 minutes)

Brian Funderburk, City Manager, reviewed projects that had previously been completed at the golf course and the recommendations submitted by the Golf Advisory Board (GAB), which included: clubhouse improvements, lakes for Hole #2, drainage repairs at Hole #10, new bunkers throughout the course, and repair of the tee box retaining wall at Hole #18. Kelly McCarthy, Design Architect, reviewed the base bid and alternates for the pavilion enclosure. Larry Glick, Chairman of the GAB, introduced other members who were present and discussed some concerns regarding American Golf's maintenance of the course.

Mr. Funderburk explained the financial portion of the recommendations. Clarification was provided about the \$31,000 provided by the Waterview HOA to cover the cost of the stone material for the Hole #18 retaining wall.

Council discussion regarding the financial options and maintenance issues with the course. It was the consensus of Council to proceed with all of the recommendations.

- 3B.** Discuss Refuse Fund surcharge related to the 2013 Ice Storm Cleanup Costs. (30 minutes)

Alan Guard, Director of Financial and Information Services, reviewed the storm debris removal process and financial options to cover the cost. Mr. Guard provided clarification that the North Texas region did not meet the financial threshold in order to qualify for federal funds. After further discussion, it was the consensus of Council to proceed with a short-term surcharge on the refuse fee for the remainder of FY 2014. A long-term surcharge will be discussed during the budget planning process.

- 3C.** Discuss and receive feedback regarding an upcoming Major Warrant Request to increase the maximum allowable height from 2.5 stories to 4 stories to accommodate a proposed mixed residential development for property located at 10000 Beacon Harbor. (30 minutes)

Erin Jones, Director of Development Services, provided background of the zoning for the property and discussions held with the developer. She addressed some of the concerns that have been raised by the public. Council discussion regarding the critical need to maintain the standards that have been developed with the Form Based Code.

4. DISCUSS CONSENT AGENDA ITEMS

Council took a short break at 7:24 p.m.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)*

Reconvened at 7:32 p.m.

INVOCATION – Mayor Gottel

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE – Led by the City Council

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Presentation of Proclamation to Anna Rigodanzo in recognition of obtaining the Girl Scout Gold Award.

Councilmember Dana-Bashian presented the proclamation.

- 5B.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

Mayor Gottel announced the following: Upcoming City Council meetings will be held Thursday, March 27th; Special Executive Session starts @ 6pm in City Hall Conference Room; Tuesday, April 1st & 15th; Regular Meeting - 5:30pm in City Hall Conference Room; Tuesday, April 8th; Work Session starts at 6:00pm in Annex Conference Room. Upcoming Planning and Zoning Commission meeting will be held Tuesday, March 25th, 6pm in City Hall Conference Room. A Special Joint City Council/Planning and Zoning Commission meeting will take place on Thursday, March 27th at 6:30pm in the City Hall Conference Room to discuss the North Shore Master Plan. Last day to register to vote for the May 10th election is Thursday, April 10th. Pick up a form at the City Secretary's Office. Remember, a photo ID is now required to vote in Texas. ROWLETT. MY COMMUNITY. MY MONEY. MY CHOICE. CAMPAIGN – give us your .2¢

- Seeking citizen input about future City services
- No longer sustainable at the current tax rate
- Opportunity to have an honest conversation about what our future looks like
- Much more information in the March Newsletter
- 6 meetings around the City in the month of April:
 1. Thursday, April 3rd; 7-8pm @ Rowlett Community Centre
 2. Monday, April 7th; 7-8pm @ Fire Station #1
 3. Thursday, April 10th; 7-8pm @ Fire Station #2
 4. Thursday, April 17th; 7-8pm @ Fire Station #3
 5. Monday, April 21st; 7-8pm @ Fire Station #4
 6. Thursday, April 24th; 7-8pm @ City Hall

STAGE 3 WATER RESTRICTIONS – residents can water Once Every TWO Weeks. A Low-cost vaccine clinic will be held at the Animal Shelter on Saturday, March 29th, April 12th and 26th from 2-4pm at 4402 Industrial Street. Normal Business hours are Monday-Friday, 10am – 5pm and Saturday, 10:30am – 5pm. MARCH CLEAN UP CAMPAIGN - Open all month – through March 31st, Daily 10am – 6pm (weather permitting). Dumpsters located in front of the water tower at 3801 PGB Hwy., (southbound service road past Main St.). Check website for materials not accepted – www.rowlett.com. CONNECT ROWLETT - New City to Citizen Notification Service puts residents in control of the information received and – how it's received! More information and how to sign up is on the website in the upper left hand corner of the home page. Upcoming events for Parks and Recreation: Easter Egg Hunt – Saturday, April 12th – 10:00am – 12:00pm. Easter Pup-A-Palooza– Sunday, April 13th- 2:00pm – 4:00pm at Herfurth Park. Kid Fish– Saturday, April 26th – 9:00am – 12:00pm at Community Park. Rowlett Cardboard Boat Regatta – Saturday, April 26th – 1:30-3:30pm at Community Park. Memorial Day Celebration

featuring Touch A Truck– Saturday, May 24th- 10:00am - 1:00pm. Upcoming events at the Public Library: Arts & Humanities Commission 13th Annual Young Artists Contest and Exhibit. Submit all entries to the Library on Wednesday, April 2nd between 6 and 8pm. For more information: visit Arts & Humanities Commission webpage at rowlett.com. Food for Fines, Monday, April 14th – Saturday, April 19th. Outstanding fines for overdue items erased with canned food donation. All food is donated to local food pantries. Arts & Humanities Commission Annual Writing Contest. Open to all youth and adults. Deadline: Monday, April 28th; submit all entries to the Library. For more information: visit Arts & Humanities Commission webpage at rowlett.com.

6. CITIZENS' INPUT

Perry Arney, 9958 Merritt Road, Rowlett; spoke regarding the Merritt Road Project.

7. CONSENT AGENDA

- 7A.** Consider action to approve minutes from the February 11, 2014 City Council Work Session Meeting, the February 12, 2014 City Council Joint Meeting, and the March 4, 2014, City Council Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider action to approve a resolution for Task Authorization #141-NSC to the Agreement for Professional Services with Neel-Schaffer, Inc. in the amount of \$141,590 for the engineering design of the Big A Road 20-Inch Water Transmission Project and authorizing the Mayor to execute the necessary documents for said services.

This item was approved as RES-021-14 on the Consent Agenda.

- 7C.** Consider action to approve a resolution entering into an Interlocal Agreement with the Town of Addison allowing cooperative purchasing for goods and services under each other's competitively bid contracts.

This item was approved as RES-022-14 on the Consent Agenda.

- 7D.** Consider a resolution approving an Interlocal Agreement between the City of Rowlett and Rockwall County establishing Rowlett's subdivision plat approval authority over Rowlett's extra-territorial jurisdiction in Rockwall County.

This item was approved as RES-023-14 on the Consent Agenda.

- 7E.** Consider appointments to the various boards and commissions with mid-term vacancies.

This item was approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Dana-Bashian, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Consider action to approve a resolution to enter into an Economic Development Program Agreement for property located at 3840 Main Street and to authorize the Mayor to execute the necessary documents.

Jim Grabenhorst, Director of Economic Development, presented the information outlining the agreement.

A motion was made by Councilmember Pankratz, seconded by Mayor Pro Tem Kilgore, to approve the item as presented with the following stipulations: Paragraph 4 be amended to change § 5.3 to § 2.7; Special Warranty Deed to be amended to include a new paragraph that specifies rights, title or interest in or to the option to purchase contained in the Economic Development Program Agreement between the City of Rowlett, the Rowlett Chamber Foundation and 3840 Main LLC the developer referred to in section and change that to § 5.3 of said Agreement; Legal descriptions for the Special Warranty Deed and the Deed of Trust being proposed to include city, state, and metes and bounds as shown on the survey. The motion carried with a unanimous vote of those members present. This item was approved as RES-024-14.

- 8B.** Conduct a public hearing and consider an ordinance approving Major Warrants for property located within the Urban Village Form Based District at 4510 and 4514 Lakeview Parkway to develop a drive-thru restaurant and to allow major warrants relating to drive aisle width, building frontage, building transparency, signage, shade and open space.

Daniel Acevedo, Urban Planner, presented the information. Council discussion regarding economic development and market demand. Scott Lay, Lay Design & Build, provided additional clarification regarding the construction of the building and the request.

The public hearing opened and closed without speakers.

A motion was made by Mayor Pro Tem Kiglore, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as presented with the provision that it be modified to reflect the monument sign and wall sign standard will be per the Rowlett Development Code. The motion carried with a unanimous vote of those members present. This item was approved as ORD-007-14.

- 8C.** Consider a resolution authorizing the City Manager to enter into an Economic Development Incentive Agreement with Realty Advisors Corp. (Terra Lago) for the development of a mixed residential project located at 7000 Scenic Drive in the Healthy Living Urban Village Form Based Code District.

Jim Grabenhorst, Director of Economic Development presented the information outlining the agreement and clarified the number of stories of the buildings. Mayor Pro Tem Kilgore made some prepared comments.

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Pankratz, to approve the item as presented. The motion carried with 5 votes in favor (Pankratz, Bobbitt, Gottel, Gallops, Dana-Bashian) and 1 in opposition (Kilgore). This item was approved as RES-025-14.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

No action taken.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 9:07 p.m.



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 7B

TITLE

Consider action approving a resolution amending the Master Fee Schedule for rate and fee changes to the Solid Waste Fee section for Residential and Commercial Solid Waste Collection Rates.

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer

SUMMARY

The North Texas region experienced an extreme ice storm event the weekend of December 7-8. Damage from the ice storm was extensive across the City of Rowlett, including downed power lines and trees. In the aftermath of the event, both City forces and Waste Management provided additional effort to collect the tree and brush debris from thoroughfares and residential neighborhoods.

City Manager, Brian Funderburk, contacted the City of Garland and received permission for the City of Rowlett to take the storm debris to the Garland landfill at a competitive rate, significantly reducing the turnaround time for the cleanup crews. Starting January 23, 2014, Waste Management engaged Michael T. Baldwin DBA Baldwin Tree and Disaster Relief Service (a.k.a. Storm Chasers), a company that specializes in cleaning up communities following events like the ice storm. City forces also continued their efforts to collect and dispose of brush and debris. By February 3, 2014, the cleanup efforts were declared complete.

The City has received invoices from Waste Management totaling \$285,637 for charges related to the cleanup including labor, the Storm Chasers and the Garland Landfill disposal charges. These charges were calculated in accordance with the Waste Management contract. The purpose of this item is to use a monthly surcharge to fund these expenditures.

BACKGROUND INFORMATION

The Refuse Fund accounts for revenues and expenses related to solid waste operations for the City of Rowlett. Waste Management, Incorporated is the current contractor providing this service to the citizens of Rowlett. The City Council passes a rate structure each year that is calculated to cover the cost of the service and provide funds for street and alley repairs, through a transfer to the Cash CIP.

The expenditures related to the storm cleanup were not budgeted in either the Refuse Fund or the General Fund. It is not typical for a municipality to budget for 30-year storm events. The

purpose of this discussion is to determine how the City Council wants to account for and fund these expenditures.

This issue was discussed by the City Council in a Work Session at the March 18, 2014, City Council meeting. The Council was offered three options: 1) absorb the expenditures and pay for it with a transfer from the General Fund; 2) add a surcharge to customers' monthly bills for \$3.02 for the remainder of the fiscal year (May-September); or 3) reduce the transfer to the Cash CIP from the Refuse Fund and reduce alley and street repairs. The Council reached consensus and directed staff to bring a resolution forward amending the Master Fee schedule to include the surcharge as recommended.

DISCUSSION

The North Texas region experienced an extreme ice storm the weekend of December 7-8. Damage from the ice storm was extensive across the City of Rowlett, including downed power lines and trees. In the aftermath of the event, both City forces and Waste Management provided additional effort to collect the tree and brush debris from thoroughfares and residential neighborhoods.

City Manager, Brian Funderburk, contacted the City of Garland and received permission for the City of Rowlett to take the storm debris to the Garland landfill at a competitive rate, significantly reducing the turnaround time for the cleanup crews. The City Council was briefed on the storm at the January 7, 2014, City Council meeting in a Work Session by Assistant City Manager Jim Proce. At that meeting, Assistant City Manager Proce explained the methods that Waste Management was employing to address the debris removal and disposal. In addition, Waste Management representatives were on hand to discuss the process. City Council indicated at that time that citizens were making frequent inquiries as to when the debris would be picked up in the various neighborhoods.

At this same meeting, Police Chief Mike Brodnax discussed bringing in a company that specializes in cleanup following these types of events to address citizen concerns. The company, Baldwin Tree and Disaster Relief Services, a.k.a. the Storm Chasers, could mobilize quickly and could clean up the debris much faster due to their equipment and expertise. Council provided direction to staff at that meeting to research Storm Chasers as an option and also look at alternative sources for the cleanup, such as small local landscaping businesses.

Staff researched the Storm Chasers and engaged with them regarding availability and cost. Staff also discovered that based on the contract language, Storm Chasers would have to work as a sub-contractor for Waste Management. These arrangements were made, and starting January 23, 2014, the Storm Chasers began collecting and disposing of the debris in Rowlett as an agent of Waste Management. City forces also continued their efforts to remove brush and debris. By February 3, 2014, the cleanup efforts were declared complete.

The City has received invoices from Waste Management totaling \$285,637 for charges related to the cleanup, including labor, the Storm Chasers and the Garland Landfill disposal charges. These charges were calculated in accordance with the Waste Management contract.

The expenditures related to the storm cleanup were not budgeted in either the Refuse Fund or the General Fund. The purpose of this item is to use a monthly surcharge to fund these expenditures.

FINANCIAL/BUDGET IMPLICATIONS

The Refuse Fund currently has zero reserves and exists primarily to collect fees from customers and disburse funds to Waste Management; therefore, the Refuse Fund does not have the funds to cover the cost of his extraordinary event.

As a result, the Council has three alternatives to cover the costs associated with the ice storm event.

First, the expenditures can be charged to the Refuse Fund but paid through a transfer from the General Fund. This expense would impact the General Fund reserves and could possibly reduce reserves below the 13 percent policy requirement. The FY2014 budget has a planned reduction in reserve levels and this option would compound that reduction. If this alternative is chosen, staff will need to review the operating budget to see where temporary budget cuts may be made in the General Fund to keep reserves at or above the 13 percent policy requirement.

Second, the City Council could approve a surcharge on the refuse fee. If the Council chooses this option, it is recommended that a resolution adding the surcharge be adopted at the first Council meeting in April and that it start with the first bills that go out in May. Since the expenses occurred in FY2014, it is standard that the same amount should be collected in the fiscal year to offset the expense, if practical. The total amount paid to Waste Management for debris removal and disposal related to the ice storm is \$285,637. Based on 18,909 customers, that equates to \$15.10 per customer. There would be five months remaining to bill the surcharge, or \$3.02 per month.

Third, in lieu of a surcharge, the City Council could consider a reduction of \$300,000 in the transfer to the Cash CIP used for alley improvements. The City typically transfers about \$750,000 per year to the Cash CIP and could reduce that amount for FY2014 to make the Fund whole.

The City Council discussed and considered these three options at the Work Session during the March 18, 2014, City Council meeting. The Council reached consensus on option two and directed staff to bring forth a resolution amending the Master Fee schedule to include the surcharge as recommended. They agreed that the surcharge should just be in place for five months and expire at the end of the fiscal year, and they requested that the surcharge be listed separately on the customers' invoice. The Council also provided direction for staff and

requested that a surcharge to provide for a reserve for such cleanup expenses in the future be discussed as a separate item during the FY2015 budget discussions.

RECOMMENDED ACTION

Approve a resolution amending the Master Fee Schedule for rate and fee changes to the Solid Waste Fee section for Residential and Commercial Solid Waste Collection rates to include the surcharge of \$3.02 per month for the period of May 2014 through September 2014.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, TEMPORARILY AMENDING THE MASTER FEE SCHEDULE FOR THE CITY OF ROWLETT TO AMEND THE FEES SET FORTH IN THE SOLID WASTE SECTION OF THE MASTER FEE SCHEDULE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING EFFECTIVE DATES.

WHEREAS, the City Council of the City of Rowlett has heretofore adopted a Master Fee Schedule for the purpose of setting forth the comprehensive fees assessed and collected by the City for a range of applications, permits, licenses, services and activities; and

WHEREAS, the City Council desires to amend the said Fee Schedule to revise or add existing or new fees and does so by this Resolution; and

WHEREAS, in the event there is a conflict between a fee listed in the Master Fee Schedule and the provisions of any other City ordinance or resolution, the provisions of the Master Fee Schedule shall prevail; and

WHEREAS, although the purpose of this resolution is to amend the Master Fee Schedule, this resolution is not intended to amend, abolish or change any fee heretofore established that is not listed in the Master Fee Schedule.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That from and after the effective date of this Resolution the fees and charges set out in the Master Fee Schedule attached hereto as Exhibit "A" shall be collected on behalf of the City for the Solid Waste Section. Other sections, fees or charges not referenced in Exhibit "A" shall remain unaffected by this Resolution.

Section 2: That in the event of a conflict between a fee set out in the Master Fee Schedule and the provisions of any other city ordinance or resolution, the provisions of the Master Fee Schedule shall prevail; however, this resolution shall not amend, abolish or change any fee heretofore established that is not listed in the Master Fee Schedule and such fees shall continue in effect for all

purposes until amended by ordinance or resolution or transferred to the Master Fee Schedule.

Section 3: That all provisions of the ordinances and resolutions of the City of Rowlett in conflict with the provisions of this resolution be and the same are hereby repealed and all other provisions of the ordinances and resolutions of the City of Rowlett not in conflict with the provisions hereof shall remain in full force and effect.

Section 4: That if any section, sentence, clause, or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this resolution, it being the legislative intent that the provisions of this resolution are severable and that the resolution shall continue in effect notwithstanding the invalidity of such section, sentence, clause, or phrase.

Section 5: That the fees provided for in Section 1 of this Resolution relative to the proposed rates and fees shall become effective on the 1st day of May, 2014.

Section 6: That the fees provided for in Section 1 of this Resolution relative to the proposed rates and fees shall expire on the 30th day of September, 2014.

ATTACHMENT

Exhibit A – Master Fee Schedule pages with proposed changes

EXHIBIT A

SOLID WASTE

Applicable Code, Ordinance or Resolution	Description	Amount
RES-090-12; RES-081-13	Residential solid waste collection fees:	
RES-090-12; RES-081-13	First 96-gallon polycart	\$15.49
RES-090-12; RES-081-13	Each extra cart	\$7.64
	FY2014 Storm Cleanup Surcharge (Effective 05-01-2014 to 09-30-2014)	\$3.02
	Rate schedule for service to commercial and industrial units using a roll-off box type container:	
	Rate for collection of refuse, other than container, furnished by the contractor:	
	Polycart (commercial):	
RES-090-12; RES-081-13	Once a week	\$28.00
RES-090-12; RES-081-13	Each additional polycart	\$20.16
	FY2014 Storm Cleanup Surcharge (Effective 05-01-2014 to 09-30-2014)	\$3.02



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 7C

TITLE

Consider action to approve a resolution entering into an Interlocal Agreement with North Central Texas Council of Governments (NCTCOG) for cooperative purchasing of goods and services.

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer
Wendy Badgett, Assistant Director of Financial Services

SUMMARY

This item is to establish an Interlocal Agreement between the North Central Texas Council of Governments (NCTCOG) to extend the original agreement between Gabriel Roeder Smith & Company (GRS) through September 30, 2014, for actuarial consulting services to assist in compliance with Governmental Accounting Standards Board (GASB) #43 and #45 – Other Post-employment Benefits (OPEB). In using the Interlocal Agreement through the NCTCOG, the City obtains competitive pricing for valuations related to GASB required consulting services due to cooperative purchasing efforts; therefore, City staff is requesting an Interlocal Agreement be established for this purpose.

BACKGROUND INFORMATION

Section 271.102, Texas Local Government Code, authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization, and such process satisfies the state law competitive bidding requirements. Chapter 791 of the Texas Government Code also authorizes respective governing bodies and officials in accordance with the “Interlocal Cooperation Act” to participate in a Cooperative Purchasing Program with another government entity, and such process satisfies the state law competitive bid requirements.

The City’s original Interlocal Agreement through NCTCOG with GRS expired on September 30, 2012. To remain in compliance with GASB #43 and #45, the City is required to obtain OPEB consulting services consisting of a biennial actuary study for the calendar year ended December 31, 2013, to be included in the Fiscal Year 2014 Comprehensive Annual Financial Report (CAFR).

DISCUSSION

In July 2004, the GASB issued statement #45, *Accounting for Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*. Based on the implementation criteria set forth in GASB #45, the City of Rowlett implemented the statement by fiscal year ended

September 30, 2009, which serves the purpose of requiring governments to recognize the cost of OPEB over the active service life of their employees rather than a pay-as-you-go basis.

In using the Interlocal Agreement offered through NCTCOG, the City obtains competitive pricing for valuations and related consulting services due to cooperative purchasing efforts.

Basic services provided through the Shared Services program include:

- Actuarial valuation of employer OPEB in compliance with the requirements of paragraph 11-27 of GASB #45. Valuations can be performed annually or biennially.
- Two in-person or conference call meetings mutually agreed upon by City of Rowlett and GRS.

A copy of the Interlocal Agreement between City of Rowlett and NCTCOG (Exhibit A) is attached and has been reviewed and approved by the City Attorney, David Berman.

City staff sees benefit in renewing this Interlocal Agreement, as many other cities continue to participate.

FINANCIAL/BUDGET IMPLICATIONS

Not applicable as there is no fee involved in establishing the Interlocal Agreement with the NCTCOG.

RECOMMENDED ACTION

City staff recommends the City Council approve a resolution entering into an Interlocal Agreement with North Central Texas Council of Governments (NCTCOG).

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ROWLETT AND THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR A PURCHASING AGREEMENT AS PROVIDED HEREIN FOR COOPERATIVE BIDDING AND PURCHASING OF GOODS AND SERVICES UNDER COMPETITIVELY BID CONTRACTS PURSUANT TO SUBCHAPTER F, CHAPTER 271, OF THE TEXAS LOCAL GOVERNMENT CODE AND CHAPTER 791 OF THE TEXAS GOVERNMENT CODE FOR THE CITY OF ROWLETT, TEXAS; AUTHORIZING THE CITY MANAGER TO SERVE AS THE COORDINATOR FOR THE COOPERATIVE ENTITY UNDER THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rowlett, Texas finds that the Texas Local Government Code Section 271.102, and Chapter 791 of the Texas Government Code allows local governments to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization and allows both parties to purchase goods and services under each

other's competitively bid contracts, and such process satisfies the State law competitive bid requirements; and

WHEREAS, North Central Texas Council of Governments (NCTCOG) is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, the City of Rowlett desires to participate in the described purchasing program sponsored by the NCTCOG, and is of the opinion that participation in this program will be beneficial to the taxpayers through anticipated savings to be realized; and

WHEREAS, pursuant to law, NCTCOG is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, the NCTCOG extended the original agreement with GRS to provide such services for OPEB actuarial consulting services to continue compliance with GASB #43 and #45; and

WHEREAS, the City of Rowlett has represented that it is an eligible entity under the law, that its governing body has authorized this agreement on April 1, 2014, and that it desires to contract with NCTCOG and with GRS to perform actuarial consulting services.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the City Council of the City of Rowlett does hereby approve the Interlocal Agreement with the North Central Texas Council of Governments, providing for cooperative bidding and purchasing of goods and services; a copy of said agreements being attached hereto and labeled "Exhibit "A".

Section 2: That the City Manager is hereby authorized to execute the agreement with the North Central Texas Council of Governments attached as Exhibit "A" on behalf of the City and such other documents as may be necessary or appropriate pursuant thereto.

Section 3: This resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Interlocal Cooperation Agreement

**INTERLOCAL AGREEMENT
FOR
COOPERATIVE PURCHASING
FOR
ACTUARIAL SHARED SERVICES**

THIS INTERLOCAL AGREEMENT (“Agreement”), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the “Act”), by and between the North Central Texas Council of Governments, hereinafter referred to as “NCTCOG,” having its principal place of business at 616 Six Flags Drive, Arlington, Texas 76011, and the City of Rowlett, a local government, created and operated to provide one or more governmental functions and services, hereinafter referred to as “Participant,” having its principal place of business at 4000 Main Street, Rowlett, TX 75088.

WITNESSETH

WHEREAS, NCTCOG is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, NCTCOG is authorized to contract with eligible entities to perform governmental functions and services, including the development of a standard approach for acquiring actuarial services; and

WHEREAS, in reliance on such authority, NCTCOG has a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, NCTCOG extended the original agreement with Gabriel, Roeder, Smith and Company to provide such services to until September 30, 2014; and

WHEREAS, the Participant has represented that it is an eligible entity under the Act that by Administrative Action has authorized this Agreement on April 1, 2014, and that it desires to contract with NCTCOG on the terms set forth below;

NOW, THEREFORE, NCTCOG and the PARTICIPANT do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The Participant represents and warrants to NCTCOG that (1) it is eligible to contract with NCTCOG under the Act because it’s a local government, as defined in the Act, and (2) it possesses adequate legal authority to enter into this Agreement.

ARTICLE 2: APPLICABLE LAWS

NCTCOG and the Participant agree to conduct all activities under this Agreement in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Agreement.

ARTICLE 3: WHOLE AGREEMENT

This Agreement and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: BILLINGS

Billings will be generated for the Actuarial Shared Services through Gabriel Roeder Smith & Company based upon Administrative Fee of \$125 per valuation cycle (effective October 1, 2012). Each party paying for the performance of said functions of government shall make those payments from current revenues available to the paying party.

ARTICLE 5: CHANGES AND AMENDMENTS

This Agreement may be amended only by a written amendment executed by both parties, except that any alterations, additions, or deletions to the terms of this Agreement which are required by changes in Federal and State law or regulations are automatically incorporated into this Agreement without written amendment hereto, and shall become effective on the date designated by such law or regulation.

NCTCOG reserves the right to make changes in the scope of services offered through the Cooperative Purchasing Program to be performed hereunder.

THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:

**Denotes required fields*

NOTE: Facsimile copies of this document shall not be acceptable as ORIGINALS.

Interstate v1 rev. 10/05

City of Rowlett

Name of Participant (*local government, agency, or non-profit corporation*)

4000 Main Street

Mailing Address

Rowlett TX 75088

City State ZIP Code

*By: _____

Signature of Authorized Official

Brian Funderburk

Typed Name of Authorized Official

City Manager

April 1, 2014

Typed Title of Authorized Official Date

North Central Texas Council of Governments

616 Six Flags Drive, Arlington, Texas 76011

*By: _____

Signature of Authorized Official

***Monte Mercer**

Typed Name of Authorized Official

***Deputy Executive Director**

Typed Title of Authorized Official Date



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 7D

TITLE

Consider a resolution approving Change Order Number 1 to the contract with Crescent Constructors, Incorporated in the amount of \$62,664 for replacement of the existing fence for the Rowlett Road Lower Pressure Plane Pump Station Project and authorize the Mayor to execute the necessary documents.

STAFF REPRESENTATIVE

Tim Rogers, Director of Infrastructure Services

Robbin Webber, Assistant Director of Infrastructure Services

SUMMARY

On October 1, 2013, the City Council awarded the Rowlett Road Lower Pressure Plane Pump Station Project in the amount of \$3,711,000 plus an early completion bonus budget of up to \$40,000 for a total project amount of \$3,751,000 to Crescent Constructors, Incorporated (Resolution Number RES-089-13).

The purpose of this item is to authorize a change order totaling \$62,664 to replace the existing fence at the Rowlett Road Pump Station.

BACKGROUND INFORMATION

Crescent Constructors was issued a Notice to Proceed on November 18, 2013, with a project completion date of November 14, 2014. The construction plans included a bid item to replace the existing fence in selective locations to ensure safety measures were in place to have a secure site. Engineering plans called for the fence to be replaced only where the existing fence was disturbed by construction of the retaining wall. However, there was discussion during design about replacing the fence around the entire existing pump station site but this did not happen due to efforts to reduce construction costs to remain within the estimated budget of \$4.8 million. Initially, staff decided to replace the fence within the Utility Fund Cash CIP. However, since bids came in \$1+ million lower than expected, an opportunity exists to provide increased security for the facility.

As indicated in the diagram below, an existing perimeter fence was located around the existing facility, outlined in blue. The proposed fence, highlighted in green, defines the location within the proposed Rowlett Lower Pressure Plane Pump Station Project.

The proposed change order indicated in red reflects the security for the whole facility property. This is in anticipation of the installation of an additional proposed 2MG ground storage tank.



- Existing chain link fence.
- Chain link fence that has been permanently removed
- Existing Barbwire fence
- Proposed location of the new wooden fence

In accordance with the Texas Commission on Environmental Quality (TCEQ) Rule in Texas Administrative Code (TAC) Title 30, Chapter 217, Section 328 (c) (1), “A facility containing an open tank must be surrounded by an intruder resistant fence that is at least an 8 foot solid material or chain link fence top with at least one strand of barbed wire”. Although the existing fencing has met the requirements for security, staff desires to improve the security for the whole property. Approving this change order will ensure security for the proposed plans for improvement and increased capacity of installing another 2MG ground storage tank. TCEQ has provided the City with approval to construct this station.

DISCUSSION

The project cost has a small contingency of 0.5 percent (\$15,881). Change Order Number 1 in the amount of \$62,664 includes removal of 1,050 linear feet of existing fence and placement of temporary fence, installation of 1,520 linear feet of 8 foot wooden privacy fence with a chain link gate and construction of a mow strip for the entire site. Placement of the proposed fence along

with additional support complies with TCEQ Rule of TAC Code Title 30, Chapter 217, Section 328 (c) (1). There are no additional days required for this change order.

The following photographs show the existing fence located at the Rowlett Pump Station.



In an effort to be good stewards of this facility and to the neighboring community, staff has incorporated resolving the concerns of the citizens, increasing security of the facility property and with the improvements staying within the requirement of TCEQ to ensure a secure facility by replacing the outdated existing fence and the installation of additional fence around the property as indicated in the diagram above. A portion of the fence is stockade, which is 13 years of age and in need of replacement due to the historical inclement weather. The other portion of the fence is a three strand barbed wire that provides adequate security but is not amenable to community concerns. The adjacent property owners have issues pertaining to the operations at this facility therefore requesting a visual barrier to the facility.

Staff is requesting to install this type of fence for multiple reasons

1. To improve and increase the security of the facility, required by TCEQ, by replacing the existing 13 year old stockade and barbed wire fence with upgraded materials.
2. To create a visual barrier for residents adjacent to the facility.
3. To provide fencing similar to and compatible with the fencing used by residents adjacent to the facility.

The life expectancy of the pre stained cedar fence is approximately 15+ years without any maintenance. A maintenance program applying stain every 3 to 5 years depending on the weather conditions will extend the life of the materials extensively. The intervals at which the stain is applied will depend on the severity of the weather conditions over that time period.

The location of the proposed fence is depicted on the map to the right.



FINANCIAL/BUDGET IMPLICATIONS

Below is a list of change orders to date for the Rowlett Road Lower Pressure Plane Pump Station Project:

Change Order	Date	Cost	Additional Days	Reason
1	03/18/2014	\$62,664.00	0	Removal of 1,050 linear feet of existing fence and placement of temporary fence, installation of 1,520 linear feet of 8 foot wooden privacy fence with a chain link gate and construction of a mow strip
TOTAL		\$62,664.00	0	

Funds have been budgeted in the CIP for this project in account 605-8201-530-80.01 Project Code WA2095. There is an available balance of \$611,491.89 for Change Order Number 1.

Budget Account Number and/or Project Code	Account or Project Title	Available Amount	Proposed Amount
605-8201-530-8001	WA2095 – Upper Pressure Plane and Rowlett Road Pump Station Improvements	\$611,491.89	\$62,664.00
TOTAL		\$611,491.89	\$62,664.00

RECOMMENDATION ACTION

City staff recommends approving a resolution approving Change Order Number 1 to the contract with Crescent Constructors, Incorporated in the amount of \$62,664 for replacement of the existing fence for the Rowlett Road Lower Pressure Plane Pump Station Project and authorize the Mayor to execute the necessary documents.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING CHANGE ORDER NUMBER ONE IN THE AMOUNT OF \$62,664 TO THE CONTRACT WITH CRESCENT CONSTRUCTORS, INCORPORATED FOR THE ROWLETT ROAD LOWER PRESSURE PLANE PUMP STATION PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett has been presented Change Order Number 1 to the Rowlett Road Lower Pressure Plane Pump Station Project for modifying the fencing installation and removal; and

WHEREAS, upon full review and consideration of Change Order Number 1 in the amount of \$62,664, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, the City Council of the City of Rowlett, Texas desires to approve Change Order Number 1 in the amount of \$62,664 to the Rowlett Road Lower Pressure Plane Pump Station Project contract to Crescent Constructors, Incorporated and to authorize the execution of the necessary documents attached hereto and incorporated herein by reference as Exhibit A.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the City Council of the City of Rowlett does hereby approve Change Order Number 1 to the Rowlett Road Lower Pressure Plane Pump Station Project in the amount of \$62,664 to the Rowlett Road Lower Pressure Plane Pump Station contract to Crescent Constructors, Incorporated resulting in a new contract amount of \$3,813.664.

Section 2: That the City of Rowlett does hereby authorize the Mayor to execute Change Order Number 1, attached hereto and incorporated herein by reference as Exhibit A, on behalf of the City and does further hereby authorize the issuance of appropriate change order purchase orders conforming to this resolution.

Section 3: This resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Change Order Number 1

Crescent Constructors, Inc.
 1100 Grinnell Dr.
 Richardson, TX 75081

City of Rowlett Texas
 4310 Industrial Street
 Rowlett, Texas 75088

January 23, 2014

To: Sherrelle Diggs, P.E.

Re: Rowlett Rd. Lower Pressure Plane Pump Station

PCM-001
Fence Scope Modification

Price Increase from Titan Fence per attached	\$	50,394.00
Rental fencing to maintain secure site during fence replacement	\$	3,028.09
Materials subtotal	\$	53,422.09
Subtotal for the work	\$	53,422.09
Overhead & Profit @ 15%	\$	8,013.31
Subtotal	\$	61,435.40
Bond Adder at 2%	\$	1,228.71
Total	\$	62,664.11
Truncate Total To:	\$	62,664.00

Sincerely,



Donald Eason
 Project Manager



301 South Highway 377
 Crossroads, TX 76227
 Phone: 940-365-9999
 Fax: 940-365-9952



Proposal

Ref. No. PC083013.01-R1
 Date: 22-Jan-14

Plan Date: 7-Aug-13
 Revision: Proposed Fence Change



Pricing Valid Until April 22, 2014

Attention: Donald Eason
 Crescent Constructors

Rowlett Road Lower Pressure Pump Station - Proposed Fence Change Proposal to Furnish and Install - New Fencing and Gates	
Work Scope	Lot Price
Furnish and Install: Approx. 1520 Linear Feet - 8' Wood Fence with Chain Link Gate	\$53,849.00
Design and Materials Based on New Fence Detail Sheet F-1 Layout Based on Plans Dated 8/7/13 and Proposed Change Dated 1/7/14 8' High Wood Fence Per Sheet F-1 / Treated Deck Board Pickets Pressure Treated 2"x4" Horizontal Stringers (4) 2" x 3" Pre-stained Spruce Top, Bottom, and Intermediate Horizontal Rails 2-3/8" Dia. Line Posts / 6-5/8" Dia. Sch40 Gate Posts Includes (1) 20' Wide x 8' High - Chain Link Double Swing Gate - 9ga. Chain Link Includes All Heavy Duty Brackets and Hardware Excludes Demolition and Removal of Existing Fence and Gates All Posts Set in Concrete in Compacted Soil (Does Not Include Core Drilling or Mow Strips)	
Furnish and Install: New 20' Wide x 5' High Pipe Rail Gate	\$2,116.00
Design and Materials Based on Plans Dated 8/7/13 Detail Sheet C-12 (1) 20' Wide x 5' High Pipe Rail Gate Per Drawing C-12 Includes (2) 6" Sch40 Gate Posts and (2) 6" Sch40 Brace Posts w/3" Sch40 Horizontal Braces Excludes Demolition and Removal of Existing Fence and Gates All Posts Set in Concrete in Compacted Soil (Does Not Include Core Drilling)	
Furnish and Install: 1520 Linear Feet - Mow Strip - 18" Wide x 6" Deep w/Rebar	\$27,208.00
Design and Materials Based on Plans Dated 8/7/13 Detail Sheet C-12 Furnish and Install 18" Wide x 6" Deep Mow Strip w/Rebar	
We propose hereby to furnish material, labor, and equipment in accordance with above specifications, for the total sum of:	\$83,173.00

Optional Pricing - Demo and Removal of Existing Fence	
Work Scope	Lot Price
Demo and Removal: Approx. 1050 Linear Feet - Existing 8' Wood Fence	\$2,100.00
Includes Demo and Removal of Remaining Existing Fence Approx. 1050 Linear Feet @ \$2.00/FT	

Proposed Change - Unit/Contract Pricing Summary		
8' Wood Fence (New Design per Sheet F-1)	\$35.90	per Linear Foot
18' x 6" Mow Strip	\$17.90	per Linear Foot
Demo and Removal of Existing Fence	\$2.00	per Linear Foot
Total New Fence Design Including Removal and Mow Strip	\$55.80	per Linear Foot
Original Contract Including Gates	\$34,879.00	
Revised Proposal Total (Including Demo and Removal)	\$85,273.00	
Proposed Adder to Original Contract	\$50,394.00	

Terms and Conditions

All materials is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications - involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Customer agrees to add value to contract value all verifiable material price increases during the life of the contract. Sorensen Industries / Titan Fence & Supply Company will not be held liable in any way for delays caused by material shortages.

Sales tax, if applicable must be added to quoted prices by the customer unless specifically listed. Prices are for material and installation only. Upon acceptance of order, an acknowledgement with shop drawings will be sent confirming exact product specifications. We can make a firm delivery date commitment after receipt of confirmation. Prices are based on current material and galvanization costs and are subject to change.

Phillip Coit - Commercial Estimator

Phone: 972-977-7726

Email: pcoit@titanfence.com**Titan Fence & Supply Co.**

Fax: 940-365-9952

TERMS & CONDITIONS

1. S & S Portable Services dba Cain Rentals (Lessor) hereby rents (leases) to Customer (Lessee), and Lessee hereby accepts Lessor's property (equipment) on approved bid, subject to the provisions contained herein. Lessor to furnish equipment for only one (1) installation and one (1) trip removal. The Terms and Conditions herein supersede all prior terms and conditions between Lessor and Lessee.
2. All Payments are to be made to Cain Rentals and are due, C.O.D., prior to initial installation unless credit terms are mutually agreed upon before delivery. A service charge of 1.5% per month (18% A.P.R.), or \$20.00, whichever is greater, may be imposed on all past due amounts.
3. Lessor must complete all modifications, alterations, repairs, or relocations of the leased equipment.
4. Lessor will remove part or all of the leased equipment within ten (10) working days after receiving notification, written or verbal, from the Lessee. The charges accepted by Lessee only include the initial fence installation, rental at the project location for the contracted months, and one (1) trip for removal.
5. The Lessee agrees that the leased equipment will be returned in the same condition it existed at the time of the initial installation. Any and all costs and expenses resulting from loss, damage or the destruction of leased equipment, or any part thereof, from any cause whatsoever, including but not limited to fire, theft, comprehensive losses, collision, upset, vandalism, accident, negligence, abuse, graffiti, Acts of God, and public enemy shall be the sole financial responsibility for the Lessee and Lessee shall compensate Lessor to restore or replace said damaged or missing equipment upon receipt of invoices.
6. Charges for repair or replacement of damaged and/or missing leased equipment shall be assessed at current replacement cost. The following charges will apply:

• Chainlink \$3.50/LF (6')	• Linepost \$15.00/Each (8')	• Gatepost \$18.00/Each (8')	• Stands \$30.00/Each Missing
\$4.50/LF (8')	\$18.00/Each (10')	\$22.00/Each (10')	\$18.00/Each Damaged
• Gates \$15.00/LF of Damage	• Panels \$15.00/LF of Damage	• Top Rail \$1.50/LF	• Windscreens \$.75/LF
			• Wheels \$20.00/Each
7. Lessee warrants and represents due diligence was exercised in the selection of the location Lessee has designated for the installation of the leased equipment, and further agrees to give directions and supervise the placement of said leased equipment. IT IS THE LESSEE'S RESPONSIBILITY TO ENSURE ALL UNDERGROUND UTILITIES, PUBLIC AND PRIVATE, HAVE BEEN PROPERLY LOCATED AND MARKED. Lessee is responsible for all damages to utilities that were either unmarked or improperly located and for obtaining all required permits for installation of the leased equipment.
8. Leased equipment shall not be sublet. Lessee shall not have the right to assign this lease or otherwise hire out, or part with possession of any said leased equipment to any person, firm, partnership, association or corporation other than Lessor, without prior written consent of Lessor.
9. Lessee will indemnify, defend and hold harmless Lessor, and its agents and employees, from and against all claims, loss or damages Lessor may sustain or suffer for any of the following: loss or damage to any of the leased equipment due to any cause (except for the sole negligence of Lessor); injury to or death of any person, including, but not limited to agents or employees of Lessee; or damage to any equipment arising from the use, condition, possession, or storage of any leased equipment. Lessee will reimburse Lessor for all expenses, losses, liabilities, claims of any type, including reasonable attorney's fees, imposed on or incurred by Lessor as a result of Lessee's use, misuse, or operation of the leased equipment or as a result of Lessee's failure to follow any Terms and Conditions.
10. If the lease extends beyond the contracted months, leased equipment will renew at 18% of original install price, billed in advance for each 28 billing cycle, until the leased equipment is returned to Lessor or another arrangement is executed extending the contracted cycles. NOTE: Prorated refunds are not available on any UNUSED portion of the contracted cycles.
11. In the event the Lessee's account becomes delinquent, customer agrees to pay Lessor all collection expenses, including reasonable legal and/or attorney fees; in addition to all outstanding debt due to Lessor.
12. If the Lessee fails to comply with any of these Terms and Conditions, this agreement may be terminated at the option of the Lessor and become void and the right of possession of all items or equipment leased under and covered by this arrangement shall revert to and vest in Lessor. The Lessor shall have the right, without notice or service, to immediately repossess all leased equipment from Lessee. The Lessor shall not be responsible for loss of any personal property on the premises, which might arise by the repossession of any of the Lessor's equipment pursuant to this paragraph. Lessor will be entitled to all costs and expenses, including but not limited to, legal fees incurred in obtaining payment from Lessee should Lessee fail to promptly pay for leased equipment or damages to equipment within pre-approved payment terms.
13. Minimum/additional costs to site(s) including: Return trip to site(s) after initial install, Fuel Surcharge per trip, Energy Surcharge per trip, rock drill, hillside, hand-carry and inaccessible will apply as per bid.
14. Product price includes complete installation/delivery.

Company Name

Authorized Signature

Date

Print Name / Title



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 7E

TITLE

Consider action to approve a resolution awarding the annual bid for concrete repair/replacement for streets and alleys to Tri-Con Services, Incorporated in the unit amounts bid and in an estimated annual amount of \$1,500,000 and authorizing the Mayor to execute the Standard Public Works Construction contract for said service.

STAFF REPRESENTATIVE

Tim Rogers, Director of Infrastructure Services

Robbin Webber, Assistant Director of Infrastructure Services

SUMMARY

This contract consists of replacing concrete pavement sections on streets and alleys.

BACKGROUND INFORMATION

In February of 2008, City Council established funding for infrastructure maintenance. The City Council adopted the philosophy of "Keeping the Good Streets Good". Funds were set aside to perform maintenance on streets in good condition with a pavement condition index (PCI) of greater than 60 to prevent them from falling into the reconstruction category.

In October 2010, City Council adopted the next phase (referred to as phase II) of the maintenance program, which addresses streets in the 40-60 range.

During the same time period, the alley maintenance program was created to address alley repair. This program is funded by the refuse fund and a portion of the funds are used for alley reconstruction.

DISCUSSION

This bid is for the annual contract for concrete repair/replacement for streets and alley. The initial contract period is March 15, 2014 through March 14, 2015, and includes three one-year renewal options if both parties are in agreement. City staff estimated the cost of the annual service to be \$1,500,000.

Notice to Bidders was published in the *Rowlett Lakeshore Times* on February 13 and February 20, 2014. Sealed bids were received in the Purchasing Office until 2:00 p.m., February 27, 2014, and then publicly opened and read aloud in the City Hall conference room in accordance with Texas Local Government Code.

Bids were received from four (4) bidders ranging from \$1,869,960 to \$2,722,333. The low bidder is Tri-Con Services, Incorporated in the amount of \$1,869,960. Tri-Con Services, Incorporated has performed concrete work for the City of Rowlett in the past and has performed satisfactorily. The detailed bid tabulation is attached and an overall bid summary is shown below:

Staff added a third renewal option over concerns that construction costs would increase over the next several years. The bid results confirmed staff concerns because the average unit cost has increased 8 percent annually over the last three years.

The Cash Capital Improvement Plan (CIP) includes funding each year for street and alley panel replacement. The following streets and alleys have been indentified for maintenance and repairs.

STREETS

<u>Residential</u>		<u>Thoroughfares</u>
Allen Lane	Knightsbridge Drive	Dalrock Road
Atlantic Drive	Lake Highlands Drive	Miller Road
Bayhill Drive	Leeward Lane	Rowlett Road
Bayview Drive	Linda Vista Drive	
Calypso Drive	Marlin Drive	
Caribbean Drive	Mediterranean Drive	
Catalina Street	Portsmouth Drive	
Coral Way	Remington Drive	
Delta Drive	Rice Drive	
Dorchester Drive	Sara Drive	
Drakestone Avenue	Starboard Trail	
Harbor Drive	Tidewater Drive	
Highgate Lane	University Drive	

ALLEYS

Camden Court/Bristol Court	Barton Creek Drive/Dalrock Road
Bristol Court/Coventry Drive	Barton Creek Drive/Golden Pond Drive
Kingston Drive/Coventry Drive	Barton Creek Drive/Mallard Reserve Drive
Coventry Drive/Manchester Drive	Barton Creek Drive/Scenic Drive
Graham Drive/Shopping Center	
Barton Creek Drive/Shopping Center	

FINANCIAL/BUDGET IMPLICATIONS

Funding in the amount of \$1,200,000 is available in CIP funds budgeted for street repair and alley repair in account 398-8002-521-8002, project code ST2052, and \$285,000 funded from CIP funds in account 398-8002-582-8002 Project ST2075 and the remaining balance of \$15,000 in account 597-8201-532-8002.

Budget Account Number and/or Project Code	Account or Project Title	Budget Amount	Proposed Amount
ST2052	398-8201-521-8002	\$1,200,000	\$1,200,000
ST2075	398-8201-521-8002	\$285,000	\$285,000
DR2065	597-8201-532-8002	\$15,000	\$15,000
Total		\$1,500,000	\$1,500,000

RECOMMENDED ACTION

Staff recommends City Council approve a resolution accepting the bid of and awarding a contract to Tri-Con Services, Incorporated in the unit amounts bid and an estimated amount of \$1,500,000 for the Annual Concrete Repair and Maintenance for Streets and Alleys per annum.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, AWARDED THE ANNUAL BID FOR CONCRETE REPAIR/REPLACEMENT FOR STREETS AND ALLEYS TO TRI-CON SERVICES, INCORPORATED IN THE UNIT AMOUNTS BID AND ESTIMATED AMOUNT OF \$1,500,000; AND AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENT FOR SAID SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary to procure concrete repair/replacement services for streets and alleys to be utilized by the City of Rowlett Street Department; and

WHEREAS, the Purchasing Division has taken sealed bids as per Bid #2014-10 and is recommending award to the lowest responsible bidder; and

WHEREAS, the initial contract period is March 15, 2014 through March 14, 2015 and includes three one-year renewal options if both parties are in agreement; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: The City Council of the City of Rowlett, Texas desires to award the bid and authorize entering into a contract for concrete repair/replacement services for streets and alleys Tri-Con Services, Incorporated in the unit amounts bid and in an estimated annual amount of \$1,500,000.

Section 2: The City of Rowlett does hereby authorize the Mayor to execute the necessary documents for concrete services and the City Manager or his designee is authorized to issue purchase orders to conform to this resolution.

Section 3: This resolution shall become effective immediately upon its passage.

ATTACHMENTS

Exhibit A – Bid Tabulation

Attachment 1 – Map of Locations

City Of Rowlett Bid Tabulation for Annual Contract for Concrete Repair and Maintenance #2014-10
 February 27, 2014, 2:00 p.m.
 Purchasing Phone 972-412-6189 Fax 972-412-6144

Bid #2014-10

				F & F Concrete LLC Francisco Fabian 972-202-9202		Omega Contracting Inc. Jeffrey Heimer 214-689-3815		Phillips May Corporation Gilbert May 214-631-3331	
		Bid Bond Included?		Yes		Yes		Yes	
NO.	QTY.	DESCRIPTION	Unit	Total Price	Unit	Total Price	Unit	Total Price	
1	18000	Sawcut concrete pavement to full depth. Price per linear foot.	\$4.00	\$72,000.00	\$4.00	\$72,000.00	\$2.50	\$45,000.00	
2	20000	Remove and install 8" class "C" concrete street pavement and follow City of Rowlett 2014 Standard Construction details to determine the rebar size and spacing. Price per square yard.	\$72.50	\$1,450,000.00	\$58.00	\$1,160,000.00	\$70.00	\$1,400,000.00	
3	750	Remove and install 10" class "C" Concrete Street pavement and follow City of Rowlett 2014 standard Construction Details to determine the rebar size and spacing. Price per square yard.	\$75.50	\$56,625.00	\$63.00	\$47,250.00	\$80.00	\$60,000.00	
4	500	Remove and install 8" class "K" concrete pavement using high early concrete. Price per square yard.	\$74.50	\$37,250.00	\$103.00	\$51,500.00	\$85.00	\$42,500.00	
5	400	Remove and install 10" class "K" concrete pavement using high early concrete. Price per square yard.	\$77.50	\$31,000.00	\$120.00	\$48,000.00	\$95.00	\$38,000.00	
6	5000	Remove and install class "C" Concrete Alley Pavement and follow City fo Rowlett 2014 Standard Construction details to determine the rebar size and spacing. Price per square yard.	\$72.50	\$362,500.00	\$58.00	\$290,000.00	\$68.00	\$340,000.00	
7	500	Remove and install class "C" Concrete Alley Approach and follow City fo Rowlett 2014 Standard Construction details to determine the rebar size and spacing. Price per square yard.	\$70.50	\$35,250.00	\$47.00	\$23,500.00	\$76.00	\$38,000.00	
8	3000	Class "A" Integral Concrete Curb six inches (6"). In accordance with the City of Rowlett 2014 Standard Construction Details. Price per linear foot.	\$7.00	\$21,000.00	\$2.00	\$6,000.00	\$20.00	\$60,000.00	
9	2500	Remove and install class "A" Separate concrete curb & gutter 30" , or match existing curb and gutter in accordance with the City of Rowlett 2014 Standard Construction Details or NCTCOG "Standard Specifications for Public Works construction. Price per square yard.	\$81.00	\$202,500.00	\$125.00	\$312,500.00	\$90.00	\$225,000.00	
10	100	Remove and install class "C" Concrete Driveway in accordance with the City of Rowlett 2014 Standard Construction Details. Price per square yard.	\$63.00	\$6,300.00	\$50.00	\$5,000.00	\$67.00	\$6,700.00	
11	750	Remove and install class "A" Concrete 4ft Sidewalk at minimum depth of four inches in accordance with the City of Rowlett 2014 Standard Construction Details. Price per linear foot.	\$24.00	\$18,000.00	\$18.00	\$13,500.00	\$22.00	\$16,500.00	
12	100	Remove and install class "A" Concrete 5ft Sidewalk at minimum depth of four inches in accordance with the City of Rowlett 2014 Standard Construction Details. Price per linear foot.	\$29.00	\$2,900.00	\$19.00	\$1,900.00	\$27.00	\$2,700.00	
13	1500	Construct sidewalk retaining wall combination (variable height) up to 36 inches in accordance with the City of Rowlett 2014 Standard Construction Details or NCTCOG "Standard Specifications for Public Works construction". Price per square feet.	\$12.00	\$18,000.00	\$25.00	\$37,500.00	\$14.00	\$21,000.00	
14	750	Construct retaining wall (variable height) up to 36 inches in accordance with the City of Rowlett 2014 Standard Construction Details or NCTCOG "Standard Specifications for Public Works construction". Price per square feet.	\$12.00	\$9,000.00	\$20.00	\$15,000.00	\$17.00	\$12,750.00	
15	1000	Install Stamped Colored Concrete (Match existing pattern and color). Price per square yard.	\$90.00	\$90,000.00	\$54.00	\$54,000.00	\$115.00	\$115,000.00	
16	15	Remove and install Barrier free ramps in accordance with the TxDOT PD-05 Standard Construction Details. Price each.	\$950.00	\$14,250.00	\$1,500.00	\$22,500.00	\$1,630.00	\$24,450.00	
17	5	Remove and install Barrier free double barrier free ramps in accordance with the TxDOT PD-12A, Type 5 2 Standard Construction Details. Price each.	\$1,150.00	\$5,750.00	\$2,700.00	\$13,500.00	\$2,500.00	\$12,500.00	
18	60	Install Topsoil to grade between sidewalk and curb. Price per cubic yard.	\$40.00	\$2,400.00	\$28.00	\$1,680.00	\$60.00	\$3,600.00	
19	60	Excavation of failed sub-grade and install Cement Treated Base (CTB) and re-compact to STD proctor density. Native material shall be compacted to 95% STD proctor prior to installation of CTB. Price per cubic yard.	\$94.00	\$5,640.00	\$90.00	\$5,400.00	\$89.00	\$5,340.00	
20	1500	Excavation of failed sub-grade and install Flex Base and re-compact to STD proctor density. Native material shall be compacted to 95% STD proctor prior to installation of Flex base. Price per cubic yard.	\$84.00	\$126,000.00	\$78.00	\$117,000.00	\$60.00	\$90,000.00	
21	50	Remove and install Inlet top and throat to the proper elevation. In accordance with the City of Rowlett 2014 Standard Construction Details. Price per linear foot.	\$150.00	\$7,500.00	\$65.00	\$3,250.00	\$760.00	\$38,000.00	

City Of Rowlett Bid Tabulation for Annual Contract for Concrete Repair and Maintenance #2014-10
 February 27, 2014, 2:00 p.m.
 Purchasing Phone 972-412-6189 Fax 972-412-6144

Bid #2014-10

Tri-Con Services Inc.
 Ian Gerber
 972-475-5207

		Bid Bond Included?	Yes	
NO.	QTY.	DESCRIPTION	Unit	Total Price
1	18000	Sawcut concrete pavement to full depth. Price per linear foot.	\$1.50	\$27,000.00
2	20000	Remove and install 8" class "C" concrete street pavement and follow City of Rowlett 2014 Standard Construction details to determine the rebar size and spacing. Price per square yard.	\$46.00	\$920,000.00
3	750	Remove and install 10" class "C" Concrete Street pavement and follow City of Rowlett 2014 standard Construction Details to determine the rebar size and spacing. Price per square yard.	\$59.00	\$44,250.00
4	500	Remove and install 8" class "K" concrete pavement using high early concrete. Price per square yard.	\$53.00	\$26,500.00
5	400	Remove and install 10" class "K" concrete pavement using high early concrete. Price per square yard.	\$61.00	\$24,400.00
6	5000	Remove and install class "C" Concrete Alley Pavement and follow City fo Rowlett 2014 Standard Construction details to determine the rebar size and spacing. Price per square yard.	\$58.00	\$290,000.00
7	500	Remove and install class "C" Concrete Alley Approach and follow City fo Rowlett 2014 Standard Construction details to determine the rebar size and spacing. Price per square yard.	\$42.00	\$21,000.00
8	3000	Class "A" Integral Concrete Curb six inches (6"). In accordance with the City of Rowlett 2014 Standard Construction Details. Price per linear foot.	\$39.00	\$117,000.00
9	2500	Remove and install class "A" Separate concrete curb & gutter 30" , or match existing curb and gutter in accordance with the City of Rowlett 2014 Standard Construction Details or NCTCOG "Standard Specifications for Public Works construction. Price per square yard.	\$30.00	\$75,000.00
10	100	Remove and install class "C" Concrete Driveway in accordance with the City of Rowlett 2014 Standard Construction Details. Price per square yard.	\$100.00	\$10,000.00
11	750	Remove and install class "A" Concrete 4ft Sidewalk at minimum depth of four inches in accordance with the City of Rowlett 2014 Standard Construction Details. Price per linear foot.	\$32.00	\$24,000.00
12	100	Remove and install class "A" Concrete 5ft Sidewalk at minimum depth of four inches in accordance with the City of Rowlett 2014 Standard Construction Details. Price per linear foot.	\$40.00	\$4,000.00
13	1500	Construct sidewalk retaining wall combination (variable height) up to 36 inches in accordance with the City of Rowlett 2014 Standard Construction Details or NCTCOG "Standard Specifications for Public Works construction". Price per square feet.	\$6.00	\$9,000.00
14	750	Construct retaining wall (variable height) up to 36 inches in accordance with the City of Rowlett 2014 Standard Construction Details or NCTCOG "Standard Specifications for Public Works construction". Price per square feet.	\$11.00	\$8,250.00
15	1000	Install Stamped Colored Concrete (Match existing pattern and color). Price per square yard.	\$40.00	\$40,000.00
16	15	Remove and install Barrier free ramps in accordance with the TxDOT PD-05 Standard Construction Details. Price each.	\$650.00	\$9,750.00
17	5	Remove and install Barrier free double barrier free ramps in accordance with the TxDOT PD-12A, Type 5 2 Standard Construction Details. Price each.	\$700.00	\$3,500.00
18	60	Install Topsoil to grade between sidewalk and curb. Price per cubic yard.	\$50.00	\$3,000.00
19	60	Excavation of failed sub-grade and install Cement Treated Base (CTB) and re-compact to STD proctor density. Native material shall be compacted to 95% STD proctor prior to installation of CTB. Price per cubic yard.	\$96.00	\$5,760.00
20	1500	Excavation of failed sub-grade and install Flex Base and re-compact to STD proctor density. Native material shall be compacted to 95% STD proctor prior to installation of Flex base. Price per cubic yard.	\$95.00	\$142,500.00
21	50	Remove and install Inlet top and throat to the proper elevation. In accordance with the City of Rowlett 2014 Standard Construction Details. Price per linear foot.	\$115.00	\$5,750.00

City Of Rowlett Bid Tabulation for Annual Contract for Concrete Repair and Maintenance #2014-10
 February 27, 2014, 2:00 p.m.
 Purchasing Phone 972-412-6189 Fax 972-412-6144

Bid #2014-10

NO.	QTY.	DESCRIPTION	Tri-Con Services Inc.	
			Unit	Total Price
22	2	Remove and install 10ft Inlet to the proper elevation. In accordance with the City of Rowlett 2014 Standard Construction Details. Price each.	\$3,200.00	\$6,400.00
23	2	Remove and install 15ft Inlet to the proper elevation. In accordance with the City of Rowlett 2014 Standard Construction Details. Price each.	\$3,600.00	\$7,200.00
24	2	Remove and install 20ft Inlet to the proper elevation. In accordance with the City of Rowlett 2014 Standard Construction Details. Price each.	\$4,500.00	\$9,000.00
25	100	Remove and install Concrete Flume to the proper elevation. In accordance with the City of Rowlett 2014 Standard Construction Details. Price per square yard.	\$30.00	\$3,000.00
26	250	Install Sod and match existing grass. Price per square yard.	\$18.00	\$4,500.00
27	100	Remove and install Median Nose in accordance with the City of Rowlett 2014 Standard Construction Details. Price per square yard.	\$50.00	\$5,000.00
28	2	Remove and install New Manhole cover and ring in accordance with the City of Rowlett 2014 Standard Construction Details. Price each.	\$600.00	\$1,200.00
29	10	Adjust existing Manhole cover and rings to the proper elevation in accordance with the City of Rowlett 2014 Standard Construction Details. Price each.	\$190.00	\$1,900.00
30	2	Install New water valve cover and stack (Bass Hays 340-1) to the proper elevation in accordance with the City of Rowlett 2014 Standard Construction Details. Price each.	\$150.00	\$300.00
31	10	Adjust existing Water valve cover and stack to the proper elevation. Price each.	\$150.00	\$1,500.00
32	20	Deploy Portable message board . Price per day.	\$100.00	\$2,000.00
33	700	Furnish and install 24 inch root barrier by Deep Root or approved equal including incidentals according to plans and specs. Price per linear foot.	\$8.00	\$5,600.00
34	100	Reset 18" to 31" RCP (storm pipe) to grade and place concrete collars (Min. width 12") around each joint. Utility Ditch depth not to exceed 4' in depth. Price per linear foot.	\$30.00	\$3,000.00
35	30	Install Type A dry rock rip rap (12" thick) including all incidentals. Price per square yard.	\$40.00	\$1,200.00
36	50	Adjust Sprinkler heads to the proper height. Price each.	\$50.00	\$2,500.00
37	200	Relocate Irrigation system . Price per linear foot.	\$10.00	\$2,000.00
38	200	Furnish and install all Pavement Markings removed during construction. This includes raised pavement markers and thermoplastic striping. Price per linear foot.	\$15.00	\$3,000.00
TOTAL				\$1,869,960.00

CITY OF ROWLETT

**2013-2014 Street and Alley
Projected Repairs**

Please submit changes or corrections to:
City of Rowlett Geographic Information Systems (GIS)
3901 Main Street, Rowlett, Texas 75088
Phone (972) 412-6133; Fax (972) 412 6228
Email: gis@ci.rowlett.tx.us
Or visit us on the web at
<http://www.ci.rowlett.tx.us/Rowlett/Departments/GIS>

March 2014

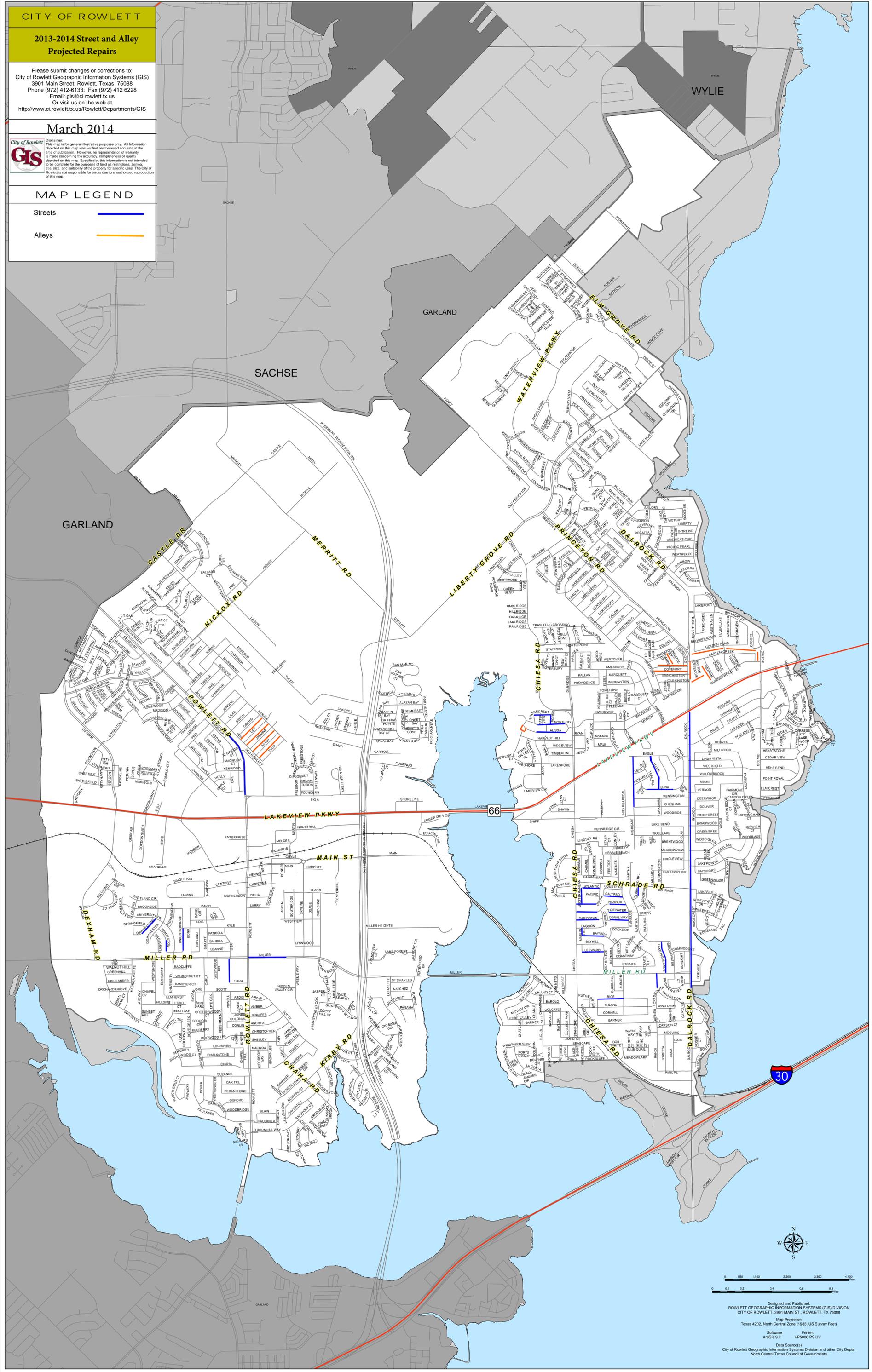
City of Rowlett GIS

Disclaimer:
This map is for general illustrative purposes only. All information depicted on this map was verified and believed accurate at the time of publication. However, no representation or warranty is made concerning the accuracy, completeness or quality of the information on this map. Specifically, this information is not intended to be complete for the purposes of land use restrictions, zoning, title, size, and suitability of the property for specific uses. The City of Rowlett is not responsible for errors due to unauthorized reproduction of this map.

MAP LEGEND

Streets 

Alleys 



Designed and Published:
ROWLETT GEOGRAPHIC INFORMATION SYSTEMS (GIS) DIVISION
CITY OF ROWLETT, 3901 MAIN ST., ROWLETT, TX 75088

Map Projection:
Texas 4202, North Central Zone (1983, US Survey Feet)

Software: ArcGIS 9.2
Printer: HP5000 PS UV

Data Source(s):
City of Rowlett Geographic Information Systems Division and other City Depts.
North Central Texas Council of Governments.



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 7F

TITLE

Consider action to approve an Ordinance adopting the 2012 editions of the International Building, Residential, Mechanical, Plumbing, Fuel Gas, and Fire Codes; the 2011 edition of the National Electric Code; and the 2009 edition of the International Energy Conservation Code, along with the North Central Texas Council of Governments recommended amendments.

STAFF REPRESENTATIVE

Marc Kurbansade, Director of Development Services
Neil Howard, Fire Chief

SUMMARY

The purpose of this item is to update the Building and Fire Codes in the City. It is typical for municipalities to periodically update these Codes as building practices change. The City's current Codes were last updated in 2008.

BACKGROUND INFORMATION

The International Codes are updated by the International Code Council (ICC) in three-year cycles, with the companion National Electric Code (NEC) always being one year behind. Many municipalities schedule their updates to coincide with these three-year cycles. After the ICC publishes their Code updates, the North Central Texas Council of Governments (NCTCOG) will work to prepare recommended amendments that are based on regional practices that are specific to North Central Texas.

In November 2008, the City of Rowlett adopted the 2006 editions of each of the International Codes and the 2005 edition of the National Electrical Code. These were the most recent Codes available at that time. In 2011/2012, the City explored adopting the 2009 International Codes and the 2008 NEC. At this time, the City was also in the middle of considering the adoption of Form-Based Codes in various districts in the City. Since the City was trying to evaluate potential conflicts with the 2006 International Codes and Form-Based Codes, we chose not to move forward with a 2009 International Codes update because this would introduce a new unknown variable into the equation.

Now that the City has completed its analysis of the International Codes as it relates to the Form-Based Codes, we are in the position to update to the 2012 International Codes. Since the existing 2006 International Codes are two Code cycles old, this introduces some minor issues. First, the Codes are not entirely reflective of some changed construction methods/practices. Second, since the City is two Code cycles behind, this could negatively affect our Insurance Services Office (ISO) rating if they are not updated.

To provide background, the Insurance Services Office is an independent statistical, rating and advisory organization that serves the property/casualty insurance industry. ISO collects information on a community's building code adoption and enforcement services, analyzes the data, and then assigns a Building Code Effectiveness Classification from 1 to 10, with a Class 1 representing the best rating. ISO conducted a survey of the City in March 2013, to determine the effectiveness of Code Enforcement as it pertained to Building Codes. The result of this study would have reduced our rating from Class 5 to Class 9 for one- and two-family dwelling units, and from Class 4 to Class 9 for commercial and industrial construction. The City was informed by ISO, that if we updated to the current International Codes within one year, we would retain our current Class 5 and Class 4 ratings. The benefit of lower ISO ratings is that those who seek property insurance in the City of Rowlett can expect lower ratings commensurate with the rating issued to the City by ISO.

The migration to the 2012 International Codes will help to address both of the above potential issues. First, the Code update will enable the City to utilize the most recent version of the International Codes, which is reflective of the most recent construction methods and practices. Second, the Code update will enable the City to retain its current ISO ratings.

It should be noted that the City is adopting the 2012 International Codes and the 2011 NEC, with the exception that the 2009 International Energy Conservation Code (IECC) is being adopted in lieu of the 2012 IECC. This is because the State Energy Conservation Office (SECO) has not adopted the 2012 IECC; therefore, NCTCOG has not been able to recommend the inclusion of the 2012 IECC in its recommended amendments.

DISCUSSION

The City of Rowlett has historically adopted new International Codes in order to ensure that best practices are utilized in development and construction. Consistency in permitting and inspection practices is addressed by adopting the NCTCOG Recommended Amendments. Many municipalities in the Metroplex have adopted the 2012 International Codes, with some of the closer municipalities being Plano, Richardson, and Wylie.

The changes to the 2009 International Energy Conservation Code; 2011 National Electric Code; and 2012 International Building, Residential, Mechanical, Plumbing, and Fuel Gas Codes are inclusive of only the NCTCOG Recommended Amendments. The changes to the 2012 International Fire Codes are mainly the NCTCOG Recommended Amendments along with amendments recommended by the Fire Marshal. The comprehensive list of proposed amendments can be found in Exhibit A.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends that the Council approve an Ordinance adopting the 2012 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Fire, 2011 National Electric Code and 2009 International Energy Conservation Codes along with the NCTCOG and staff amendments.

ORDINANCE

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF ROWLETT, BY AMENDING CHAPTER 78 (“BUILDINGS AND BUILDING REGULATIONS”) TO AMEND SECTIONS 78-51 AND 78-52 OF DIVISION 2 (“INTERNATIONAL BUILDING CODE”) AND SECTIONS 78-71 AND 78-72 OF DIVISION 3 (“RESIDENTIAL CODE”) OF ARTICLE II (“BUILDING REGULATIONS”), TO AMEND SECTION 78-141 AND SUBSECTION (f) OF SECTION 78-142 OF ARTICLE III (“ELECTRICAL CODE”), TO AMEND SECTIONS 78-171 AND 78-172 OF ARTICLE IV (“MECHANICAL CODE”), TO AMEND SECTIONS 78-201 AND 78-202 OF ARTICLE V (“PLUMBING CODE”), TO AMEND SECTIONS 78-211 AND 78-212 OF ARTICLE VI (“ENERGY CONSERVATION CODE”), AND TO AMEND SECTIONS 78-221 AND 78-222 OF ARTICLE VII (INTERNATIONAL FUEL GAS CODE; PROVIDING FOR THE ADOPTION OF THE 2012 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PLUMBING CODE, AND THE INTERNATIONAL FUEL GAS CODE, THE 2009 EDITION OF INTERNATIONAL ENERGY CONSERVATION CODE, AND THE 2011 EDITION OF THE NATIONAL ELECTRICAL CODE; AMENDING ARTICLE III (“CODES AND STANDARDS”) OF CHAPTER 26 (“FIRE PREVENTION AND PROTECTION”) TO AMEND SECTIONS 26-101 AND 26-102, PROVIDING FOR THE ADOPTION OF THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE; PROVIDING FOR AMENDMENTS TO EACH OF THE CODES ADOPTED HEREBY; PROVIDING A REPEALING CLAUSE; PROVIDING SAVINGS CLAUSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett, Texas, finds and determines that the Council has previously adopted the provisions of various international codes to serve as the building codes and fire code applicable in the City, as well as certain amendments to the codes recommended by the North Central Texas Council of Governments; and

WHEREAS, the building codes and fire code currently in effect in the City are the 2006 editions of each of the international codes and the 2005 edition of the National Electrical Code; and

WHEREAS, the International Code Council has recommended more recent editions of the building codes and fire code, and the adoption of these more recent editions will provide greater uniformity in the enforcement of and compliance with the codes, will provide more effective safety and structural integrity for habitable structures and related equipment and systems, and will protect and preserve the City’s ISO rating, and;

WHEREAS, the City Council of the City of Rowlett, Texas, finds and determines that the adoption of the 2012 editions of the international codes, the 2009 edition of the International Energy Conservation Code, and the 2011 edition of the National Electrical Code provided for herein is in the best interest of the public health, safety and welfare of the citizens of the City.

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

SECTION 1. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-51 and 78-52 of Division 2 (“International Building Code”) of Article II (“Building Regulations”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-51 and 78-52 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE II. BUILDING REGULATIONS

...

DIVISION 2. INTERNATIONAL BUILDING CODE

Sec. 78-51. Adopted.

There is hereby adopted the International Building Code, 2012 Edition, and made a part of this division for all purposes, the same as if copied in full in this division, with the exception of such sections listed in this article, which are hereby deleted, modified or amended, to regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the city.

Sec. 78-52. Amendments to the International Building Code.

Certain amendments to the International Building Code, adopted herein, are adopted as a part of said code and shall be maintained, together with the International Building Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-53—78-70. Reserved.”

SECTION 2. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-71 and 78-72 of Division 3 (“Residential Code”) of Article II (“Building Regulations”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-71 and 78-72 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE II. BUILDING REGULATIONS

...

DIVISION 3. RESIDENTIAL CODE

Sec. 78-71. Adopted.

There is hereby adopted the International Residential Code, 2012 Edition, and made a part of this division and article for all purposes, the same as if fully copied in full in this section, with the exception of such sections listed in this division, which are hereby deleted, modified or amended.

Sec. 78-72. Amendments to the Residential Code.

Certain amendments to the International Residential Code, adopted herein, are adopted as a part of said code and shall be maintained, together with the International Residential Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-73—78-90. Reserved.”

SECTION 3. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending section 78-141 and subsection (f) of section 78-142 of Article III (“Electrical Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace section 78-141 in its entirety and to replace only subsection (f) of section 78-142, such that section 78-141 and subsection (f) of section 78-142 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE III. ELECTRICAL CODE

Sec. 78-141. Adopted.

The National Electrical Code, 2011 Edition, is hereby adopted and made a part of this article for all purposes, the same as if fully copied in full in this section, with the exception of such sections listed in this article, which are hereby deleted, modified or amended.

Sec. 78-142. Amendments to the National Electrical Code.

...

(f) Certain amendments to the National Electrical Code adopted herein, are adopted as a part of said code and shall be maintained, together with the National Electrical Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-143—78-170. Reserved.”

SECTION 4. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-171 and 78-172 of Article IV (“Mechanical Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-171 and 78-172 shall henceforth read in their entirety as follows:

“CHAPTER 78 BUILDINGS AND BUILDING REGULATIONS

...

ARTICLE IV. MECHANICAL CODE

Sec. 78-171. Adopted.

There is hereby adopted the International Mechanical Code, 2012 Edition, and made a part of this article for all purposes, the same as if fully copied in this section, with the exception of such sections listed in this article, which are hereafter deleted, amended, or modified.

Sec. 78-172. Amendments to the International Mechanical Code.

Certain amendments to the International Mechanical Code adopted herein, are adopted as a part of said code and shall be maintained, together with the International

Mechanical Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-173—78-200. Reserved.”

SECTION 5. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-201 and 78-202 of Article V (“Plumbing Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-201 and 78-202 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

. . .

ARTICLE V. PLUMBING CODE

Sec. 78-201. Adopted.

There is hereby adopted the International Plumbing Code, 2012 Edition, and made a part of this article for all purposes, the same as if fully copied in full in this section, with the exception of such sections listed in this article, which are hereafter deleted, modified or amended.

Sec. 78-202. Amendments and deletions.

Certain amendments to the International Plumbing Code adopted herein, are adopted as a part of said code and shall be maintained, together with the International Plumbing Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-203—78-210. Reserved.”

SECTION 6. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-211 and 78-212 of Article VI (“Energy Conservation Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-211 and 78-212 shall henceforth read in their entirety as follows:

“CHAPTER 78

BUILDINGS AND BUILDING REGULATIONS

...

ARTICLE VI. ENERGY CONSERVATION CODE

Sec. 78-211. Adopted.

There is hereby adopted the International Energy Conservation Code, 2009 Edition, and made a part of this article for all purposes, the same as if fully copied in full in this section, with the exception of such sections listed in this article, which are hereafter deleted, modified or amended.

Sec. 78-212. Amendments to the Energy Conservation Code.

Certain amendments to the International Energy Conservation Code adopted herein, are adopted as a part of said code and shall be maintained, together with the International Energy Conservation Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-213—78-220. Reserved.”

SECTION 7. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-221 and 78-222 of Article VII (“International Fuel Gas Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-221 and 78-222 shall henceforth read in their entirety as follows:

“CHAPTER 78 BUILDINGS AND BUILDING REGULATIONS

...

ARTICLE VII. INTERNATIONAL FUEL GAS CODE

Sec. 78-221. Adopted.

There is hereby adopted the International Fuel Gas Code, 2012 Edition, and made a part of this article for all purposes, the same as if fully copied in this section, with the exception of such sections listed in this article, which are hereafter deleted, amended, or modified.

Sec. 78-222. Amendments to the International Fuel Gas Code.

Certain amendments to the International Fuel Gas Code adopted herein, are adopted as a part of said code and shall be maintained, together with the International Fuel Gas Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-223—78-230. Reserved.”

SECTION 8. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending Article III (“Codes and Standards”) of Chapter 26 (“Fire Prevention and Protection”) to amend sections 26-101 and 26-102, to replace said sections, such that Sections 26-101 and 26-102 shall henceforth read in their entirety as follows:

**“CHAPTER 26
FIRE PREVENTION AND PROTECTION**

...

ARTICLE III. CODES AND STANDARDS

...

Sec. 26-101. International Fire Code adopted.

There is hereby adopted by the City of Rowlett, Texas for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain code known as the International Fire Code, 2012 Edition, including all Appendices, and the latest edition of the National Fire Protection Association Standard 1, save and except such portions as are deleted, modified or amended by this article. The International Fire Code as adopted and amended herein is applicable within the limits of the city, within 5,000 feet thereof, and within the city's extraterritorial jurisdiction.

Sec. 26-102. Amendments to the International Fire Code.

Certain amendments to the International Fire Code, adopted herein, are adopted as a part of said code and shall be maintained, together with the International Fire Code, in the office of the city secretary and the Fire Marshal. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 26-103—26-140. Reserved.”

SECTION 9. That the codes adopted herein are adopted with certain amendments, true and correct copies of which are identified as Exhibit "A" attached hereto and incorporated herein, and which amendments are incorporated as a part of each of the codes adopted by this ordinance. The amendments adopted herein shall be maintained on file in the offices of the city secretary and building official (and fire marshal in the case of the International Fire Code amendments) and shall be attached to each of the codes adopted by this ordinance.

SECTION 10. That all references in all of the codes adopted by this ordinance to boards of appeal shall refer to the board of adjustment of the City of Rowlett, Texas, which shall be and is hereby authorized to act and preside as a board of appeals under each of the codes adopted by this ordinance.

SECTION 11. That all ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 12. That all provisions of the ordinances of the City of Rowlett, Texas, heretofore adopted prior to January 1, 2009, pertaining to or requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in new or existing one- or two-family dwellings are not repealed or otherwise amended by this ordinance, and said ordinances be and are hereby declared to remain in full force and effect. It is the express intent of the City Council that it is not enacting an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in a new or existing one- or two-family dwelling, but is, instead, preserving and retaining the City's regulations and requirements as they existed prior to January 1, 2009.

SECTION 13. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances and ordinances of the City, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 14. That should any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the Code of Ordinances of the City.

SECTION 15. That any person, firm or corporation violating any of the provisions or terms of this ordinance or the codes adopted hereby, as same may be amended, shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 16. That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

ATTACHMENT

Exhibit A - Comprehensive List of Proposed Amendments

City of Rowlett

Amendments to the
2012 International Building Code

The following sections, paragraphs, and sentences of the *2012 International Building Code* are hereby amended as follows: Standard type is text from the IBC. Underlined type is text inserted. ~~Lined through type is deleted text from IBC.~~ A double asterisk (**) at the beginning of a section identifies an amendment carried over from the 2009 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2012 code.

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

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes. The former ICC Electrical Code is now Appendix K of this code but no longer called by that name.)

****Section 101.4.7; add the following:**

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

(Reason: This was dropped when ICC quit publishing the ICC Electrical Code, but the Electrical Code still should be referenced regardless of how it is adopted.)

**** Section 103 and 103.1 amend to insert the Department Name**

SECTION 103

~~DEPARTMENT OF BUILDING SAFETY~~ **BUILDING INSPECTIONS DEPARTMENT, CITY OF ROWLETT**

103.1 Creation of enforcement agency. ~~The Department of Building Safety~~ Building Inspections Department is hereby created and the official in charge thereof shall be known as the *building official*.

(Reason: Reminder to be sure ordinance reads the same as designated by the city.)

*****Section 105.2; under sub-title entitled "Building" delete items 1, 2, 10 and 11 and re-number as follows:**

Building:

- ~~1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).~~
- ~~2. Fences not over 7 feet (1829 mm) high.~~
- ~~3. 1. (Unchanged)~~
- ~~4. 2. (Unchanged)~~
- ~~5. 3. (Unchanged)~~
- ~~6. 4. (Unchanged)~~
- ~~7. 5. (Unchanged)~~
- ~~8. 6. (Unchanged)~~
- ~~9. 7. (Unchanged)~~
- ~~10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~
- ~~11. 8. (Unchanged)~~
- ~~12. 9. (Unchanged)~~
- ~~13. 10. (Unchanged)~~

(Reason: Items deleted are for one- and two-family dwellings regulated by the International Residential Code. Accessory structures, fences and shade cloth structures would require a permit for commercial properties to ensure compliance with local ordinance, egress, accessibility, flame spread of fabric, wind/snow design load, etc.)

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

109.7 Re-inspection Fee. A fee as established by city council resolution, set forth in the Master Fee Schedule, may be charged when:

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

5. The job site is red-tagged twice for the same item:
6. The original red tag has been removed from the job site.
7. Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

(Reason: This fee is not a fine or penalty but is designed to compensate for time and trips when inspections are called for when not ready.)

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

109.8 Work without a permit.

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

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

109.9 Unauthorized cover up fee. Any work concealed without first obtaining the required inspection in violation of Section 110 shall be assessed a fee as established by the city fee schedule.

(Reason: This fee is not a fine or penalty but is designed to compensate for time and to remove incentive to attempt to evade permits and code compliance. Text taken from former Uniform Administrative Code.)

****Section 110.3.5; jurisdiction has the option to delete depending on local inspection policies.**

(Reason: Lath or gypsum board inspections are not normally performed in this area.)

****Section 202; amend definition of Ambulatory Care Facility as follows:**

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

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

*(Reason: To clarify the range of uses included in the definition. [Explanatory note related to **Ambulatory Care Facilities**: This group of uses as defined in Chapter 2 includes a medical or*

dental office where persons are put under for dental surgery or other services. Section 903.2.2 will now require such uses to be sprinklered if on other than the floor of exit discharge or if four or more persons are put under on the level of exit discharge. Recommend (1.) jurisdictions document any pre-existing non-conforming conditions prior to issuing a new C of O for a change of tenant and, (2.) On any medical or dental office specify on C of O the maximum number of persons permitted to be put under general anesthesia.

It is recommended that before a Certificate of Occupancy is issued, a letter of intended use from the business owner shall be included and a C of O documenting the maximum number of care recipients incapable of self preservation allowed.)

*****Section 202; add definition of Assisting Living Facilities to read as follows.**

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

(Reason: The code references Assisted Living facilities and definition was deleted)

****Section 202; change definition of "Atrium" as follows:**

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

(Reason: Accepted practice in the region based on legacy codes. Section 1009 permits unenclosed two story stairways under certain circumstances.)

****Section 202; amend definition to read as follows:**

HIGH-RISE BUILDING. A building with an occupied floor located more than ~~75~~ 55 feet (~~22-860 mm~~) (16 764 mm) above the lowest level of fire department vehicle access.

(Reason: To define high-rise, as it influences sprinkler requirement thresholds based on the fire fighting capabilities of a jurisdiction. This correction needed for Option B and C cities only as a basic definition of High Rise is now provided.)

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

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

(Reason: To clarify that egress and accessibility requirements are applicable for assembly areas, i.e. cafeteria, auditoriums, etc.)

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

Fire stations

Police stations with detention facilities for 5 or less

(Reason: Consistent with regional practice dating back to the legacy codes.)

****Section 307.1; add the following sentence to Exception 4:**

4. Cleaning establishments... *{text unchanged}* ...with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also IFC Chapter 12, Dry Cleaning Plant provisions.

(Reason: To call attention to detailed requirements in the Fire Code.)

****Section 403.1, Exception 3; change to read as follows:**

3. Open air portions of buildings Buildings with a Group A-5 occupancy in accordance with Section 303.6.

(Reason: To clarify enclosed portions are not exempt.)

****Section 403.3, Exception; delete item 2.**

(Reason: To provide adequate fire protection to enclosed areas.)

****Section 404.5; delete Exception.**

(Reason: Consistent with amended atrium definition.)

****Section 406.3.2; add item 3 to read as follows:**

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

(Reason: Simplifies the fire separation distance and eliminates the need to obtain opening information on existing buildings when adding carports in existing apartment complexes. Consistent with legacy codes in effect in region for years and no record of problems with car fires spreading to apartments as a result.)

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

This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

(Reason: To further clarify types of service work allowed in a repair garage, as well as to correspond with definition in the IFC.)

****Section 506.2.2; add sentence to read as follows:**

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

(Reason: To define what is considered accessible. Consistent with regional amendment to IFC 504.1.)

****Section 712.1.8, change item 5 to read as follows:**

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

(Reason: To be consistent with regionally accepted practices.)

****Section 713.14.1 Elevator Lobby. Exceptions: 4.3 change to read as follows:**

*****Section 713.14.1; Exception 4.3** Elevators serving floor levels over ~~75~~ 55 feet (~~22 860 mm~~) (16 764 mm) above the lowest level of fire department vehicle access in high rise buildings

(Reason: This correction needed for Option B and C cities only as a basic definition of High Rise is now provided.)

****Section 903.1.1; change to read as follows:**

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

(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection in general. An applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths. This also meets with local practices in the region.)

****Section 903.2; add the following:**

[F] 903.2 Where required. *Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”*

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3006.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3006.4, such that passive fire barriers for these areas are maintained. This also meets with local practices in the region.)

****Section 903.2; delete the exception.**

(Reason: The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building. This also meets with local practices in the region.)

****Section 903.2.9; add Section 903.2.9.3 to read as follows:**

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

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

(Reason: Fire departments are unable to inspect these commercial occupancies and are unaware of the contents being stored. This also meets with local practices in the region.)

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:

903.2.11.3 Buildings 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the *International Building Code*, having an occupant load of 30 or more that is located ~~55~~ 35 feet (46 764 10 668mm) or more above the lowest level of fire department vehicle access.

Exceptions:

~~1. Airport control towers.~~

~~2.—~~Open parking structures in compliance with Section 406.5 of the *International Building Code*.

~~3. Occupancies in Group F-2.~~

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

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

903.2.11.9 Buildings Over 5,000 sq.ft. An automatic sprinkler system shall be installed throughout all buildings with a building area over 5,000 sq.ft. For the purpose of this provision, fire walls shall not define separate buildings.

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

(Reason: Reflects regional practices.)

*****Section 903.3.1.1.1; change to read as follows:**

[F] 903.3.1.1.1 Exempt locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such ...*{text unchanged}*... because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. ~~In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
5. ~~Fire service access~~ Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete.}

(Reason: Gives more direction to code official. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)

*****Section 903.3.1.2.2; add the following:**

[F]Section 903.3.1.2.2 Attics, Open Breezeways, and Attached Garages. Sprinkler protection is required in attic spaces of such buildings two or more stories in height, open breezeways, and attached garages.

(Reason: Open breezeways already require sprinkler protection in Section 1026.6, Exception 4. Attic protection is required in accordance with existing regional practice and issues with fire exposure via soffit vents, as well as firefighter safety. Attached garages already require sprinkler via NFPA 13R – re-emphasis.)

****Section 903.3.1.3; add the following:**

[F] 903.3.1.3 NFPA 13D sprinkler systems. *Automatic sprinkler systems* installed in one- and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(Reason: To allow the use of the Plumbing section of the IRC and recognize current state stipulations in this regard.)

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

[F] Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor. Reference Section IFC 507.4 for additional design requirements.

(Reason: To define uniform safety factor.)

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

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

(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9.)

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

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

(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access.)

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

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

(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm.)

*****Add Section 905.3.9 and exception to read as follows:**

[F] 905.3.9 Building area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

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

(Reason: Allows for the rapid deployment of hoselines to the body of the fire.)

****Section 905.4, item 5; change to read as follows:**

[F] 5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way a-hose connection shall be located to serve the roof or at the highest landing of a stairway with stair access to the roof provided in accordance with Section 1009.16. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

(Reason: Maintains previously adopted amendment for the following purpose. Reduced the amount of pressure required to facilitate testing, and provides backup protection for fire fighter safety.)

****Section 905.4 Location of Class I standpipe hose connections; add the following item 7:**

[F] 7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter.

(Reason: Allows for the rapid deployment of hoselines to the body of the fire.)

****Section 905.9 Valve supervision; add a second paragraph after the exceptions to read as follows:**

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

(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)

****Add Section 907.1.4 to read as follows:**

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

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

(Reason: Consistent with local practice and emerging technology. Reduces need for panel replacement in the future.)

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

[F] 907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with new Section 907.6 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.9 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {unchanged.}

Activation of fire alarm notification appliances shall:

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

(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices. Also reflects regional practice.)

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

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

(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems.)

****Section 907.2.3; add exception 1.1 to read as follows:**

[F] Exceptions:

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of 30 or less when provided with an approved automatic sprinkler system.
 - 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

(Reason: Consistent with Texas State laws concerning day care facility requirements.)

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

[F] {Text unchanged}.....Sections 907.4.2.1 through 907.4.2. 6. 7

(Reason: Added number 907.4.2.7.)

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

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

(Reason: Helps to reduce false alarms. Consistent with regional requirements.)

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

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

(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)

****Add Section 907.6.5.3 to read as follows:**

[F] 907.6.5.3 Communication requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.

(Reason: To assist responding personnel in locating the emergency event.)

****Section 910.1; change Exception 2 to read as follows:**

- [F]** 2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, ~~automatic~~ only manual smoke and heat vents shall ~~not~~ be required within these areas. Automatic smoke and heat vents are prohibited.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event.)

***** Section 910.2 Where required to read as follows:**

[F] {Text unchanged}.....Sections 910.2.1 ~~and through~~ 910.2.2 4

(Reason: Added numbers 910.2.3 and 910.2.4)

****Add subsections 910.2.3 with exceptions to read as follows:**

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

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

(Reason: Provides an acceptable alternative for large storage and manufacturing occupancies, rather than requiring interior rated exit passageways, as has been allowed for many years.)

****Add subsections 910.2.4 to read as follows:**

[F] 910.2.4 Exit access travel distance increase. Buildings and portions thereof used as a Group F-1 or S-1 occupancy where the maximum exit access travel distance is increased in accordance with Section 1016.2.2.

(Reason: Provides an acceptable alternative for large storage and manufacturing occupancies, rather than requiring interior rated exit passageways, as has been allowed for many years.)

****Table 910.3; Change the title of the first row of the table from “Group F-1 and S-1” to include “Group H” and to read as follows:**

Group H, F-1 and S-1

(Reason: Consistency with the amendment 910.2.3 to include Group H.)

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

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

(Reason: Consistent with regional practices.)

****Section 913.1; add second paragraph and exception to read as follows:**

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

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

(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump

room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)

****Section 1004.1.2; delete exception:**

1004.1.2 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.2. For areas without fixed seating, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.1.2. Where an intended function is not listed in Table 1004.1.2, the building official shall establish a function based on a listed function that most nearly resembles the intended function.

~~**Exception:** Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.~~

(Reason: Authority having jurisdiction (AHJ) already has this authority. Technical substantiation is required to support deviation from table values.)

****Section 1007.1; add the following Exception 4:**

Exceptions:

{previous exceptions unchanged}

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

(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments to Chapter 11.)

***** Section 1007.5; Platform lifts, amend to read as follows:**

1007.5 Platform lifts. Platform (wheelchair) lifts . . . required *accessible route* in Section 1109.7 8, Items 1 through ~~9~~ 10. Standby power . . . {remainder unchanged}

(Reason: Editorial.)

*****Section 1008.1.9.4; amend exceptions 3 and 4 as follows:**

Exceptions:

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

(Reason: Application to M occupancies reflects regional practice; No. 4 expanded to Group A due to it being a similar scenario to other uses; No. 4 was regional practice.)

****Section 1008.1.9.9; change to read as follows:**

1008.1.9.9 Electromagnetically locked egress doors. Doors in the *means of egress* in buildings with an occupancy in Group A, B, E, I-1, I-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with *listed* hardware that incorporates a built-in switch and meet the requirements below: *{remaining text unchanged}*

(Reason: Regional practice to permit such locks due to the presence of trained staff.)

****Section 1015; add new section 1015.7 to read as follows:**

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

(Reason: Cross reference necessary for coordination.)

*****Section 1016; add new section 1016.2.2 to read as follows:**

1016.2.2 Group F-1 and S-1 increase. The maximum exit access travel distance shall be 400 feet (122 m) in Group F-1 or S-1 occupancies where all of the following are met:

1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height;
2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7315 mm); and
3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

(Reason: Past regional practice allowed smoke and heat vents to be utilized to increase travel distance, which resulted in problems when utilizing ESFR systems. This amendment adopts wording from the upcoming 2015 IBC, which has been approved by final action via the ICC code development process but is not yet published.)

*****Section 1018.1; add exception 6 to read as follows:**

{previous text unchanged}

6. In Group B office buildings, corridor walls and ceilings within single tenant spaces need not be of fire-resistive construction when the tenant space corridor is provided with system smoke detectors tied to an approved automatic fire alarm. The actuation of any detector shall activate alarms audible in all areas served by the corridor.

(Reason: To reduce redundant requirements in a single tenant situation. Intended to be consistent with regional amendment to IFC.)

****Section 1018.6; amend to read as follows:**

1018.6, Corridor Continuity. ~~Fire-Resistance-Rated~~ All corridors shall be continuous from the point of entry to an *exit*, and shall not be interrupted by intervening rooms. *{Remainder unchanged}*

{Exception unchanged}

(Reason: Once in corridor, corridor should not be interrupted or discontinuous.)

****Section 1026.6; amend exception 4 to read as follows:**

Exceptions: *{Exceptions 1 through 3 unchanged}*

4. Separation from the ~~interior~~ open-ended corridors of the building... *{remaining text unchanged}*

(Reason: To clarify that Section 1022.7, i.e., the 180 degree rule is applicable; and is further reinforced by new Exception 4.4.)

*****Section 1028.1.1.1; delete.**

(Reason: Unenforceable.)

*****Section 1029.1; amend to read as follows:**

1029.1 General. In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R and I-1 ~~Group R-2~~ occupancies ~~in accordance with Tables 1021.2(1) and 1021.2(2) and Group R-3 occupancies.~~ {Remainder unchanged}

Exceptions:

{Exceptions 1 through 3 unchanged.}

4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

(Reason: Maintains legacy language to ensure egress from residential type occupancies and maintain exception for residential occupancies where an NFPA 13 or 13R sprinkler system is installed, but not for a 13D system.)

****Section 1101.2; Add exception to read as follows:**

Exceptions: Projects registered with the Architectural Barriers Division of the Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this Chapter.

(Reason: To accommodate buildings regulated under state law.)

*****Section 1203.1; amend to read as follows:**

*****1203.1 General.** Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with the *International Mechanical Code*.

Where air infiltration rate in a *dwelling unit* is ~~less than~~ 5 air changes or less per hour when tested with a blower door at a pressure 0.2 inch w.c. (50 Pa) in accordance with Section 402.4.1.2 of the *International Energy Conservation Code*, the *dwelling unit* shall be ventilated by mechanical means in accordance with Section 403 of the *International Mechanical Code*.

(Reason: See IECC change to performance testing. Whole-house ventilation is recognized as necessary).

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

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

e. [delete]

(Reason: Conforms to regional practice affording increased fire protection.)

****Section 1505.7; delete the section**

(Reason: Conforms to regional practice.)

****Section 1510.1; add a sentence to read as follows:**

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

{text of exception unchanged}

(Reason: Relocated the text to more appropriate place. Previously was footnote "b" to Table 1505.1)

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

[P] 2901.1 Scope. *{existing text to remain}* The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

(Reason: Gives building official discretion.)

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

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

(Reason: To allow flexibility for designer to consider specific occupancy needs.)

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

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

(Reason: Adjustment meets the needs of specific occupancy types.)

*****Section 2902.1.3; add new Section 2902.1.3 to read as follows:**

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

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

2902.1.3.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the <Jurisdiction's> health department.

(Reason: Coordinates Health law requirements with code language for consistent regional practice.)

****Section 3006.1; change to read as follows:**

3006.1, General. Access Elevator machine rooms shall be provided. *{Remainder unchanged.}*

(Reason: An elevator machine room is necessary to provide a protected space for elevator equipment that is used by the fire service, the disabled, and in the future, building occupant evacuations.)

****Section 3006.4 {3006.5 if previous amendment adopted}; add a sentence to read as follows and delete exceptions 1 and 2:**

[F] 3006.4. Machine Rooms and Machinery Spaces: *{text unchanged}*... Storage shall not be allowed within the elevator machine room. Provide approved signage at each entry door to the elevator machine room stating “Elevator Machinery – No Storage Allowed.”

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3006.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating

the Exceptions to Section 3006.4, such that passive fire barriers for these areas are maintained. This also meets with local practices in the region.)

*****Section 3109.1; change to read as follows:**

3109.1 General. Swimming pools shall comply with the requirements of sections 3109.2 through 3109.5 and other applicable sections of this code and complying with applicable state laws.

(Reason: To recognize “state requirements”.)

*****Section 3401.6 5 Alternative Compliance.** Work performed in accordance with the *International Existing Building Code* shall be deemed to comply with the provisions of this chapter with prior approval from the *Building Official*.

(Reason: Correct typo and align with referenced standards.)

*****Section 3401.5 6 Dangerous Conditions.** *{Remainder unchanged.}*

(Reason: Correct typo and align with referenced standards.)

END

City of Rowlett

Amendments to the 2012 International Residential Code

The following sections, paragraphs, and sentences of the *2012 International Residential Code* are hereby amended as follows: Standard type is text from the IRC. Underlined type is text inserted. ~~Lined through type is deleted text from IRC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2009 edition of the code and a triple asterisk identifies a new or revised amendment with the 2012 code.

The energy provisions in Chapter 11 of the International Residential Code (IRC) now mirror the requirements of the International Energy Conservation Code (IECC). As such, there is no difference between Chapter 11 of the 2012 IRC and the 2012 IECC. **Reference the 2012 IECC for NCTCOG recommended amendments to that code.**

****Section R102.4; change to read as follows:**

R102.4 Referenced codes and standards. The *codes, when specifically adopted,* and standards referenced in this *code* shall be considered part of the requirements of this *code* to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes. Note: the former ICC Electrical Code is now Appendix K of the IBC, but no longer called by that name. If adopting in that location, be sure to include language that includes structures under IRC and IBC.)

****Section R110 (R110.1 through R110.5); delete the section.**

(Reason: Issuing CO's for residences is not a common practice in the area.)

****Section R112.2.1 & R112.2.2; delete the sections.**

(Reason: Floodplain provisions are addressed locally.)

****Section R202; change definition of "Townhouse" to read as follows:**

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

(Reason: Consistent with terminology commonly used in this region.)

***Table R301.2(1); fill in as follows:

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f
	SPEED ^d (mph)	Topographic Effects ^k	
<u>5 lb/ft²</u>	<u>90 (3-sec-gust)/76 fastest mile</u>	<u>No</u>	<u>A</u>

SUBJECT TO DAMAGE FROM		
Weathering ^a	Frost line depth ^b	Termite ^c
<u>moderate</u>	<u>6"</u>	<u>very heavy</u>

WINTER DESIGN TEMP ^e	ICE BARRIER UNDER-LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
<u>22°F</u>	<u>No</u>	<u>local code</u>	<u>150</u>	<u>64.9°F</u>

{No change to footnotes}

(Reason: To promote regional uniformity.)

**Section R302.1; add exception #6 to read as follows:

Exceptions: {previous exceptions unchanged}

6. Open non-combustible carport structures may be constructed when also approved within adopted ordinances.

(Reason: Refers to other ordinances, such as zoning ordinances.)

***Section R302.2, Exception; change to read as follows:

Exception: A common two-hour fire-resistance-rated wall assembly, or one-hour fire-resistance-rated wall assembly when equipped with a sprinkler system... {remainder unchanged}

(Reason: Consistent with regional practice.)

***Section R302.2.4, Exception 5; change to read as follows:

Exception: *{previous exceptions unchanged}*

5. Townhouses separated by a common 4-hour fire-resistance-rated wall as provided in Section R302.2.

(Reason: Consistent with regional practice.)

*****Section R302.3; add Exception #3 to read as follows:**

Exceptions:

1. *{existing text unchanged}*
2. *{existing text unchanged}*
3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

(Reason: Provide guidance for a common construction method in this area. Correlates with amendment to IRC Section R202 Townhouse definition.)

*****Section R302.5.1; change to read as follows:**

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors ~~equipped with a self-closing device.~~

(Reason: Consistent with common local practice. Absence of data linking self-closing devices to increased safety. Self-closing devices often fail to close the door entirely.)

*****Section R303.3, Exception; amend to read as follows:**

Exception: The glazed areas {remainder unchanged} unless the space contains only a water closet, a lavatory, or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(Reason: Consistent with common local practice.)

*****R303.4 Mechanical Ventilation; change to read as follows:**

Where the air infiltration rate of a dwelling unit is ~~less than~~ 5 air changes per hour ~~or less~~ when tested with a blower door at a pressure of 0.2 inch w.c. (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3.

(Reason: See IECC change to performance testing. Whole-house ventilation is recognized as necessary).

*****Section R315.3, amend and add exceptions as follows:**

Where required in existing dwellings. Where work requiring a permit for an addition or an alteration that occurs in existing dwellings, that have attached garages or in existing dwellings within which fuel-fired appliances exist, carbon monoxide alarms shall be provided in accordance with Section R315.1:

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, are exempt from the requirements of this section.
2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section.

(Reason: Consistent with exceptions in Section R314.3.1)

*****Section R401.2, amended by adding a new paragraph following the existing paragraph to read as follows.**

Section R401.2. Requirements. *{existing text unchanged} ...*

Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.

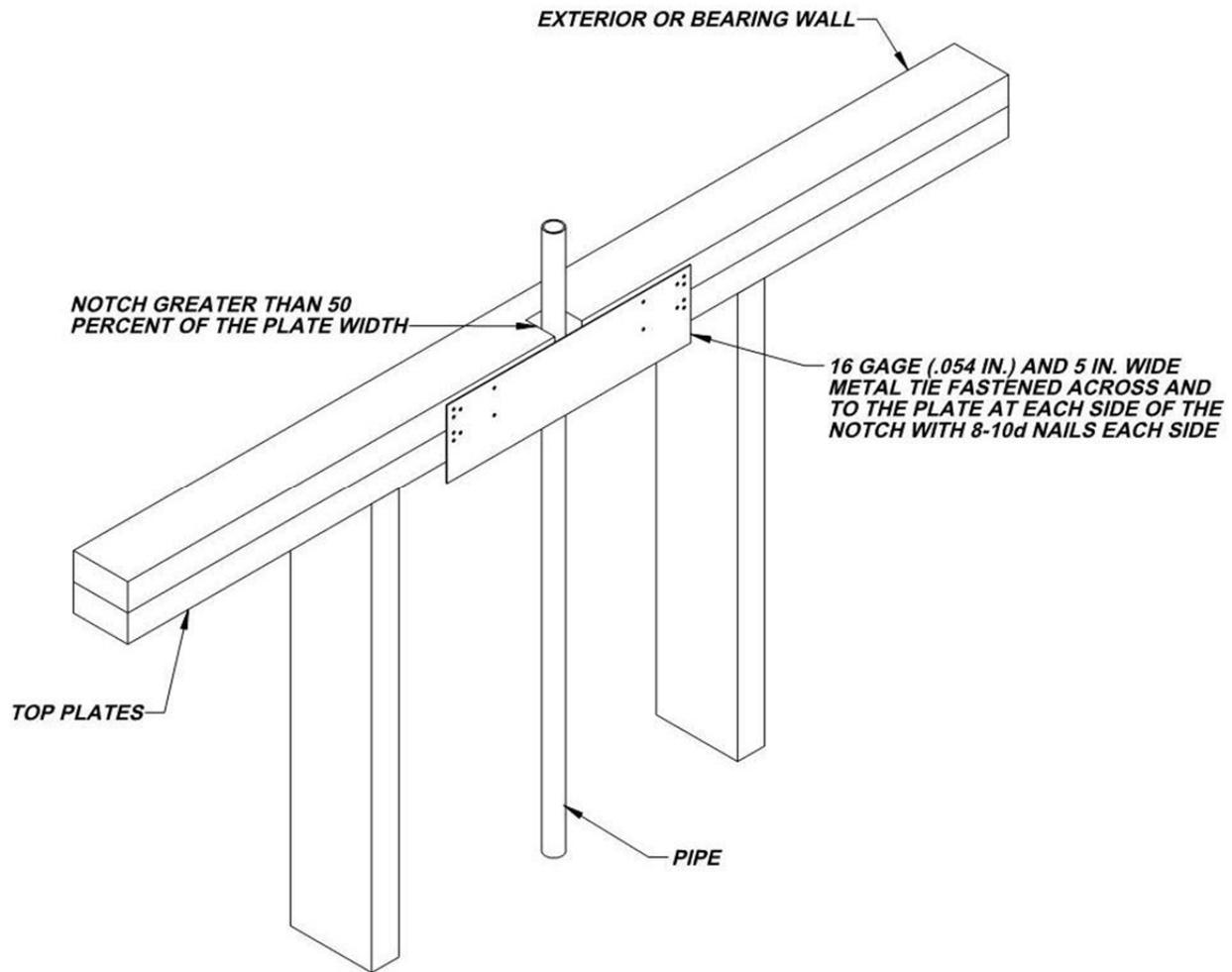
(Reason: reflects regional practice.)

****Section 602.6.1; amend the following:**

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and ~~4 ½ inches (38) mm~~ 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1. {remainder unchanged}

(Reason: reflects regional practice and to comply with P2603.2.1. Also provides additional assurance of maintaining the integrity of the framing by spreading the nailing pattern.)

****Figure R602.6.1; delete the figure and insert the following figure:**



(Reason: reflects regional practice and to comply with P2603.2.1. Also provides additional assurance of maintaining the integrity of the framing by spreading the nailing pattern.)

****Section R703.7.4.1; add a second paragraph to read as follows:**

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

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

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

(Reason: Provide easy to install and inspect dimensions to clarify how to anchor and to distinguish “studs” from other types of construction.)

****Section R902.1; Amend and add exception #3 to read as follows:**

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed ~~in areas designated by law as requiring their use or when the edge of the roof is less than 3 feet from a lot line.~~ *{remainder unchanged}*

Exceptions:

1. *{text unchanged}*

2. *{text unchanged}*

3. *{text unchanged}*

4. Non-classified roof coverings shall be permitted on one-story detached *accessory structures* used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed (area defined by jurisdiction).

(Reason: Consistent with regional practice. Language fits better in this section. Aligned the area and description of the building to be consistent with the item #1 to Section R105.2)

Part IV – Energy Conservation - Chapter 11 [RE] * insert text in the heading and amend section 1101.1 to read as follows:**

Residential Provisions for Energy Efficiency.

N1101.1 Scope. This chapter regulates the energy efficiency for the design and construction of buildings regulated by this Code. If and to the extent that the provisions of this chapter conflict with the provisions and requirements of the 2009 edition of the International Energy Conservation Code, or the amendments adopted by the City, the provisions of the 2009 edition of the International Energy Conservation Code, and its adopted amendments, shall prevail.

(Reason: To remain consistent with 2009 edition of the IECC residential provisions.)

*****Section M1305.1.3; change to read as follows:**

M1305.1.3 Appliances in attics. *Attics containing appliances requiring access shall be provided . . . {bulk of paragraph unchanged} . . . sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger and large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:*

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

Exceptions:

1. The passageway and level service space are not required where the *appliance* can be serviced and removed through the required opening.
2. Where the passageway is unobstructed...*{remaining text unchanged}*

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IFGC and IMC 306.3.)

****Section M1411.3; change to read as follows:**

M1411.3 Condensate disposal. Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to ~~an approved place of disposal~~ a sanitary sewer through a trap, by means of a direct or indirect drain. {remaining text unchanged}

(Reason: Reflects regional practice and to reduce excessive runoff into storm drains.)

****Section M1411.3.1, Items 3 and 4; add text to read as follows:**

M1411.3.1 Auxiliary and secondary drain systems. {bulk of paragraph unchanged}

1. {text unchanged}
2. {text unchanged}
3. An auxiliary drain pan... {bulk of text unchanged}... with Item 1 of this section. A water level detection device may be installed only with prior approval of the building official.
4. A water level detection device... {bulk of text unchanged}... overflow rim of such pan. A water level detection device may be installed only with prior approval of the building official.

(Reason: Reflects standard practice in this area.)

****Section M1411.3.1.1; add text to read as follows:**

M1411.3.1.1 Water-level monitoring devices. On down-flow units ... {bulk of text unchanged}... installed in the drain line. A water level detection device may be installed only with prior approval of the building official.

(Reason: Reflects standard practice in this area.)

*****M1503.4 Makeup Air Required Amend and add exception as follows:**

M1503.4 Makeup air required. Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Exception: Where all appliances in the house are of sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m³/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m³/s) shall be provided with a makeup air at a rate approximately equal to the difference between the exhaust air rate and 600 cubic feet per minute.

(Reason: Exception requires makeup air equaling the amount above and beyond 400 cfm for larger fan which will address concerns related to "fresh" air from the outdoors in hot humid climates creating a burden on HVAC equipment and negative efficiency impacts from backdrafting and wasted energy.

****Section M2005.2; change to read as follows:**

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

(Reason: Corresponds with the provisions of IFGC Section 303, exception #5.)

****Section G2408.3 (305.5); delete.**

Reason: This provision does not reflect standard practice in this area.)

****Section G2415.2.1 (404.2.1); add a second paragraph to read as follows:**

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

"WARNING

1/2 to 5 psi gas pressure

Do Not Remove"

(Reason: To protect homeowners and plumbers.)

****Section G2415.2.2 (404.2.2); add an exception to read as follows:**

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

(Reason: Pipe less than 1/2" has a history in this region of causing whistling.)

****Section G2415.12 (404.12); change to read as follows:**

G2415.12 (404.12) Minimum burial depth. Underground *pipng* systems shall be installed a minimum depth of ~~12 inches (305 mm)~~ 18 inches (457 mm) below grade, except as provided for in Section G2415.12.1.

(Reason: To provide increased protection to piping systems.)

***Section G2415.12.1 (404.12.1); change to read as follows:

G2415.12.1) Individual outside appliances. Individual lines to outside lights, grills or other appliances shall be installed a minimum of 8-12 inches (203 mm) below finished grade.... Rest unchanged.

(Reason: To provide increased protection to piping systems.)

**Section G2417.1 (406.1); change to read as follows:

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

(Reason: To utilize language used in the IPC regarding who is responsible for testing procedures.)

**Section G2417.4; change to read as follows:

G2417.4 (406.4) Test pressure measurement. Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the *pressure test* period. The source of pressure shall be isolated before the *pressure tests* are made. ~~Mechanical gauges~~ Gauges used to measure... {remainder unchanged}

(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)

**Section G2417.4.1; change to read as follows:

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be not less than ~~one and one-half times the proposed maximum working pressure, but not less than 3 psig (20 kPa gauge), or at the discretion of the *Building Official*, the *pipng* and *valves* may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the *pipng* greater than 50 percent of the specified minimum yield strength of the *pipe*. For tests requiring a pressure of 3 psig, mechanical gauges used to measure test pressures shall utilize a dial with a minimum diaphragm diameter of three and one half inches (3 ½”), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, ~~mechanical~~ diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½”), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. have a range such that the highest end of the scale is not greater than five times the test pressure.~~

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

(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)

****Section G2417.4.2; change to read as follows:**

G2417.4.2 (406.4.2) Test duration. The test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for ~~be not~~ less than 40 fifteen (15) minutes. For welded *pipng*, and for *pipng* carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for less than thirty (30) minutes.

(Reason: To comply with accepted regional practices.)

****Section G2420.1 (406.1); add Section G2420.1.4 to read as follows:**

G2420.1.4 Valves in CSST installations. Shutoff *valves* installed with corrugated stainless steel (CSST) *pipng* systems shall be supported with an approved termination fitting, or

equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)

*****Section G2420.5.1 (409.5.1); add text to read as follows:**

G2420.5.1 (409.5.1) Located within the same room. The shutoff valve ...*{bulk of paragraph unchanged}*... in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

(Reason: Reflects regional practice and provides an additional measure of safety.)

****Section G2421.1 (410.1); add text and Exception to read as follows:**

G2421.1 (410.1) Pressure regulators. A line *pressure regulator* shall be ... *{bulk of paragraph unchanged}*... approved for outdoor installation. Access to regulators shall comply with the requirements for access to appliances as specified in Section M1305.

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

(Reason: To require adequate access to regulators.)

****Section G2422.1.2.3 (411.1.3.3); delete Exception 1 and Exception 4.**

(Reason: To comply with accepted regional practices.)

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

G2445.2 (621.2) Prohibited use. One or more *unvented room heaters* shall not be used as the sole source of comfort heating in a *dwelling unit*.

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

(Reason: Gives code official discretion)

****Section G2448.1.1 (624.1.1); change to read as follows:**

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

(Reason: To clarify installation requirements. Also corresponds with amendments regarding water heater access.)

****Section P2801.6; add Exception to read as follows:**

Exceptions:

1. Electric Water Heater.

(Reason: To coordinate with Section 2408.2 of the IRC, which recognizes this exception.)

****Section P2902.5.3; change to read as follows:**

P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Reason: To provide clarity.)

****Section P3005.2.6; change to read as follows:**

~~P3005.2.6 Base of stacks~~ Upper Terminal. ~~A cleanout shall be provided at the base of each waste or soil stack.~~ Each horizontal drain shall be provided with a cleanout at its upper terminal.

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

(Reason: To eliminate the requirement for excessive cleanouts.)

****Section P3111; delete.**

(Reason: A combination waste and vent system is not approved for use in residential construction.)

****Section P3112.2; delete and replace with the following:**

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

(Reason: To clarify the installation of island venting and to provide a regional guideline on a standard installation method for this region.)

END

City of Rowlett
Amendments to the
2011 National Electrical Code

The following articles, paragraphs, and sentences of the *2011 National Electrical Code (NEC)* are hereby amended as follows: Standard type is text from the NEC. Underlined type is text inserted. ~~Lined through type is deleted text from NEC.~~ A double asterisk (**) at the beginning of an article identifies an amendment carried over from the 2008 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2011 code.

*****Article 100, Part I; amend the following definition:**

Intersystem Bonding Termination. A device that provides a means for connecting bonding conductors for communication systems and other systems such as metallic gas piping systems to the grounding electrode system.

(REASON FOR CHANGE: To allow for a termination point for other bonding conductors in addition to communication systems that are required by the various model codes.)

*****Article 110.2; change the following to read as follows:**

110.2 Approval. The conductors and equipment required or permitted by this *Code* shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency approved by the AHJ.

Exception: Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field evaluation by a NRTL or qualified third party inspection agency approved by the AHJ.

Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.

Informational Note: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of *Approved*, *Identified*, *Labeled*, and *Listed*.

(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval of unlisted equipment.)

****Article 230.71(A); add the following exception:**

Exception: Multi-occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

(REASON FOR CHANGE: This is currently the accepted installation practice of the region. No noteworthy complaints have surfaced. It is more reasonable than the current NEC requirements. It allows more than six disconnects grouped at one location. This also allows designers more flexibility in the placement of electrical meters and main service disconnects.)

*****Article 240.91; delete the Article.**

(REASON FOR CHANGE: Present day equipment is not listed and has not been evaluated for the use. Removing this article may prevent both installers and AHJ's from misapplying the Code.)

****Article 300.11; add the following exception:**

Exception: Ceiling grid support wires may be used for structural supports when the associated wiring is located in that area, not more than two raceways or cables supported per wire, with a maximum nominal metric designation 16 (trade size 1/2").

(REASON FOR CHANGE: To provide limited support of raceways and cables by ceiling grid support wire.)

****Article 310.15(B)(7); change to read as follows:**

(7) 120/240-Volt, 3-Wire, Single-Phase Dwelling Services and Feeders. For dwelling units, conductors, as listed in Table 310.15(B)(7), shall be...*{text unchanged}*...provided the requirements of 215.2, 220.61, and 230.42 are met. This Article shall not be used in conjunction with 220.82.

(REASON FOR CHANGE: To provide a more reasonable margin of safety for dwelling service and feeder conductor allowable ampacities.)

****Article 500.8(A)(3); change to read as follows:**

500.8 Equipment. Articles 500 through 504 require equipment construction and installation standards that ensure safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to installation and maintenance.

Informational Note No. 2: Since there is no consistent relationship between explosion properties and ignition temperature, the two are independent requirements.

Informational Note No. 3: Low ambient conditions require special consideration. Explosion proof or dust-ignition proof equipment may not be suitable for use at temperatures lower than -25°C (-13°F) unless they are identified for low-temperature service. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified as Class I, Division 1 at normal ambient temperature.

(A) Suitability. Suitability of identified equipment shall be determined by one of the following:

- (1) Equipment listing or labeling
- (2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation
- (3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or an ~~owner's~~ engineering judgment signed and sealed by a qualified Licensed Professional Engineer.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information. Guidelines for certificates may be found in ANSI/ISA 12.00.02, *Certificate Standard for AEx Equipment for Hazardous (Classified) Locations.*

(REASON FOR CHANGE: To better define the qualifications for an engineering judgment.)

****Article 505.7(A) changed to read as follows:**

505.7 Special Precaution. Article 505 requires equipment construction and installation that ensures safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: Low ambient conditions require special consideration. Electrical equipment depending on the protection techniques described by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified Class I, Zones 0, 1, or 2 at normal ambient temperature.

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

(REASON FOR CHANGE: To better identify who is qualified to implement Zone Classification Systems.)

*****Article 680.25(A) changed to read as follows:**

680.25 Feeders. These provisions shall apply to any feeder on the supply side of panelboards supplying branch circuits for pool equipment covered in Part II of this article and on the load side of the service equipment or the source of a separately derived system.

(A) Wiring Methods.

(1) Feeders. Feeders shall be installed in rigid metal conduit or intermediate metal conduit. The following wiring methods shall be permitted if not subject to physical damage:

- (1) Liquidtight flexible nonmetallic conduit
- (2) Rigid polyvinyl chloride conduit
- (3) Reinforced thermosetting resin conduit
- (4) Electrical metallic tubing where installed on or within a building
- (5) Electrical nonmetallic tubing where installed within a building
- (6) Type MC cable where installed within a building and if not subject to corrosive environment
- (7) Nonmetallic-sheathed cable
- (8) Type SE cable

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

(REASON FOR CHANGE: To allow for more flexibility of wiring methods associated with this type of installation.)

END

City of Rowlett

Amendments to the 2012 International Mechanical Code

The following sections, paragraphs, and sentences of the *2012 International Mechanical Code* are hereby amended as follows: Standard type is text from the IMC. Underlined type is text inserted. ~~Lined through type is deleted text from the IMC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2009 edition of the code and a triple asterisk identifies a new or revised amendment with the 2012 edition of the code.

****Section 102.8; change to read as follows:**

102.8 Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

****Section 304.6; delete.**

(Reason: This provision does not reflect standard practice in this area. Consistent with regional amendment to IFGC 305.5.)

***Section 306.3; change to read as follows:

306.3 Appliances in attics. Attics containing appliances requiring access shall be provided . . . *{bulk of paragraph unchanged}* . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

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

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... *{remainder of section unchanged}*

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IFGC 306.3.)

***Section 306.5; change to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. . Where *equipment* requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, ~~an~~ a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 8- 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . *{bulk of section to read the same}*. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... *{bulk of section to read the same}*.

(Reason: To assure safe access to roof appliances and provide a greater level of security for equipment locate more than 16 feet above grade. Consistent with IFGC amendments.)

****Section 306.5.1; change to read as follows:**

306.5.1 Sloped roofs. Where appliances, *equipment*, fans or other components that require service are installed ~~on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater~~ on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

(Reason: To assure safe access to roof appliances. Consistent with IFGC amendments.)

****Section 306; add Section 306.6 to read as follows:**

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

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

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

(Reason: To provide safe access to water heaters and to provide lighting and receptacle for maintenance of equipment. Consistent with regional amendments to IFGC 306.7 and IPC 502.5.)

****Section 307.2.2; change to read as follows:**

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, and temperature, and exposure rating of the installation. *{Remaining language unchanged}*

(Reason: To provide greater flexibility of materials when exposed to ultra violet light.)

****Section 307.2.3; amend item 2 to read as follows:**

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the

conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

(Reason: Greater specificity in prohibited locations for condensate discharge. Consistent with regional amendment to IPC 314.2.1.)

****Section 403.2.1; add an item 5 to read as follows:**

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

(Reason: Consistent with common regional practice. Consistent with regional amendment to IRC R303.3.)

****Section 501.2; add an exception to read as follows:**

501.2 Exhaust discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a nuisance and not less than the distances specified in Section 501.2.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic or crawl space.

Exceptions:

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.
2. Commercial cooking recirculating systems.
3. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

(Reason: Provide a reasonable alternative in areas where a large volume of outside air is present.)

****Section 607.5.1; change to read as follows:**

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

(Reason: Correspond with unamended IBC 710.7.)

END

City of Rowlett

Amendments to the
2012 International Plumbing Code

The following sections, paragraphs, and sentences of the *2012 International Plumbing Code* are hereby amended as follows: Standard type is text from the IPC. Underlined type is text inserted. ~~Lined through type is deleted text from the IPC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2009 edition of the code and a triple asterisk identifies a new or revised amendment with the 2012 edition of the code.

Note: Historically NCTCOG has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**



****Table of Contents, Chapter 7, Section 714; change to read as follows:**

714 Engineered Computerized Drainage Design 67

(Reason: Editorial change to make compatible with amendment to Section 714.1.)



****Section 102.8; change to read as follows:**

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each

reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

****Sections 106.6.2 and 106.6.3; change to read as follows:**

106.6.2 Fee schedule. The fees for all plumbing work shall be as indicated in the following schedule: ~~(JURISDICTION TO INSERT APPROPRIATE SCHEDULE)~~ adopted by resolution of the governing body of the jurisdiction.

106.6.3 Fee Refunds. The code official shall establish a policy for ~~authorize~~ authorizing the refunding of fees ~~as follows.~~ *{Delete balance of section}*

(Reason: This calls to attention of local jurisdictions considering adoption that they need a fee schedule and a refund policy.)

****Section 109; Delete entire section and insert the following:**

**SECTION 109
MEANS OF APPEAL**

109.1 Application for appeal. Any person shall have the right to appeal a decision of the code and/or building official to the board of adjustment, presiding as a board of appeals.

(Reason: The City of Rowlett has not established a board of appeals for the international codes and refers appeals thereunder to the Board of Adjustment, to sit as a board of appeals.)

****Section 305.6.1; change to read as follows:**

305.6.1 Sewer depth. ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection.~~ Building sewers shall be a minimum of 12 inches (304 mm) below grade.

(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)

****Section 305.9; change to read as follows:**

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

(Reason: Provide a common cutoff point to designate a general separation distance at which plumbing systems should be safe for consistency in enforcement.)

*****Section 314.2.1; change to read as follows:**

314.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an *approved* place of disposal. ... {text unchanged} ... Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

(Reason: Greater specificity in prohibited locations for condensate discharge. It is the intent of this amendment to send condensate discharge into a sanitary sewer drain. Consistent with regional amendment to IMC 307.2.3.)

*****Section 314.2.2; change to read as follows:**

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

(Reason: To provide greater flexibility of materials when exposed to ultra violet light. Polybutylene pipe is not allowed for use in this region.)

*****Section 401.1; add a sentence to read as follows:**

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

(Reason: Gives discretion to Code Official in case of code conflict.)

****Section 403.1; change to read as follows:**

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

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

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

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

****Section 405.6; delete.**

(Reason: Texas State regulations cover plumbing in mental health centers. Consistent with regional amendment to IPC 1002.10.)

****Section 409.2; change to read as follows:**

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

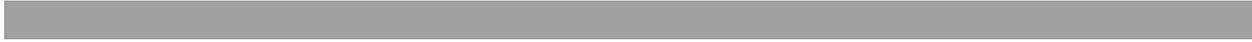
(Reason: Domestic dishwashing machines would be difficult to enforce and should already come equipped with backflow preventers. Consistent with regional amendments in IPC Section 608.)

****Section 412.4; change to read as follows:**

412.4 Required location ~~Public laundries and central washing facilities.~~ Floor drains shall be installed in the following areas.

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

(Reason: To make more compatible with local health code practices.)



****Section 419.3; change to read as follows:**

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

(Reason: Match un-amended IBC 1209.)



****Section 502.6; Add Section 502.6 to read as follows:**

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

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

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

(Reason: To provide safe access to water heaters and to provide lighting and receptacle for maintenance of equipment. Consistent with regional amendments to IFGC 306.7 and IMC 306.6. Note reference to amendment above.)



****Section 504.6; change to read as follows:**

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

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

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

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

(Reason: To provide a higher degree of safety.)



****Section 604.4; add Section 604.4.1 to read as follows:**

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

(Reason: To recognize State standards.)

*****Section 604.8; add Section 604.8.3 to read as follows:**

604.8.3 Thermal expansion control. An expansion tank or approved device shall be installed for the

water heater with the addition of a pressure reducing valve or regulator

creating a closed system.

(Reason: To allow for thermal expansion in closed systems..)

****Section 606.1; delete items #4 and #5.**

(Reason: The code is too restrictive as written.)

****Section 606.2; change to read as follows:**

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

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

(Reason: To provide shut-off valves to every fixture.)

****Section 608.1; change to read as follows:**

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

(Reason: To recognize local requirements.)

****Section 608.16.5; change to read as follows:**

608.16.5 Connections to lawn irrigation systems.

The potable water supply to lawn irrigation systems shall be protected against backflow by an

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

(Reason: To recognize regional practices.)

*****Section 608.17; change to read as follows:**

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

(Reason: To allow local requirements to govern.)

****Section 610.1; add exception to read as follows:**

610.1 General. New or repaired potable water systems shall be purged of deleterious matter and disinfected prior to utilization. The method to be followed shall be that prescribed by the health authority or water purveyor having jurisdiction or, in the absence of a prescribed method, the procedure described in either AWWA C651 or AWWA C652, or as described in this section. This requirement shall apply to "on-site" or "inplant" fabrication of a system or to a modular portion of a system.

1. The pipe system shall be flushed with clean, potable water until dirty water does not appear at the points of outlet.
2. The system or part thereof shall be filled with a water/chlorine solution containing at least 50 parts per million (50 mg/L) of chlorine, and the system or part thereof shall be valved off and allowed to stand for 24 hours; or the system or part thereof shall be filled with a water/chlorine solution containing at least 200 parts per million (200 mg/L) of chlorine and allowed to stand for 3 hours.
3. Following the required standing time, the system shall be flushed with clean potable water until the chlorine is purged from the system.
4. The procedure shall be repeated where shown by a bacteriological examination that contamination remains present in the system.

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

(Reason: May not always be needed)

***Section 712; change to read as follows:

712.3.3.1 Materials. Pipe and fitting materials shall be constructed of brass, copper, CPVC, ductile iron, stainless steel, galvanized iron, PE, or PVC.

(Reason: To add the additional materials to the list.)

**Section 712.5; add Section 712.5 to read as follows:

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

(Reason: To address dual pump system. To provide reference for storm drainage systems.)

**Section 714, 714.1; change to read as follows:

SECTION 714

ENGINEERED COMPUTERIZED DRAINAGE DESIGN

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

(Reason: Code was too restrictive.)

****Section 802.4; add a sentence to the end of the paragraph to read as follows:**

802.4 Standpipes. Standpipes shall be... *{text unchanged}* ...drains for rodding. No standpipe shall be installed below the ground.

(Reason: To make systems less susceptible to improper modifications.)

****Section 903.1; change to read as follows:**

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

(Reason: To provide regional guideline on standard installation method for this area and address reference number correction.)

*****Section 917 Single stack vent system. Delete entire section.**

(Reason: Not in conformance with regional practices.)

****Section 1002.10; delete.**

(Reason: Texas State regulations cover plumbing in mental health centers. Consistent with regional amendment to IPC 405.6.)

*****Section 1101.8; change to read as follows:**

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

Exception: ~~Subsurface drainage system~~

(Reason: To specify ~~that~~ where cleanouts are ~~only required.~~ in the building.)

****Section 1106.1; change to read as follows:**

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour ~~the 100-year hourly rainfall rate indicated in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~

(Reason: Specify the roof drain size normally used in the area.)

*****Section 1107.3; change to read as follows:**

1107.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in

accordance with Section 1106 ~~based on the rainfall rate for which the primary system is sized in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~ Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

(Reason: Specify that overflow drainage is to be the same size as the normal roof drains.)



*****Section 1202.1; delete Exception 2.**

(Reason: State law already specifies that vacuum systems must comply with NFPA 99C.)



END

City of Rowlett**Amendments to the
2009 International Energy Conservation Code**

North Central Texas Council of Governments region

The following sections, paragraphs, and sentences of the *2009 International Energy Conservation Code* are hereby amended as follows: Standard type is text from the IECC. Underlined type is text inserted. ~~Lined through type is deleted text from IECC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2006 edition of the code and a triple asterisk identifies a new or revised amendment with the 2009 code.

The 2009 International Residential Code (IRC) and International Energy Conservation Code (IECC) include a new emphasis on envelope infiltration and duct leakage. Significant changes in the residential energy requirements include more frequent requirement of performance testing for leakage. Residential Duct systems must be tested unless all ducts and equipment are located within the conditioned space. Envelope testing is required to demonstrate compliance with maximum allowable leakage rate unless a detailed air barrier and insulation inspection has been performed to field verify component criteria. Testing is available from RESNET-certified HERS Raters or Rating Field Inspectors, and certified Performance Verification Technicians.



*****Section 101.4.2; change to read as follows:**

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

Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, ~~are exempt from~~ shall comply with all of the provisions of this code.

Exception: Whenever a provision or provisions shall invalidate or jeopardize the historical designation or listing, that provision or provisions may be exempted.

(Reason: This is less restrictive than the legislative mandates. It is reasonable to expect compliance with duct sealing, replacement lighting and the installation of insulation, for example, when possible.)

*****Section 103.1; add Section 103.1.1 to read as follows:**

103.1.1 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

(Reason: this amendment is added to allow alternative compliance in accordance with Texas HB 1365, 78th Legislature.)

*****Section 202; add the following definition:**

GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area

of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area, the glazing area is the

daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

(Reason: Since the window to floor area ratios have been added to the prescriptive tables, it is necessary to define glazing area.)

*****Section 401.2, Item 1; change to read as follows:**

1. Sections 402.1 through 402.3, 403.2.1 and 404.1 (prescriptive) and the use of Tables 402.1.1 and 402.1.3 are limited to a maximum glazing area of 15% window area to floor area ratio; or
2. {language unchanged}

(Reason: This amendment is added to satisfy the “not less restrictive” requirement when adopting subsequent editions of energy codes in accordance with Texas SB 5, 77th Legislature and reflects the findings of ESL report to SECO. PNL ResCheck™ software may be used for envelope calculation, but may not be used for performance compliance reporting according to 405.4. Effective April 1, 2011, this amendment becomes more stringent than the mandated Texas Building Energy Performance Standards.)

*****Section 402.2; Add Section 402.2.12 to read as follows:**

Section 402.2.12 Insulation installed in walls. Insulation batts installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.

(Reason: This will increase the performance of the batt insulation by eliminating the potential for drafts and insure that the batt insulation stays in place.)

***Section 405.4.1; add the following sentence to the end of paragraph:

RemRateTM, Energy GaugeTM, and IC3 are deemed acceptable performance simulation programs.

(Reason: These are the only software tools certified at the time of adoption to meet RESNET performance requirements.)

END

City of Rowlett

Amendments to the 2012 International Fuel Gas Code

The following sections, paragraphs, and sentences of the *2012 International Fuel Gas Code* are hereby amended as follows: Standard type is text from the IFGC. Underlined type is text inserted. ~~Lined through type is deleted text from IFGC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2009 edition of the code and a triple asterisk identifies a new or revised amendment with the 2012 code.

****Section 102.2; add an exception to read as follows:**

Exception: Existing dwelling units shall comply with Section 621.2.

(Reason: Previous code provisions made unvented heater provisions retroactive except as provided for in local amendment. This amendment and amendment to IFGC 621.2 better clarify what the code already states: existing systems may stay unless considered unsafe.)

****Section 102.8; change to read as follows:**

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the *Electrical Code* as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

****Section 304.10; change to read as follows:**

304.10 Louvers and grilles. The required size of openings for combustion, ventilation and dilution air shall be based on the net free area of each opening. Where the free area through a design of louver, grille or screen is known, it shall be used in calculating the size opening required to provide the free area specified. Where the design and free area of louvers and grilles are not known, it shall be assumed that wood louvers will have 25-percent free area and metal louvers and grilles will have ~~75~~50-percent free area. Screens shall have a mesh size not smaller than ¼ inch (6.4 mm). Nonmotorized louvers and grilles shall be fixed in the open position. Motorized louvers shall be interlocked with the appliance so that they are proven to be in the full open position prior to main burner ignition and during main burner operation. Means shall be provided to prevent the main burner from igniting if the louvers fail to open during burner start-up and to shut down the main burner if the louvers close during operation.

(Reason: This is the generally accepted practice in the region.)

****Section 304.11; change #8 to read as follows:**

304.11 Combustion air ducts. Combustion air ducts shall comply with all of the following:

1. Ducts shall be constructed of galvanized steel complying with Chapter 6 of the International Mechanical Code or of a material having equivalent corrosion resistance, strength and rigidity.

Exception: Within dwellings units, unobstructed stud and joist spaces shall not be prohibited from conveying combustion air, provided that not more than one required fireblock is removed.

2. Ducts shall terminate in an unobstructed space allowing free movement of combustion air to the appliances.
3. Ducts shall serve a single enclosure.
4. Ducts shall not serve both upper and lower combustion air openings where both such openings are used. The separation between ducts serving upper and lower combustion air openings shall be maintained to the source of combustion air.
5. Ducts shall not be screened where terminating in an attic space.
6. Horizontal upper combustion air ducts shall not slope downward toward the source of combustion air.
7. The remaining space surrounding a chimney liner, gas vent, special gas vent or plastic piping installed within a masonry, metal or factory-built chimney shall not be used to supply combustion air.

Exception: Direct-vent gas-fired appliances designed for installation in a solid fuel-burning fireplace where installed in accordance with the manufacturer's instructions.

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

(Reason: To recognize the manufacturer's installation requirements.)

****Section 305.5; delete the section.**

(Reason: This provision does not reflect standard practice in this area. Consistent with regional amendment to IMC 304.6.)

*****Section 306.3; change to read as follows:**

[M] 306.3 Appliances in attics. Attics containing appliances requiring access shall be provided . . . {bulk of paragraph unchanged} . . . side of the *appliance*. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), ~~and~~ or larger where such dimensions are not large enough to allow removal of the largest *appliance*. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

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

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.

2. Where the passageway is not less than ... *{bulk of section to read the same}*.

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IMC 306.3.)

*****Section 306.5; change to read as follows:**

[M] 306.5 Equipment and appliances on roofs or elevated structures. Where *equipment* requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, ~~an~~ a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 8- 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . *{bulk of section to read the same}*. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... *{bulk of section to read the same}*.

(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)

****Section 306.5.1; change to read as follows:**

[M] 306.5.1 Sloped roofs. Where appliances, *equipment*, fans or other components that require service are installed ~~on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater~~ on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter

(533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)

****Section 306; add Section 306.7 with exception and subsection 306.7.1 to read as follows:**

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

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

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

(Reason: To provide more stringent safe access to water heaters. Consistent with regional amendments to IPC 502.5 and IMC 306.6.)

****Section 401.5; add a second paragraph to read as follows:**

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

"WARNING

1/2 to 5 psi gas pressure

Do Not Remove"

(Reason: To protect homeowners and plumbers.)



****Section 402.3; add an exception to read as follows:**

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

(Reason: Pipe less than 1/2" has a history in this region of causing whistling.)



*****Section 404.12; change to read as follows:**

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of ~~12~~ 18 inches (305 ~~458~~ mm) top of pipe below grade, ~~except as provided for in Section 404.10.1.~~

(Reason: To provide increased protection to piping systems and address reference number change.)

*****Section 404.12.1; change to read as follows:**

404.12.1 Individual outside appliances. Individual lines to outside lights, grills or other appliances shall be installed a minimum of 8 12 inches (203 mm) top of pipe below finished grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.

(Reason: To provide increased protection to piping systems and address reference number change.)

****Section 406.1; change to read as follows:**

406.1 General. Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 406.1.1 through 406.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

(Reason: To utilize language used in the IPC regarding who is responsible for testing procedures.)

****Section 406.4; change to read as follows:**

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

(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)

****Section 406.4.1; change to read as follows:**

406.4.1 Test pressure. The test pressure to be used shall be no less than 4 1/2 times the proposed maximum working pressure, but no less than 3 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)

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

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

(Reason: To comply with accepted regional practices.)

****Section 409.1; add Section 409.1.4 to read as follows:**

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

(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)

****Section 410.1; add a second paragraph and exception to read as follows:**

Access to regulators shall comply with the requirements for access to appliances as specified in Section 306.

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

(Reason: To require adequate access to regulators.)



****Section 621.2; add exception as follows:**

621.2 Prohibited use. One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

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

(Reason: Gives code official discretion.)



****Section 624.1.1; change to read as follows:**

624.1.1 Installation requirements. The requirements for water heaters relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with the *International Plumbing Code*.

(Reason: To clarify installation requirements. Also corresponds with amendments regarding water heater access.)



END

City of Rowlett
Amendments to the
2012 International Fire Code

The following sections, paragraphs, and sentences of the *2012 International Fire Code* are hereby amended as follows: Standard type is text from the IFC. Underlined type is text inserted. ~~Lined through type is deleted text from IFC.~~

Section 102.1; change #3 to read as follows:

3. Existing structures, facilities and conditions when required in Chapter 11 or in specific sections of this code.

(Reason: To clarify that there are other provisions in the fire code applicable to existing buildings that are not located in Chapter 11, such as Section 55 Premises Identification.)

Section 102.7; change to read as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

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

102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code and any adopted amendments, the provisions of this code and any adopted amendments, as applicable, shall take precedence over the provisions in the referenced code or standard.

(Reason: To be consistent with the State of Texas, other referenced codes must be specifically adopted)

Section 103. All references to “Fire Code Official,” change to “Fire Marshal.” References throughout the Fire Code to “Fire Code Official,” change to “Fire Marshal.”

Section 103.1; delete and replace so as to read as follows:

103.1 General. Under the Fire Marshal s direction the Division of Fire Prevention is authorized to enforce all ordinances of the jurisdiction pertaining to:

1. The prevention of fires;
2. The suppression or extinguishment of dangerous or hazardous fires;
3. The storage use and handling of hazardous materials;
4. The installation and maintenance of automatic manual and other private fire alarm systems and fire extinguishing equipment;
5. The maintenance and regulation of fire escapes;
6. The maintenance of fire protection and the elimination of fire hazards on land in buildings, structures and other property, including those under construction;
7. The maintenance of means of egress;
8. The investigation of the cause origin and circumstances of fire and unauthorized releases of hazardous materials; and
9. The investigation of the cause origin and circumstances of explosions.

For authority related to control and investigation of emergency scenes see Section 104 of this code.

Section 103.1.2 Division of Fire Prevention personnel and Police. The Fire Marshal and members of the Division of Fire Prevention shall have the powers of a police officer when performing their duties under this code. When requested to do so, the Chief of Police is

authorized to render necessary assistance to assist the Fire Marshal in enforcing the provisions of this code.

(Reason: To be consistent with Division 2 of Article II of Chapter 26, of the Code of Ordinances.)

Section 103.2; 103.3, deleted

(Reason: To be consistent with Division 2 of Article II of Chapter 26, of the Code of Ordinances.)

Section 104.2; amend to read as follows:

104.2 Applications and permits. The Fire Marshal is authorized to receive applications, review construction documents and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code. The Fire Marshal may, at his discretion, delegate any of these functions to third party professionals, consultants or organizations, and the applicant shall be, as a condition to the issuance of a permit or approval, required to compensate the third party for services rendered.

Section 104.10; replace Section 104.10 and add subsections 104.10.2 and 104.10.3 to read as follows:

104.10 Fire Investigations. The Fire Marshal shall have the authority to investigate the origin, cause, and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.

104.10.1 Assistance from other agencies. Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires when requested to do so.

104.10.2 Hazardous materials. The Fire Marshal is authorized to investigate the origin, cause, and circumstances of any unauthorized releases of hazardous materials.

104.10.3 Explosives. The Fire Marshal is authorized to investigate the origin, cause, and circumstances of explosions, explosives handling, manufacturing, and usage of explosive materials.

(Reason: Maintains current local requirements based on the IFC 2006 Amendments.)

Section 105.3.3; change to read as follows:

105.3.3 Occupancy Prohibited before Approval. The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.

(Reason: For clarity to allow for better understanding in areas not requiring such permits, such as unincorporated areas of counties. This amendment may be struck by a city.)

Section 105.7; add Section 105.7.17 to read as follows:

105.7.17 Smoke control or exhaust systems. Construction permits are required for smoke control or exhaust systems as specified in Section 909 and Section 910 respectively. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

(Reason: Section 105.7.17 adds construction permit requirements for smoke control and exhaust systems, which are required fire protection systems by Chapter 9 of the fire code to ensure proper design and installation of such systems. These changes reflect local practices of municipalities in this region.)

Section 105.7; add Sections 105.17 and 105.7.18 to read as follows:

105.7.17 Smoke control or exhaust systems. Construction permits are required for smoke control or exhaust systems as specified in Section 909 and Section 910 respectively. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.7.18 Electronic access control systems. Construction permits are required for the installation or modification of an electronic access control system, as specified in Section 503 and Section 1008. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

(Reason: These sections add construction permit requirements to ensure proper design and installation of these systems. These changes reflect local practices of municipalities in this region.)

Section 109.4; amend section 109.4 and subsection 109.4.1 to read as follows:

109.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect install alter repair or to do work in violation of the approved construction documents or directive of the Fire Marshal or a permit or certificate used under provisions of this code shall be guilty of a misdemeanor offense punishable by a fine of not more than two thousand dollars (\$2,000.00). Each day that a violation continues shall be deemed a separate offense.

109.4.1 Abatement. The owner, operator or occupant of a building or premises deemed unsafe by the Fire Marshal shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. Any person operating or maintaining any occupancy, premises or vehicle subject to this code who shall permit any fire hazard to exist on the premises under their control or who shall fail to take immediate action to abate a fire hazard when ordered or notified to do so by the Fire Marshal or his duly authorized representative shall be guilty of a separate offense for each day or portion thereof on which any violation of any of the provisions of this code is committed or continued. In addition to the imposition of the penalties herein described, the Fire Marshal is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

Section 111.4; amend section 111.4 to read as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor offense punishable by a fine of not more than two thousand dollars (\$2,000.00).

Section 202; amend and add definitions to read as follows:

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

- Dialysis centers

- Sedation dentistry

- Surgery centers

- Colonic centers

- Psychiatric centers

(Reason: to clarify the range of uses included in the definition)

ATRIUM. An opening connecting ~~two~~ three or more stories... *{remaining text unchanged}*

(Reason: Accepted practice in the region based on legacy codes. IBC Section 1009 permits unenclosed two story stairways under certain circumstances.)

FIRE FLOW CALCULATION AREA. The fire-flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, except as modified by Appendix B or other provisions of this code.

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

(Reason: Clearly defines options to the fire department for providing a fire watch.)

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, ~~or detonation~~, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein. ...*{remainder of text unchanged}*...

(Reason: Increased safety from fireworks related injuries.)

FLOOR AREA, FINISHED. An enclosed area in a house (R-3) that is suitable for year round use, embodying walls, floors and ceilings that are similar to the rest of the house as defined by ANSI Z765-2003. Garages, porches, balconies, decks and similar unfinished areas are not included in the finished floor area.

HIGH-PILED COMBUSTIBLE STORAGE: *add a second paragraph to read as follows:*

Any building classified as a group S Occupancy or Speculative Building exceeding 6,000 sq.ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

(Reason: To provide protection for worst-case scenario in flexible or unknown situations.)

HIGH-RISE BUILDING. A building with an occupied floor located more than ~~75~~ 55 feet (~~22 860~~ 16 764 mm) above the lowest level of fire department vehicle access.

(Reason: To provide a definition that reflects regional practices.)

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

(Reason: To further clarify types of service work allowed in a repair garage, as well as to correspond with definition in the IBC.)

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

(Reason: To provide a definition that does not exist in the code.)

STANDBY PERSONNEL. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

STANDPIPE, TYPES OF. Standpipe types are as follows:

...

Manual dry. *{existing text unchanged; add the following sentence at the end:}* The system must be supervised as specified in Section 905.2.

(Reason: To provide a definition that does not exist in the code.)

Section 307.1.1; change to read as follows:

307.1.1 Prohibited open burning. Open burning ~~shall be prohibited~~ that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Exception: {No change.}

(Reason: Maintains current local requirements based on legacy and 2009 IFC requirements.)

Section 307.2; change to read as follows:

307.2 Permit required. A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or open burning ~~a bonfire~~. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality guidelines and/or restrictions.
2. State, County, or Local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.

(Reason: Amendments to 307.2, 307.4, 307.4.3, and 307.5 better explain current requirements and recognize that jurisdictions have local established policies that best fit their environments.)

Section 307.3; change to read as follows:

307.3 Extinguishment authority. ~~When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.~~ The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning

that creates or adds to a hazardous or objectionable situation.

(Reason: Maintains current local requirements based on legacy and 2009 IFC requirements.)

Section 307.4; change 307.4, delete 307.4.1 and 307.4.2, and add an additional exception to 307.4.3, to read as follows

307.4 Location. The location for open burning shall not be less than ~~50~~ 300 feet (~~15-240~~ 91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within ~~50~~ 300 feet (~~15-240~~ 91 440 mm) of any structure.

Exceptions: {No change.}

...

307.4.1 Bonfires. {delete}

307.4.2 Recreational fires. {delete}

307.4.3 Portable outdoor fireplaces. {no change}

Exceptions:

(1) {no change}

(2) Where buildings, balconies and decks are protected by an approved automatic sprinkler system.

(Reason: Amendments to 307.2, 307.4, 307.4.3 and 307.5 better explain current requirements and recognize that jurisdictions have local established policies that best fit their environments.)

Section 307.4.4 and 5; add section 307.4.4 and 307.4.5 to read as follows:

307.4.4 Permanent outdoor firepit. Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the International Building Code.

307.4.5 Trench Burns. Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

(Reason: Amendments to 307.2, 307.4, 307.4.3 and 307.5 better explain current requirements and recognize that jurisdictions have local established policies that best fit their environments.)

Section 307.5; change to read as follows:

307.5 Attendance. Open burning, trench burns, bonfires, recreational fires, and use of portable outdoor fireplaces shall be constantly attended until the... {remainder of section unchanged}

(Reason: Amendments to 307.2, 307.4, 307.4.3 and 307.5 better explain current requirements and recognize that jurisdictions have local established policies that best fit their environments.)

Section 308.1.1; add sentence to read as follows:

Unmanned free-floating devices containing an open flame or other heat source, such as but not limited to sky lanterns shall be prohibited.

(Reason: Wildland and inherent fire risk presented by allowing an airborne open flame.)

Section 308.1.4; change to read as follows:

308.1.4 Open-flame cooking devices. ~~Charcoal burners and other~~ Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be operated located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 lbs (5 containers).
2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs (2 containers).
3. {No change.}

(Reason: Decrease fire risk in multi-family dwellings and minimizes ignition sources and clarify allowable limits for 1 & 2 family dwellings, and allow an expansion for sprinklered multi-family uses. This amendment adds clarification and defines the container size allowed for residences.)

Section 308.1.6.2, Exception #3; change to read as follows:

Exceptions:

3. ~~Torches or flame-producing devices in accordance with Section 308.4~~ 308.1.3.

(Reason: Section identified in published code is inappropriate.)

Section 311.5; change to read as follows:

311.5 Placards. ~~Any~~ The fire code official is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, ~~shall be marked as required by Section 311.5.1 through 311.5.5.~~

(Reason: There may be situations where placarding is not desired or necessary; also clarifies intent that it is not the fire code official's responsibility to provide the placard.)

Section 401.9; add Section 401.9 to read as follows:

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

(Reason: Places the responsibility on the business or property owner to maintain their fire alarm systems in approved condition. Allows the enforcement of "prohibition of false alarms". Replaces text lost from the 1997 Code.)

Section 403.3; change Section 403.3 and add Sections 403.3.1 and 403.3.2 to read as follows:

403.3 Crowd managers. Trained crowd managers shall be provided for facilities or events where ~~more than 1,000~~ 250 or more persons congregate. The minimum number of crowd managers shall be established at a ratio of one crowd manager to every 250 persons. ~~Where approved by the fire code official, the ratio of crowd managers shall be permitted to be reduced where the facility is equipped throughout with an approved automatic sprinkler system or based upon the nature of the event.~~

Exceptions:

1. The number of crowd managers may be reduced by up to fifty percent when, in the opinion of the code official, the fire protection provided by the facility and the nature of the event warrant a reduction

2. Assembly occupancies used exclusively for religious worship with an occupant load not exceeding 1,000.

403.3.1 Training. Training for crowd managers shall be approved and shall be based upon a valid job task analysis.

403.3.2 Duties. The duties of crowd managers shall include:

- a. An inspection of the area of responsibility to identify and address any egress barriers
- b. An inspection of the area of responsibility to identify and mitigate any fire hazards
- c. Ensure compliance with all permit conditions, including those governing pyrotechnics and other special effects
- d. To direct and assist the event attendees in evacuation during an emergency
- e. Assist emergency response personnel if requested.
- f. Other duties outlined by the Fire Code Official
- g. Other duties outlined in the Emergency Plan

(Reason: The published code has no requirement for crowd managers until the occupant load in a public assembly reaches 1,000, then the code requires five trained crowd managers for an occupant load of 1001. Smaller venues sometimes place the public at greater risk than large ones for many reasons, including the fact that larger facilities have greater requirements for other fire protection features. The formatting change to place the potential reduction in the number of crowd managers in an exception is editorial; the exception was also changed to limit the reduction to half of the required number of crowd managers. The published code requires “trained crowd managers”, but doesn’t provide any guidance or describe what that training should entail. This has been an ongoing issue for enforcement personnel.)

Section 501.4; change to read as follows:

501.4 Timing of installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure. ~~, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2.~~

(Reason: Reflects current practice in the region relative to ensuring fire department and EMS access during construction, which can be a time of increased frequency for emergency incidents.)

Section 503.1; add sentence to subsection 503.1.1 to read as follows:

503.1.1 Buildings and facilities. . . . Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway around the external walls of the structure.

(Reason: Recognizes that the hose lay provision can only be measured along a pathway that is wide enough for fire fighter access.)

Section 503.1.2; add a sentence to subsection 501.1.2 to read as follows:

503.1.2 Additional access. . . . The Fire Marshal is authorized to establish and designate fire lanes as deemed necessary for the proper ingress and egress of emergency vehicles. Any fire lane designated by the Fire Marshal shall become effective as of the date so designated.

Section 503.1.4; add subsection 503.1.4 to read as follows:

503.1.4 Maintenance. The Fire Marshal shall report any negligent surface conditions markings or signs to the owner or person in control of property upon which a fire lane exists and shall issue instructions for repair. It shall be unlawful for the owner or person in control of property upon which a fire lane has been designated or exists to fail to maintain the surface of the fire lane in good condition, free of potholes and other non approved obstructions. It shall be unlawful for the owner or person in control of property on which a fire lane has been designated or exists to fail to maintain any marking of the fire lane as required by this code in a condition which is not clearly legible.

Section 503.2.1; change to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20-24 feet (6096 mm 7315 mm), exclusive of shoulders, except for approved security gates

in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm) 14 feet (4267 mm).

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

(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)

Section 503.2.2; change to read as follows:

503.2.2 Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in fire fighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)

Section 503.2.3; add language to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads shall be constructed of not less than six inch (6") thick steel reinforced concrete on a lime-stabilized base. All fire lanes shall be capable of supporting a minimum of a 40 000 pound load.

Section 503.3; add subsections (1) and (2) to read as follows:

503.3 Marking. . . .

1. Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” shall appear in four inch (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

2. Signs – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high. Signs shall be painted on a white background with letters and borders in red, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Marshal.

(Reason: Establishes a standard method of marking and reflects local long-standing practices.)

Section 503.4; change to read as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times. The owner, operator or person in control of a premise shall maintain, free of obstruction, all fire lanes on his premises. No person may mark, post or otherwise identify a non-fire lane private vehicular passageway as a fire lane or in such a manner as tends to create confusion as to whether the passageway is a fire lane. Any unauthorized vehicle on a fire lane is:

1. Subject to removal by the operator of the premises, with the expense of removal and storage to be borne by the registered owner of the vehicle.
2. Subject to citation, as well as removal, by the Fire Marshal or a police officer, and
3. Prima facie evidence that the person in whose name the vehicle is registered is guilty of a violation of the parking provisions of this section.

(Reason: As originally worded, the section implied that vehicles could be parked in the marked fire lane and not be in violation if the minimum width is still maintained. Current accepted enforcement practice is to require the entire marked fire lane to be maintained clear and unobstructed.)

Section 505.1; change to read as follows:

505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the Fire Marshal, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of ~~4 inches (101.6 mm)~~ 10 inches (254 mm) high with a minimum stroke width of 1 inch (25.4 mm). Where access is by means of a private road, ~~buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 10 inch (254 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background on border.~~ Address numbers shall be maintained.

Exception: R-3 Single Family occupancies shall have approved numerals of a minimum 3 ½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

(Reason: To increase the minimum addressing requirements for commercial and establish a minimum for single-family residential.)

Section 507.4; change to read as follows:

507.4 Water supply test date and information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The Fire Marshal shall be notified prior to the water supply test. Water supply tests shall be witnessed by the Fire Marshal, as required or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as approved by the Fire Marshal. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

(Reason: Clarifies intent of the test to ensure contractor accounts for water supply fluctuations.)

Section 507.1; amend Section 507.1 by amending subsection 507.5.1, and subsection 507.5.3 by adding items 4 and 5, to read as follows:

507.5 Fire hydrant systems. . . .

507.5.1 Where required. . . . the jurisdiction is more than 150 feet (45 729 mm) from a hydrant on a public right-of-way, 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 Fire Marshal.

Exceptions: {no change}

. . .

507.5.3 Private fire service mains and water tanks. . . .

. . .

4. Private fire hydrants or those hydrants supplied through or by a fire pump shall be painted red. (Sherwin-Williams #B54R38 or equal)

5. All fire hydrant locations shall be identified by the installation of a blue reflective device installed in the centerline of the adjacent roadway or fire lane.

Section 507.5.4; change to read as follows:

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control

valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

(Reason: Maintains wording from 2006 Code to ensure these critical devices are available in an emergency incident.)

Section 509.1.2; add new Section 509.1.2 to read as follows:

509.1.2 Sign Requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as approved by the Fire Marshal. The letters shall be of a color that contrasts with the background.

(Reason: Provides direction as to appropriate sign criteria to develop consistency in this regard.)

Section 603.3.2.1, Exception; change exception to read as follows:

Exception: The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356 L) in accordance with all requirements of Chapter 57. of Class II or III liquid for storage in protected above-ground tanks... *{Delete remainder of Exception}*

(Reason: Change to Section 5704.2.9.5 is included in this amendment package.)

Section 603.3.2.2; change to read as follows:

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

(Reason: Relocate the exception to Chapter 57 for applicability to generator sets, due to contradictory charging statement in 603.1 to not apply to internal combustion engines. Further, such large quantities of combustible liquid are more thoroughly addressed in Chapter 57 relative to such tanks.)

Section 603.3.6; add subsection 603.3.6 to read as follows:

603.6 Chimneys and appliances.

603.6.6 Maintenance of Chimneys. All multi-family occupancies where fireplaces utilizing solid fuel are used shall have the chimneys inspected and/or cleaned by a certified chimney sweep on a yearly basis. A report of each inspection and/or cleaning shall be submitted to the Fire Marshal by no later than November 1st each year.

(Reason: Maintains current local requirements based on the IFC 2006 Amendments.)

Section 604; change to read as follows:

SECTION 604

EMERGENCY AND STANDBY POWER SYSTEMS

604.1 Installation. Emergency and standby power systems required by this code or the *International Building Code* shall be installed in accordance with this code, NFPA 110 and 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

604.1.1 Stationary generators. Stationary emergency and standby power generators required by this code shall be *listed* in accordance with UL 2200.

604.1.2 Critical Operations Power Systems (COPS). For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

604.2 Where required. Emergency and standby power systems shall be provided where required by Sections 604.2.1 through ~~604.2.18.4~~ 604.2.24 or elsewhere identified in this code or any other referenced code.

~~604.2.1 Group A occupancies.~~ Emergency voice/alarm communications systems. Emergency power shall be provided for emergency voice/alarm communications systems in ~~Group A~~ the following occupancies, or as specified elsewhere in this code, in accordance with Section ~~907.5.2.2.5~~ 907.2.1.4.

Covered and Open Malls, Section 604.2.13

Group A occupancies, Sections 907.2.1.1 and 907.5.2.2.4.

Special Amusement buildings, Section 907.2.12.3

High rise buildings, Section 907.2.13

Atriums, Section 907.2.14

Deep Underground buildings, Section 907.2.19

604.2.2 Smoke control systems. Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, in accordance with Section 909.11:

Covered mall building, *International Building Code*, Section 404.5

Atriums, *International Building Code*, Section 404.7

Underground buildings, *International Building Code*, Section 405.5

Group I-3, *International Building Code*, Section 408.9

Stages, *International Building Code*, Section 410.3.7.2

Special Amusement buildings (as applicable to Group A's), *International Building Code*, Section 411.1

Smoke protected seating, Section 1028.6.2.1

604.2.3 Exit signs. Emergency power shall be provided for *exit* signs in accordance with Section 1011.6.3. (90 minutes)

604.2.4 Means of egress illumination. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1006.3. (90 minutes)

604.2.5 Accessible means of egress elevators. Standby power shall be provided for elevators that are part of an *accessible means of egress* in accordance with Section 1007.4.

604.2.6 Accessible means of egress platform lifts. Standby power in accordance with this section or ASME A18.1 shall be provided for platform lifts that are part of an *accessible means of egress* in accordance with Section 1007.5

604.2.7 Horizontal sliding doors. Standby power shall be provided for horizontal sliding doors in accordance with Section 1008.1.4.3.

604.2.8 Semiconductor fabrication facilities. Emergency power shall be provided for semiconductor fabrication facilities in accordance with Section 2703.15.

604.2.9 Membrane structures. Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6.1. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with the *International Building Code*. (4 hours)

604.2.10 Hazardous materials. Emergency or standby power shall be provided in occupancies with hazardous materials in accordance with Section 5004.7 and 5005.1.5.

604.2.11 Highly toxic and toxic materials. Emergency power shall be provided for occupancies with highly *toxic* or *toxic* materials in accordance with Sections 6004.2.2.8 and 6004.3.4.2.

604.2.12 Organic peroxides. Standby power shall be provided for occupancies with organic peroxides in accordance with Section 6204.1.11.

604.2.13 Covered and open mall buildings. (no change).

604.2.14 High-rise buildings. (no change).

604.2.15 Underground buildings. (no change).

604.2.16 Group I-3 occupancies. (no change).

604.2.17 Airport traffic control towers. (no change).

604.2.18 Elevators. (no change).

604.2.19 Smokeproof enclosures and Stair Pressurization Alternative. Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.6.2.

604.2.20 Elevator pressurization. Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

604.2.21 Elimination of Smoke Dampers in Shaft Penetrations. Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

604.2.22 Common exhaust systems for clothes dryers. Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code* Section 504.8, item 7.

604.2.23 Hydrogen Cutoff Rooms. Standby power shall be provided for mechanical ventilation and gas detection systems of Hydrogen Cutoff Rooms in accordance with the *International Building Code*, Section 421.8.

604.2.24 Means of Egress Illumination in Existing Buildings. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 and 1104.5.1 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

604.3 Energy time duration. Unless a time limit is specified by the Fire Marshal, in this chapter or elsewhere in this code, or in any other referenced code or standard, the emergency

and standby power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.

604.3 4 Maintenance. (no change).

604.4 5 Operational inspection and testing. (no change).

604.5 6 Emergency lighting equipment. (no change).

604.6 7 Supervision of maintenance and testing. (no change).

(Reason: These provisions provide a list to complete and match that throughout the codes. IBC Section 2702.13 “pyrophoric materials” no longer exists in IFC Section 604. The only new items are the reference to COPS in NFPA 70, and the specified Energy time duration. Other changes are a reference to a code provision that already exists.)

Section 605.4; amend Section 605.4 by amending subsections 605.4.1 and 605.4.3, to add additional language to read as follows:

605.4. Multiplug adapters. . . .

. . .

605.4.1 Power Tap Design. . . . be listed in accordance with UL 1363 and not exceeding six feet (6') in length.

...

605.4.3 Installation. . . . to environmental or physical damage. The cord shall not exceed six feet (6') in length.

Section 704.1; change to read as follows:

704.1 Enclosure. Interior vertical shafts, including but not limited to *stairways*, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 11. New floor openings in existing buildings shall comply with the *International Building Code*.

(Reason: Provides standard minimum protection retroactively, but clarifies that this section is not to be used to reduce higher protection levels that were required when originally constructed.)

Section 807.4.3.2; change to read as follows:

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

Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(Reason: Consistent with regional practice. This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to acceptable amounts of artwork in classrooms.)

Section 807.4.4.2; change to read as follows:

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

Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(Reason: Consistent with regional practice. This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to acceptable amounts of artwork in classrooms.)

Section 901.4.3; change to read as follows:

901.4.3 Fire areas. {First part of section unchanged} ...determined in accordance with Section 707.3.910 of the *International Building Code*.

(Reason: Errata – see ICC website for more information - incorrect section number is referenced in the published code as 707.3.9, which applies to mixed use occupancy separation, rather than fire area separation for sprinkler purposes.)

Section 901.6.1; add Section 901.6.1.1 to read as follows:

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

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

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

(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)

Section 901.6; add subsection 901.6.3 to read as follows:

901.6 Inspection, testing and maintenance. . . .

. . .

901.6.3 False Alarms. False alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner. The technician performing maintenance on any system capable of transmitting an alarm to the Rowlett Emergency Dispatch Center shall notify the center prior to any work being performed on the system. In addition, the technician shall notify the Rowlett Emergency Dispatch Center immediately upon placing the system back in service.

Section 901.7; change to read as follows:

901.7 Systems out of service. Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *Fire Marshal* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service. ...{remaining text unchanged}

(Reason: Gives fire code official more discretion. Requires adoption of definition amendment in Section 202 for fire watch.)

Section 901.9; change Section 901.9 to read as follows:

901.9 Discontinuation or change ~~Termination of monitoring of service.~~ ~~For fire alarm systems required to be monitored by this code, Notice shall be made to the fire code official whenever contracted alarm-monitoring services for monitoring of any fire alarm system are terminated for any reason, or a change in alarm monitoring provider occurs.~~ Notice shall be made in writing to the *fire code official* by the building owner and monitoring service provider prior to the service being terminated.

(Reason: To ensure the property's monitored fire alarm system is maintained for proper notification of emergency response in the event of an emergency incident.)

Section 902.1; add definitions for "Finished Floor Area" and "Fire Flow Calculation Area", which shall read as follows:

902.1 Definitions. The following terms are defined in Chapter 2:

...

FINISHED FLOOR AREA.

...

FIRE FLOW CALCULATION AREA.

Section 903.1.1; change to read as follows:

903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of addition to automatic sprinkler protection where recognized by the applicable standard ~~and, or as~~ approved by the *Fire Marshal*.

(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection in general. An applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths. This also meets with local practices in the region.)

903.1; add subsection 903.1.2 to read as follows:

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

systems installed in accordance with NFPA 13R must include attic sprinkler protection to be recognized for the purposes of such trade-offs permitted by other requirements of this Code.

Section 903.2; add paragraph to read as follows:

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3006.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3006.4, such that passive fire barriers for these areas are maintained. This also meets with local practices in the region.)

Section 903.2; delete the exception.

(Reason: The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building. This also meets with local practices in the region.)

Section 903.2; amend Section 903.2, where required, to read as follows:

903.2. Where required. . . .

. . .

903.2.1 Group A. . . .

903.2.1.1 Group A-1. . . .

1. The fire area exceeds 5,000 square feet (465 m²).

...

3. The fire area is two or more stories in height.

...

903.2.1.2 Group A-2. . . .

...

3. The fire area is two or more stories in height.

903.2.1.3 Group A-3. . . .

1. The fire area exceeds 5,000 sq. ft

...

3. The fire area is two or more stories in height.

...

903.2.1.4 Group A-4. . . .

1. The fire area exceeds 5,000 sq. ft. (465 m²).

...

903.2.3 Group E. . . .

1. Throughout all Group E fire areas greater than 5,000 square feet (465 m²) in area.
2. An automatic sprinkler system shall also be provided for every portion of educational buildings below the level of exit discharge.

Section 903.2.3; {delete the exception}.

**** (No exceptions for separation walls)**

903.2.4 Group F-1. . . .

1. A Group F-1 fire area exceeds 5,000 square feet (465 m²).

...

3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 5,000 square feet (465 m²).

...

903.2.7 Group M. . . .

1. A Group M fire area exceeds 5,000 square feet (465 m²).
2. A Group M fire area is located two or more stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 5,000 square feet (465 m²).

...

903.2.8 Group R An automatic sprinkler system shall be provided throughout buildings where the Group R fire area exceeds 5,000 square feet (465 m²).

...

903.2.9 Group S-1. . . .

1. A Group S-1 fire Area exceeds 5,000 square feet (465 m²).

...

903.2.9.1 Repair garages. . . .

1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 5,000 square feet (465 m²).

...

Section 903.2.9; add Section 903.2.9.3 to read as follows:

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

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

(Reason: Fire departments are unable to inspect these commercial occupancies and are unaware of the contents being stored. This also meets with local practices in the region.)

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, 903.2.11.9 and 903.2.11.10 as follows:

903.2.11.3 Buildings ~~55~~ 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the *International Building Code*, ~~having an occupant load of 30 or more that is~~ located ~~55~~ 35 feet (~~16 764~~ 10 668 mm) or more above the lowest level of fire department vehicle access.

Exceptions:

- ~~1. Airport control towers.~~
- ~~2. Open parking structures in compliance with Section 406.5 of the *International Building Code*.~~
- ~~3. Occupancies in Group F-2.~~

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

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

903.2.11.9 Buildings Over 5,000 sq.ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 5,000 sq.ft. or greater and in all existing buildings that are enlarged to be 5,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

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

903.2.11.10 General. In addition to other sections of this code, an approved automatic fire extinguishing system shall be installed in the occupancies and locations as set forth in this section.

- 1. All buildings or structures, at least two (2) or more stories or thirty-five feet (35') in height, or greater than 5,000 square feet, excluding Group R-3, shall be equipped with an automatic fire sprinkler system. Approved automatic sprinkler systems in Group R-3 buildings shall be installed as required by this or other codes.**
- 2. Group R-1 Occupancies.** All Group R-1 occupancies shall be equipped with an approved, hydraulically designed automatic fire sprinkler system. Residential or quick response standard sprinklers shall be used in the dwelling units and guest room portions of the building.
- 3. Group R-3 Occupancies.** All Group R-3 occupancies which contain more than 2 separate dwelling units shall be equipped with an approved, hydraulically designed automatic fire sprinkler system. Residential or quick response standard sprinklers shall be used in the dwelling units.

The system shall be designed according to NFPA standards on all floors of the building. Two (2) complete sets of plans and calculations shall be submitted to the Fire Prevention Division for review and approval. Upon completion, the installer shall furnish the Fire Prevention Division with a statement that the system has been installed to meet the requirements of all applicable

ordinances.

All buildings equipped with an approved automatic sprinkler system shall also be equipped with an approved, monitored fire alarm system, meeting the requirements of NFPA 72 and this code.

In addition to the building requirements listed above, the following requirements must be met:

1. Where standpipes are required, all standpipe locations are to be marked by an "OSHA yellow" stripe three feet (3') in width located six feet (6') below the ceiling line on the column where the standpipe is located. Where a standpipe is not located adjacent to a column, the standpipe shall be painted with a five feet (5') wide white band with the three feet (3') wide "OSHA yellow" stripe centered on the white stripe.
2. Fire alarm pull stations shall be identified by a red diamond one foot (1') in height on each face of the column where the pull station is located. Locate the diamond no lower than six feet (6') nor higher than eight feet (8') above the floor level as measured to the center of the diamond.
3. All personnel doors are to be numbered in six-inch (6") high numbers on the inside and outside of the doors. The numbering is to begin at the pump room and continue counter-clockwise around the building. The pump room is to have "PUMP ROOM" on the outside of the door in minimum six-inch (6") high letters. On all buildings without a pump room, the first personnel door to the right of the main entrance is to be labeled door "1" and continue in a counter-clockwise direction. Door doors are to be numbered sequentially with the personnel doors or alphabetical symbols are to be used. No personnel doors and dock doors are to be labeled with the same number. All numbers are to be of a contrasting color to the background.
4. Zone maps and operational instructions are to be posted at each fire alarm panel and remote annunciator.
5. A plan showing the location of each pull station, duct detector, mechanical smoke and heat fan and personnel door locations (by door number) shall be located at each alarm panel and remote annunciator.
6. Each sprinkler riser shall be identified by a distinctive four-inch (4") wide band painted on the riser pipe just above the main valve. If the sprinkler riser passes through a ceiling or enclosure, an additional four inch (4") band of the same color shall be placed on the riser pipe at a point that is easily visible from floor level. Each system shall be identified by a separate and distinct color. A plan showing the coverage area of each system shall be posted adjacent to the fire alarm panel and

remote annunciators.

7. Evacuation of Buildings. Upon any fire alarm activation, all occupants shall immediately evacuate all portions of the building and shall remain outside of the structure until it has been determined that it is safe to return.

(Reason: Reflects regional practices. Provides jurisdictions options as to their desired level of sprinkler protection based on multiple factors including firefighting philosophies/capabilities.)

Section 903.3.1.1.1; change to read as follows:

903.3.1.1.1 Exempt locations. When approved by the Fire Marshal, automatic sprinklers shall not be required in the following rooms or areas where such ...*{text unchanged}*... because it is damp, of fire-resistance-rated construction or contains electrical equipment.

7. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
8. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.
9. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
- ~~10. In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
11. ~~Fire service access~~ Elevator machine rooms, and machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
12. {Delete.}

(Reason: Gives more direction to code official. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)

Section 903.3.1.2.2; add section to read as follows:

Section 903.3.1.2.2 Attics, Open Breezeways, and Attached Garages. Sprinkler protection is required in attic spaces of such buildings two or more stories in height, open breezeways, and attached garages.

(Reason: Open breezeways already require sprinkler protection in Section 1026.6, Exception 4. Attic protection is required in accordance with existing regional practice and issues with fire exposure via soffit vents, as well as firefighter safety. Attached garages already require sprinkler via NFPA 13R – re-emphasis.)

Section 903.3.1.3; change to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. *Automatic sprinkler systems* installed in one- and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(Reason: To allow the use of the Plumbing section of the IRC and recognize current state stipulations in this regard.)

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

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, additional fire hydrants and mains capable of supplying the required fire flow shall be required. Additional hydrant locations shall be based on fire load, internal fire protection systems, required fire flow, vehicular traffic, fire lanes, and other special circumstances. Fire hydrants shall be spaced no farther than five hundred feet (500') in residential areas and three hundred feet (300') in nonresidential areas, measured center-on-center. These distances may be modified when sufficient data is provided showing that equivalent fire protection can be maintained. Fire hydrants shall be located no closer than three feet (3') nor farther than six feet (6') from a fire lane. Fire supply lines shall be looped systems with no dead end mains or fire lines greater than one hundred fifty feet (150') in length unless approved by the Fire Marshal.

(Reason: To define uniform safety factor.)

Section 903.4; add a second paragraph after the exceptions to read as follows:

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

(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9.)

Section 903.4.2; add second paragraph to read as follows:

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

(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access.)

Section 905.2; change to read as follows:

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

(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm.)

Section 905.3; add Section 905.3.9 and exception, and 905.3.10 and 905.3.11, to read as follows:

905.3.9 Building area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

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

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

905.3.11 Fire Department Connections. Fire Department Connections (FDC) shall not be located in or on structures. The FDC shall be located no closer than three feet (3') nor farther than six feet (6') from a fire lane. The line from the FDC to the sprinkler riser shall be isolated from any hydrant through the use of an approved check valve. At no time shall the FDC increase pressure to any fire hydrant. The FDC shall be located no farther than fifty feet (50') from a fire hydrant and shall be located on the same side of the fire lane as the hydrant. FDC's for automatic sprinkler systems and/or standpipe systems for new buildings shall be equipped with a 5-inch "Storz" angled down with a "short bend" or 30° downturn and a gated "Y" connection for Mutual Aid Assistance.

(Reason: Allows for the rapid deployment of hoselines to the body of the fire.)

Section 905.4, item 5; change to read as follows:

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way ~~a~~ hose connection shall be located to serve the roof or at the highest landing of a stairway with stair access to the roof provided in accordance with Section 1009.16. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

(Reason: Reduces the amount of pressure required to facilitate testing, and provides backup protection for fire fighter safety.)

Section 905.4; add the following item 7:

7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

(Reason: Allows for the rapid deployment of hoselines to the body of the fire.)

Section 905.9; add a second paragraph after the exceptions to read as follows:

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

(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)

Section 907.1; amend Section 907.1.3 and add Section 907.1.4 to read as follows:

907.1.3 Equipment. . . . {existing text unchanged} With the exception of Group R, Division 3, an approved antenna system capable of transmitting Fire Department communications shall be installed in every structure where Fire Department communications would be hindered due to construction materials, terrain, internal processes, or the size or location of the structure.

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

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

(Reason: Consistent with local practice and emerging technology. Reduces need for panel replacement in the future.)

Section 907.2.1; change to read as follows:

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with new Section 907.6 shall be installed in Group A occupancies ~~where the~~ having an occupant load due to the assembly occupancy is of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated

from one another in accordance with Section 707.3.9~~10~~ of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

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

(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices. Also reflects regional practice.)

Section 907.2.3; change to read as follows:

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

(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems.)

Section 907.2.3; change exception 1. to read as follows:

Exceptions:

2. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 30 or less when provided with an approved automatic sprinkler system.
 - 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

(Reason: Consistent with Texas State laws concerning day care facility requirements.)

Section 907.2.13, Exception 3; change to read as follows:

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

(Reason: To indicate that enclosed areas within open air seating type occupancies are not exempted from automatic fire alarm system requirements.)

Section 907.4.2; add Section 907.4.2.7 to read as follows:

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

(Reason: Helps to reduce false alarms. Consistent with regional requirements.)

Section 907.6.1; add Section 907.6.1.1 to read as follows:

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not

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

(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)

Section 907.6.5; add Section 907.6.5.3 to read as follows:

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

(Reason: To assist responding personnel in locating the emergency event.)

Section 910.1; change Exception 2 to read as follows:

2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, automatic—only manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall ~~not~~ be required within these areas. Automatic smoke and heat vents are prohibited.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event. Also gives an alternative to smoke and heat vents.)

Section 910.2; add subsections 910.2.3 with exceptions and 910.2.4 to read as follows:

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

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

(Reason: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish.)

Table 910.3; Change the title of the first row of the table from “Group F-1 and S-1” to include “Group H” and to read as follows:

Group H, F-1 and S-1

(Reason: Consistency with the amendment 910.2.4 to include Group H.)

Section 910.3; replace Sections 910.3.1 through 910.3.3, and add second paragraph to Section 910.3.2.2 as follows:

910.3.1 Design. Smoke and heat vents shall be *listed and labeled* to indicate compliance with UL 793.

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

910.3.2.1 Gravity-operated drop out vents. Automatic smoke and heat vents containing heat-sensitive glazing designed to shrink and drop out of the vent opening when exposed to fire shall fully open within 5 minutes after the vent cavity is exposed to a simulated fire represented by a time-temperature gradient that reaches an air temperature of 500°F (260°C) within 5 minutes.

910.3.2.2 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

910.3.2.3 Nonsprinklered buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Gravity-operated drop out vents complying with Section 910.3.2.1.

910.3.3 Vent dimensions. The effective venting area shall not be less than 16 square feet (1.5 m²) with no dimension less than 4 feet (1219 mm), excluding ribs or gutters having a total width not exceeding 6 inches (152 mm).

(Reason: Errata – see ICC website for more information - Replaces text from the 2009 IFC that was accidentally lost/left out of the 2012 edition first printing, as exemplified by the Section number skipping. Amendment to Section 910.3.2.2 specifies a temperature range at which smoke and heat vents should activate in sprinklered buildings to ensure that the sprinkler system has an opportunity to activate and control the fire prior to vent operation.)

Section 910.4; amend by adding additional language to Section 910.4 and amending subsection 910.4.5, to read as follows:

910.4 Mechanical smoke exhaust. . . {existing text unchanged} In buildings equipped with an Early Suppression Fast Response (ESFR) sprinkler system, curtain boards and smoke and heat vents are to be eliminated and an approved mechanical smoke and removal system utilized. This system must de-activate all fans upon initiation of the fire alarm system. The system shall have a manual override system in addition to the vent controls located in the protected area. A separate Fire Department access or key switch may be required at a remote location in the building. Each individual fan shall be capable of being activated by a fireman's override switch located in the pump room. Design of the mechanical smoke and heat removal system shall be based on a minimum of four (4) air changes per hour. When activated by the fire alarm, all other mechanical ventilation systems shall shut down.

...

910.4.5 Supply air. *{existing text unchanged}* . . . shall be sized to provide a minimum of twenty-five percent (25%) of required exhaust. Openings for supply air shall be uniformly distributed around the periphery of the area served. Personnel doors and dock doors shall not be considered as part of the supply air system.

(Reason: Maintains current local requirements based on the IFC 2006 Amendments.)

Section 912.2; add Sections 912.2.3 and 912.2.4 to read as follows:

912.2.3 Hydrant distance. An approved fire hydrant shall be located within 50 feet of the fire department connection as the fire hose lays along an unobstructed path.

912.2.4 Fire Department Connections. Fire Department Connections (FDC) shall not be located in or on structures. The FDC shall be located no closer than three feet (3') nor farther than six feet (6') from a fire lane. The line from the FDC to the sprinkler riser shall be isolated from any hydrant through the use of an approved check valve. At no time shall the FDC increase pressure to any fire hydrant. The FDC shall be located no farther than fifty feet (50') from a fire hydrant and shall be located on the same side of the fire lane as the hydrant.

(Reason: Consistent with regional practices.)

Section 913.1; add second paragraph and exception to read as follows:

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

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the

building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the Fire Marshal. Access keys shall be provided in the key box as required by Section 506.1.

(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)

Chapter 10: Sections 1001 through 1029; replace all references to “fire code official” with “building official”.

(Reason: Past regional practice and legacy language has always referenced the “building official” as the authority over Chapter 10 issues, except for the maintenance of the means of egress section. The 2012 edition of the IBC references “building official” in these sections, but references “fire code official” in the 2012 IFC, providing for a direct contradiction when both codes are adopted.)

Section 1004.1.2; delete exception:

1004.1.2 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.2. For areas without fixed seating, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.1.2. Where an intended function is not listed in Table 1004.1.2, the building official shall establish a function based on a listed function that most nearly resembles the intended function.

Exception: ~~Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.~~

(Reason: Authority having jurisdiction (AHJ) already has this authority. Technical substantiation is required to support deviation from table values.)

Section 1007.1; add the following Exception 4:**Exceptions:***{previous exceptions unchanged}*

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

(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments to Chapter 11.)

Section 1007.5; Platform lifts, amend to read as follows:

1007.5 Platform lifts. Platform (wheelchair) lifts . . . required *accessible route* in Section 1109.7 ~~8~~, Items 1 through ~~9~~ 10. Standby power . . . *{remainder unchanged}*

(Reason: Editorial.)

Section 1008.1.9.4; amend exceptions 3 and 4 as follows:**Exceptions:**

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

(Reason: Application to M occupancies reflects regional practice; No. 4 expanded to Group A due to it being a similar scenario to other uses; No. 4 was regional practice.)

Section 1008.1.9.9; change to read as follows:

1008.1.9.9 Electromagnetically locked egress doors. Doors in the *means of egress* in buildings with an occupancy in Group A, B, E, I-1, I-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with *listed* hardware that incorporates a built-in switch and meet the requirements below: *{remaining text unchanged}*

(Reason: Regional practice to permit such locks due to the presence of trained staff.)

Section 1015; add new section 1015.7 to read as follows:

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

(Reason: Cross reference necessary for coordination.)

Section 1016.2; revise Table 1016.2 and add new language to the end of the existing section to read as follows:

1016.2 Limitations.

. . .

**TABLE 1016.1
EXIT ACCESS TRAVEL DISTANCE**

OCCUPANCY	WITHOUT SPRINKLER SYSTEM (FEET)	WITH SPRINKLER SYSTEM (FEET)
A, E, I-1, M, R, S-1	150	200
B	150	200
F-1, F-2, S-1, S-2, U	150	200*
H-1	NOT PERMITTED	75
H-2	NOT PERMITTED	100
H-3	NOT PERMITTED	150
H-4	NOT PERMITTED	175
H-5	NOT PERMITTED	200
I-2, I-3, I-4	150	200

For S1: 1 foot = 304.8 mm.

* May be increased to no more than 400 feet provided all requirements of Section 1016.1.1 are met.

In addition to other requirements set forth in this code or the International Building Code, buildings utilizing increased exit travel distance shall be equipped with all of the following:

1. An approved ESFR automatic fire sprinkler system throughout;
2. 2 ½" hose valve stations throughout;
3. An approved fire alarm system, meeting the requirements of this code and NFPA 72, latest edition;
4. The maximum travel distance to a manual fire alarm pull station does not exceed 200 feet.
5. A mechanical heat and smoke ventilation system, including automatic de-activation as well as manual override capability as set forth in Section 910.4.
6. Emergency lighting and exit path markings;
7. An ADA compatible fire alarm system.

In addition to the building requirements listed above, the following requirements shall be met:

1. Emergency plans shall include the procedures for reporting and notifying, relocating and evacuating occupants; staff member duties during emergencies; floor plans identifying the locations of portable fire extinguishers, other manual fire-extinguishing equipment, manual fire alarm pull stations and fire alarm control panels; floor plans identifying the primary and secondary routes of evacuation for each room or portions of the occupancy; floor plans indicating the locations of interior areas of refuge; and site maps identifying the designated exterior assembly area for each evacuation route.
2. Emergency plans shall be submitted to the Fire Prevention Division for review and approval.
3. Emergency plans shall be reviewed and updated annually. Additional reviews and updates shall be provided whenever changes are made to the occupancy or physical arrangement of the building.
4. When required by Item 3, all employees shall be assigned duties for emergencies and shall be trained in their duties in accordance with this section. Training shall include familiarization with assigned duties, evacuation routes, and areas of refuge, exterior assembly areas and

procedures for leading groups or assisting individuals to evacuate.

5. Employees shall be trained to know the location and proper use of portable fire extinguishers. Employees shall be familiar with fire alarm signals, when alarms are provided, and emergency action required under potential emergency conditions.
6. Employees shall receive training in the emergency plans and their duties as part of new employee orientation and at least annually thereafter.
7. Fire drills shall be conducted at least semi-annually. Fire drills shall be conducted in a manner that provides for execution of procedures set forth in the emergency plan. In addition, fire drills shall include a review of the emergency plan and execution of assigned duties.
8. When fire drills are conducted, all persons who are subject to the fire drill requirements shall participate in the drill.
9. Fire drills shall be conducted at varying times and under varying conditions to simulate conditions that could occur during a fire or other emergency.
10. Records of fire drills shall be maintained on the premises for review by the Fire Prevention Division. Records shall include the date and time of each drill, the person conducting the drill and other information relative to the drill.

Section 1016; add new section 1016.2.2 to read as follows:

1016.2.2 Group F-1 and S-1 increase. The maximum exit access travel distance shall be 400 feet (122 m) in Group F-1 or S-1 occupancies where all of the following are met:

1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height;
2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7315 mm); and
3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

(Reason: Past regional practice allowed smoke and heat vents to be utilized to increase travel distance, which resulted in problems when utilizing ESFR systems. This amendment adopts wording from the upcoming 2015 IBC, which has been approved by final action via the ICC code development process but is not yet published.)

Section 1018.1; add exception 6 to read as follows:

{previous text unchanged}

6. In Group B office buildings, corridor walls and ceilings within single tenant spaces need not be of fire-resistive construction when the tenant space corridor is provided with system smoke detectors tied to an approved automatic fire alarm. The actuation of any detector shall activate alarms audible in all areas served by the corridor.

(Reason: To reduce redundant requirements in a single tenant situation. Intended to be consistent with regional amendment to IFC.)

Section 1018.6; amend to read as follows:

1018.6, Corridor Continuity. ~~Fire-Resistance-Rated~~ All corridors shall be continuous from the point of entry to an *exit*, and shall not be interrupted by intervening rooms. *{Remainder unchanged}*

{Exception unchanged}

(Reason: Once in corridor, corridor should not be interrupted or discontinuous.)

Section 1026.6; amend exception 4 to read as follows:

Exceptions: *{Exceptions 1 through 3 unchanged}*

4. Separation from the interior open-ended corridors of the building... *{remaining text unchanged}*

(Reason: To clarify that Section 1022.7, i.e., the 180 degree rule is applicable; and is further reinforced by new Exception 4.4.)

Section 1028.1.1.1; delete.

(Reason: Unenforceable.)

Section 1029.1; amend to read as follows:

1029.1 General. In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R and I-1 ~~Group R-2~~ occupancies ~~in accordance with Tables 1021.2(1) and 1021.2(2) and Group R-3 occupancies.~~ {*Remainder unchanged*}

Exceptions:

{Exceptions 1 through 3 unchanged.}

4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

(Reason: Maintains legacy language to ensure egress from residential type occupancies and maintain exception for residential occupancies where an NFPA 13 or 13R sprinkler system is installed, but not for a 13D system.)

Section 1030.2; change to read as follows:

1030.2 Reliability. Required *exit accesses*, *exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency ~~when the building area served by the means of egress is occupied.~~ An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.

(Reason: Maintain legacy levels of protection and long-standing regional practice, and provide firefighter safety.)

Section 1103.3; add sentence to end of paragraph as follows:

Provide emergency signage as required by Section 607.2.

(Reason: Coordinates requirements of previous amendment.)

Section 1103.5; add Section 1103.5.3 to read as follows:

1103.5.3 Spray booths and rooms. Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

(Reason: Consistent with amendment to IFC 2404, regional practice, and long-standing regional requirement.)

Section 2304.1; change to read as follows:

2304.1 Supervision of dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be conducted by a qualified attendant or shall be under the supervision of a qualified attendant at all times or shall be in accordance with ~~Section 2204.3.~~ the following:

1. Conducted by a qualified attendant; and/or,
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2304.3.

At any time the qualified attendant of item Number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2304.3.

(Reason: Allows a facility to apply the attended and unattended requirements of the code when both are potentially applicable.)

Section 2401.2; delete this section.

(Reason: This section eliminates such booths from all compliance with Chapter 15 including, but not limited to: size, ventilation, fire protection, construction, etc. If the product utilized is changed to a more flammable substance, the lack of compliance with Chapter 15 could result in significant fire or deflagration and subsequent life safety hazard.)

Table 3206.2, footnote j; change text to read as follows:

- j. ~~Not required when storage areas are protected by~~ Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinkler systems installed in accordance with NFPA 13 sprinklers, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while ensuring proper operation of the sprinkler protection provided. Also, gives an alternative to smoke and heat vents.)

Section 3310.1; add sentence to end of paragraph to read as follows:

When fire apparatus access roads are required to be installed for any structure or development, they shall be approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

(Reason: Reference requirement of Section 501.4.)

Section 5601.1.3; change to read as follows:

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

Exceptions:

1. Only when approved for fireworks displays, ~~Storage and handling of fireworks as allowed in Section 5604 and 5608.~~
2. ~~Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~
3. ~~2.~~ The use of fireworks for approved fireworks displays as allowed in Section 5608.
4. ~~The possession, storage, sale...~~ *{Delete remainder of text.}*

(Reason: Restricts fireworks to approved displays only, which is consistent with regional practice.)

Section 5703.6; add a sentence to read as follows:

5703.6 Piping systems. Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with Sections 5703.6.1 through 5703.6.11. An approved method of secondary containment shall be provided for underground tank and piping systems.

(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Maintains long-standing regional practice.)

Section 5704.2.9.5; change Section 5704.2.9.5 and add Section 5704.2.9.5.3 to read as follows:

5704.2.9.5 Above-ground tanks inside of buildings. Above-ground tanks inside of buildings shall comply with Section 5704.2.9.5.1 and ~~5704.2.9.5.2~~ through 5704.2.9.5.3.

5704.2.9.5.1 {No change.}

5704.2.9.5.2 {No change.}

5704.2.9.5.3 Combustible liquid storage tanks inside of buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks:

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

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

(Reason: Relocated from exception to 603.3.2.1 as published, as per reason statement for deletion in that section. Maintains consistency with current regional requirements relative to interior flammable/combustible liquid storage tanks.)

Section 5704.2.11.5; add a sentence to read as follows:

5704.2.11.5 Leak prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.5.1 and ~~5704.2.11.5.2~~ through 5704.2.11.5.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. References regional amendment to IFC 5704.2.11.5.3.)

Section 5704.2.11.5.2; change to read as follows:

5704.2.11.5.2 Leak detection. Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.5.3.

(Reason: Reference to IFC Section 5704.2.11.5.3 amendment.)

Section 5704.2.11.5; add Section 5704.2.11.5.3 to read as follows:

5704.2.11.5.3 Observation wells. Approved sampling tubes of a minimum 4 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

(Reason: Provides an economical means of checking potential leaks at each tank site.)

Section 5706.5.4; delete Section 5706.5.4.5 and replace with the following:

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 such dispensing operations are conducted in accordance with Sections 5706.5.4.5.1 through 5706.5.4.5.3.

5706.5.4.5.1 Site requirements.

1. Dispensing may occur at sites that have been permitted to conduct mobile fueling.
2. A detailed site plan shall be submitted with each application for a permit. The site plan must indicate:
 - a. all buildings, structures, and appurtenances on site and their use or function;
 - b. all uses adjacent to the property lines of the site;
 - c. the locations of all storm drain openings, adjacent waterways or wetlands;
 - d. information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and,

- e. The scale of the site plan.
- 3. The Code Official is authorized to impose limits upon: the times and/or days during which mobile fueling operations are allowed to take place and specific locations on a site where fueling is permitted.
- 4. Mobile fueling operations shall be conducted in areas not generally accessible to the public.
- 5. Mobile fueling shall not take place within 15 feet (4.572 m) of buildings, property lines, or combustible storage.

5706.5.4.5.2 Refueling Operator Requirements.

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

8. Tanker vehicles shall be equipped with a fuel limit switch such as a count-back switch, limiting the amount of a single fueling operation to a maximum of 500 gallons (1893 L) between resetting of the limit switch.

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

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

5706.5.4.5.3 Operational Requirements.

1. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
2. Prior to beginning dispensing operations, precautions shall be taken to assure ignition sources are not present.
3. The engines of vehicles being fueled shall be shut off during dispensing operations.
4. Night time fueling operations shall only take place in adequately lighted areas.
5. The tank vehicle shall be positioned with respect to vehicles being fueled so as to preclude traffic from driving over the delivery hose and between the tank vehicle and the motor vehicle being fueled.
6. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.

7. Motor vehicle fuel tanks shall not be topped off.
8. The dispensing hose shall be properly placed on an approved reel or in an approved compartment prior to moving the tank vehicle.
9. The Code Official and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.

(Reason: Provides clarity and organization of the site, operation and use requirements. Maintains long-standing regional practice.)

Section 6103.2.1; add Section 6103.2.1.8 to read as follows:

6103.2.1.8 Jewelry Repair, Dental Labs and Similar Occupancies. Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

(Reason: To provide a consistent and reasonable means of regulating the use of portable LP-Gas containers in these situations.)

Section 6104.2, Exception; add an exception 2 to read as follows:

Exceptions:

1. {existing text unchanged}
2. Except as permitted in 308 and 6104.3.2, LP-gas containers are not permitted in residential areas.

(Reason: To provide a consistent and reasonable means of regulating the use of portable LP-Gas containers. References regional amendment to IFC 6104.3.2.)

Section 6104.3; add Section 6104.3.2 to read as follows:

6104.3.2 Spas, Pool Heaters and other listed devices. Where natural gas service is not available, an LP-Gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 6104.3 for location of containers.

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

(Reason: Allows for an alternate fuel source. Dwelling density must be considered and possibly factored into zoning restrictions.)

END



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 04/01/14

AGENDA ITEM: 8A

TITLE

Conduct a public hearing and consider an ordinance approving a Major Warrant for property located at 10000 Beacon Harbor and within the New Neighborhood Form Based District to increase the maximum allowable height from 2.5 stories to 4 stories to accommodate a proposed mixed residential development.

STAFF REPRESENTATIVE

Erin Jones, Director of Development Services

SUMMARY

The Planning and Zoning Commission unanimously recommended approval of this item at their February 25, 2014, Meeting.

The applicant is requesting a Major Warrant to allow a four story mixed residential project on the subject property (Attachment 1- Location Map). Currently, there is a 2.5 story maximum imposed on the property. Per the Form Based Code (FBC), Major Warrants are used for exceptions to the Code that are not consistent with a provision or the intent of the Code, but may or may not deter the overall implementation.

In this case, Staff and the Urban Design Officer (UDO) are supportive of the request for the reasons outlined in detail below. In summary, the overall proposal meets the intent of the FBC and the additional height has been appropriately mitigated to be compatible with the adjacent single family residential neighborhood.

BACKGROUND INFORMATION

Upon adoption of the Form Based Code and Healthy Living Regulating Plan on November 7, 2012 (Attachment 2- regulating plan), the subject property was zoned as a Form Based Code New Neighborhood District. Typically, this district is limited to attached single family residential building types (townhome, cottage home – zero lot line, and casita – zero lot line) and possibly multi-unit homes. However, the Council, upon recommendation of the Planning and Zoning Commission, approved an additional allowance for mixed residential and live/work units for the subject property not to exceed the New Neighborhood standard of 2.5 stories, creating a hybrid zone.

As a matter of background, the subject property was debated at length prior to adoption. Staff, the consultant team, and even members of the advisory committee, Planning and Zoning Commission and City Council expressed at the time that either the New Neighborhood or the Urban Village District could be appropriate for this property. However, in light of no strong

opinions either way, Staff deferred to the New Neighborhood District based on community feedback. At the time of adoption, the City Council approved the addition of mixed residential and live-work product types to allow greater flexibility. Due to the last minute addition of these product types, the true implications of this allowance was not fully vetted. The requirements for mixed residential projects and the limited land area of the subject property make the 2.5 story limitation impractical without substantial incentives.

In May 2012, the applicant approached Staff with a mixed residential project for consideration. Over the course of the last nine months, Staff and the UDO have worked with the applicant to ensure he understands the intent of the FBC and the City's objectives for development along the lake, namely, ensuring that the shore line is publicly accessible and enhanced for pedestrian comfort. At this point, based on our conversations and the provided plans and renderings, Staff and the UDO have a good level of confidence that the applicant understands the intent and will produce a quality project for the City. As Staff and the UDO worked with the applicant, he brought it to our attention that the expense associated with the required amenities and standards could not be justified or captured with a 2.5 story building. In order to fully meet the intent of the FBC and not require substantial incentives, additional units will be needed. Due to the site constraints, additional height is the only way to add those additional units. To that end, the applicant has provided a building configuration that is sensitive to the adjacent single family residential subdivision, but will allow for additional height on a portion of the property.

It is important to note that this Major Warrant request only pertains to the height of the building. The use itself is allowed by right. All renderings and plans provided herein are intended to show the applicant's intent as it relates to the placement of the building and height. However, detailed development plans will be subject to all FBC requirements and administrative approval.

DISCUSSION

As previously mentioned, the mixed residential product type is permitted by right on this property. However, it is currently subject to a 2.5 story height limitation. This limitation was imposed in part because that is the base standard for the New Neighborhood District, and it was not altered with the addition of the mixed residential product type. Secondly, this limitation was imposed to be sensitive to the adjacent single family residential neighborhood.

As a matter of perspective, in the majority of the other Urban Village Districts wherein mixed residential product types are allowed by right, they are subject to a maximum height of five stories, except within the designated transition zone. The transition zone for the Urban Village District within the Healthy Living Regulating Plan is outlined as follows: *"a 100- foot wide transition zone with a height limitation of 2.5 stories and a minimum 50-foot setback where the Urban Village FB District immediately abuts existing single family residential subdivisions."* The proposed project will generally meet that standard (Exhibit A- dimensioned aerial).

As previously noted, this Major Warrant request only pertains to the building height. Adequate buffer treatment will be solidified at the Development Plan phase. The proposed project will

need to consider and come in substantial conformance with the transition standards in the FBC. The applicant has met with Staff to begin to consider how this buffer may be designed. To that end, Staff and the UDO feel as though the adjacent residents are and will be adequately protected. In addition, due to the topography of the site, the four story portion of the building is significantly lower than the adjacent single-family homes, thus further reducing the visual impact.

Public Hearing Notices:

Notice of this public hearing was mailed, posted, and published in accordance with State Law and the Rowlett Development Code. Ten (10) notices were mailed on February 13th, and as of Wednesday March 26, 2014, Staff has received five (5) responses from within the notification area; one (1) in favor and four (4) in opposition. In addition, two (2) additional notices in opposition were received from outside of the notification area (Attachment 3). Staff has summarized a list of the respondent's concerns below with commentary in italics beneath each concern:

1. The building is too tall and will be constructed too close to homes on the highest point of the site.

As previously mentioned, the applicant has set the building back from the property line approximately 50 ft., as well as implemented a "step up" approach to ensure that the portion of the building closest to the single family subdivision is 2.5 stories, gradually building to 3 and ultimately a maximum of 4 stories in the center of the property. In addition, due to the topography of the site, the 4 story portion of the building will be constructed at one of the lowest points of the site, which further reduces the visual impact on the adjacent property owners. A sight line exhibit illustrating this point from the perspective of the adjacent homeowner can be viewed as Attachment 4.

2. This project will generate too many cars, lights, and noise.

The only entrance into the complex will be from Beacon Harbor Street, which currently serves commercial uses. The adjacent residential subdivision will not experience an increase in traffic as no through traffic will be routed through their neighborhood. A full traffic impact analysis (TIA) will be required with the development plan and the applicant will be required to mitigate for any traffic related concerns should the study indicate that improvements are needed.

As currently proposed, the mixed residential development would house approximately 77 units (10 of which are on the 4th story). The parking requirements will be evaluated in detail at the time of the development plan. The applicant is still determining if the complex will be deed restricted for senior housing or open to the general market. If the final decision is to deed restrict for seniors, then the parking counts could be further reduced to accommodate a parking ratio that is more in line with a senior community. Regardless, the parking lot will be screened with additional landscaping to soften the appearance of parking and reduce the glare of headlights.

The lighting requirements in the FBC are more stringent than under the conventional Rowlett Development Code, both from the perspective of exterior lighting on the building itself, parking lot lighting, and lighting of the pedestrian realm. While the pedestrian promenade along the lake may include lighting for pedestrian safety, it will be screened as not to create unnecessary glare and bleed over.

As for the noise concern, Staff has no reason to believe that this project will create an undue burden as it pertains to noise. As previously mentioned, the use itself is allowed by right and will be subject to the base noise standards that are enforced throughout the City. Based on conversations with adjacent property owners, it is Staff's understanding that there have been complaints about the employees of the hospital and retirement home congregating in the parking lot and playing loud music before and after their shifts, as well as concerns about people fishing and congregating on the jetties in the lake. Staff does not anticipate the mixed residential development will generate the same issues. If anything, having additional residents in the area, eyes on the lake and an amenitized pedestrian promenade will likely reduce the instances of undesirable activities in the area.

3. The project will violate land covenants by blocking lake views both of homeowners and the adjacent retirement home/rehab center.

Staff is unaware of any true covenants that govern the subject property. However, the City's Take Area Ordinance does establish "view corridors" that restricts the location of structures to be built in the take area. While the applicant has contemplated placing items like a gazebo, benches, etc. in the take area in the future, no finalized plans have been submitted. When, and if, they are, the Take Area Ordinance will be enforced. The "view corridor" protection only pertains to the take area, not private property. The building itself is not subject to the take area "view corridor" restrictions. In addition, the Take Area Ordinance's "view corridor" provisions only pertain to the take area allocated to the lot immediately adjacent to a property owner's lease area, thus restricting a neighbor's ability to block another neighbor's view. In the case of the subject property, only one property owner would have a valid claim regarding the placement of structures in the take area based on the ordinance.

While the adjacent property owners may have perceived rights to lake views, in this particular situation, only the lots that directly back to the lake are eligible for take area leases. The other property owners in the area have enjoyed a lake view by way of another private property owner's vacant land throughout the years. Whether this Major Warrant is approved or not, the subject property will eventually be developed and their current views compromised.

The applicant has provided a second sight line exhibit (Attachment 5) confirming that the Senior Rehab Center's views of the lake would be blocked at 2.5 stories. Thus the four story concept no more blocks their views than the 2.5 stories that could be built by right.

4. The project will lower property values.

As was discussed at the time of the Realize Rowlett 2020 adoption and all subsequent rezonings since that time, it is virtually impossible for Staff to comment on this concern. There are numerous factors that affect property values. However, we do know that the standards in the FBC are significantly higher than those in conventional zoning districts. As a result, the projects generated in the FBC areas are of a high quality and will retain or increase in value over time. Relevant case studies indicate that similar standards and the resulting projects typically have a positive effect on the property values of adjacent uses.

5. This area already attracts people who fish and congregate illegally on the jetties. This project will bring in more undesirable people and activities.

Part of the reason that it is difficult to monitor undesirable activities in this area is because it is secluded. This project will face onto the lake area instead of back to it, which automatically puts additional eyes on the area and creates a sense of "ownership" of the space. The enhanced pedestrian realm will include appropriate lighting that will help to deter the undesirable activities. If designed properly, the development of this property will help to mitigate this concern, not add to it.

6. There will be balconies and people will look into the adjacent backyards.

As seen in Attachment 6 there are no balconies proposed on the units that face the adjacent residential subdivision for this specific reason. The tallest point of the building is located on one of the lowest points of the site, thus the setbacks and topography will prevent occupants from looking into the adjacent property owners backyards.

7. This project is an unattractive gateway into our City.

From Staff and the UDO's professional perspective, this project will be an attractive gateway into the City. The FBC is intended to generate high quality projects of lasting value and character. As a matter of perspective, the property north of Lakeview Parkway, adjacent to Scenic Point Park will be developed with a four story FBC mixed residential development as well. The additional height and attention to detail in the design of both these projects, as well as the emphasis on improving the shoreline and pedestrian realm will only serve to enhance the gateway to the City on both sides of Lakeview Parkway.

FINANCIAL/BUDGET IMPLICATIONS

This project is estimated to bring approximately \$5 million in private investment into the City, which translates to \$37,350 in annual property tax.

RECOMMENDED ACTION

The Planning and Zoning Commission unanimously recommended approval of this item at their February 25, 2014, Meeting.

Based on the abovementioned analysis, Staff and the UDO recommend approval of the Major Warrant request, as it is not deemed detrimental to the implementation of the overall district. To the contrary, it is Staff's professional opinion that it will enhance the district and provide a viable housing alternative for people who desire a lakefront lifestyle in close proximity to medical uses. Again, it is important to note that if approved, this Major Warrant will only pertain to the height of the building. All other FBC regulations will be enforced throughout the development plan review process. The formal UDO recommendation can be read as Attachment 7.

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, GRANTING A MAJOR WARRANT AUTHORIZING A MAXIMUM HEIGHT OF 4 STORIES AS SET FORTH HEREIN FOR A 2.61 +/- ACRE TRACT OF REAL PROPERTY LOCATED AT 10000 BEACON HARBOR, BEING FURTHER DESCRIBED AS BLOCK 1, LOT 2 OF THE HOMESTEAD AT LAKEPOINTE ADDITION, ROWLETT, ROCKWALL COUNTY, TEXAS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rowlett and the governing body of the City of Rowlett, in compliance with the laws of the State of Texas and the ordinances of the City, have given requisite notice by publication and otherwise, and after holding due public hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that this Major Warrant should be approved.

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

Section 1: That the City Council of the City of Rowlett, Texas does hereby grant the following major warrant, further illustrated in Exhibit A, for a tract of real property located at 10000 Beacon Harbor, being 2.61 +/- acres further described as Block 1, Lot 2 of the Homestead at Lakepointe Addition, City of Rowlett, Rockwall County, Texas ("Property"), said major warrant to allow the following:

1. Increase the maximum allowable height of specified buildings from 2.5 stories to 4 stories in accordance with Exhibit "A," attached hereto and incorporated herein.

Section 2: All development and use regulations and requirements imposed on property in the Form Based Code – Urban Village zoning district shall apply to the development and use of the Property unless in conflict with this ordinance, in which case the provisions of this ordinance shall prevail.

Section 3: That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 4: That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

Section 5: That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law and charter in such cases provide.

ATTACHMENTS

- Exhibit A – Dimensioned Aerial and Rendering
- Attachment 1 – Location Map
- Attachment 2 – Regulating Plan
- Attachment 3 – Public Hearing Notices
- Attachment 4 – Site Line from Adjacent Home
- Attachment 5 – Site Line from Senior Rehab Center
- Attachment 6 – Side view with no balconies
- Attachment 7 – UDO Recommendation
- Attachment 8 – Renderings and supplemental materials





EAST ELEVATION

BEACON HARBOR LOFTS

COMPOSITION ROOF

FACE BRICK COLOR 2, 3, & 4

FALSE BALCONIES (TYP.)

FACE BRICK COLOR 1

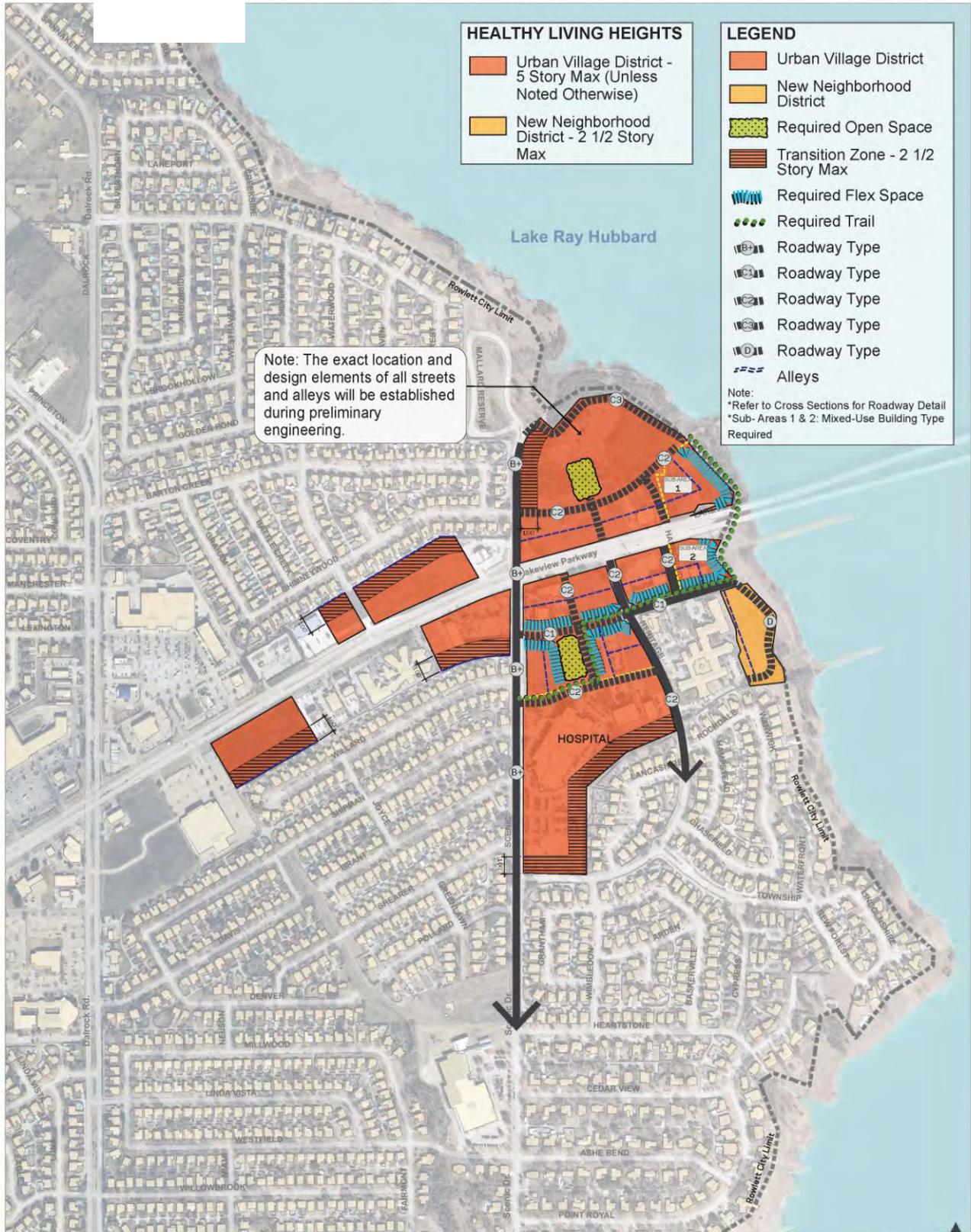


Beacon Harbor
10000 Beacon Harbor RD
Map Created: February 06, 2014

200 FT NOTIFICATION AREA

Adopted
06 November 2012

DRAFT - Healthy Living (D1) - Regulating Plan



HEALTHY LIVING HEIGHTS

- Urban Village District - 5 Story Max (Unless Noted Otherwise)
- New Neighborhood District - 2 1/2 Story Max

LEGEND

- Urban Village District
- New Neighborhood District
- Required Open Space
- Transition Zone - 2 1/2 Story Max
- Required Flex Space
- Required Trail
- Roadway Type
- Alleys

Note:
*Refer to Cross Sections for Roadway Detail
*Sub-Areas 1 & 2: Mixed-Use Building Type Required

Note: The exact location and design elements of all streets and alleys will be established during preliminary engineering.



	0.67 ac	In Favor
	3.44 ac	Against
	0.71 ac	No Response
	5.72 ac	ROW
<hr/>		
	10.54 ac	Total Notification Area
	0.58 ac	Against



Beacon Harbor
10000 Beacon Harbor DR
Map Created: February 21, 2014

200 FT NOTIFICATION AREA



Development Services
Department/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for Major Warrant
LOCATION: The subject property is located at 10000 Beacon Harbor, being 2.61 +/- acres further described as Block 1, Lot 2 of the Homestead at Lakepointe Addition, Rowlett, Rockwall County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The subject property is located within the New Neighborhood Form Based District with the additional allowance for mixed residential and live/work units by right. The applicant requests a Major Warrant to increase the maximum allowable height from 2.5 stories to 4 stories to accommodate a proposed mixed residential development.

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

ADDRESS:

9900 Lakeview Pkwy, Rowlett, TX 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 25th day of February, 2014. Meetings are typically held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. The protest must be received by the Planning Division by 5 pm on Wednesday, February 19th to be included in the Planning and Zoning Commission packet and February 26th to be included in the City Council packet. The protest shall object to the Major Warrant, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, and the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Planning Division
 Phone 972-463-3904
 FAX 972-412-6228
 dacevedo@rowlett.com

RETURN by Mail
 City of Rowlett Planning Dept.
 3901 Main Street
 Rowlett, TX 75088

RECEIVED
FEB 20 2014
PLANNING DEPT.



Development Services
Department/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for Major Warrant
LOCATION: The subject property is located at 10000 Beacon Harbor, being 2.61 +/- acres further described as Block 1, Lot 2 of the Homestead at Lakepointe Addition, Rowlett, Rockwall County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.
EXPLANATION OF REQUEST: The subject property is located within the New Neighborhood Form Based District with the additional allowance for mixed residential and live/work units by right. The applicant requests a Major Warrant to increase the maximum allowable height from 2.5 stories to 4 stories to accommodate a proposed mixed residential development.

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: BUILDING TOO HIGH, BUILDER SAID HE WAS GOING TO BUILD STRAUCHER NEXT TO OUR

Lakefront homes, THAT IS THE HIGH-RISE IN THE AREA - VERY BAD. THERE WILL BE TOO MANY CARS, TOO MANY PARKING LOT LIGHTS, TOO MUCH NOISE, THIS WILL BLOCK OUR VIEW OF THE LAKE THAT WE PAID A PREMIUM \$ FOR. THIS WILL CAUSE TOO MUCH FOOT TRAFFIC. IT VIOLATES OUR LAND COVENANT. ROWLETT HAS A ORDINANCE NOT TO BLOCK LAKE VIEW! Please see attached letter.

SIGNATURE: Mark Tarsch cell 469-338-1141
ADDRESS: 6602 WARWICK DR. ROCKWALL TX 75087

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 25th day of February, 2014. Meetings are typically held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. The protest must be received by the Planning Division by 5 pm on Wednesday, February 19th to be included in the Planning and Zoning Commission packet and February 26th to be included in the City Council packet. The protest shall object to the Major Warrant, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, and the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>3901</p> <p>If you have any questions concerning this request, please contact the Planning Division Phone 972-463-3904 FAX 972-412-6228 dacevedo@rowlett.com</p>	<p>RETURN by Mail City of Rowlett Planning Dept. 3901 Main Street Rowlett, TX 75088</p>
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Mark taschek

To: Mark taschek

From Mark Taschek, 6602 Warwick Dr. cell-469-338-1141

I'm 100% opposed to the zone change to 4 stories, I think 2.5 stories is too high. Allowing a very high building of any type in the Beacon Harbor area has a lot of draw back. I talked to 2 neighbors on 2-12-13 that live directly on the property line with Beacon Harbor. They were talking to the builder and the man told both neighbors that he was going to put the building right next to our property or the south west corner of Beacon Harbor, which is the highest point of land in that area. (The covenant of the land in my neighbor clearly states that NO house facing the water front can be over 1 story, so not to block the view of the other home owner across the street.) This seems like a clear violation of the current land use of home owner that have lived and paid taxes in this neighborhood for more than 20 years. Any building or structures higher than 1 story compared to current residential home is a slap in the face to ALL of these owners. Such structures will cause high people traffic, many many cars, large parking lots, many bright parking lot lights, that will take away from the beauty of our area.

You will also lower our home values and make it very hard to sell our home that many of us have worked hard on and invested large amounts of money to make beautiful, and were hoping to retire there. Also the city of Rowlett has a lake front ordinance that states that a 45' angle from the home owners back yard to the lake cannot be obstructed in any way. We are not allowed to have any kind of lighting in the lake area that we lease, this should not be allowed in the Harbor area either. I went to the zoning meetings last year, and told Rowlett then that mixed buildings were not a good idea for the area, but it was very obvious that Rowlett wanted this or that the consulting firm wanted this. NO home owner really wanted mixed residential, and we all stated that doing anything that blocked the retirement home view was WRONG. We all paid a high premium for this area and to be lake view and lake front, you are going to destroy this for us.



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I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

Four stories will block the view for residents who are already in the area. 4 stories are not acceptable.

SIGNATURE:

P. D. Whitfield

ADDRESS:

6606 Warwick Drive

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The following are many reasons not to allow the zoning change!

1. The zoning change will damage the view of our area.
2. The change will decrease our home values by thousands.
3. The change will mean more building and street lighting, this will degrade the home value, and create a overly bright area.
4. The larger buildings will draw in more people, more cars, and car headlight on our house's.
5. With more people will come more people fishing and messing around on the south jetty, which is a big problem NOW.
6. Rowlett cant police the jetty now, how will it police it with all the new cars and people. (yes I know that Dallas jetty)
7. Rowlett city ordinance said we can't have lighting on the take area at a angle of 45^ each way, they will violate this !!
8. Our residential area was not allowed to have 2 story house, why should they get to have more height, I think 2.5 is too high.
9. You will block the view of the retirement home, they were there first, DO not block any of their view.
10. Rowlett had many meeting on the zoning of this area, you are wasting my time and the effort you put into this just a year ago.
11. I was not happy with the illegal building of the south jetty, now we would have more riffraff on it, throwing TRASH.
12. I don't want to see some big nasty building new to lake front property that I spent a LOT of money to buy and upgrade, and the high taxes that I pay on this property that goes to Rowlett.

*I agree with the above reasons
opposing this new building.*
P. D. Whitfield
6606 Warwick Dr.



Development Services
Department/Planning Division

Very upset
I want to move

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

I especially do not want parking by my property, increase noise due to music engines + horns.

COMMENTS:

I am upset you are building a multilevel housing - that means more noise, traffic, animals, people hanging over balconies looking into my private backyard, decrease in property value. Why couldn't you build a park or something for everyone. -
Candy Jacob
9717 Rochdale Dr., Rowlett, TX 75087

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RETURN by Mail
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3901 Main Street
Rowlett, TX 75088

Daniel Acevedo

From: Daniel Acevedo
Sent: Tuesday, February 11, 2014 9:35 AM
To: 'Carolyn Jacob'
Cc: Erin Jones
Subject: RE: 100000 Beacon Harbor, Rowlett, TX 75087

Carolyn,

We greatly appreciate your input at this time. Your concerns are noted. When we receive the letter, we will be sure to incorporate those comments into the Planning and Zoning Commission, and City Council packet. Rest assured your opinions will be heard. Thanks again for all your valuable feedback.

Sincerely,

Daniel Acevedo



Daniel Acevedo | City of Rowlett Urban Designer
Department of Public Works and Development
 3901 Main Street | Rowlett, TX 75088
 o 972.463.3904 | f 972.412.6228 | dacevedo@ci.rowlett.tx.us

Visit our Citizen Action Center at www.rowlett.com for questions or requests.

*A unique community where
 families enjoy life and
 feel at home.*

OUR PURPOSE IS TO SERVE. IT'S THE ROWLETT WAY!

From: Carolyn Jacob [<mailto:carolyn.jacob@yahoo.com>]
Sent: Tuesday, February 11, 2014 9:08 AM
To: Daniel Acevedo
Subject: 100000 Beacon Harbor, Rowlett, TX 75087

To: Rowlett Development Services Department / Planning Division
dacevedo@rowlett.com

Re: Response to Application for Major Warrant

Location: 10000 Beacon Harbor, Rowlett, Rockwall County, Texas. Chapter 211.007 TX Local Government Code.

2/11/14

Additional Comments:

I live at 9717 Rochdale Dr., Rowlett, TX. I bought this home due to location, near the lake and the corner lot away from additional housing behind me. I also bought this home because it was at the end of the street and did not have an alley behind my property.

At the time did not realize that the employees that work at the "retirement center" would ruin the quite serene evenings after a long day's work with their car engines, music and loud talking. Even with this disappointment I have adjusted to their schedules and occasionally report them to the management.

I understand that you have already approved a 2.5 story residential development and requesting a 4 story building. I would hope that when building this building, regardless of height:

1. That you would NOT put the parking near the residential neighborhood.
2. That you would NOT put balconies overlooking our property.
3. That you would have all tenants understand that this is a quiet, peaceful neighborhood with mostly senior adults.
4. Keep the peace by building a separation wall that would block any vehicles, dumpsters, traffic, and extra noise. Example is the brick wall, separating our established neighborhood from the senior center. Please have it proportion in height with the building you are planning on building.

I have mailed my written response and will email this response to the above email.

Thank you for listening to my concerns and would greatly appreciate you showing that you listen by understanding and doing the items suggested.

Property owner,

Carolyn Jacob

9717 Rochdale, Dr. Rowlett, TX 75087

Carolyn Jacob

214-934-2143

Real Estate Referral Network

Daniel Acevedo

From: Michael Capone [mcapone@seniorcarecentersltc.com]
Sent: Wednesday, February 19, 2014 5:06 PM
To: Erin Jones
Cc: Daniel Acevedo
Subject: RE: Major Warrant located on the Lake at Beacon Harbor (Beacon Harbor Dr.)

Erin:

As discussed, here is a little more detail about the basis for protest to the Major Warrant that is proposed and, if granted, would increase the height of a structure from 2.5 stories to 4 stories.

My client, Senior Care at Lake Pointe ("Lake Pointe"), uses its view of the lake as one of the major attractions for its residents. From a business perspective, this would result in a significant revenue decline to my client and simultaneously depreciate the value of the land on which my client is located since its view of the lake is now non-existent. A four-story apartment complex on that parcel is significantly different than the surrounding structures and would serve to disadvantage several other landowners, including my client. Additionally, my client's residents would be harmed in that their idyllic view of the lake will now be replaced with a wall that impedes light, casts shade, and creates an eye sore for the community's elderly who have come to Lake Pointe to recuperate and obtain the highest quality of life possible for them. Finally, both my client and my client's residents would suffer from the increased traffic and noise that would inevitably result, impeding the ability of my client's residents to successfully recuperate in a quiet and peaceful environment, which was what they chose when they selected Lake Pointe as their facility. Moving forward, the increased traffic and noise will also preclude other potential residents from selecting Lake Pointe since its previously beautiful and peaceful view of the lake has been transformed into a view of a large wall, with increased traffic and noise.

On behalf of my client and my client's residents, I respectfully request that the City Council deny the proposed Major Warrant and limit the proposed structure to conform with the original plans which would allow all of the structure's neighbors to enjoy the peace and tranquility that emanate from the lake.

I invite you to contact me on behalf of my clients if there any further questions or concerns. I am available via email or telephone at 607-206-9841.

Best regards,

Mike

Michael R. Capone
General Counsel

2828 N. Harwood St., Suite 1100
Dallas, TX 75201
Office: (214) 252-7771
Facsimile: (214) 252-7772
www.seniorcarecentersltc.com



From: Erin Jones [mailto:ejones@ci.rowlett.tx.us]
Sent: Wednesday, February 19, 2014 3:24 PM
To: Michael Capone
Cc: Daniel Acevedo
Subject: RE: Major Warrant located on the Lake at Beacon Harbor (Beacon Harbor Dr.)

Michael,

I have received your email and will include it in the record of response. It would be helpful if you could elaborate on the perceived negative impact for the sake of the Council and Commission. In addition, depending on the objection I may be able to provide some additional information that may be helpful. Thank you.



Erin L. Jones | Director of Development Services
 City of Rowlett | 3901 Main Street | Rowlett, TX 75088
 o 972.412.6114 | f 972.412.6228 | ejones@rowlett.com

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 feel at home.*

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From: Michael Capone [mailto:mcapone@seniorcarecenterslhc.com]
Sent: Wednesday, February 19, 2014 3:08 PM
To: Erin Jones
Subject: Major Warrant located on the Lake at Beacon Harbor (Beacon Harbor Dr.)

Erin:

I am writing to you in your capacity as the Planning Director for the City of Rowlett. I represent Senior Care at Lakepointe, an entity that will be negatively impacted by the proposed Major Warrant that would increase the maximum allowable height of a project in the New Neighborhood Form Based District (from 2.5 stories to 4 stories; the property is located on the lake and I believe the street is Beacon Harbor Dr.). As such, please allow this to serve as formal written notice of my client's protest against the proposed Major Warrant. I am happy to provide additional information pertaining to the basis for my client's protest at such a time and in such form as you may request after receipt of this communication.

As I understand it, written notice must be provided to the Director of Planning (i.e., you) on or before today, February 19, 2014 at 5:00 pm CST. Since this communication meets those requirements, I expect my client's objections to be included in the Planning and Zoning Commission packet, as well as the City Council packet responses.

Finally, my client and I would like to attend any public hearing on the proposed Major Warrant and I would request that you inform me when the meeting will be held to discuss this proposal.

If there are any questions or concerns, or if additional information is needed, I can be reached via email or else via my cellular phone at 607-206-9841.

Thank you,

Mike

Michael R. Capone

General Counsel

2828 N. Harwood St., Suite 1100
Dallas, TX 75201
Office: (214) 252-7771
Facsimile: (214) 252-7772
www.seniorcarecentersltc.com



Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message, and notify us immediately. If you or your employer does not consent to Internet email messages of this kind, please advise us immediately. Opinions, conclusions and other information expressed in this message are not given or endorsed by my firm or employer unless otherwise indicated by an authorized representative independent of this message.

NOT WITHIN
200 FT.



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: NOT AN APPROPRIATE LOCATION FOR A 4-STORY BUILDING GIVEN THE SCENIC NATURE OF THE SHORELINE AND THE FACT THAT BUILDINGS ALONG THE LAKE ARE 1 OR 2 STORY.

SIGNATURE: Famela J Johnson SEE ATTACHED COMMENTS.
ADDRESS: 6514 WARWICK DRIVE

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Comments for proposed four-story building.

Not a good location for four stories unless Rowlett wants to be known for obtrusive and offensive structures. This is among the first Properties seen entering Rowlett from the east along Highway 66. A four-story building would stand out in comparison to the one story buildings seen along the shoreline as you approach along Highway 66.

It would be much easier to have a 2 1/2 story maximum blend into the shoreline on this property. As you look north and south along the shoreline all the other structures are two-story maximum. A four-story building certainly would not be conducive to preserving the natural beauty of the shoreline.

Rowlett has a low-key, residential feeling as you enter the city. Take a look at coming into Rowlett along the various roads.

Exiting off of interstate 30 you enter on Rowlett Road or Dalrock Road. Both of which have stone entrances announcing arrival into Rowlett and the surroundings are residential. There are no four-story buildings. Even passing through the city along George Bush you don't see a myriad of four-story buildings. What you see is mostly residential property. A nice place to live is the feeling that it generates.

Entering Rowlett from the west along Highway 66, Lakeview Parkway, you don't see a four-story structure until you come to Dalrock Road which is in the heart of the business district.

Even coming from the north and entering Rowlett your arrival is not announced by anything other than low one and two-story structures most of which are residential in nature.

When the land-use plan was approved much thought was given to the character and the preservation of a place where people would want to live in Rowlett. I don't think the exception should be made to place a four-story building on the site which surely will block out the sunrise for our senior citizens living in the extended care facility behind it.

A two-story building can be nestled into the hillside which will blend in with the shoreline and maintain the overall character of Rowlett.

Pamela Johnson
6514 Warwick Drive



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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *I am opposed for so many reasons. You can see some on the attachment.*

SIGNATURE: *[Signature]*
ADDRESS: *6518 WARWICK Drive Rockwall TX 75087*

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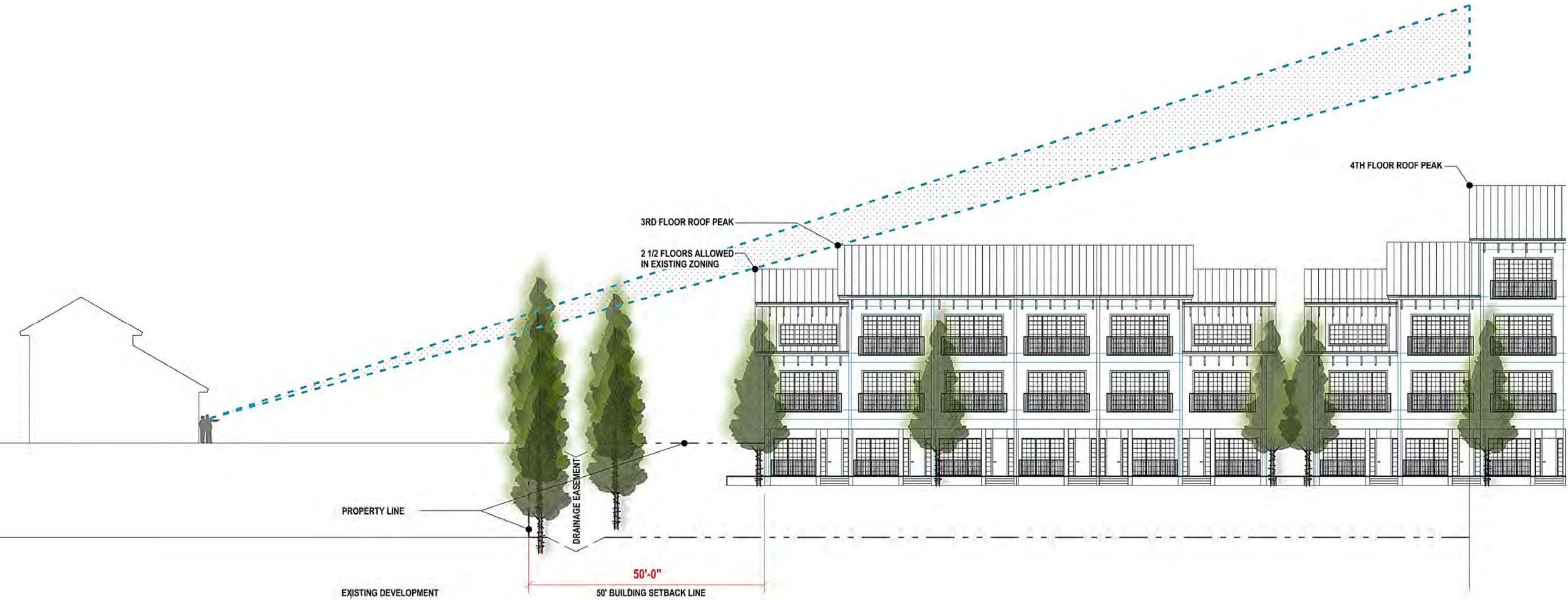
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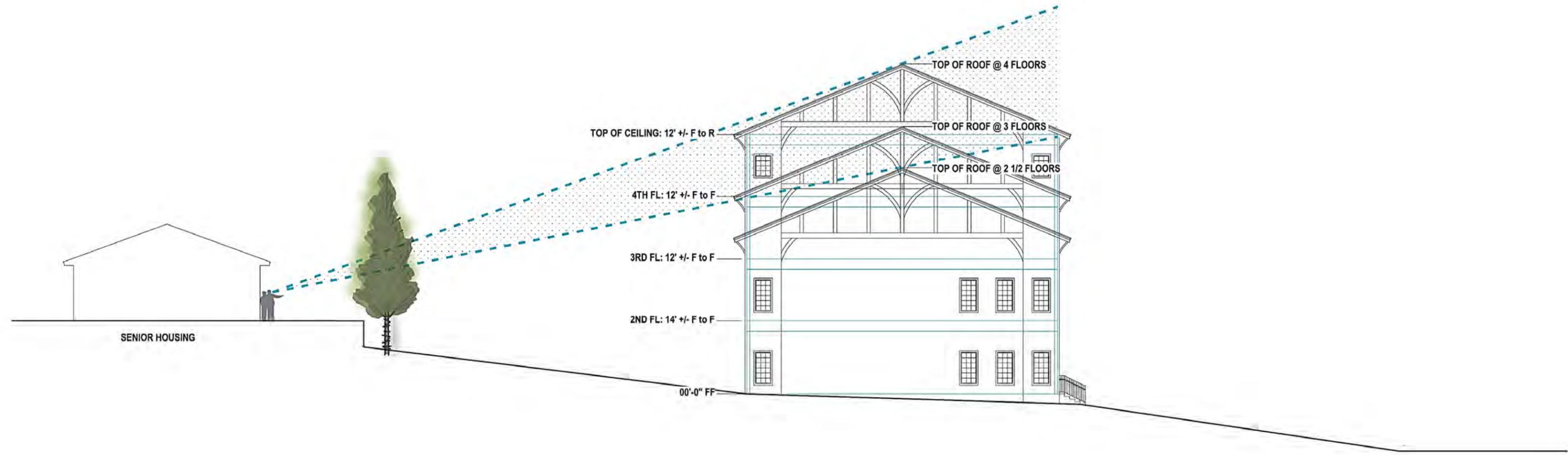
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PARTIAL EAST ELEVATION SITE LINE ACROSS SOUTH PROPERTY LINE



PARTIAL WEST TO EAST SECTION - SITE LINE ACROSS MULTI-FAMILY SITE



TOWNSCAPE, Inc.
Town Planning and Urban Design

Memo

3839 MCKINNEY AVE
SUITE 314
DALLAS, TX 75204

Townscape.com

To: Erin Jones, Director of Development Services
From: Arti Harchekar, CNU-A
Date: 19 February 2013
Re: Urban Design Officer Review of Beacon Harbor
Major Warrant Request – Healthy Living NN-FB

Urban Design Officer Review

Per your request, I have reviewed the proposed Major Warrant request.

I find the proposal to be in technical conflict with the Form Based Code's intent and standards for the New Neighborhood FB District, but there are unique and mitigating circumstances with this property:

- It has a hybrid version of the New Neighborhood FB District allocated on the site. To further elaborate, the New Neighborhood building types allowed are limited to attached single family residential building types (townhome, cottage home – zero lot line, and casita – zero lot line) and possibly multi-unit homes. Additionally, mixed residential and live-work building types are also allowed,

Since the hybrid New Neighborhood FB District allows mixed residential buildings, the following Major Warrant request should be looked upon favorably:

- Maximum building height of 4 stories

Approval of this Major Warrant will allow the user to develop the site in contextual conformance to the Urban Village FB District. The mixed residential building type is intended to be for Urban Village, it is difficult to achieve the intended form of the building type under the New Neighborhood standards. Therefore, the site configuration and project execution should be in conformance with the Urban Village FBC standards.

We have had good discussions with the applicant and believe that they generally understand the City's objectives for development along the lake, namely, ensuring that the shore line is publicly accessible and enhanced for pedestrian comfort. I thereby support their Major Warrant request subject to meeting the Urban Village development standards and addressing the following issues in their Development Plan submittal in the appropriate manner:

- Proposed parking ratio; internal vertical and horizontal circulation configuration within the proposed buildings; public access easements over the roundabout at the end of Beacon

Harbor Street, pedestrian promenade and public open space; units being deed restricted for senior housing or open to the general market; appropriate configuration of the parking area for Fire access; balconies extending beyond the face of the front façade on a percentage of above-grade residential units; depth, articulation and landscaping of at-grade entries at the base of the buildings; rhythm, articulation and depth of building facades; compliance with the FBC planting list; and placement of shade trees along the pedestrian promenade.

We have had good discussions with the applicant and believe that they generally understand City's objectives for Urban Village Development along Highway 66/Lakeview Parkway. I thereby support their Major Warrant package subject to meeting development standards and addressing the issues identified above in the appropriate manner. The applicant is installing important infrastructure on the site that is essential to keeping the shore line publically accessible within the Healthy Living area; namely, the pedestrian promenade. And further, the applicant is providing an adequate transition to the adjacent, existing single family residential neighborhood by volumetrically stepping down the scale of the building as it gets closer to the neighborhood. Other items such as the screening of parking, lighting, HVAC placement, etc. will be determined as part of the Development Plan process.



Arti Harchekar, CNU-A
Associate
TOWNSCAPE, Inc.



STOOPS WALK UP TO EACH UNIT



17' PEDESTRIAN PATHWAY WITH PERIMETER LANDSCAPE BEDS, BENCHES, AND LIGHT POLES



PEDESTRIAN SCALE LIGHTING, SEATING, SHADE TREES, PAVEMENT CHANGES

LAKE RAY HUBBARD

TREES ALONG PEDESTRIAN WALKWAY

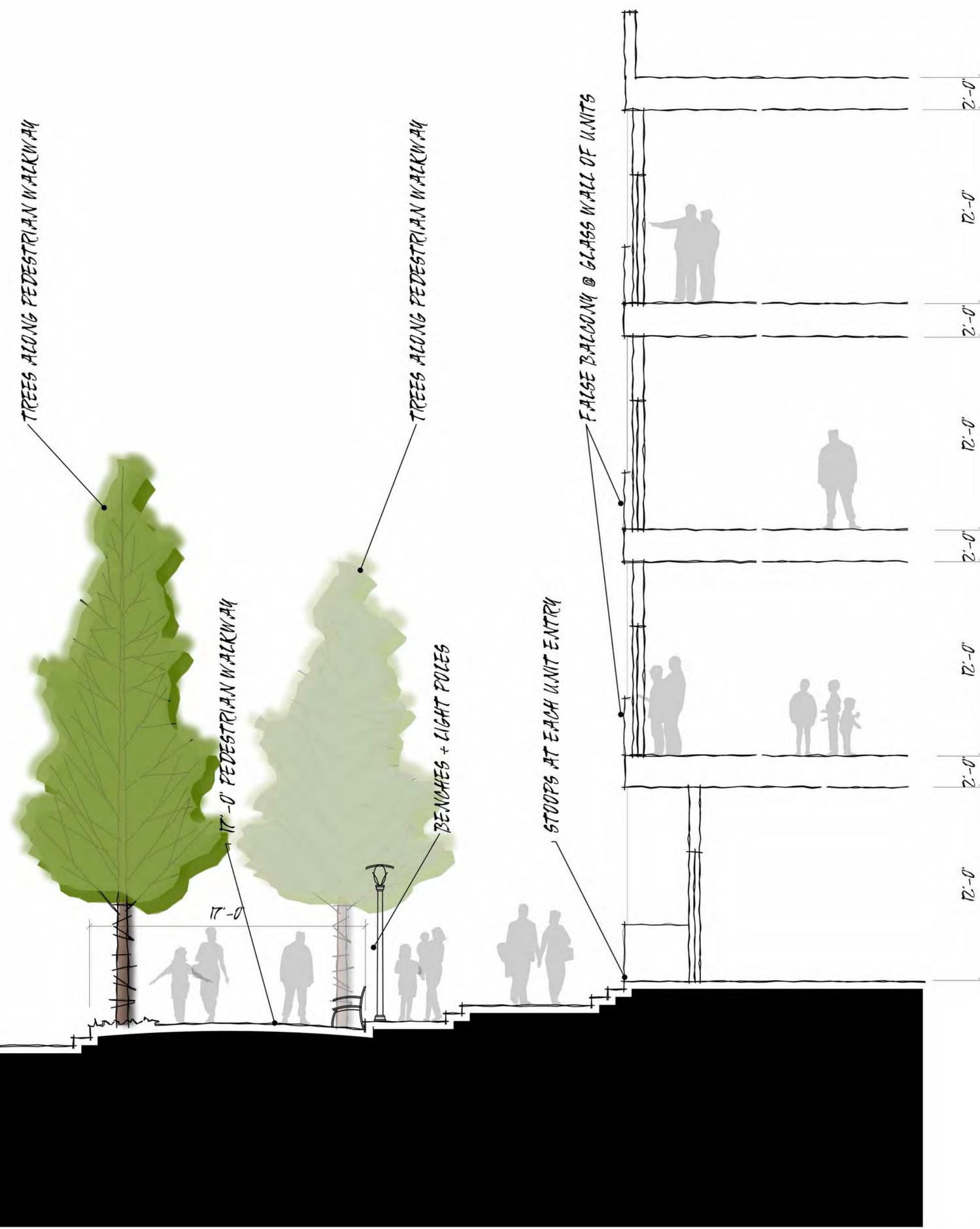
TREES ALONG PEDESTRIAN WALKWAY

FALSE BALCONY @ GLASS WALL OF UNITS

17'-0" PEDESTRIAN WALKWAY

BENCHES + LIGHT POLES

STOOPS AT EACH UNIT ENTRY



SECTION FROM LAKE TO LOFT ENTRIES



COMPOSITION ROOF

FACE BRICK COLOR 2, 3, & 4

FALSE BALCONIES (TYP.)

FACE BRICK COLOR 1

EAST ELEVATION

BEACON HARBOR LOFTS



COMPOSITION ROOF

FACE BRICK COLOR 2, 3, & 4

FALSE BALCONIES (TYP.)

FACE BRICK COLOR 1

NORTH ELEVATION

BEACON HARBOR LOFTS

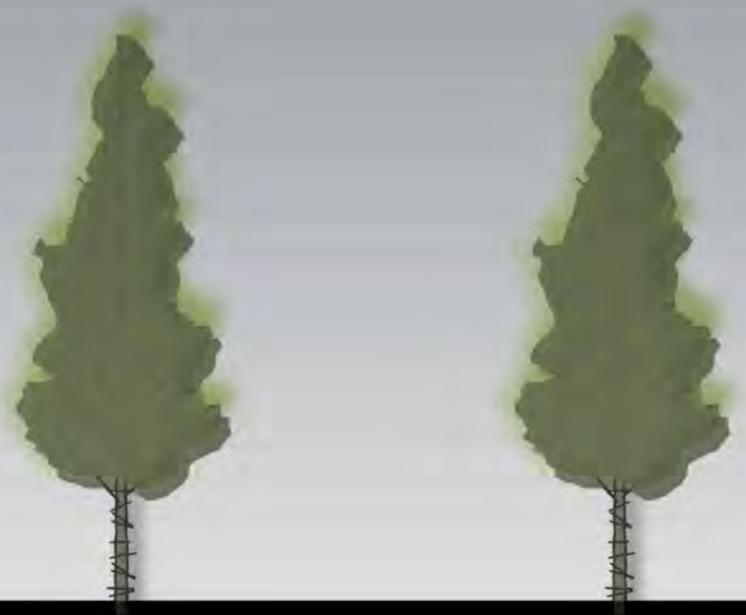


COMPOSITION ROOF

FACE BRICK COLOR 2, 3, & 4

FALSE BALCONIES (TYP.)

FACE BRICK COLOR 1



SOUTH ELEVATION

BEACON HARBOR LOFTS



COMPOSITION ROOF

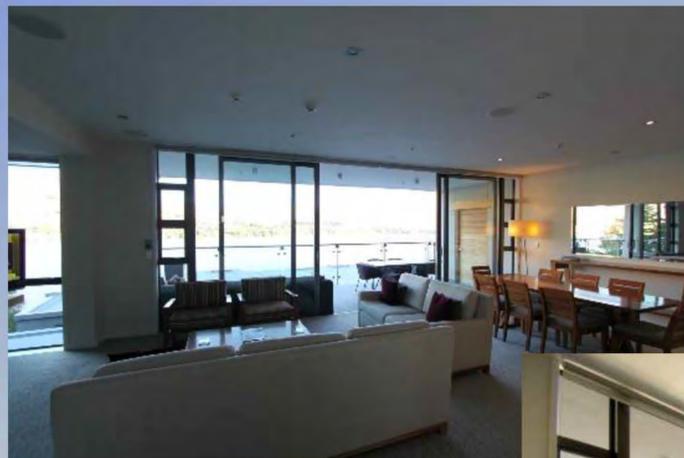
FACE BRICK COLOR 2, 3, & 4

FALSE BALCONIES (TYP.)

FACE BRICK COLOR 1

WEST ELEVATION

BEACON HARBOR LOFTS



IMAGES OF SIMILAR INTERIOR LIVING AREAS LOOKING OUT OF A WALL OF GLASS WITH VIEWS ONTO A LAKE



Lake Ray Hubbard

CITY OF DALLAS
LAKE RAY HUBBARD



UNITS
 1st Level: 23 Units
 2nd Level: 24 Units
 3rd Level: 20 Units
 4th Level: 10 Units
 Total 77 Units

PARKING
 15 car per unit
 114 Cars Required
 114 Cars Provided

PROPOSED LANDSCAPE MATERIALS:
 1.) "Red Oak" Tree
 2.) "Sky Rocket" Juniper
 3.) "Crape Myrtle" Tree
 4.) "Pond" Cypress
 5.) "Feather Reed" Ornamental Grass
 (final materials based on availability and
 Landscape Architect's design)

650' Frontage / 25 = 26 trees along Pedestrian path

REQUESTING CITY TO APPROVE:
 1.) Two Stories (full building length),
 with Third Floor (stepped in one unit from each end from Second Floor),
 with Forth Floor on middle building only.
 2.) Parking Requirement @ 15 cars per unit

BEACON HARBOR LOFTS

BM 46115
 BASIS MONUMENT AND
 CITY OF FORTWORTH
 TOP OF CORNER

LOT 23

LOT 24

BLOCK B

BLOCK 1

HERITAGE ON THE LAKE PHASE I
 CABINET C, SLIDE 104
 P.P.R.C.T.

BEACON HARBOR STREET
 N 77A211
 N 21A47'01" W 246.07'

S 83A47'27" W 177.17'

25' BL. (10')

SAN SEWER

POST SIGN

TC 48116

TC 48117

TC 48118

TC 48119

TC 48120

TC 48121

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