



## **A G E N D A**

**REGULAR MEETING  
OF THE CITY COUNCIL  
CITY OF HIGHLAND VILLAGE, TEXAS  
TUESDAY, AUGUST 23, 2016, at 6:00 P.M.  
HIGHLAND VILLAGE CITY COUNCIL CHAMBERS  
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

**Convene Meeting in Open Session  
Training Room – 6:00 P.M.**

**EARLY WORK SESSION  
Training Room**

- 1. Provide an Update on the General Fund Budget for Fiscal Year 2016-2017**
- 2. Provide Status on Board and Commission Applications**
- 3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of August 23, 2016**

**(Items discussed during Early Work Session may be continued or moved to Open Session and/or Late Work Session if time does not permit holding or completing discussion of the item during Early Work Session)**

**CLOSED SESSION  
Training Room**

- 4. Hold a closed meeting in accordance with the following sections of the Texas Government Code:  
(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**

**OPEN SESSION  
City Council Chambers – 7:30 P.M.**

- 5. Call to Order**
- 6. Prayer to be led by Deputy Mayor Pro Tem Meek**
- 7. Pledge of Allegiance to the U.S. and Texas Flags to be led by Deputy Mayor Pro Tem Meek**
- 8. Visitor Comments** *(Anyone wishing to address the City Council must complete a Speakers' Request form and return it to the City Secretary. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting. In order to expedite the flow of*

*business and to provide all visitors the opportunity to speak, the Mayor may impose a three (3) minute limitation on any person addressing the City Council. A thirty (30) minute time allotment is set for this section, and the remaining speakers will be heard at the end of the Action Agenda.)*

9. **Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety**
  - **Proclamation - National Preparedness Month**
10. **City Manager/Staff Reports**
  - **HVTV Update**

## **CONSENT AGENDA**

**All of the items on the Consent Agenda are considered for approval by a single motion and vote without discussion. Each Councilmember has the option of removing an item from this agenda so that it may be considered separately and/or adding any item from the Action Agenda to be considered as part of the Consent Agenda items.**

11. **Consider Approval of Minutes of the Special Meeting held on July 30, 2016 and the Regular Meeting held on August 9, 2016**
12. **Consider Ordinance 2016-1205 Electing for the City to make Current Service and Prior Service Contributions to the City's Account in the Benefit Accumulation Fund of the Texas Municipal Retirement System at the Actuarially Determined Rate (2<sup>nd</sup> and final read)**
13. **Consider Ordinance 2016-1202 Amending Various Sections of Article 14.04 "Parks and Recreation" of the Code of Ordinances by Adopting Definitions for "Commercial Unmanned Aircraft," "Dog Owner," "Dog Park," "Unmanned Aircraft," and "Noncommercial Unmanned Aircraft;" by Adopting Regulations Relating to Use of Unmanned Aircraft in City Parks, Use of the City's Dog Park, and Use of the Splash Pad at Doubletree Ranch Park; by Conforming Regulations Regarding Use of Firearms in Parks to State Law; by Amending Refund Policy to include Doubletree Ranch Park; and by Deleting the Requirement to Provide a Driver's License Number on Special Event Applications (2<sup>nd</sup> and final read)**
14. **Consider Ordinance 2016-1203 Amending Code of Ordinances Chapter 24 "Building Regulations", Division 7 "Energy Conservation Code" by Adopting the 2015 Edition of the International Energy Conservation Code, including Local Amendments (2<sup>nd</sup> and final read)**
15. **Consider Ordinance 2016-1204 Adopting Amendments to the Fiscal Year 2015-2016 Budget (2<sup>nd</sup> and final read)**
16. **Receive Budget Report for Period Ending June 30, 2016**

## **ACTION AGENDA**

17. Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:  
(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)
18. Presentation of City Manger Recommended Budget for Fiscal Year 2016-2017
19. Conduct a Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2016-2017
20. Conduct a Public Hearing and Consider Approval of a Replat for the Property Located in the Barnett Subdivision, a Portion of Tract 1-A and the remainder of Tract 2 (SW Corner), commonly known as 2760 Justin Road
21. Consider Approval of a Site Plan for the Property Located in the Barnett Subdivision, a portion of Tract 1-A and the remainder of Tract 2 (SW Corner), commonly known as 2760 Justin Road
22. Consider Ordinance 2016-1206, Ordinance 2016-1207, Ordinance 2016-1208, Ordinance 2016-1209, Ordinance 2016-1211, Ordinance 2016-1212, Ordinance 2016-1213, Ordinance 2016-1214 Amending in their Entirety the Various Divisions of Article 24.02 of the Code of Ordinances by Adopting the 2014 National Electrical Code and the 2015 Editions of Various Construction Codes Published by the International Code Council and Related Local Amendments and Ordinance 2016-1210 Amending Article 8.04 of the Code of Ordinances by adopting the 2015 International Fire Code and Related Local Amendments (1<sup>st</sup> of two reads)
23. Consider Memorandum of Understanding between the City of Highland Village and Town of Copper Canyon relating to the Ladera Development

### **LATE WORK SESSION**

(Items may be discussed during Early Work Session, Time Permitting)

24. Update on Boundary Adjustment Agreement with the City of Lewisville relating to the Property within the 35Express Project right of way
25. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)
  - 35Express Update
26. Adjournment

I HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD,

**HIGHLAND VILLAGE, TEXAS IN ACCORDANCE WITH THE *TEXAS GOVERNMENT CODE*,  
CHAPTER 551, ON THE 19<sup>th</sup> DAY OF AUGUST, 2016 NOT LATER THAN 4:00 P.M.**

A handwritten signature in cursive script that reads "Angela Miller".

**Angela Miller, City Secretary**

**This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 899-5132 or Fax (972) 317-0237 for additional information.**

Removed from posting on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_ am/pm by

\_\_\_\_\_.

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

<b>AGENDA#</b>	<b>1</b>	<b>MEETING DATE:</b>	<b>08/23/16</b>
<b>SUBJECT:</b>	<b>Provide an Update on the General Fund Budget for Fiscal Year 2016-2017</b>		
<b>PREPARED BY:</b>	<b>Angela Miller, City Secretary</b>		

**COMMENTS**

City staff will present information relating to the General Fund Budget for Fiscal Year 2016-2017.



**CITY MANAGER**  
**1000 Highland Village Road**  
**Highland Village, TX 75077**  
**972-899-5131 F 972-317-0237**  
**[www.highlandvillage.org](http://www.highlandvillage.org)**

August 19, 2016

Honorable Mayor Charlotte Wilcox and  
Members of City Council  
City of Highland Village

Dear Mayor and Members of City Council:

It is my pleasure to submit the City of Highland Village Fiscal Year 2016 - 2017 Budget and Program of Services to the City Council and citizens of Highland Village. The annual budget guides the City's plan for providing the services, facilities, and infrastructure that has made Highland Village one of the "Best Places to Live" by *D Magazine* and a great place to raise a family by the *Dallas Morning News*. One past statement about Highland Village that holds true today states "Perched along the shores of Lewisville Lake, Highland Village can brag about its access to parks and natural areas." Our Trail System, shopping and dining opportunities, low crime rate, rolling hills, and exemplary schools all play a role in our award winning community.

This year's budget combines the efforts and input from citizens, City Council, and City Staff to develop a positive and progressive approach to plan for the future. A major component in achieving success is the development of Goals and Objectives by the Council, and the continued focus on them. By keeping the Goals and Objectives in clear view, Council and staff are able to position the community in a positive direction and effectively provide necessary services for Highland Village.

In accordance with the Texas Local Government Code and the Charter of the City of Highland Village, the proposed Annual Budget for the Fiscal Year beginning October 1, 2016, and ending September 30, 2017, is constructed for your review and comment and filed with the City Secretary. It presents, in summary form, the revenues and expenditures for each of the City's Departments, as well as the five-year Capital Improvement Program (CIP).

To communicate and facilitate the City's Budget and Program of Services, this transmittal letter is divided into the following sections:

- I. Overview**
- II. Goals, Objectives, and Departmental Tasks**
- III. General Fund Budget Highlights**
- IV. Financial Assessment**
- V. Conclusion**

## **I. OVERVIEW**

While there is limited population and economic growth, the City of Highland Village still continues to improve and expand City services and programs. Our citizens are accustomed to a stable and predictable municipal tax rate with a high level of service. Highlighted in this document are the Goals and Objectives of the City Council, direction for growth, operational excellence, a financially sound government, enhanced quality of life, as well as a safe and secure community.

Each year, the Mayor gives a “State of the City” presentation that provides an overview and current status of the City of Highland Village. In Mayor Wilcox’s speech this year, she truly captured the essence of our role in preparing the budget each year, and I feel it’s appropriate to restate her personal message:

*“As Mayor of Highland Village, working with City Council and staff, as each decision comes before us I always frame my questions with ‘how will our residents benefit from this?’ It is our goal to be responsible with your money, transparent in how your money is spent, and conscientious of ensuring you, the taxpayer, receive the best service and amenities your money can buy.”*

## **II. GOALS, OBJECTIVES, AND DEPARTMENTAL TASKS**

The Council developed Goals and Objectives to direct Highland Village in meeting challenges and opportunities for future growth. The Goals and Objectives are relevant to successful programs and are further outlined in the Strategic Goals and Long-Term Financial Plan section.

Council also provided guidance in the Fiscal Year 2016 - 2017 Budget Development Considerations, which are as follows:

- Tax Rate Management - For the Fiscal Year 2016 - 2017 Budget, there is no tax rate increase proposed. The tax rate is currently allocated between Maintenance & Operations and Debt Service. We will continue to ensure that all Enterprise Funds, such as the Utility Fund, are covering indirect costs, as well as direct services. The tax rate of \$0.56963 has been maintained since 2000.
- Denton County Appraisal District is projecting growth in our assessed values, with the final certified tax role that was submitted on July 22. For Fiscal Year 2017, assessed valuations reflect an increase of 4.9% over the previous year.
- Fund Balances - With a goal to maintain a 20% Fund Balance throughout the five-year outlook, the Fiscal Year 2017 General Fund Budget was approached conservatively, maintaining an estimated Fund Balance of 23%.
- A focus on the five-year General Fund forecast and CIP shall provide the guidance for development initiatives in for future years. Consideration of debt issuance will be constrained by the ability to maintain the 20% Fund Balance level.
- The Fiscal Year 2016 - 2017 Budget Process - Departmental budgets were prepared using the thorough review of a budget software program, which facilitates justification for base budget items and supplemental requests.
- Our proposed competitive pay, benefits, and career development structure to attract and retain qualified personnel for Fiscal Year 2016 - 2017 has identified an overall 4% increase, which will be structured as a merit pool and wage adjustment.

### ***Fiscal Year 2016 - 2017 Council Goals and Objectives***

*Council Goal: Enhance the quality of life within Highland Village, while meeting the needs and expectations of the residential and business community.*

### **Continue to Provide Superior Public Safety, Customer Service, Social, and Health Services to the Community**

- Maintain our recognized model in Police and Fire services, while continuing to explore and develop programs to discourage crime and enhance safety.
- Investigate operational efficiencies in regard to utilization of public safety resources without compromise to safety of residents and businesses.
- Promote proactive programs and agreements to provide public safety (i.e. Vacation Watch, Police Involving Parents, cooperative inter-agency and inter-local agreements, as well as high visibility and community involvement for our Police and Fire employees).
- Support social services such as Youth and Family Services, the Children Advocacy Center, and other community organizations that provide services to the residents in our region.
- Actively pursue effective Code Enforcement to maintain high standards throughout the community.
- Provide all City functions in a courteous, effective, and efficient manner, responding quickly to requests for service and providing timely responses to customer complaints.

- Investments in operations will continue to be made in technology that will optimize customer service.
- Promote responsible pet ownership through our Animal Services.
- Maintain effective emergency management disaster readiness.

#### Conduct the Business of the City in a Fiscally Responsible Manner

- Retain our current AA+ bond rating.
- Adhere to financial policies that are maintained to promote fiscal responsibility.
- Explore new and innovative revenue sources where appropriate, and pursue efficiencies to minimize expenditures.
- Promote and utilize Highland Village business whenever possible in making municipal purchases.
- Adopt City budgets within the confines of the existing tax rate and context of the five-year forecast to demonstrate sustainability and emphasize funding of capital projects when capacity is available.

#### Promote Quality Transportation Services

- Continue implementation of the Transportation Master Plan.
- Advocate the significance of DCTA rail and bus services for Highland Village residents and retail development shoppers, and secure adequate DCTA availability for residents.
- Identify and monitor the FM 2499 corridor to effectively accommodate vehicular traffic while protecting the integrity of our neighborhoods.
- Enhance pedestrian oriented means of travel in Highland Village and install improved pedestrian crossing systems aimed at enhancing public safety.
- Work with the Texas Department of Transportation (TxDOT) on the reconstruction of IH 35E, prioritizing availability of timely information regarding impact to residents.

#### Employ High Quality, Service Oriented Personnel

- Foster a work force comprised of professional, highly qualified, and customer friendly employees.
- Provide a work environment that promotes a high level of job satisfaction for employees.
- Promote educational standards and re-education opportunities that provide career development structure.
- Provide innovative and flexible compensation to ensure we remain competitive in our market.
- Provide succession planning for key positions throughout the City.

#### Provide for a Diversified Business Climate

- Promote existing and new retail businesses in Highland Village with the Highland Village Business Association (HVBA), emphasizing high quality retail and restaurants.
- Enhance open communication between all government entities, the business community, City Hall, and City residents.
- Pursue Economic Development and redevelopment through the use of innovative programs to emphasize retention and the expansion of existing business, especially in older developments.
- Instill a sense of community in all of Highland Village's businesses and residential neighborhoods.
- Uphold and enhance our commitment to public education and communication through holiday promotions, special events, shopping center meetings, and other available venues.

#### Provide Quality Leisure Opportunities

- Review existing, and consider new, recreational offerings for the residential and business communities on a regular basis to satisfy the growing needs of the community.
- Continue to support community and special events.
- Continue implementation of the Parks Master Plan as well as the Trail System Master Plan, and the related facilities and additions as deemed appropriate.
- Maintain the excellence of the Highland Village park system, maximizing the functionality of each park area.
- Continue to explore grant and alternative funding opportunities when possible.
- Connect the trail systems throughout the City, where feasible.

#### Work to Instill a “Sense of Community” in Highland Village Residents

- Continue to build a sense of community through avenues such as the newsletters and the City website.
- Work to find new ways to involve more residents in the civic process and to serve on Boards and Commissions, with the hope of developing new leaders from a cross section of the community.
- Create avenues that allow residents and members of the business community to have a sense of pride living and working in Highland Village.
- Utilize social media outlets to share information and involve residents with the City.
- Identify and facilitate volunteer activities that serve the community.

#### Expand the Leadership Role of the Entire Council by Active Participation in Community Groups and Professional Development

- Council members will actively represent the City of Highland Village and participate in community groups, intergovernmental agencies, and professional associations.
- Encourage participation of Boards and Commission members in City activities.
- Support and advance Highland Village’s participation at the local, state, and national levels.
- Maintain contact with area schools and promote programs that have a positive influence for youth in the community.
- Council members will utilize professional development opportunities provided by the Texas Municipal League (TML) and other professional groups.
- Continue exploring ways to inform residents and businesses about regional and state legislative developments that impact our City and its residents.

#### To Make Highland Village Developments and its Operations Sustainable so they Protect and Enhance the City’s Quality of Life

- Evaluate City operations to identify areas where resources can be conserved in the provision of public service without significantly affecting the quality of service.
- Where financially and operationally practical, purchase supplies for City services that are comprised of recyclable materials and/or will minimally impact the environment with their use.
- Actively recycle materials to divert items from landfills, and initiate programs to promote recycling by the City’s residents, businesses, and visitors.
- Uphold and enhance our commitment to public education and communication with regard to recycling and environmentally friendly programs.
- Enhance water conservation for the City and its customers.
- Maintain comprehensive programs to manage environmental and health concerns when possible, such as programs to address mosquito abatement that are appropriate and effective, with an emphasis on proactive action.

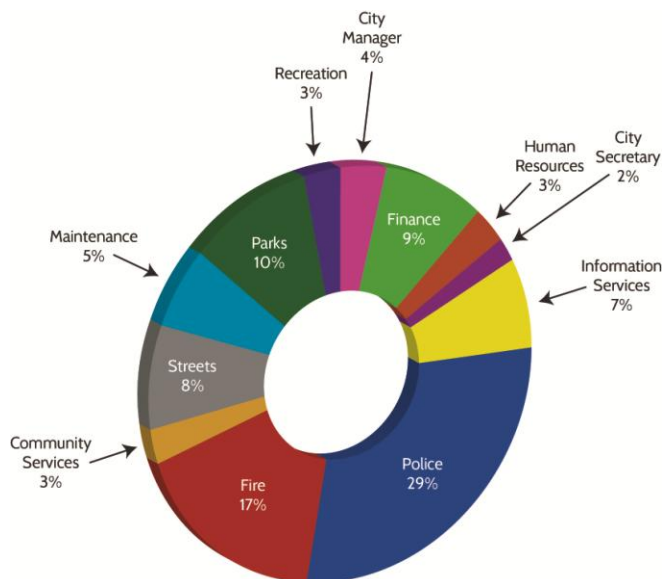
### **III. GENERAL FUND BUDGET HIGHLIGHTS**

The General Fund supports all municipal operations with the exception of water, wastewater, and drainage utility operations.

For this Fiscal Year, we have experienced a 4.93% growth in our property values from Denton County Appraisal District. Although it is the largest element of General Fund revenues, property tax is only one of several revenue sources used to fund City operations. Other sources include sales tax, franchise fees, fines, development fees, charges for service, interest income, and miscellaneous revenue. The tax rate is split between two components - Maintenance & Operations and Debt Service.

The proposed base Fiscal Year 2016 - 2017 General Fund expenditures total \$15,842,050 with \$497,800 identified for supplemental requests. These expenditures are accounted for in twelve separate department budgets, which reflect a base budget increase of 0.13% from Fiscal Year 2015 - 2016, or an increase of 3.28% including supplemental requests.

	FY 20 16 Budget	FY 20 17 Base	FY 20 17 Supplemental	FY 20 17 Total	Difference
City Manager	563,557	646,560	-	646,560	83,003
Finance	1,482,564	1,483,887	-	1,483,887	1,323
Human Resources	477,384	487,948	65,000	552,948	75,564
City Secretary	299,525	304,402	-	304,402	4,877
Information Services	882,394	896,963	213,000	1,109,963	227,569
Police	4,347,903	4,668,087	8,800	4,676,887	328,984
Fire	2,745,224	2,788,905	58,000	2,846,905	101,681
Community Services	405,824	425,512	-	425,512	19,688
Streets	1,781,262	1,374,669	-	1,374,669	(406,593)
Building/ Fleet Maintenance	896,814	787,459	111,000	898,459	1,645
Parks	1,547,279	1,529,130	42,000	1,571,130	23,851
Recreation	391,795	448,527	-	448,527	56,732
<b>Total Expenditures</b>	<b>\$ 15,821,525</b>	<b>\$ 15,842,050</b>	<b>\$ 497,800</b>	<b>\$ 16,339,850</b>	<b>\$ 518,325</b>



### Employee Salary and Benefits

- Our historic and current budget structure for the Personnel Category of the General Fund Budget has consistently ranged from 69% to 70%.
- The budget includes a 3% increase structured as a performance/merit pool and salary adjustment for employees.
- A Senior Dispatch position, as well as reclassification of a position in the Fire Department, is included as an opportunity for further career development for employees. Additionally, the budget includes an increase to the base minimum wage for entry level full time employees to \$15.00 per hour, making compression adjustments as needed, which will ultimately impact eight positions.
- In an ongoing effort to provide quality health care options, we are maintaining coverage with our current health insurance provider with an increase of 12%.

### Community Identity

- The condition of our neighborhoods is always a priority. The adoption and implementation of the 2015 International Building Codes, International Energy Conservation Code, and the Fire Code will help to address our

building codes and the need for overlays with both new construction and redevelopment as it applies to the revitalization of our aging housing market.

- Completion of Doubletree Ranch Park is of the utmost importance. This project remains unfinished largely due to a significant number of rain delays over the past two years. Considerable progress has been made, with completion expected in fall 2016.
- A Dog Park is currently under construction. Total cost of the project is \$296,770, with collected Park Development Fees in the amount of \$72,662 utilized, and the remaining balance coming from General Fund reserves.

#### **Public Safety**

- It is a proven fact that our Community Policing model works, which focuses on “Prevention through Citizen Awareness and Involvement.” Working with the Highland Village Fire Department, we will implement a new program identified as our Emergency Care Attendant (ECA). This is a state recognized program in enhanced first aid for our emergency responders.
- The Highland Village Fire Department is a professional organization that delivers unmatched service to citizens, regardless of whether the need is an emergency or a routine event. Development of a Deputy Chief position will create further career development opportunities within the department.
- The new Public Safety Radio System, with trunk service provided by the Denton County Sheriff’s Department, will be a digital radio system requiring the replacement of all existing radios. It was determined to be in our best interest for both operations and increased efficiency to replace all radios this year. The new system will go live by October.

#### **Infrastructure**

- In our current CIP for both the General Fund and Enterprise Funds, we have identified facilities and infrastructure that will need to be addressed with growth and development of Highland Village. Anticipated capital projects for consideration in a five-year window include reconstruction of targeted streets as well as park improvements at Sunset Park and Unity Park. Typically, we attempt to match new debt issues with retiring debt to maintain a level debt rate. The next opportunity for new debt issues will come in Fiscal Year 2018. In anticipation, engineering studies are being initiated in Fiscal Year 2017 to determine the level of expenditures required for these projects.
- We continue to model both our existing water and wastewater systems for Capital Planning for future issuance of Utility Bonds. Consideration of a utility issue is anticipated to be done in tandem with the aforementioned streets and parks projects.
- We have proactively developed a monitoring system for West Nile Virus and mosquito abatement through a series of traps to verify the potential increase in population, which allows a designated concentrated effort of mosquito control.

### **IV. FINANCIAL ASSESSMENT**

The City of Highland Village continues to be strong financially. Through sound fiscal management over the years, the City has positioned itself well to cope with growth, create a positive atmosphere for economic development, and provide greater flexibility on budgetary issues. The City is able to balance revenues and expenditures while maintaining a high level of service.

#### **Fund Balance**

One unrestricted measure of a city’s financial strength is the level of its Fund Balance. The City’s estimated unrestricted Fund Balance in the General Fund is projected to be approximately \$3.7M. This balance represents 23% of the Fiscal Year 2017 total General Fund expenditures, exceeding the 20% Fund Balance reserve requirement established by the City’s Financial Policies.

## Bond Rating

The City's bond ratings are further evidence of its financial strength. In 2016, the City received renewal of its General Obligation and Revenue bond ratings. Standard and Poor's, one of the nation's largest bond rating agencies, maintained its AA+ rating for General Obligation and affirmed the City's bonds are considered to be of excellent investment quality. For General Obligation bonds, the rating agencies commented that the City has a strong economy, strong tax base growth, very strong budgetary flexibility supported by strong financial practices, very strong management and Financial Policies, stable financial performance, and solid reserve levels.

## Current Projects

A \$1.5M Tax Note was issued in 2016 to address targeted Public Safety and Public Works issues as follows:

\$433,724 for a new Computer Aided Dispatch (CAD) software program.

\$690,000 related to the Public Safety Radio System.

\$205,000 related to the rehab of existing screening walls adjacent to FM 2499.

\$172,000 related to necessary drainage improvement projects throughout the City.

*\$1,500,724 Total*

Description	Funding Source	Remaining Balance	Status
<i>Capital Projects Fund</i>			
Fiscal Year 20 12 \$2.8M Certificate of Obligation; Fiscal Year 20 16 \$1.5M Tax Note			
Sellmeyer Road Improvements	- Remaining 20 12 Bond Proceeds (\$640,000 earmarked for Sellmeyer Road Improvements; FY 20 15 ending balance \$392,062) - General Fund (\$744,000)	-	The Wichita Estates developer is to reconstruct the adjacent section of Sellmeyer, with City reimbursement. Areas at either end of this section will be reconstructed by the City's contractor. Construction summer 20 16.
Screening Walls	- \$1.5M Tax Note Proceeds (\$205,000) Project Cost \$205,000	-	Complete
Drainage Projects	- \$1.5M Tax Note Proceeds (\$172,000) - General Fund (\$140,000) Project Cost \$312,000	-	Bids were received for the Canyon Creek Project in June 20 16 - requiring supplemental funding from the General Fund. Completion is anticipated by year-end.
Public Safety CAD/ RMS	- \$1.5M Tax Note Proceeds (\$433,724) Project Cost \$433,724	-	Substantially complete.
Dispatch Radio System	- \$1.5M Tax Note Proceeds (\$690,000) Project Cost \$690,000	-	Dispatch consoles are scheduled to be installed in September 20 16. It was determined that the radio antennae is not necessary - redirected the money allocated for the antennae to the purchase of radios.
<i>Highland Village Community Development Corporation</i>			
Doubletree Ranch Park	- 20 14 Bond (\$6.7M) - IH 35 Mitigation (\$2.8M) Project Cost \$9.3M	2,708,488	Construction is in progress, with expected completion in fall 20 16.
<i>Park Development Fee Fund</i>			
Dog Park	- Park Development Fees (\$72,662) - General Fund (\$224,108) Project Cost \$296,770	287,370	Construction is in progress, with expected completion in August 20 16.
<b>Total</b>		<b>\$ 2,995,858</b>	

Department	Description	FY 20 17	FY 20 18	FY 20 19	FY 20 20	FY 20 21
<i>Capital Projects Fund</i>						
Public Works	Sellmeyer Road Improvements; FM 2499 Screening Wall; and Various Drainage Improvement Projects	-	-	-	-	-
Public Safety	CAD/ Public Safety Radio System	80,000	80,000	80,000	80,000	80,000
Street construction and reconstruction is not anticipated to incur maintenance costs within the five-year window.						
<i>Highland Village Community Development Corporation Fund</i>						
Parks	Doubletree Ranch Park	100,000	103,000	106,000	110,000	114,000
The Highland Village Community Development Corporation Fund records projects solely related to City Trail construction and Soccer Facilities. Costs associated with ongoing operations are shown in accordance with the cost to contract maintenance services. The City may choose to utilize City Staff, which would have a similar cost, but with a higher service level. Doubletree Ranch Park includes costs associated with an additional position, as well as increased park maintenance and utilities.						
<b>Total Costs Related to Projects in Progress</b>		<b>\$ 180,000</b>	<b>\$ 183,000</b>	<b>\$ 186,000</b>	<b>\$ 190,000</b>	<b>\$ 194,000</b>

### Debt Service Fund

This fund is utilized to account for the debt obligations of the City. Debt Service for Fiscal Year 2016 - 2017 is \$2,644,800 reflecting a decrease of \$10,533 from Fiscal Year 2016. The corresponding Debt Rate for Fiscal Year 2017 of \$0.08684 is compared to \$0.09146 in Fiscal Year 2016. Projected ending Fund Balance for the Debt Service Fund is \$146,210.

### Utility Fund

A primary and critical task of any city is the provision of water and wastewater service to its residents. To its credit, Highland Village has secured a stable and reliable source for each of these services through owning and operating five water wells and a subscription with Upper Trinity Regional Water District (UTRWD), which are expected to be sufficient through build-out.

The Utility Fund is an Enterprise Fund that is financed primarily through user charges. Utility rates are maintained to derive sufficient revenues to meet the obligations associated with the provision of water and wastewater services. They are established to pay for delivery and maintenance of water and wastewater to City residents. The structure of the rate is bifocal, with charges associated with wholesale water/wastewater purchases from UTRWD presented as a pass-through charge to residents, and separate rates to address the City's cost of service.

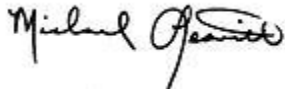
For a number of years, we have maintained a healthy reserve balance. However, as water usage patterns and related revenues can be volatile with changes in weather, the past few years have provided a challenge. As a result, reserves have been depleted, with current projections being at the minimum target levels. While an immediate utility rate increase is not suggested, a review of the current structure will be conducted this year. Consideration will be given to adaptation of the progressive rate structure currently utilized to reduce reliance on revenue from higher usage levels in the summer months and provide a more consistent revenue stream.

## V. CONCLUSION

In preparing the Fiscal Year 2016 - 2017 Budget, it is our goal to develop a budget that will maintain the desired quality of life, while balancing the needs of the residents. This year's budget document represents a collective effort by City Council and City Staff to meet the challenge. In our development of the budget, there are three essential areas that remain our focus in the fundamental understanding of government's role in providing enhanced core services to our

residents: policy coordination and implementation between Council and Staff; communications; and measurement and evaluation. City Staff will continue to review and evaluate internal operations for opportunities to reduce costs and improve the provision of funded services.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Leavitt". The signature is fluid and cursive, with a large initial "M" and a stylized "L".

Michael Leavitt  
City Manager

# CITY OF HIGHLAND VILLAGE

## COUNCIL BRIEFING

**AGENDA# 2**                      **MEETING DATE: 08/23/16**

**SUBJECT: Provide Status on Boards and Commissions Applications**

**PREPARED BY: Angela Miller, City Secretary**

### BACKGROUND:

City ordinance states that citizens interested in volunteering their time by serving on a board, commission or committee may submit an application to the City Secretary's Office for consideration by Council. Council shall make annual appointments to the City's Boards and Commissions no later than the second regularly scheduled Council meeting in September.

Each appointment is for a term of two years, unless an individual is appointed to fill a vacancy. A "term year" shall be from October 1 until the following September 30. The terms of the board and commission members shall expire on the 1<sup>st</sup> day of October of the second year or when their successor has been duly appointed for office.

Citizens appointed by Council are only allowed to serve four consecutive terms, with the exception of the board of directors for the Highland Village Community Development Corporation (4B). Per their Articles of Incorporation, no member shall serve more than three consecutive terms.

### IDENTIFIED NEED/S:

**There are nineteen (19) positions with terms that expire on September 30, 2016.** This includes six (6) positions that have/or will soon have a vacancy. The following is a list of Boards and Commissions positions and member names whose terms will expire on September 30, 2016.

#### Board of Ethics

Name	Place
Ms. Stephanie Askew – S	n/a
Ms. Allison Lassahn – D	n/a

#### HV Community Development Corporation (4B)

Name	Place
Ms. Charlotte Wilcox - S	City Representative
Mr. Rett Dean – D	Citizen Member
Mr. Kenneth Koonsman - T	Citizen Member

#### Parks and Recreation Advisory Board

Name	Place
Ms. Kim McKibben - S	Place 1
Mr. Ross Pittman – O	Place 2
Mr. Dave Rush – S	Place 3
Mr. Kenneth Green - D	Alternate Place 2

#### Planning and Zoning Commission

Name	Place
Mr. Stan Lemko - S	Place 2
Mr. Austin Adams – S	Place 3
VACANT	Alternate Place 2

#### Public Art Advisory Board

Name	Place
Ms. Linda Chidsey – S	Place 4
VACANT	Place 5
VACANT	Alternate Place 2

#### Zoning Board of Adjustment

Name	Place
Mr. Richard Metivier – S	Place 4
Ms. Darrah Boxberger Torres– S	Place 5
Mr. Walter Goin III – D	Alternate Place 2
VACANT	Alternate Place 3

S = Same  
D = Different  
O = Other (Does not wish to Serve Again)  
T = Has Reached Term Limit

## OPTIONS & RESULTS:

During Early Work Session, Council will receive an update from staff and copies of all applications filed for their review and consideration. Staff proposes the Council host a "Meet and Greet" on September 13, 2016 to allow an opportunity for applicants to visit with Council. The annual appointments will be made by Council at their September 27, 2016 meeting.

## PROGRESS TO DATE: (if appropriate)

A call for volunteers was advertised in the June, July and August utility bill inserts, the Summer Villager Newsletter, the City's Facebook Page, HVTN News, and on the City's website. The deadline to submit an application to the City Secretary's Office was August 12, 2016. To date, the City Secretary's Office has received a total of thirty-one (31) applications, which include currently serving members who wish to be considered for reappointment.

Currently serving board/commission members were contacted and given the opportunity to notify the City Secretary's Office if they were interested in being considered for reappointment.

- Nine (9) members have expressed an interest to be considered for reappointment to their respective Board or Commission.
- Four (4) members have expressed an interest to be considered for appointment to a different Board or Commission.

In addition to the existing Board and Commission members, the City has seventeen (17) new applications on file for consideration by Council. **A table listing all applicants (both current members & new) with their preferences is provided with this briefing.**

## BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

## RECOMMENDATION:

No action is required at this time. Staff is providing information as an update for Council.

## BOARD AND COMMISSION MEMBER PREFERENCES

			PREFERENCES					
NAME	CURRENT SERVICE	INTEREST IN REAPPOINTMENT	ETHICS BOARD	HVCDC	PARKS BOARD	P&Z	ART BOARD	ZBA
Ethics Board								
Ms. Stephanie Askew	Ethics Board	Yes	1	2				
Ms. Allison Lassahn	Ethics Board	Yes - different board	2			1		
Parks Board								
Ms. Kim McKibben	Parks Board, Place 1	Yes			1			
Mr. Ross Pittman	Parks Board, Place 2	No						
Mr. David Rush	Parks Board, Place 3	Yes			1	2		3
Mr. Kenneth Green	Parks Board, Alt. Place 2	Yes - different board		3	2	1		
HVCDC								
Mrs. Charlotte Wilcox	HVCDC Council Representative	Yes		1				
Mr. Rett Dean	HVCDC	Yes - different board	5	4	3	2	6	1
ZBA								
Ms. Darrah Boxberger-Torres	ZBA, Place 5	Yes	5	4	2	3	6	1
Mr. Walter Goin III	ZBA, Alt. Place 2	Yes - different board				1		2
Mr. Richard Metivier	ZBA, Place 4	Yes			2	3		1
P&Z								
Mr. Stan Lemko	P&Z, Place 2	Yes				1		
Mr. Austin Adams	P&Z, Place 3	Yes				1		
Art Board								
Linda Chidsey	Art, Place 4	Yes	5	3	2	4	1	6

## BOARD AND COMMISSION APPLICANT PREFERENCES

	PREFERENCES					
NAME	ETHICS BOARD	HVCDC	PARKS BOARD	P&Z	ART BOARD	ZBA
Kenneth Koonsman			1			
Richard Holderby	3	5	4	2	6	1
Graham Torres	5	2	1	6	4	3
Ron Stewart	-	3	1	-	-	2
Gail Prince	2	-	-	-	1	-
Christine Sherry	5	4	1	3	2	6
Scott Preddy	5	2	1	3	6	4
Charles Payne	4	5	3	1	6	2
William Irwin	-	-	1	-	-	-
Michael Anderson	3	1	5	4	6	2
David Smith	5	3	2	4	6	1
Renard Munn	5	1	6	2	3	4
Michael Birdwell	3	4	5	6	1	2
Deborah Kreimborg	-	-	-	-	1	-
Steven Smith	6	2	3	1	5	4
Steven Deel	1	-	-	-	-	-
Thomas Heslep	-	1	-	2	-	-

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 7**                      **MEETING DATE: 08/23/16**

**SUBJECT:            Pledge of Allegiance**

**PREPARED BY:     Angela Miller, City Secretary**

**COMMENTS**

A Councilmember will lead the Pledge of Allegiance to the U.S. and Texas Flags.

**The Pledge to the Texas Flag is as follows:**

**“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”**

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 9**

**MEETING DATE: 08/23/16**

**SUBJECT: Mayor and Council Reports on Items of Community Interest**

**PREPARED BY: Angela Miller, City Secretary**

**COMMENTS**

Pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety.

- Proclamation – National Preparedness Month



## PROCLAMATION

*WHEREAS, the City of Highland Village's PrepareAthon creates an important opportunity for residents of Highland Village to be prepared for any type of emergency where they live, work, and play; and*

*WHEREAS, taking steps toward personal preparedness and ensuring that our households, workplaces, schools, houses of worship, and community-based organizations are prepared for disaster can reduce fatalities and economic devastation following a major crisis; and*

*WHEREAS, participating in Highland Village's PrepareAthon will increase the number of citizens who understand which disasters could happen in our community; and*

*WHEREAS, emergency preparedness is the responsibility of every resident of Highland Village and all residents are urged to make preparedness a priority and work together to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and*

*WHEREAS, all residents and businesses of Highland Village, Texas are encouraged to participate in preparedness activities and are asked to visit [ready.gov/prepare](http://ready.gov/prepare) and register to become prepared; and*

*NOW THEREFORE, I, Charlotte Wilcox, Mayor of the City of Highland Village, do hereby proclaim the month of September 2016, as:*

***"National Preparedness Month"***

*in the City of Highland Village.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Highland Village to be affixed on this the 23<sup>rd</sup> day of August 2016.*

---

*Charlotte J. Wilcox, Mayor*

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 11**

**MEETING DATE 08/23/16**

**SUBJECT: Consider Approval of Minutes of the Special Meeting held on July 30, 2016 and the Regular Meeting held on August 9, 2016**

**PREPARED BY: Angela Miller, City Secretary**

**BACKGROUND:**

Minutes are approved by majority vote of Council at the Council meetings and listed on the Consent Agenda.

**IDENTIFIED NEED/S:**

Council is encouraged to call the City Secretary's Department prior to the meeting with suggested changes. Upon doing so, the staff will make suggested changes and the minutes may be left on the Consent Agenda in order to contribute to a time efficient meeting. If the change is substantial in nature, a copy of the suggested change will be provided to Council for consideration prior to the vote.

**OPTIONS & RESULTS:**

The City Council should review and consider approval of the minutes. Council's vote and approval of the minutes reflect agreement with the accuracy of the minutes.

**PROGRESS TO DATE: (if appropriate)**

The City Manager has reviewed the minutes and given approval to include the minutes in this packet.

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

N/A

**RECOMMENDATION:**

To approve the July 30, 2016 and August 9, 2016 Council Meeting minutes.

**MINUTES OF THE SPECIAL MEETING OF THE  
CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS  
HELD AT THE HIGHLAND VILLAGE MUNICIPAL SERVICE CENTER  
948A HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE  
SATURDAY, JULY 30, 2016 8:30 A.M.**

The City Council of the City of Highland Village, Texas met in a Special Meeting on the 30<sup>th</sup> day of July, 2016 at 8:43 a.m.

**1. Call to Order**

Mayor Wilcox called the meeting to order at 8:43 a.m.

**Roll Call**

Present:	Charlotte Wilcox Michelle Schwolert Mike Lombardo Barbara Fleming John McGee	Mayor Mayor Pro Tem Councilmember Councilmember Councilmember
Absent:	William Meek Fred Busche	Deputy Mayor Pro Tem Councilmember
Staff Members:	Michael Leavitt Ken Heerman Angela Miller Doug Reim Mark Stewart Brad Goudie Jason Collier Scott Kriston Linda Cornelius Martha Butz Sunny Lindsey	City Manager Assistant City Manager City Secretary Police Chief Assistant Police Chief Fire Chief Assistant Fire Chief Public Works Director Parks & Recreation Director Human Resources Director IT Director

**2. Discuss General Fund Budget and Special Revenue Funds for Fiscal Year 2016-2017**

Assistant City Manager Ken Heerman presented the following meeting objectives:

- ❖ Certified Tax Role
- ❖ General Fund Current Year Projections
- ❖ Revenue Projections
- ❖ FY 2017 Base Budget – including Supplemental Requests
- ❖ Five-Year Outlook
- ❖ Special Revenue Funds

**Certified Tax Roll**

Mr. Heerman reported the City began receiving weekly preliminary tax roll information in April. In June, the City received a notice of an upcoming \$90,000 refund request from Denton County due to a tax protest from The Shops of

Highland Village (The Shops). City Manager Michael Leavitt stated the tax protest is limited to only going back for one year. The Shops can use examples of “similar” or “like” businesses within the same county for comparison purposes in the review of their case. He also reported due to the tax protest, this eradicates the 380 agreement. Mr. Heerman stated the last preliminary tax roll was received on July 8<sup>th</sup>, which reflected somewhat of a reduction from the prior weeks, but still reflected an 8% increase over last year. The final tax roll was received and indicated an increase of only 4.9%, which is less than either of the previous two years.

Mr. Heerman reported the rollback tax rate is comprised of two parts:

- The M&O (Maintenance and Operations) portion of the rollback tax rate is the tax rate that would be needed to raise the same amount of taxes that the taxing unit levied in the prior year, plus 8%
- The debt service rate portion is the tax rate necessary to pay the taxing unit's debt payments in the coming year

Relating to the rollback tax rate, he further stated if a taxing unit adopts a tax rate that exceeds the rollback tax rate, voters in the taxing unit may petition for an election on the tax increase. A successful election limits the taxing unit's current tax rate to the rollback tax rate. Seven percent (7%) of the registered voters shown in the most recent official voter list must sign the petition. Mr. Heerman reported Highland Village has 11,566 registered voters; seven percent of that number is 810. Voters must submit the petition to the taxing unit's governing body within 90 days of the tax rate adoption.

He reported, if the rollback fails, the taxing unit's adopted tax rate stands. A simple majority is necessary for passing the rollback election. If the rollback election passes, a taxing unit must reduce its tax rate for the current year to the rollback tax rate. The taxing unit's tax assessor must prepare and mail new tax bills.

### **General Fund Current Year Projections**

Mr. Heerman reviewed revenues from the FY 2015-2016 adopted budget and FY 2015-2016 year end estimate, which reflects an overall estimated decrease in an amount of \$92,157. The City's revenue is made up from the following:

- Property Tax
- Sales Tax
- Franchise Fees
- Licenses and Permits
- Public Safety Fees
- Park/Recreation Fees
- Municipal Court
- Interest Income
- Miscellaneous

He stated the decrease is due to the sales tax revenue coming in lower than what was estimated, and from The Shops winning their tax protest case. There was an increase in revenue received from Licenses and Permits and Park/Recreation Fees.

Expenditures were also reviewed for the FY 2015-2016 adopted budget and FY 2015-2016 year end estimates for each department, which reflected an overall

estimated increase in an amount of \$67,765. Mr. Heerman reported the City would be ending the FY 2015-2016 with the fund balance estimated at 25%.

Police Chief Doug Reim provided an update on the Public Safety Radio Project. The project is comprised of the two items: Computer Aided Dispatch (CAD) Software and Police/Fire Radio Systems. The CAD system is now live. The mobile & portable radio installs and the console radio system installs were started in June, 2016 and will continue through August, 2016. The Denton County system is already live, and the Fire Department Radio system is ready, but still working under the old system with Lewisville for now. The Radio system will go live in September, 2016. Staff is working to establish an interlocal agreement with Denton County.

### **Revenue Projections**

Mr. Heerman provided Council with a comparison that showed the change in total revenue from year to year, beginning with 2009 through 2015. The seven year average variance was 4.5%.

The current debt service schedule was presented. The average over the last ten (10) years has been \$.11, with each penny representing approximately \$200,000. Mr. Heerman reported the City's debt service payments are slowing; therefore fiscal year 2018 could be considered for debt issuance for capital projects.

### **Fiscal Year 2017 Base Budget & Supplemental Requests**

Mr. Heerman reported the proposed base FY 2016-2017 General Fund expenditures total \$15,842,050, with \$482,800 identified for supplemental requests. These expenditures are accounted for in twelve separate departmental budgets, which reflect a base budget increase of 0.4% from Fiscal Year 2015-2016, or an increase of 0.1% including supplemental requests.

Mr. Heerman reported changes in the General Fund Base Budget due to the following:

- ❖ Personnel – there is an increase in personnel costs over last year of \$438,188. City Manager Michael Leavitt reported it is due to: a 3% increase structured as a performance/merit pool and salary adjustment for employees; a Senior Dispatch position, as well as reclassification of a position in the Fire Department, is included as an opportunity for further career development for employees; an increase to the base minimum wage for entry level full time employees to \$15.00 per hour, making compression adjustments as needed, which will ultimately impact eight (8) positions; and an increase for health insurance.

Council discussed the importance of a competitive salary increase for public safety positions, including the proposed Senior Dispatch position. Mr. Leavitt and Police Chief Doug Reim stated the proposed increase helps Highland Village be more competitive with our neighboring cities. Police Chief Doug Reim also voiced the importance of training our dispatchers and what their job deals with on a daily basis.

- ❖ Services/Supplies – FY 2016-2017 reflects a reduction of \$291,165 from last fiscal year.

- ❖ Capital Budget – FY 2016-2017 reflects a reduction of \$126,500 from last fiscal year. Equipment Replacement includes:
  - Police Department - Explorer Patrol Cars (2) \$100,000
  - Parks - Mowers (2) \$50,000
  - Streets - Crack Sealer \$30,000
  - IT - Datacenter Storage \$50,000
  - Drainage/Utility - Gradall Replacement \$250,000 (recorded as a Transfer to Drainage Fund)

Council took a break from 10:10 a.m. to 10:37 a.m. and resumed with the same members and staff present.

Mr. Heerman reported there is \$482,800 included in the budget for Supplemental Requests relating to the following new programs/equipment:

- ❖ Human Resources
  - TeleDoc* – a tool in the City's Total Benefit Package; provides a savings to medical insurance of up to \$675; increases employee productivity

*Retiree Health Savings Program* – a retiree benefit to be used as a retention tool and means to remain competitive in the market; there is no unfunded liability, low cost, does not impact City health insurance plan, employment tax savings: no FICA on contributions, employer contributions are discretionary amount determined annually based on budget constraints; proposed for City Manager and all full time employees, eligibility begins at 10 years of service.

Council asked what the cost would be if the program was opened to employees with 10 years of service credit. Staff reported approximately an additional \$25,000. The consensus of Council was to include employees with 10 years of service as well as those with 10 years of service credit.

- ❖ IT
  - Security Cameras* – includes an audit of all City cameras with an eye for reduction and replacement of only critical cameras, servers and wiring; approximate cost is \$175,000

*Offsite Backup and Maintenance of Network Data* – includes rerouting all traffic to offsite; allows access to critical data the same day; \$38,000 requested

- ❖ Police
  - Automated License Plate Recognition (ALPR) Maintenance Contract* – allows our server software to be updated with current version to help facilitate virtualization; any hardware component failure is covered at no cost; \$4,800

*Vehicle Graphics Update* – request would update part of the patrol fleet to new striping and graphics design; provides for a more professional and uninformed fleet appearance; \$4,000

❖ Fire

*Lucas Devices* – this equipment will provide continuous mechanical compressions on patients requiring CPR; will free up one personnel for doing CPR, enabling them to focus on other critical intervention; \$20,000

*Driveway* – paving to the current outbuilding that houses a 30,000 lb. fire apparatus which is causing damage to irrigation, drainage and grounds; will prevent future damage to City property and trail system; \$20,000

*Floor Replacement at Firehouse* – replace existing recycled floor that is aged and difficult to clean with durable laminated flooring; \$18,000

❖ Maintenance

*City Hall/Police Dept Fire Alarm* – existing fire sprinkler repairs (piping needs to be redone in several areas due to the building shifting); verify all duct dampeners are working and check for needed repairs; internal sprinkler inspection; change the maintenance contract to provide a cost savings of approximately \$5,000/year; cost is \$35,000

*Fire Suppression (Server Room at 948A)* – identified and carried over from last year as a need after adding this system in the main server room at City Hall; dry system would extinguish a fire before any damage is done to the backup server by heat or current wet system; cost is approximately \$10,000

*City Hall/Police Department Drywall Repair and Painting* – repair of cracks and holes in the drywall; includes City Hall, Police Department, Rotunda, and Council Chambers; would address all main corridor areas of the building and all public counter and reception areas; would not address private offices throughout the building at this time; fund over two years – this year \$35,000; Phase 1 (Main Hallway) - \$17,000; Phase 2 (Police Department) - \$16,000; Phase 3 (Rotunda/Council Chambers) - \$12,000

*City Hall Exterior Repair* – includes stone work that is discolored and stained; pressure wash all stone and eliminate all discoloration from natural stone; repair all mortar joints; install sealer on the stone as a preventative measure to keep the discoloration/staining from reoccurring; \$35,000

*Five Year Roofing Maintenance Contract* – includes City Hall, 948A & 948B, and the Fire Station; contract annual maintenance and minor repairs on all roofs/gutters; cost is approximately \$6,000/year for five years

❖ Parks

*Laser Grader* – laser grading of fields creates the most accurate and consistent grade and ultimately improves the drainage, usability, safety and overall appearance of sport fields; currently have \$10,000 in the budget to have 2 athletic fields graded per year; propose purchasing our own equipment and to do the work in-house, which will save money and

allows for better scheduling; purchase price is \$21,000, will be partially offset by \$10,000 reduction in equipment rental

*Sunset Point Park Development* – the natural setting is a good location for a Lake Lewisville overlook; site improvements are needed to provide a more welcoming atmosphere and encourage public access and use; a series of retaining walls to stabilize the banks, and the addition of park site furnishings and landscaping should be considered in the near future; \$16,000 included in next year budget for the design; additional \$150,000 funding would be needed for construction

*Hydraulic Study for Unity Park ponds* – due to concerns with drainage, erosion and current status of the ponds at Unity Park a hydrology study is recommended; the hydrologic analysis will quantify the volumetric flow rate of the water draining from the watershed in and around Unity Park; analyses will determine the depth of flow, flow velocity, and forces of flowing water up-stream and downstream from Unity Park, and determine if renovations to the ponds would allow them to serve as a retention area; the ponds have filled up significantly with silt from upstream developments and due to their shallow state staff is consistently dealing with algae growth and poor aquatic life, which will pose health and safety concerns if not addressed; this study will be a tool in determining the future of the ponds and course of action to address current issues; funds in the amount of \$30,000 has been requested \$30,000 and \$15,000 has been funded (split cost with Drainage Fund)

Mr. Heerman reported the proposed General Fund Budget reflects a 3.2% increase over last fiscal year, including supplemental requests, and an ending fund balance of 22%.

### **Five Year Outlook**

- ❖ **Street Program** – Ongoing Capital Project (Maintenance)  
As detailed in the July 26<sup>th</sup> Council meeting, streets that have been identified for reconstruction totaling 5.5M; street bond issued roughly every five years to address these projects; two bond offerings have been identified for street reconstruction: 1<sup>st</sup> grouping in FY 2018 (\$2.8M) and 2<sup>nd</sup> grouping in FY 23 (\$2.8M); the annual debt service for each grouping adds roughly \$220,000 at current rates
- ❖ **Parks** – Potential Capital Projects (Reinvestment in Parks)  
*Unity Park* – includes construction of one softball field with lights; replacement of the U5 play structures, replacement of pea gravel to ADA compliant surface; pond improvements; surfacing of the track around the football field; replacement of the Kids Kastle playground, replacement of pea gravel to ADA compliant surface; and add basketball court with lights; estimated cost and design/engineering costs total \$2,486,000  
  
*Pilot Knoll* – includes improvements to the Gate House to offer walk up service to a window to keep the inside of the building safe; ADA compliant building; renovations to the overnight and day use restrooms; Wi-Fi; estimated cost and design/engineering costs total \$291,500

*Lower Sellmeyer* – add additional amenities such as shade structure; enlarge fall zone area; add additional elements such as swings; and replace play structure; estimated cost and design/engineering costs total \$90,900

*Lion's Club* – shade structure over playground and parking lot completion; estimated cost and design/engineering costs total \$41,250

*Develop Sunset Park* - estimated cost and design/engineering costs total \$176,000

*Turpin Park* – shade structure for playground; estimated cost and design/engineering costs total \$22,000

Regarding the forecast for Property Tax Revenues, Mr. Heerman reported Highland Village is nearing its build out. For fiscal years 2016 through 2022, he presented a list of potential developments in the City needing building permits, including larger developments such as Village Estates, Ladera Development and Wichita Estates.

Mr. Heerman also showed debt service for years 2016 through 2023. With a future reduction in debt service, there could be the potential for two Street Bonds: one in FY 2018 and another in FY 2023 (as referenced earlier in the amount of \$2.8M for each). In addition, there could also be a potential for a Parks Bond totaling \$3,765,290 in FY 2023.

Mr. Heerman also showed revenue, expenditure, equipment replacement/capital, and ending fund balance projections for the next five years. The ending fund balance projections remain at a 20-25% through the next five years.

Council took another break at 12:21 p.m. and reconvened at 12:31 p.m. with the same members and staff present.

### **Special Revenue Funds**

Special Revenue Funds include:

- ❖ Park Development Fee Fund
- ❖ Public Safety Special Revenue Fund
- ❖ Capital Projects Fund
- ❖ Municipal Court Technology Fund
- ❖ Municipal Court Building Security Fund
- ❖ Debt Service Fund – This fund is utilized to account for the debt obligations of the City. Debt Service for Fiscal Year 2016-2017 is \$2,644,800 reflecting a decrease of \$10,533 from Fiscal Year 2015-2016. The corresponding Debt Rate for Fiscal Year 2016-2017 of \$0.08684 is compared to \$0.09146 in Fiscal Year 2015-2016. Projected ending Fund Balance for the Debt Service Fund is \$146,210.

- ❖ Corps Leased Parks Fund – This fund includes revenues from park entry fees and annual park passes, as well as expenditures for personnel, professional services, supplies/equipment, utilities, and capital projects related to Corps leased properties. Funds from the I-35 Mitigation Revenue have been applied to this fund. Staff proposes cutting personnel costs with the use of an automated pay entry station in lieu of gate attendant hours. In addition, staff proposed adding Wi-Fi and restroom renovations as a Supplemental in Fiscal Year 2016-2017. Current year capital projects were also reviewed which include the automatic pay entry station (\$24,000) and boat dock extension project (\$35,000 – matching grant of \$24,000).
- ❖ Drainage Utility Fund – Includes half of the funding for the Unity Park Hydraulic Study; also includes capital project for Canyon Creek Drainage and Gradall replacement (recorded as a transfer from the General Fund to Drainage Fund)
- ❖ HV Community Development Fund (4B) – Includes \$42,680 for the purchase of a 5-Gang Reel Mower, a Toro Proforce Debris Blower, and for a 10 X 25 Conex Storage Unit

The Peg Fee Fund and Utility Fund will be discussed at the next City Council meeting during Early Work Session.

Mayor Pro Tem Schwolert asked about hosting a board/commission appreciation dinner. City Manager Leavitt stated it had been discontinued due to the cost. Staff will review and report back to Council with updated cost information.

### **3. Adjournment**

Mayor Wilcox adjourned the meeting at 1:10 p.m.

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Charlotte J. Wilcox, Mayor

**ATTEST:**

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Angela Miller, City Secretary

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS  
HELD IN THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD  
TUESDAY, AUGUST 9, 2016**

The City Council of the City of Highland Village, Texas met in early work session on the 9<sup>th</sup> day of August, 2016 at 6:00 pm, prior to the regular Council meeting.

**Call to Order**

Mayor Wilcox called the meeting to order at 6:00 pm.

**Roll Call**

Present:	Charlotte Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	William Meek	Deputy Mayor Pro Tem
	Mike Lombardo	Councilmember
	Barbara Fleming	Councilmember
	Fred Busche	Councilmember
	John McGee	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin B. Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Police Chief
	Brad Goudie	Fire Chief
	Scott Kriston	Public Works Director
	Jana Onstead	Asst Director Human Resources
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Senior A/V Technician
	Karen Bradley	Administrative Assistant

**1. Receive an Update from Texas Municipal Retirement System Representative**

Mr. Colin Davidson from Texas Municipal Retirement System (TMRS) provided an update to Council. He reported the City of Highland Village is one of the 866 member cities in the Texas Municipal Retirement System (TMRS). In funding pensions, the City matches employee contributions of 7% at a 2:1 rate. The City does not participate in social security (FICA).

The original City Ordinance was approved in February 1979 to adopt the Texas Municipal Retirement System as the pension plan for City of Highland Village employees. The original ordinance included a statutory maximum of 13.50% for the City's contribution. Most cities have dropped this requirement in order to properly fund outstanding pension obligations as TMRS has refined its actuarial assumptions over the years.

Based on the current TMRS funding policy, TMRS actuaries have determined the City's contribution rate for 2017 will be 13.64%. This represents a .35% increase from last year's contribution of 13.29% and exceeds the maximum established by ordinance in 1979.

Should Council choose to take action, there is an item on tonight's action agenda to approve Ordinance 2016-1205 electing for the City to make current service and prior service contributions to the city's account in the Benefit Accumulation Fund of the Texas Municipal Retirement System at the actuarially determined rate of Total Employee Compensation.

Councilmember Lombardo voiced concern about removing the cap altogether and suggested raising it to a proper percentage and then reevaluate next year. Mr. Davidson reminded everyone this is the first time the cap has been a concern since 1979, and that the cap can only be raised one time and never again. Assistant City Manager Ken Heerman stated Council still has control regarding TMRS every year through the budget process. Mr. Heerman also stated we are in a historic period of low interest, but thinks at some point we will revert back and rates will improve, which will make contribution rates go down.

**2. Discuss PEG Fee and Utility Funds, and Follow Up from General Fund Budget Special Meeting for Fiscal Year 2016-2017**

Assistant City Manager Ken Heerman reported revenues for the PEG Fee Fund are approximately \$65,000 per year and may only be spent as permitted by law. Funds are included in the proposed FY 2016-2017 budget to purchase projector screens, speakers, and batteries for the Council Chambers and Training Room where Early Work Session is held. This current year, funds were used to purchase more network storage for videos.

Regarding the Utility Working Capital Summary, Mr. Heerman reported water and sewer sales have been on a downward trend. Although water systems are designed for peak usage, the emphasis over the past few years has been on conservation. Although the City has 72 days of working capital in the Fiscal Year 2015-2016 budget, this is below where we would like to end, but still maintains a base minimum. Mr. Heerman also stated we may need to take steps to look at this further in the future.

The following items are proposed in the Utility Supplemental Requests for Fiscal Year 2016-2017:

Jetscan Video Nozzle for the Vac-Con

Potable Water Line Inspection Camera - unfunded mandate requires a different camera used for potable water

Rehab Meter Test Bench

Position Reclassification in Utilities Operations Personnel – proposed to adjust Manager of Utilities position

Mr. Heerman reviewed Upper Trinity Regional Water District (UTRWD) charges and reported little change in the budgeted amount over last year. He reported an increase in the proposed Utility Operations budget for Fiscal Year 2016-2017 relating to Personnel and Professional Services, and a decrease for Capital.

In reviewing the Utility Fund Debt Schedule, Mr. Heerman stated some debt will be reduced in 2018, with even more in 2019. This would be an opportunity to consider Utility Capital Projects, which were withheld in 2016 and 2017. Over the last three years, revenues reduced by \$600,000-\$700,000/year.

The proposed action plan in moving forward is to review the rate structure in early 2017:

- (1) develop a rate adjustment needed to address projected expenditure trend, and to
- consider an alternate rate scenario in contemplation of changed usage patterns, and (2)

closely monitor water sales through the end of the year. If lower sales persist, rate changes should be considered – to be implemented before summer of next year.

**3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of August 9, 2016**

City Manager Michael Leavitt reported the Copper Canyon City Council did approve the driveway permit for Ladera at their meeting held the previous evening.

**CLOSED SESSION**

**4. Hold a closed meeting in accordance with the following sections of the Texas Government Code:**

**(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**

Council did not meet in Closed Session.

Early Work Session concluded at 7:16 pm.

**OPEN SESSION**

**5. Call to Order**

Mayor Wilcox called the meeting to order at 7:30 pm.

**Roll Call**

Present:	Charlotte Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	William Meek	Deputy Mayor Pro Tem
	Mike Lombardo	Councilmember
	Barbara Fleming	Councilmember
	Fred Busche	Councilmember
	John McGee	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin B. Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Police Chief
	Brad Goudie	Fire Chief
	Scott Kriston	Public Works Director
	Billy Spencer	Building Official
	Linda Cornelius	Parks and Recreation Director
	Jana Onstead	Asst. Director of Human Resources
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Senior A/V Technician

**6. Prayer to be led by Councilmember John McGee**

Councilmember McGee gave the Invocation.

**7. Pledge of Allegiance to the U.S. and Texas Flags to be led by Councilmember John McGee**

Councilmember McGee led the pledge to the U.S. and Texas flags.

**8. Visitor Comments**

The following people spoke:

Samuel Shotts (3210 Shore View Drive) – Mr. Shotts voiced concerns about the upcoming Highland Village Lion's Club Balloon Festival. He referenced articles regarding safety of balloon festivals and liability issues. Mr. Shotts stated the balloons in Unity Park are only a few feet away from gigantic power lines, posing a safety concern, especially since there are homes located nearby. He reported the National Transportation Safety Board believes operators should be subject to greater regulatory oversight. Mr. Shotts provided Council with a handout regarding safety recommendations.

Brian Cree (3114 Overlook) – Mr. Cree congratulated Councilmembers that were recently reelected to office. He stated he has been an opponent of some projects in the City, such as the FM 2499 Project and development of a Wal-Mart in Highland Village. He stated both of these projects were good for Highland Village and that he owed everyone an apology. Mr. Cree further stated he will be more supportive of Council and future projects and that Michael Leavitt is an outstanding City Manager.

**9. Mayor and Council Reports on Items of Community Interest**

Councilmember Busche stated the sidewalk on Highland Village Boulevard is complete and encouraged everyone to get out and take a walk. Councilmember Fleming reminded everyone of the 29<sup>th</sup> annual Highland Village Lion's Club Balloon Festival to be held August 19-21, 2016 at Unity Park. She also reported the event is being dedicated to long time resident Pat Falcon.

Mayor Wilcox reported The HVBA held their quarterly luncheon today. Frontier Communications was present for the luncheon to present their business products and to answer questions regarding the recent changeover.

**10. City Manager/Staff Reports**

Mayor Wilcox announced the 35Express Update would be moved up on the agenda.

- **35Express Update**

Ms. Kimberly Sims, Public Information Manager with the 35Express Project reported the project consists of approximately 30-miles that stretch from US Highway 380 to I-635, with an ultimate construction cost of \$4.8 Billion. AGL Constructors was contracted to complete Phase I, which started in the fall of 2013, with an estimated completion of Mid-2017. Project improvements include: additional general purpose lanes; an 18-mile reversible TEXpress toll (managed lane) system; rehabilitation, reconstruction or expansion of 75+ bridges; added connectivity to LBJ Freeway and the north side of the Sam Rayburn Tollway/I-35E intersection; new southbound Lewisville Lake bridge, including bike and pedestrian lanes; lengthening and widening ramps throughout the corridor; and adding continuous frontage road lanes along the corridor.

Ms. Sims provided the following construction updates:

FM 407 - concrete paving of the northbound main lanes over FM 407 is complete; grading and pavement work to finish the intersection is ongoing; the entire FM 407 intersection (underneath I-35E) is expected to open this summer

Garden Ridge Boulevard – beam and deck placement on the new portion of the Garden Ridge Boulevard bridge is complete; work is focused on placing railing, constructing the approaches and paving work; bridge expected to reopen in the fall; new southbound frontage road south of Garden Ridge expected to open late summer/early fall; access to northbound I-35E will continue to be from Eagle Point Drive

Copperas Branch Park East – final touches being placed on the park; will be turned over to the City of Lewisville in August; will include a new one-mile trail, new parking lot, and new trailhead

Highland Village Road – crews will begin work to reconstruct and elevate the north side of the roadway to meet the new southbound frontage road; Highland Village Road will close at the southbound frontage road for approximately two weeks beginning August 26 (the road will be reconstructed in halves, connectivity will be restored the first week in early September – work will continue for the next two months, detour using Garden Ridge Boulevard and Brazos Boulevard), the culverts are complete, the southbound exit ramp to Highland Village Road/Garden Ridge Boulevard will shift back to its original location on August 26; retaining wall work will continue into the fall; and construction on the new Lake Park Road will begin in the fall after the retaining wall is completed

Lewisville Lake Bridge – the bridge is expected to open in early September; northbound and southbound traffic will be placed on the southbound bridge while the original bridge is reconfigured to handle northbound traffic only; northbound expected to be placed on reconfigured bridge in 2017; once traffic is shifted, exit to Lake Dallas Drive will be at Garden Ridge Boulevard

Oak Drive Underpass – south Denton/Lake Dallas Bridge permanently closed; traffic will use the U-turn lane at Swisher Road to access Southbound I-35E; Oak Drive underpass will full open to traffic in 2017

For further information, visit [www.35Express.org](http://www.35Express.org), sign up for the eNewsletter, facebook, twitter, or text alerts.

- **HVTV Update**

City Manager Michael Leavitt reported instead of the HVTV Update, the latest edition of the Gears of Highland Village would be presented, which focused on Public Works:

A portion of the Public Works Department is made up of Water Utilities, Wastewater Utilities, Streets and Drainage, which are all essential to the welfare and quality of life for the residents of Highland Village. The City has five pumping stations and six groundwater storage tanks. The Public Works Department performs inspections to ensure systems are maintained and working properly. They also check for water quality, protect from contamination, and ensure that our creeks and streams are inspected for proper drainage. In addition, the Public Works Department is also responsible for approximately 200 lane miles of roadways in Highland Village, which also includes street markings, sign, road sign, school zone signs and flashers.

The department is also responsible for mosquito abatement. Regular testing is performed for the West Nile Virus, and test areas & results are posted on the City's website.

Fleet Maintenance and Building Maintenance are part of the Public Works Department. Fleet Maintenance supports all the vehicles, including police and fire, and all light-duty equipment within the City. Building Maintenance maintains City facilities and assists other City departments with special meeting/event set up.

### **CONSENT AGENDA**

11. **Consider Approval of Minutes of the Regular Meeting held on July 26, 2016**
12. **Consider Resolution 2016-2650 Authorizing Adoption of the Vantagecare Retirement Health Savings Program**
13. **Consider Resolution 2016-2653 Authorizing a Task Order with BW2 Engineers, Inc. to Provide Professional Engineering and Surveying Services for the Winding Creek Drive and Oak Forest Drive Water Line Replacement Project**
14. **Consider Resolution 2016-2654 Authorizing the Purchase of a Gang Reel Mower from Professional Turf Products, LP, through the Cooperative Purchasing Agreement with Texas Local Government Purchasing Cooperative BuyBoard for the Parks and Recreation Department**
15. **Consider Resolution 2016-2655 Authorizing a Change Order with Four Star Excavating, Inc. for Construction of the Highland Shores Boulevard Water Line Replacement Project**
16. **Receive Investment Report for the Period Ending June 30, 2016**

***Motion by Councilmember Busche, seconded by Deputy Mayor Pro Tem Meek, to approve Consent Agenda Items #11 through #16. Motion carried 7-0.***

### **ACTION AGENDA**

17. **Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:**
  - (a) **Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**

#### **NO ACTION TAKEN**

Council did not meet in Closed Session; no action was taken on this item.

18. **Consider Ordinance 2016-1205 Electing for the City to make Current Service and Prior Service Contributions to the City's Account in the Benefit Accumulation Fund of the Texas Municipal Retirement System at the Actuarially Determined Rate (1<sup>st</sup> of two reads)**

#### **APPROVED 1<sup>ST</sup> READ**

Jana Onstead, Assistant Director of Human Resources provided a short recap of the presentation made in Early Work Session.

***Motion by Mayor Pro Tem Schwolert, seconded by Councilmember McGee, to approve the 1<sup>st</sup> read of Ordinance 2016-1205. Motion carried 7-0.***

19. **Consider Ordinance 2016-1202 Amending Various Sections of Article 14.04 “Parks and Recreation” of the Code of Ordinances by Adopting Definitions for “Commercial Unmanned Aircraft,” “Dog Owner,” “Dog Park,” “Unmanned Aircraft,” and “Noncommercial Unmanned Aircraft;” by Adopting Regulations Relating to Use of Unmanned Aircraft in City Parks, Use of the City’s Dog Park, and Use of the Splash Pad at Doubletree Ranch Park; by Conforming Regulations Regarding Use of Firearms in Parks to State Law; by Amending Refund Policy to include Doubletree Ranch Park; and by Deleting the Requirement to Provide a Driver’s License Number on Special Event Applications (1<sup>st</sup> of two reads)**

**APPROVED 1<sup>ST</sup> READ**

Parks and Recreation Director Linda Cornelius reported with the opening of Doubletree Ranch Park and anticipated opening of the Unity Dog Park it is necessary to amend Article 14.04 of the Code of Ordinances to reflect rules and procedures in order to adequately operate these new facilities. Due to the need to amend Article 14.04, staff did an overall review of the Article. With that, staff also proposes the addition of guidelines for un-manned aircraft in an effort to keep our active park areas safe for park patrons.

Ms. Cornelius also reported at the regular meeting of the Parks and Recreation Advisory Board, held on July 18, 2016, the Board unanimously approved all proposed amendments to Article 14.04 as presented.

***Motion by Councilmember Busche, seconded by Deputy Mayor Pro Tem Meek, to approve the 1<sup>st</sup> read of Ordinance 2016-1202. Motion carried 7-0.***

20. **Consider Ordinance 2016-1203 Amending Code of Ordinances Chapter 24 “Building Regulations”, Division 7 “Energy Conservation Code” by Adopting the 2015 Edition of the International Energy Conservation Code, including Local Amendments (1<sup>st</sup> of two reads)**

**APPROVED 1<sup>ST</sup> READ**

Public Works Director Scott Kriston reported since the fall of 2013, the City of Highland Village has been enforcing the 2009 International Building Codes (IBC). Effective September 1, 2016, the energy efficiency provisions of the International Residential Code were adopted as the energy code in Texas for single-family residential construction as it is defined in the Health and Safety Code, 388.002(12).

With respect to all other residential, commercial, and industrial, construction, effective September 1, 2016, the International Energy Conservation Code - is adopted as the energy code for use throughout the state for all residential, commercial, and industrial construction that is not single-family residential construction. Many cities in Texas have already adopted the 2015 IBC and other associated Codes.

The State of Texas is requiring all municipalities to adopt the 2015 International Energy Conservation Code. The North Central Texas Council of Governments recommends that all municipalities adopt all the codes with the regional amendments in order to

reduce confusion and provide regional uniformity, which benefits builders, architects, contractors and consequently home buyers. The remaining 2015 International Codes should be adopted in order to be compatible with the State mandated Codes, and will be presented to Council at a later date for consideration for adoption. This will standardize the regulations for the design and construction of all buildings.

Staff has reviewed the recommendation for the regional amendments and has added additional amendments in order to comply with existing Zoning Ordinances. The Zoning Board of Appeals was presented with the consideration of the adoption of the 2015 Building Codes on July 7, 2016. The board members had a few questions pertaining to the adoption of codes and their questions were answered during the meeting, and there were no objections to the adoption of the building codes.

***Motion by Councilmember McGee, seconded by Councilmember Busche, to approve the 1<sup>st</sup> read of Ordinance 2016-1203. Motion carried 7-0.***

**21. Consider Resolution 2016-2652 Awarding and Authorizing a Contract with Reynolds Asphalt & Construction Company for the 2016 Asphalt Overlay Project**  
**APPROVED**

Mr. Kriston reported the City typically overlays certain asphalt roadways on an annual basis to assist in maintaining these roadways and increase their longevity. In reviewing existing roadways, staff targets areas that have shown pavement deterioration and/or pavement failures. Staff has identified Foggy Glen, Trails End, and Meadowlark Lane as three roadways meeting the criteria for recommended overlay improvements. These three roadways will be overlaid with new asphalt pavement and will perform wedge milling of the edges of the pavement in order to facilitate connection to existing driveways.

The City issued this project for bid with a Base Bid and two Add Alternate Bids for two other streets in the same area. The Base Bid included improvements to Foggy Glen, Trails End, and Meadowlark Lane. The Add Alternate Bids included improvements to Millwood Drive and the north end of Medina Drive, which also need pavement improvements if the funds are available.

Bids were received on Tuesday, August 2, 2016, from six general contractors. Due to the favorable bids that were received, it is recommended that the Base Bid and the two Add Alternate Bids be accepted at this time. The lowest bidder is Reynolds Asphalt & Construction Company with a total bid in the amount of \$91,603.85. The low bid has been reviewed and evaluated and is considered the lowest responsible bid. Reynolds Asphalt & Construction Company has sufficient resources to construct this project and has performed similar projects for the City in the past.

Mayor Wilcox reported many residents feel Highland Shores has been redone numerous times and that nothing has been done in other areas of the City. With Highland Shores being a highly traveled road there is a need to prolong the life of the road. Staff reported typically there is additional maintenance on heavily traveled roads. Mr. Leavitt reported all the roads that Mr. Kriston had previously presented would be candidates for improvements next year.

***Motion by Mayor Pro Tem Schwolert, seconded by Councilmember Busche, to approve Resolution 2016-2652. Motion carried 7-0.***

**22. Discuss the Ad Valorem Tax Rate for Tax Year 2016 and Consider Taking a Record Vote if the Proposed Tax Rate Exceeds the Lower of the Rollback or the Effective Tax Rate and Consider Setting Two Public Hearing Dates of August 23, 2016 and September 13, 2016 on the Proposed Fiscal Year 2016-2017 Budget and Tax Rate**

Assistant City Manager Ken Heerman advised that Truth in Taxation requires two public hearings before implementing a property tax rate if a rate is considered which will exceed the lower of the rollback or effective rate. He explained that as the City's current tax rate of \$0.56963, exceeds the effective rate of \$0.55058, Council must vote to place a proposal to adopt the rate on the agenda of a future meeting as an action item if it is to consider continuation of the current property tax rate. Mr. Heerman advised that this vote does not commit Council to a tax rate; however, the Council cannot ultimately adopt a tax rate that exceeds the rate that is proposed in the motion approved by the Council. He explained that the vote must be a record vote and the motion must specify the desired rate.

**APPROVED**

***Motion by Councilmember Lombardo, seconded by Deputy Mayor Pro Tem Meek, that \$0.56963 per \$100 valuation be proposed for adoption as the City's Ad Valorem tax rate for the 2016 tax year and set August 23, 2016, and September 13, 2016, as the dates for holding the public hearings to receive public comment on said tax rate and the 2016-2017 fiscal year budget.***

***City Secretary Angela Miller took a roll call vote on the motion:***

***Councilmember Lombardo - Aye***

***Mayor Pro Tem Schwolert - Aye***

***Councilmember McGee - Aye***

***Mayor Wilcox - Aye***

***Councilmember Busche - Aye***

***Councilmember Fleming - Aye***

***Deputy Mayor Pro Tem Meek - Aye***

***Motion carried 7-0.***

**23. Consider Ordinance 2016-1204 Adopting Amendments to the Fiscal Year 2015-2016 Budget (1<sup>st</sup> of two reads)**

**APPROVED 1<sup>ST</sup> READ**

Mr. Heerman advised that the primary purpose of budget amendments is to obtain Council appropriation approval for expenditures by category and transfers between funds. Mr. Heerman reported in total, projected expenditures of \$15,889,291 are \$67,765 more than the original budget of \$15,821,526. He provided the following information regarding the proposed budget amendments:

**General Fund**

- ❖ Two primary factors comprise the majority of the requested increased budget appropriation – Sellmeyer Road improvements and construction of a Dog Park at Unity Park. Collectively, these projects account for \$997,990 in additional transfers from the General Fund to designated special revenue funds accounting for these projects. The primary project of smoothing the Sellmeyer Rd. "S" curve was anticipated the past few years, and was accordingly addressed with remaining bond proceeds. However, companion improvements at the adjacent sections at either end were identified – these improvements prompting an additional \$774,000 in

expenditures. This amount is included in a transfer to the Capital Project Fund (expenditures for this project are recorded in this fund). Funding for the Dog Park is partially accommodated by remaining Park Development Fee funds, but an additional transfer from the General Fund of \$224,000 is needed to fully fund this project.

- ❖ Personnel budget changes in various departments are suggested to address factors incurred during the year that were not known when budgeted, such as mid-year adjustments, personnel changes, insurance coverage election, etc. In total, projected personnel expenditures are within the budgeted amounts. Personnel budget amendments are in total, decreased by \$45,000, primarily related to Information Resources (delays in hiring new positions added last year), and the Police Department (resulting from turnover).
- ❖ Other items requiring additional appropriation include:
  - Police Dept (Services / Supplies) – Increase \$70,000 related to professional services for continued evaluation and implementation of new radio system as well as the new Computer Aided Dispatch software system.
  - Fire Department (Services / Supplies) – Increase \$15,000 primarily related to peripheral equipment related to procurement of a new ambulance and command vehicles. (Capital) – Increase \$290,000 related to purchase of three new explorers for command vehicles as well as accounting for purchase of the ambulance (budgeted amt for 1<sup>st</sup> year capital lease pmt, but will record full purchase price – offset by lease proceeds).
  - Maintenance Department (Services / Supplies) – Decrease \$60,000 due to fuel cost considerably less than anticipated in Budget,
  - Parks and Recreation (Services / Supplies) – Increase \$50,000 to align with actual accounting for Tennis program. This program is outsourced to an outside entity. The City collects revenues on their behalf, retaining an annual rental amount for the tennis center. Thus, in practice, revenues and expenditures are booked. However, only net revenues were budgeted – this amendment aligns the related appropriation.
  - Finance (Services / Supplies) – Increase \$5,000 related to costs for HVBA luncheons related to speaker fees.
  - Human Resources (Services / Supplies) – Increase \$5,000 for consideration of potential relocation reimbursement.
  - Community Services (Services / Supplies) – Increase \$6,000 resulting from increased plan review services and updated reference materials.
  - Information Services (Services / Supplies) – Increase \$10,000 related to general network infrastructure upgrades. (Capital) – Increase \$50,000 related to acquisition of network storage device. The storage capacity was increased to also include HVTN needs, with shared funding. An equivalent transfer will be received in the General Fund from the Peg Fee Fund accordingly.
  - Streets (Capital) – Increase \$200,000 related to rehab of screening walls adjacent to FM 2499. Funding for this project was accommodated by the FY 2015 Tax Note in the Capital Projects Fund. However, related engineering was previously recorded to the Streets budget, thus necessitating recording of expenditures in this budget as well.

#### **Other Funds**

- ❖ Utility UTRWD (Services / Supplies) – Increase \$200,000 related to increased sewer effluent charges (\$300,000) resulting from Spring flooding in the City. This was partially offset (\$-100,000) by reduced water volume charges.
- ❖ HVEDC (Services / Supplies) Increase \$140,000 related to furnishings for Doubletree Ranch Park (anticipated last fiscal year). (Capital) - \$1,990,000

associated with Doubletree Ranch Park construction carried over from FY 15 related to 2014 \$6.7M bond issue.

- ❖ PEG Fee Fund (Transfers) Increase \$55,000 to accommodate transfer to General Fund for purpose of acquiring network storage device.
- ❖ Capital Projects Fund (Capital) Increase \$1,200,000 related to improvements to Sellmeyer Road (carried over from FY 2015) (Transfers) – Overall decrease of \$624,000: Increase Transfers-Out by \$150,000 (to Drainage Utility) related to Tax Note proceeds earmarked for drainage projects. This is offset by Transfers-In of \$774,000 transferred from the General Fund related to funding Sellmeyer Road improvements.
- ❖ Public Safety Fund (Revenues) Increase \$64,000, (Services / Supplies) – Increase \$29,000, (Capital) Increase \$35,000. These expenditures are related to acquisition of electronic fingerprinting system and related maintenance agreement with anticipated grants to be received from Denton County.(Transfers) – Increase \$2,000 related to collected Denton County Child Safety Funds – transferred to the General Fund to offset Crossing Guard expenditures.

***Motion by Councilmember McGee, seconded by Councilmember Fleming, to approve the 1<sup>st</sup> read of Ordinance 2016-1204. Motion carried 7-0.***

### **LATE WORK SESSION**

- 24. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)**

- **35Express Update**

The 35Express Update was moved up on the agenda with Item #10.

**We have several events coming up:**

- ❖ Friday, August 12 Burgers 4 Badges will take place at Brazos Park. This fundraising lunch is sponsored by FixD to raise funds for the Guns and Hoses organization and the Fallen Officer Fund. They've asked for those who plan to attend to RSVP so they know how many burgers to cook. Information is listed on TheHVBA.com.
- ❖ Also on Friday, August 12, we will have a free concert in the park at Pilot Knoll Park. Party Machine Band will be playing and there will be ice cream and snow cones for sale at the Park.
- ❖ Friday, August 12 is also the last day for residents to submit an application to serve on a City board or commission. Applications are on the City website, just click "How Do I" then select "Apply for Boards and Commissions".
- ❖ The Highland Village Lions Club Balloon Festival will take place at Unity Park the weekend of August 19-21.

City Manager Leavitt reported TxDOT has informed us they will begin the construction of the median turn lanes at FM 2499 and Barton Creek on August 10, 2016. The construction will make permanent the traffic flow currently in place at the entrance to The Shops at Highland Village and the Marketplace of Highland Village. The travelling public should expect delays as the contractor reduces lanes to complete the work. All work should be complete by August 17.

**25. Adjournment**

Mayor Wilcox adjourned the meeting at 9:00 pm.

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Charlotte J. Wilcox, Mayor

**ATTEST:**

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Angela Miller, City Secretary

## **CITY OF HIGHLAND VILLAGE**

### **COUNCIL BRIEFING**

**AGENDA# 12**

**MEETING DATE: 08/23/16**

**SUBJECT: Consider Ordinance 2016-1205 Electing for the City to make Current Contributions to the City's Account in the Benefit Accumulation Fund of the Texas Municipal Retirement System at the Actuarially Determined Rate**

**PREPARED BY: Martha Butz, Director of Human Resources**

### **BACKGROUND:**

City of Highland Village is one of the 866 member cities in the Texas Municipal Retirement System (TMRS). In funding employee pensions, the City matches employee contributions of 7% at a 2:1 rate. The City does not participate in social security (FICA).

### **IDENTIFIED NEED/S:**

The original City Ordinance was approved in February 1979 to adopt the Texas Municipal Retirement System as the pension plan for City of Highland Village employees. The original ordinance included a statutory maximum of 13.50% for the city's contribution although the employees' contribution has remained at 7.0%. Most cities have dropped this requirement in order to properly fund outstanding pension obligations as TMRS has refined its actuarial assumptions over the years.

### **OPTIONS & RESULTS:**

TMRS actuaries have determined the City's contribution rate for 2017 will be 13.64% based on the current TMRS funding policy. This represents a .35% increase from last year's contribution of 13.29% and exceeds the maximum established by ordinance in 1979.

### **BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

Included in the 2016/2017 Fiscal Year Budget.

### **RECOMMENDATION:**

Council approved the first read of Ordinance 2016-1205 at their August 9<sup>th</sup> meeting. This item is on tonight's agenda to approve the second read of Ordinance 2016-1205 electing for the City to make current service and prior service contributions to the city's account in the Benefit Accumulation Fund of the Texas Municipal Retirement System at the actuarially determined rate of Total Employee Compensation.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1205**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS ELECTING TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE BENEFIT ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION; REPEALING ANY CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Highland Village (the "City"), is a participating municipality in the Texas Municipal Retirement System (the "System"), and has undertaken to provide certain retirement, death and disability benefits to its employees pursuant to Subtitle G, Title 8, Government Code, (hereinafter, the "TMRS Act"); and

**WHEREAS**, in accordance with prior state law, the City has adopted ordinances relating to the City's participation in the System placing a cap on the City's current and prior service contributions to the City's account in the Benefit Accumulation Fund of the System; and

**WHEREAS**, the laws and regulations governing participation in the System requires local government participants in the System to contribute an actuarially determined amount in order to insure full funding of employee retirement benefits, which amount may from year to year exceed to existing cap on such contributions adopted by prior ordinance; and

**WHEREAS**, the City Council of the City of Highland Village finds it to be in the public interest to authorize funding of such benefits as required by applicable law;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** Pursuant to Section 855.407(g) of the TMRS Act, the City hereby elects to make future normal and prior service contributions to its account in the Benefit Accumulation Fund of the System at such combined rate of the total compensation paid by the City to employees who are members of the System, as the System's actuary shall annually determine as the rate necessary to fund, within the amortization period determined as applicable to the City under the TMRS Act, the costs of all benefits which are or may become chargeable to or are to be paid out of the City's account in said accumulation fund, regardless of other provisions of the TMRS Act limiting the combined rate of city contributions.

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

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Comprehensive Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

**SECTION 4.** This Ordinance shall take effect on January 1, 2017, from and after its passage on second reading and publication in accordance with the provisions of the Charter of the City of Highland Village, and it is accordingly so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 9<sup>TH</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**APPROVED:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**

(kbl:8/3/16:78144)

# CITY OF HIGHLAND VILLAGE

## CITY COUNCIL BRIEFING

**AGENDA# 13**

**MEETING DATE: 08/23/16**

**SUBJECT:** Consider Ordinance Number 2016-1202, Amending Various Sections of Article 14.04 “Parks And Recreation” of the Code of Ordinances by Adopting Definitions for “Commercial Unmanned Aircraft,” “Dog Owner,” “Dog Park,” “Unmanned Aircraft,” and “Noncommercial Unmanned Aircraft;” by Adopting Regulations Relating to Use of Unmanned Aircraft in City Parks, Use of the City’s Dog Park, and Use of the Splash Pad at Doubletree Ranch Park; by Conforming Regulations Regarding Use of Firearms in Parks to State Law; by Amending Refund Policy to Include Doubletree Ranch Park; and by Deleting the Requirement to Provide a Driver’s License Number on Special Event Applications

**PREPARED BY:** Linda Cornelius, Director of Parks and Recreation

### BACKGROUND:

Operational procedures and guidelines for Parks and Recreation programs and facilities are better enforced if they are included in the official code of ordinances.

With the opening of Doubletree Ranch Park and anticipated opening of the Unity Dog Park it is necessary to amend Article 14.04 of the code of ordinances to reflect necessary rules and procedures in order to operate these new facilities adequately.

Due to the need to amend Article 14.04, we did an overall review of the Article. With that, we also propose the addition of guidelines for un-manned aircraft in an effort to keep our active park areas safe for park patrons.

At the regular meeting of the Parks and Recreation Advisory Board, held on July 18<sup>th</sup>, the Board approved by a unanimously vote all proposed amendments to Article 14.04 as presented.

### ARTICLE 14.04 PARKS AND RECREATION\*

#### Division 1. Generally

##### Sec. 14.04.001 Definitions

**Commercial unmanned aircraft.** An unmanned aircraft that is used for business purposes and has gained Federal Aviation Administration approval for flying civil unmanned aircraft systems.

**Dog Owner.** Any person who is supervising, controlling, or in possession of any dog which the person has placed within the boundaries of a dog park regardless of whether or not the person actually holds title to the dog.

**Dog Park.** A public park specifically designated by the City Council as a place for dogs to exercise and play off-leash in a controlled environment under the supervision, possession, or control of their owner(s).

**Unmanned aircraft.** An aircraft that is operated remotely through (i) use of an electronic controller device with no physical attachment between the controller device and the aircraft such as a string or wire or (ii) autonomously through the use of an on-board computer.

**Noncommercial unmanned aircraft.** Any unmanned aircraft that is not a commercial unmanned aircraft and includes, but is not limited to, all hobby and recreational uses of unmanned aircraft and any business uses of unmanned aircraft that has not gained Federal Aviation Administration approval for flying civil unmanned aircraft systems.

### **Division 3. General Use Regulations**

#### **Sec. 14.04.072 Animals**

(b) It shall be unlawful for any person to bring any animal into any public park or recreation facility that is not under the immediate control of a responsible individual by means of a cage, leash or rope at all times. This subsection shall not apply to guide dogs or other animals used to assist handicapped or disabled persons, **or animals that are (i) part of an activity authorized by the director, (ii) in park areas or recreation facilities designated as leash free, or (iii) in an off leash dog park.**

#### **(g) Dog Park**

(1) In general, all dog parks are open for public use each day from 5 a.m. to 11 p.m. unless otherwise posted. The dog park will close without prior notice when wet, icy, when hazardous conditions exist, or maintenance needs are necessary.

(2) No person nine (9) years of age or younger is allowed in the off leash area of a dog park.

(3) People who are older than nine (9) years but not older than fifteen (15) years of age must be under adult supervision at all times while with the off-leash area of a dog park.

(4) It shall be unlawful for any person to bring a dog into the dog park area which does not have current rabies vaccination, is aggressive, or has a contagious condition, disease, parasites, or open wound.

(5) Female dogs in season are not allowed in the off-leash dog park area.

- (6) No animals other than dogs are allowed in the dog park.**
- (7) No dogs younger than four (4) months of age are allowed in the dog park.**
- (8) A maximum of two (2) dogs per owner are permitted in the dog park at any one time.**
- (9) Dogs must be leashed when entering or leaving the dog park and off-leash while inside the dog park.**
- (10) No person shall run with or chase dogs within the dog park.**
- (11) A dog owners must pick-up and dispose of the feces excreted by the dog owner's dog regardless of whether inside or outside the boundaries of the dog park.**
- (12) No carriages, bicycles, skate boards, scooters, skates, roller blades, sport activities, children's toys, or any motorized vehicles are allowed in the dog park, unless necessary by reason of handicap or disability.**
- (13) No food or treats for dogs or humans is allowed in the dog park.**
- (14) Digging is not allowed in the dog park. A dog owner must repair any damage caused by his dog resulting from digging.**
- (15) A person may not groom a dog within the boundaries of the dog park.**
- (16) A dog owner must remain within the dog park with the dog owner's dog(s).**
- (17) While within a dog park, a dog must at all times be within view and under voice control of the dog's owner.**
- (18) No dog owner shall use a spiked, prong, choke, or pinch collar to hold and control a dog while in the dog park.**
- (19) A person must wear shoes at all times while in the dog park.**
- (20) No person may use the dog park for commercial purposes, including the conduct of dog training classes.**
- (21) No person shall solicit business from and/or advertise to people while in the dog park.**
- (22) No dog designated, declared, or found to be a "dangerous dog" or "dangerous animal" in accordance with Art. 4.04 Domestic Animals of this Code shall be allowed in the dog park.**

**(23) Park users and dog owners assume all risk related to the off leash area and park use.**

**Sec. 14.04.074 Explosives, firearms, other weapons and fireworks**

(a) The possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons within a public park or recreation facility is prohibited unless:

- (1) In the possession of a federal, state or local law enforcement officer;
- (2) Written permission has been received from the director; or
- (3) The person is in possession of the firearm consistent Texas Government Code chapter 411, subchapter H, as it may be amended.

**Sec. 14.04.078 Unmanned aircraft**

(a) No person may operate an unmanned aircraft in the area of a park where recreation facilities are located or where scheduled recreational activities are occurring.

(b) No person may operate an unmanned aircraft in a public park without the prior written approval of the director.

**Sec. 14.04.079 Splash Pad**

The use of the splash pad facility at Doubletree Ranch Park shall be subject to the following:

(a) No animals other than service animals are permitted within the area of the splash pad.

(b) No person ten (10) years of age or younger shall be on the splash pad unless accompanied and supervised by a person who is 18 years of age or older.

(c) Changing of soiled diapers within six (6) feet of the edge of the splash pad water features is prohibited.

(d) Use of the splash pad water features when ill with diarrhea, or contagious disease is prohibited.

(e) No food, beverages, and glass containers are allowed in the splash pad area.

(f) Children who are not toilet trained must wear swim diapers within the splash pad.

(g) No rough-housing, aggressive behavior and or profanity is allowed.

- (h) No furniture or chairs allowed in the splash pad play area.
- (i) No skateboards, roller blades, skates, bicycles, scooters and similar recreational equipment are allowed in the splash pad area.
- (j) No inflatable pool toys, water balloons, beach balls, pool noodles, cups, buckets, water guns, permitted in splash pad area.
- (k) No soap, detergents, and shampoos allowed in splash pad area.

## **Division 5. Fees and Charges**

### **Sec. 14.04.134 Refunds**

(c) Refunds for fees for use of the Robert and Lee DuVall Center **and indoor rental spaces at Doubletree Ranch Park located in the concession/restroom “Barn” facility** shall be subject to the following:

- (1) In order to receive a full refund of rental fee(s) and deposits(s) for rentals at the Robert and Lee DuVall Center **and Doubletree Ranch Park facilities**, written notification of cancellation must be received by the department no later than thirty (30) days prior to the event date. Notification of cancellation received by the department less than thirty (30) days prior to the date of the event will result in a forfeiture of the entire deposit.

## **Part II. Permits**

### **Sec. 14.04.192 Application**

(b) An application to conduct a special event must contain the following information:

- (1) The name, home address and telephone number, office address and telephone number, and date of birth, of the promoter, and of any other persons responsible for the conduct of the special event;

## **RECOMMENDATION:**

Council approved the first read of Ordinance 2016-1202 at their August 9<sup>th</sup> meeting. This item is on tonight’s agenda to approve the second read of Ordinance No. 2016–1202 amending various sections of Article 14.04 of the Code of Ordinances.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2016-1202

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING VARIOUS SECTIONS OF ARTICLE 14.04 "PARKS AND RECREATION" OF THE CODE OF ORDINANCES BY ADOPTING DEFINITIONS FOR "COMMERCIAL UNMANNED AIRCRAFT," "DOG OWNER," "DOG PARK," "UNMANNED AIRCRAFT," AND "NONCOMMERCIAL UNMANNED AIRCRAFT;" BY ADOPTING REGULATIONS RELATING TO USE OF UNMANNED AIRCRAFT IN CITY PARKS, USE OF THE CITY'S DOG PARK. AND USE OF THE SPLASH PAD AT DOUBLETREE RANCH PARK; BY CONFORMING REGULATIONS REGARDING USE OF FIREARMS IN PARKS TO STATE LAW; BY AMENDING REFUND POLICY TO INCLUDE DOUBLETREE RANCH PARK; AND BY DELETING THE REQUIREMENT TO PROVIDE A DRIVER'S LICENSE NUMBER ON SPECIAL EVENT APPLICATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$500 PER OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, in order to address the opening of Doubletree Ranch Park and its various facilities, the construction of the City's Dog Park, changes in state law relating to the licensed carrying of firearms, and other matters, the Director of Parks and Recreation and the Parks and Recreation Advisory Board have reviewed Article 14.04 of the Code of Ordinances and are recommending adopted certain amendments to said article; and

**WHEREAS**, having reviewed and considered the recommended amendments, the City Council of the City of Highland Village, Texas, finds it in the public interest to enact the proposed amendments;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** Article 14.04 "Parks and Recreation" of the Code of Ordinances of the City of Highland Village, Texas is amended as follows:

- A. **Section 14.04.001 "Definitions" is amended by adding new definitions for the words and phrases "Commercial Unmanned Aircraft," "Dog Owner," "Dog Park," "Unmanned Aircraft," and "Noncommercial Unmanned Aircraft" to read as follows:**

*Commercial unmanned aircraft.* An unmanned aircraft that is used for business purposes and has gained Federal Aviation Administration approval for flying civil unmanned aircraft systems.

*Dog Owner.* Any person who is supervising, controlling, or in possession of any dog which the person has placed within the boundaries of a dog park regardless of whether or not the person actually holds title to the dog.

*Dog Park.* A public park specifically designated by the City Council as a place for dogs to exercise and play off-leash in a controlled environment under the supervision, possession, or control of their owner(s).

*Unmanned aircraft.* An aircraft that is operated remotely through (i) use of an electronic controller device with no physical attachment between the controller device and the aircraft such as a string or wire or (ii) autonomously through the use of an on-board computer.

*Noncommercial unmanned aircraft.* Any unmanned aircraft that is not a commercial unmanned aircraft and includes, but is not limited to, all hobby and recreational uses of unmanned aircraft and any business uses of unmanned aircraft that has not gained Federal Aviation Administration approval for flying civil unmanned aircraft systems.

**B. Paragraph (b) of Section 14.04.072 “Animals” is amended to read as follows:**

(b) It shall be unlawful for any person to bring any animal into any public park or recreation facility that is not under the immediate control of a responsible individual by means of a cage, leash or rope at all times. This subsection shall not apply to guide dogs or other animals used to assist handicapped or disabled persons, or animals that are (i) part of an activity authorized by the director, (ii) in park areas or recreation facilities designated as leash free, or (iii) in an off leash dog park.

**C. Section 14.04.072 “Animals” is amended by adding a new paragraph (g) to read as follows:**

(g) Dog Park

(1) In general, all dog parks are open for public use each day from 5 a.m. to 11 p.m. unless otherwise posted. The dog park will close without prior notice when wet, icy, when hazardous conditions exist, or maintenance needs are necessary.

(2) No person nine (9) years of age or younger is allowed in the off leash area of a dog park.

(3) People who are older than nine (9) years but not older than fifteen (15) years of age must be under adult supervision at all times while with the off-leash area of a dog park.

(4) It shall be unlawful for any person to bring a dog into the dog park area which does not have current rabies vaccination, is aggressive, or has a contagious condition, disease, parasites, or open wound.

(5) Female dogs in season are not allowed in the off-leash dog park area.

(6) No animals other than dogs are allowed in the dog park.

- (7) No dogs younger than four (4) months of age are allowed in the dog park.
- (8) A maximum of two (2) dogs per owner are permitted in the dog park at any one time.
- (9) Dogs must be leashed when entering or leaving the dog park and off-leash while inside the dog park.
- (10) No person shall run with or chase dogs within the dog park.
- (11) A dog owners must pick-up and dispose of the feces excreted by the dog owner's dog regardless of whether inside or outside the boundaries of the dog park.
- (12) No carriages, bicycles, skate boards, scooters, skates, roller blades, sport activities, children's toys, or any motorized vehicles are allowed in the dog park, unless necessary by reason of handicap or disability.
- (13) No food or treats for dogs or humans is allowed in the dog park.
- (14) Digging is not allowed in the dog park. A dog owner must repair any damage caused by his dog resulting from digging.
- (15) A person may not groom a dog within the boundaries of the dog park.
- (16) A dog owner must remain within the dog park with the dog owner's dog(s).
- (17) While within a dog park, a dog must at all times be within view and under voice control of the dog's owner.
- (18) No dog owner shall use a spiked, prong, choke, or pinch collar to hold and control a dog while in the dog park.
- (19) A person must wear shoes at all times while in the dog park.
- (20) No person may use the dog park for commercial purposes, including the conduct of dog training classes.
- (21) No person shall solicit business from and/or advertise to people while in the dog park.
- (22) No dog designated, declared, or found to be a "dangerous dog" or "dangerous animal" in accordance with Art. 4.04 Domestic Animals of this Code shall be allowed in the dog park.

(23) Park users and dog owners assume all risk related to the off leash area and park use.

**E. Paragraph (a) of Section 14.04.074 “Explosives, firearms, other weapons and fireworks” is amended to read as follows:**

(a) The possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons within a public park or recreation facility is prohibited unless:

- (1) In the possession of a federal, state or local law enforcement officer;
- (2) Written permission has been received from the director; or
- (3) The person is in possession of the firearm consistent Texas Government Code Chapter 411, Subchapter H, as it may be amended.

**F. Add a new Section 14.04.078 titled “Unmanned Aircraft” to read as follows:**

**Sec. 14.04.078 Unmanned aircraft**

- (a) No person may operate an unmanned aircraft in the area of a park where recreation facilities are located or where scheduled recreational activities are occurring.
- (b) No person may operate an unmanned aircraft in a public park without the prior written approval of the director.

**G. Add a new Section 14.04.079 titled “Splash Pad” to read as follows:**

**Sec. 14.04.079 - Splash Pad**

The use of the splash pad facility at Doubletree Ranch Park shall be subject to the following:

- (a) No animals other than service animals are permitted within the area of the splash pad.
- (b) No person ten (10) years of age or younger shall be on the splash pad unless accompanied and supervised by a person who is 18 years of age or older.
- (c) Changing of soiled diapers within six (6) feet of the edge of the splash pad water features is prohibited.
- (d) Use of the splash pad water features when ill with diarrhea, or contagious disease is prohibited.
- (e) No food, beverages, and glass containers are allowed in the splash pad area.

- (f) Children who are not toilet trained must wear swim diapers within the splash pad.
- (g) No rough-housing, aggressive behavior and or profanity is allowed.
- (h) No furniture or chairs allowed in the splash pad play area.
- (i) No skateboards, roller blades, skates, bicycles, scooters and similar recreational equipment are allowed in the splash pad area.
- (j) No inflatable pool toys, water balloons, beach balls, pool noodles, cups, buckets, water guns, permitted in splash pad area.
- (k) No soap, detergents, and shampoos allowed in splash pad area.

**H. Paragraph (c) of Section 14.04.134 “Refunds” is amended to read as follows:**

- (c) Refunds for fees for use of the Robert and Lee DuVall Center and indoor rental spaces at Doubletree Ranch Park located in the concession/restroom “Barn” facility shall be subject to the following:
  - (1) In order to receive a full refund of rental fee(s) and deposits(s) for rentals at the Robert and Lee DuVall Center and Doubletree Ranch Park facilities, written notification of cancellation must be received by the department no later than thirty (30) days prior to the event date. Notification of cancellation received by the department less than thirty (30) days prior to the date of the event will result in a forfeiture of the entire deposit.
  - (2) Notification of cancellation received by the department less than seventy-two (72) hours prior to the time the reservation was to commence will result in a forfeiture of the entire deposit and any rental fee paid to date.
  - (3) The online convenience fee is non-refundable regardless of when the request for refund is received.

**I. Paragraph (b)(1) of Section 14.04.192 “Application” is amended to read as follows:**

- (1) The name, home address and telephone number, office address and telephone number, and date of birth of the promoter, and of any other persons responsible for the conduct of the special event;...

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

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** The amendments to the Code of Ordinances set forth in this ordinance shall take effect immediately after its passage on Second Reading and publication of the caption in accordance with the provisions of the Charter of the City of Highland Village, and it is accordingly so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 9<sup>TH</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**APPROVED:**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:8/4/16:78146)

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 14**

**MEETING DATE: 08/23/16**

**SUBJECT: Consider Ordinance 2016-1203 Amending Chapter 24, Article 24.02, Division 7 of the Code of Ordinances Adopting the 2015 International Energy Conservation Code and Related Local Amendments**

**PREPARED BY: Billy Spencer, Building Official**

**BACKGROUND:**

Since the Fall of 2013, the City of Highland Village has been enforcing the 2009 International Building Codes (IBC). Effective September 1, 2016, the energy efficiency provisions of the International Residential Code are adopted as the energy code in this state for single-family residential construction as it is defined in the Health and Safety Code, 388.002(12).

With respect to all other residential, commercial, and industrial, construction, effective September 1, 2016, the International Energy Conservation Code - is adopted as the energy code for use throughout the state for all residential, commercial, and industrial construction that is not single-family residential construction. Many cities in Texas have already adopted the 2015 IBC and other associated Codes.

**IDENTIFIED NEED/S:**

The following codes will be presented at a later date for consideration of adoption:

International Building Code-2015 Edition with Regional Amendments.  
International Residential Code-2015 Edition with Regional Amendments  
International Fire Code-2015 Edition with Regional Amendments  
International Plumbing Code- 2015 Edition with Regional Amendments  
International Mechanical Code-2015 Edition with Regional Amendments  
International Fuel Gas Code-2015 Edition with Regional Amendments  
International Property Maintenance Code-2015 Edition with Regional Amendments  
International Existing Building Code- 2015 Edition with Regional Amendments  
National Electrical Code-2014 Edition with Regional Amendments

The North Central Texas Council of Governments recommends that all municipalities adopt all the codes with the regional amendments in order to reduce confusion and provide regional uniformity, which benefits builders, architects, contractors and consequently home buyers.

## **OPTIONS & RESULTS:**

The State of Texas requires all municipalities to adopt the 2015 International Energy Conservation Code. The remaining 2015 International Codes should be adopted in order to be compatible with the State mandated Codes. This will standardize the regulations for the design and construction of all buildings.

## **PROGRESS TO DATE: (if appropriate)**

Staff has reviewed the recommendation for the regional amendments and has added additional amendments in order to comply with existing Zoning Ordinances. The Zoning Board of Appeals was presented with the consideration of the adoption of the 2015 Building Codes on July 7, 2016. The board members had a few questions pertaining to the adoption of codes and their questions were answered during the meeting, and there were no objections to the adoption of the building codes.

## **BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

Budget amounts have been addressed during the 2016-17 budget year.

## **RECOMMENDATION:**

Council approved the first read of Ordinance 2016-1203 at their August 9<sup>th</sup> meeting. This item is on tonight's agenda to approve the second read of Ordinance 2016-1203 in order that local regulations are in compliance with state law.

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1203**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING IN ITS ENTIRETY DIVISION 7 "ENERGY CONSERVATION CODE" OF CHAPTER 24, "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE WITH LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Division 7 "Energy Conservation Code" of Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended to read in its entirety as follows:

#### **Sec. 24.02.301            Adoption of 2015 International Energy Conservation Code**

The 2015 Edition of the International Energy Conservation Code, as published by the International Code Council and as amended pursuant to Sec. 24.02.302, is hereby adopted. Copies of the Energy Conservation Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Energy Conservation Code. For purposes of this Division, the phrase "Energy Conservation Code" means collectively (i) the 2015 Edition of the International Energy Conservation Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 24.02.302.

#### **Sec. 24.02.302            Local Amendments Adopted**

For purposes of enforcement of the provisions of the Energy Conservation Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Energy Conservation Code* are hereby amended as follows:

##### **Section C102/R102 is amended by adding a new Section C102.1.2 and a new Section R102.1.2 to read as follows:**

**C102.1.2 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.

**R102.1.2 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. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4 and R403.3.3 respectively.

##### **Section C202 and R202 are amended by adding definitions for the phrases "Projection Factor" to read as follows:**

**PROJECTION FACTOR.** The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device.

##### **Section R202 is amended by adding a definition for the phrase "Dynamic Glazing" to read as follows:**

**DYNAMIC GLAZING.** Any fenestration product that has the fully reversible ability to change its performance properties, including *U*-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

**Table R402.1.2 is amend by changing the WOOD FRAME WALL R-VALUE for CLIMATE ZONE 3 to read “13”.**

**Table R402.1.4 is amend by changing the WOOD FRAME WALL U-FACTOR for CLIMATE ZONE 3 to read “0.082”.**

**Section R402.3.2 is amend by adding a paragraph and table following the “Exception” to read as follows:**

Where vertical fenestration is shaded by an overhang, eave, or permanently attached shading device, the SHGC required in Table R402.1.2 shall be reduced by using the multipliers in Table R402.3.2 SHGC Multipliers for Permanent Projections.

**Table R402.3.2 SHGC Multipliers for Permanent Projections <sup>a</sup>**

Projection Factor	SHGC Multiplier (all Other Orientation)	SHGC Multiplier (North Oriented)
0 - 0.10	1.00	1.00
>0.10 – 0.20	0.91	0.95
>0.20 – 0.30	0.82	0.91
>0.30 – 0.40	0.74	0.87
>0.40 – 0.50	0.67	0.84
>0.50 – 0.60	0.61	0.81
>0.60 – 0.70	0.56	0.78
>0.70 – 0.80	0.51	0.76
>0.80 – 0.90	0.47	0.75
>0.90 – 1.00	0.44	0.73

<sup>a</sup> North oriented means within 45 degrees of true north.

**Section R402.4.1.2 is amended be amending the first sentence to read as follows:**

**R402.4.1.2 Testing.** The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour in Climate Zone 3....

**Section C402.2/R402.2 is amended by adding a new Section C402.2.7 and R402.2.14 to read as follows:**

**Section C402.2.7/R402.2.14 Insulation installed in walls.** To insure that insulation remains in place, insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.

**Section R402.4.1.2 is amended by adding the following at the end of the section:**

Mandatory testing shall only be performed by individuals that are certified to perform air infiltration testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

**Section R403.3.3 is amended by adding the following at the end of the section:**

Mandatory testing shall only be performed by individuals that are certified to perform duct testing leakage testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

**Section 405.6.2 is amended by add the following sentence to the end of paragraph:**

Acceptable performance software simulation tools may include, but are not limited to, REM Rate<sup>TM</sup>, Energy Gauge and IC3. Other performance software programs accredited by RESNET BESTEST and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.

**TABLE R406.4 is amended to read as follows:**

**TABLE R406.4<sup>1</sup>  
MAXIMUM ENERGY RATING INDEX**

<b>CLIMATE ZONE</b>	<b>ENERGY RATING INDEX</b>
3	65

<sup>1</sup> This table is effective until August 31, 2019.

**TABLE R406.4<sup>2</sup>  
MAXIMUM ENERGY RATING INDEX**

<b>CLIMATE ZONE</b>	<b>ENERGY RATING INDEX</b>
3	63

<sup>2</sup> The table is effective from September 1, 2019 to August 31, 2022.

**TABLE R406.4<sup>3</sup>  
MAXIMUM ENERGY RATING INDEX**

<b>CLIMATE ZONE</b>	<b>ENERGY RATING INDEX</b>
3	59

<sup>3</sup> This table is effective on or after September 1, 2022.

**Sec. 24.02.303 Fees and Charges.**

Any and all fees and charges proscribed by the Energy Conservation Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

**Sec. 24.02.304 Conflicts with Comprehensive Zoning Ordinance; Other Pool Regulations**

a. To the extent of any irreconcilable conflicts between the Energy Conservation Code and the provisions of the City's Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

b. To the extent of any irreconcilable conflict between the provisions of the Energy Conservation Code and Article 24.03 of the Code of Ordinances relating to the regulation of swimming pools, the provisions of said Article 24.03 shall be controlling.

**Sec. 24.02.305 Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE,  
TEXAS, ON FIRST READING ON THIS THE 9<sup>TH</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE,  
TEXAS, ON SECOND READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**APPROVED:**

---

**Charlotte J. Wilcox, Mayor**

**ATTEST:**

---

**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:8/4/16:78132)

# **CITY OF HIGHLAND VILLAGE**

## **COUNCIL BRIEFING**

**AGENDA# 15**

**MEETING DATE: 08/23/16**

**SUBJECT: Consider Ordinance 2016-1204 Authorizing Certain Budget Amendments Pertaining to the Fiscal Year 2015-2016 Budget**

**PREPARED BY: Ken Heerman, Assistant City Manager**

### **BACKGROUND:**

Each department is responsible to not exceed the amounts budgeted in each of three categories – Personnel, Services/Supplies, and Capital. Category subtotals of departmental expenditures thus provide the level of budgetary control. Should a need arise for reallocation between categories or between departments, budget amendments are then presented for Council consideration. Council approved the first read of this ordinance at their August 9<sup>th</sup> meeting.

### **IDENTIFIED NEED/S:**

This is the first amendment presented to Council this fiscal year – this amendment mirrors the year-end projections detailed in the budget discussions. Some of the proposed adjustments reflect encumbrances from FY 2015 that were actually paid in FY 2016. This amendment is to ensure sufficient appropriation for the year-end projections. In total, projected expenditures of \$15,889,291 are \$67,765 more than the original budget of \$15,821,526. In addition, increased transfers-out of \$997,990 to other funds, partially offset by increased transfers-in of \$306,000, resulted in a net \$691,900 reduction of general fund balance. The projected FY 2016 year-end fund balance is \$4,026,746 – still exceeding the original budgeted projected amount of \$3,838,205. The presented amendments are primarily to ensure sufficient appropriation for each category – not every deviation from the budget amount is enumerated.

#### **General Fund**

- 1) Two primary factors comprise the majority of the requested increased budget appropriation – Sellmeyer Road improvements and construction of a Dog Park at Unity Park. Collectively, these projects account for \$997,990 in additional transfers from the General Fund to designated special revenue funds accounting for these projects. The primary project of smoothing the Sellmeyer Rd. “S” curve was anticipated the past few years, and was accordingly addressed with remaining bond proceeds. However, companion improvements at the adjacent sections at either end were identified – these improvements prompting an additional \$774,000 in expenditures. This amount is included in a transfer to the Capital Project Fund (expenditures for this project are recorded in this fund). Funding for the Dog Park is partially accommodated by remaining Park Development Fee funds, but an additional transfer from the General Fund of \$224,000 is needed to fully fund this project.
- 2) Personnel budget changes in various departments are suggested to address

factors incurred during the year that were not known when budgeted, such as mid-year adjustments, personnel changes, insurance coverage election, etc. In total, projected personnel expenditures are within the budgeted amounts. Personnel budget amendments are in total, decreased by \$45,000, primarily related to Information Resources (delays in hiring new positions added last year), and the Police Department (resulting from turnover).

3) Other items requiring additional appropriation include:

- Police Dept (Services / Supplies) – Increase \$70,000 related to professional services for continued evaluation and implementation of new radio system as well as the new Computer Aided Dispatch software system.
- Fire Department (Services / Supplies) – Increase \$15,000 primarily related to peripheral equipment related to procurement of a new ambulance and command vehicles. (Capital) – Increase \$290,000 related to purchase of three new explorers for command vehicles as well as accounting for purchase of the ambulance (budgeted amt for 1<sup>st</sup> year capital lease pmt, but will record full purchase price – offset by lease proceeds).
- Maintenance Department (Services / Supplies) – Decrease \$60,000 due to fuel cost considerably less than anticipated in Budget,
- Parks and Recreation (Services / Supplies) – Increase \$50,000 to align with actual accounting for Tennis program. This program is outsourced to an outside entity. The City collects revenues on their behalf, retaining an annual rental amount for the tennis center. Thus, in practice, revenues and expenditures are booked. However, only net revenues were budgeted – this amendment aligns the related appropriation.
- Finance (Services / Supplies) – Increase \$5,000 related to costs for HVBA luncheons related to speaker fees.
- Human Resources (Services / Supplies) – Increase \$5,000 for consideration of potential relocation reimbursement.
- Community Services (Services / Supplies) – Increase \$6,000 resulting from increased plan review services and updated reference materials.
- Information Services (Services / Supplies) – Increase \$10,000 related to general network infrastructure upgrades. (Capital) – Increase \$50,000 related to acquisition of network storage device. The storage capacity was increased to also include HVTN needs, with shared funding. An equivalent transfer will be received in the General Fund from the Peg Fee Fund accordingly.
- Streets (Capital) – Increase \$200,000 related to rehab of screening walls adjacent to FM 2499. Funding for this project was accommodated by the FY 2015 Tax Note in the Capital Projects Fund. However, related engineering was previously recorded to the Streets budget, thus necessitating recording of expenditures in this budget as well.

#### Other Funds

- 1) Utility UTRWD (Services / Supplies) – Increase \$200,000 related to increased sewer effluent charges (\$300,000) resulting from Spring flooding in the City. This was partially offset (\$-100,000) by reduced water volume charges.
- 2) HVEDC (Services / Supplies) Increase \$140,000 related to furnishings for Doubletree Ranch Park (anticipated last fiscal year). (Capital) - \$1,990,000 associated with Doubletree Ranch Park construction carried over from FY 15 related to 2014 \$6.7M bond issue.
- 3) PEG Fee Fund (Transfers) Increase \$55,000 to accommodate transfer to General Fund for purpose of acquiring network storage device.

- 4) Capital Projects Fund (Capital) Increase \$1,200,000 related to improvements to Sellmeyer Road (carried over from FY 2015) (Transfers) – Overall decrease of \$624,000: Increase Transfers-Out by \$150,000 (to Drainage Utility) related to Tax Note proceeds earmarked for drainage projects. This is offset by Transfers-In of \$774,000 transferred from the General Fund related to funding Sellmeyer Road improvements.
- 5) Public Safety Fund (Revenues) Increase \$64,000, (Services / Supplies) – Increase \$29,000, (Capital) Increase \$35,000. These expenditures are related to acquisition of electronic fingerprinting system and related maintenance agreement with anticipated grants to be received from Denton County.(Transfers) – Increase \$2,000 related to collected Denton County Child Safety Funds – transferred to the General Fund to offset Crossing Guard expenditures.

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

Budgetary changes to Fund Balance are detailed on the request worksheets following.

**RECOMMENDATION:**

Council to approve second and final read Ordinance No. 2016-1204 as presented.

# Budget Amendment Request Worksheet

## Line Item for Proposed Change:

<u>Department</u>	<u>Category</u>	<u>Current Budget (Annual)</u>	<u>Proposed Budget (Annual)</u>	<u>Increase / Decrease</u>
City Manager	Personnel	370,229	380,229	10,000
Finance	Personnel	964,415	1,004,415	40,000
Finance	Services/Supplies	518,149	523,149	5,000
Human Resources	Services/Supplies	93,808	98,808	5,000
City Secretary	Personnel	177,815	187,815	10,000
Information Services	Personnel	525,692	445,692	(80,000)
Information Services	Services / Supplies	294,702	304,702	10,000
Information Services	Capital	62,000	112,000	50,000
Police	Personnel	3,947,596	3,877,596	(70,000)
Police	Services / Supplies	350,307	420,307	70,000
Fire	Services / Supplies	472,220	487,220	15,000
Fire	Capital	118,500	408,500	290,000
Community Services	Personnel	383,620	413,620	30,000
Community Services	Services / Supplies	22,204	28,204	6,000
Streets	Capital	45,000	245,000	200,000
Maintenance	Services / Supplies	565,889	505,889	(60,000)
Recreation	Personnel	181,957	196,957	15,000
Recreation	Services / Supplies	209,838	259,838	50,000
Other Sources	Transfers In	(534,000)	(840,000)	(306,000)
Transfers	Transfers Out	16,000	1,014,000	998,000
<b>General Fund Balance</b>			<b>Net Change</b>	<b>\$ - 1,288,000</b>

### Reason for Request

**Personnel** (Various departments) – Actual charges vary from budget resulting from various issues: employee changes in selected insurance coverage, retirements (pmt of accrued balances), certifications, promotions, etc) in total budget for personnel adjusted by \$-45,000 related to delays in filling new positions (IT) and turnover in PD

**Finance Services / Supplies** – \$5,000 related to costs for HVBA luncheons related to speaker fees..

**Human Resources Services / Supplies** – \$5,000 for consideration of potential relocation reimbursement

**Information Services Services / Supplies** – \$10,000 related to general network infrastructure upgrades. (Capital) – Increase \$50,000 related to acquisition of network storage device.

**Police Services / Supplies** – \$70,000 related to professional services for continued evaluation and implementation of new radio system as well as the new Computer Aided Dispatch software system

**Fire Services / Supplies**- \$15,000 primarily related to peripheral equipment related to procurement of a new ambulance and command vehicles. (Capital) – Increase \$290,000 related to purchase of three new explorers for command vehicles as well as accounting for purchase of the ambulance (budgeted amt for 1<sup>st</sup> year capital lease pmt, but will record full purchase prices – offset by lease proceeds).

**Community Services Services / Supplies** - \$6,000 resulting from increased plan review services and updated reference materials

**Streets Capital** – \$200,000 related to rehab of screening walls adjacent to FM 2499.

**Maintenance Services / Supplies** – \$60,000 due to reduced fuel cost.

**Recreation Services / Supplies** – \$50,000 to align with actual accounting for Tennis program..

**Other Sources** – Capital Lease proceeds (251,000) and Transfer-In from Peg Fee Fund of \$55,000 to supplement funding of network storage device

**Transfers**- \$998,000 transfer to Capital Projects Fund (\$774,000) associated with Sellmeyer road improvements, and transfer of \$224,000 to Park Development Fee Fund for construction of Dog Park.

# Budget Amendment Request Worksheet

## Line Item for Proposed Change:

<u>Department</u>	<u>Category</u>	<u>Current Budget (Annual)</u>	<u>Proposed Budget (Annual)</u>	<u>Increase / Decrease</u>
UTRWD	Services / Supplies	4,270,525	4,470,525	200,000
HVCDC	Services / Supplies	168,039	308,039	140,000
HVCDC	Capital	20,000	2,010,000	1,990,000
Corps Leased Parks	Services / Supplies	119,374	121,074	1,700
Corps Leased Parks	Capital	34,000	62,000	28,000
PEG Fee Fund	Transfers	0	55,000	55,000
Park Develop Fee	Transfers	0	(225,000)	(225,000)
Park Develop Fee	Capital	0	300,000	300,000
Public Safety Fund	Revenues	(25,600)	(89,600)	(64,000)
Public Safety Fund	Services / Supplies	3,600	32,600	29,000
Public Safety Fund	Transfers	22,000	24,000	2,000
Public Safety Fund	Capital	0	35,000	35,000
Drainage Utility	Capital	0	280,000	280,000
Drainage Utility	Revenues	(480,075)	(585,075)	(105,000)
Drainage Utility	Transfers	0	(150,000)	(150,000)
Capital Projects Fund	Capital	1,500,724	2,700,724	1,200,000
Capital Projects Fund	Transfer	0	(624,000)	(624,000)

### Reason for Request

**UTRWD** – \$200,000 Increase related to increased sewer effluent due to flooding (\$300,000), partially offset by decreased water purchases (\$-100,000) due to elevated rainfall.

**HVCDC** – \$140,000 increase related to furnishings / concession equipment purchased for Doubletree Ranch Park, \$1,990,000 related to construction of Doubletree Ranch Park (both carried over from last yr)

**Corps Leased Parks** – \$28,000 and \$1,700 related to purchase of automatic gate system and accompanying dues.

**PEG Fee Fund** - \$55,000 transfer to General Fund to supplement purchase of Network Storage Device

**Park Development Fee Fund** - \$300,000 related to construction of Dog Park, and 225,000 transfers from GF for funding supplementing fees on hand.

**Public Safety Fund** – \$64,000 anticipated forfeiture funds from Denton County to purchase electronic fingerprinting system (and associated maintenance). Also, additional \$2,000 transfer to GF for collected Child Safety fees – used to offset cost for Crossing Guards

**Drainage Utility** – \$280,000 increase for Canyon Creek drainage repairs. This is offset by anticipated FEMA reimbursement (\$105,000) and transfer from Capital Projects of \$150,000 (earmarked portion of 2015 Tax Note)

**Capital Projects Fund** - \$774,000 transfers from General Fund for remaining Sellmeyer Road improvements, partially offset by \$150,000 transfer to the Drainage Utility related to the Canyon Creek project.

UTILITY.FUND	<b>Net Change \$ - 200,000</b>
HVCDC	<b>Net Change \$- 2,130,000</b>
CORPS LEASED PARKS FUND	<b>Net Change \$ - 29,700</b>
PEG FEE FUND	<b>Net Change \$ - 55,000</b>
PARK DEVELOPMENT FEE FUND	<b>Net Change \$ - 75,000</b>
PUBLIC SAFETY FUND	<b>Net Change \$ - 2,000</b>
DRAINAGE UTILITY	<b>Net Change \$ -25,000</b>
CAPITAL PROJECTS FUND	<b>Net Change \$ - 576,000</b>

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1204**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ADOPTING AMENDMENTS TO THE FISCAL YEAR 2015-2016 BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Highland Village, Texas has lawfully adopted a budget for fiscal year 2015-2016 ("2015-16 Budget"), by prior action of the City Council; and

**WHEREAS**, the City Manager has prepared, as required by Article VI, Section 6.08 of the City Charter, an amendment to certain appropriations and expenditures in the 2015-16 Budget, and has submitted same to the City Council for its review and approval, a copy of which is attached to this Ordinance; and

**WHEREAS**, the City Council of the City of Highland Village has determined that this budget amendment is necessary and appropriate to preserve and protect the health, safety and welfare of the citizens of the City of Highland Village as well as other persons in the City.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**SECTION 1.** The fiscal year 2015-16 Budget amendments, attached hereto as Exhibit "A" and incorporated herein by reference, are hereby authorized, approved and adopted.

**SECTION 2.** If any section, subsection, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared severable.

**SECTION 3.** This Ordinance shall take effect immediately from and after its passage on second reading.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE FIRST READING, THIS THE 9th DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS ON THE SECOND READING, THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**APPROVED:**

---

**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**  
(kbl:7/23/15:72635)

**Ordinance No. 2016-1204  
Exhibit "A"**

## Budget Amendment Request Worksheet

### Line Item for Proposed Change

<u>Department</u>	<u>Category</u>	<u>Current Budget (Annual)</u>	<u>Proposed Budget (Annual)</u>	<u>Increase / Decrease</u>
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Transfers	Transfers Out	16,000	1,014,000	998,000
<b>General Fund Balance</b>			<b>Net Change</b>	<b>\$ - 1,288,000</b>

**Reason for Request**

**Personnel** (Various departments) – Actual charges vary from budget resulting from various issues: employee changes in selected insurance coverage, retirements (pmt of accrued balances), certifications, promotions, etc) in total budget for personnel adjusted by \$-45,000 related to delays in filling new positions (IT) and turnover in PD

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**Recreation Services / Supplies** – \$50,000 to align with actual accounting for Tennis program..

**Other Sources** – Capital Lease proceeds (251,000) and Transfer-In from Peg Fee Fund of \$55,000 to supplement funding of network storage device

**Transfers**- \$998,000 transfer to Capital Projects Fund (\$774,000) associated with Sellmeyer road improvements, and transfer of \$224,000 to Park Development Fee Fund for construction of Dog Park.

## Budget Amendment Request Worksheet

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Corps Leased Parks	Capital	34,000	62,000	28,000
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Park Develop Fee	Transfers	0	(225,000)	(225,000)
Park Develop Fee	Capital	0	300,000	300,000
Public Safety Fund	Revenues	(25,600)	(89,600)	(64,000)
Public Safety Fund	Services / Supplies	3,600	32,600	29,000
Public Safety Fund	Transfers	22,000	24,000	2,000
Public Safety Fund	Capital	0	35,000	35,000
Drainage Utility	Capital	0	280,000	280,000
Drainage Utility	Revenues	(480,075)	(585,075)	(105,000)
Drainage Utility	Transfers	0	(150,000)	(150,000)

Capital Projects Fund	Capital	1,500,724	2,700,724	1,200,000
Capital Projects Fund	Transfer	0	(624,000)	(624,000)

**Reason for Request**

**UTRWD** – \$200,000 Increase related to increased sewer effluent due to flooding (\$300,000), partially offset by decreased water purchases (\$-100,000) due to elevated rainfall.

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**Park Development Fee Fund** - \$300,000 related to construction of Dog Park, and 225,000 transfers from GF for funding supplementing fees on hand.

**Public Safety Fund** – \$64,000 anticipated forfeiture funds from Denton County to purchase electronic fingerprinting system (and associated maintenance). Also, additional \$2,000 transfer to GF for collected Child Safety fees – used to offset cost for Crossing Guards

**Drainage Utility** – \$280,000 increase for Canyon Creek drainage repairs. This is offset by anticipated FEMA reimbursement (\$105,000) and transfer from Capital Projects of \$150,000 (earmarked portion of 2015 Tax Note)

**Capital Projects Fund** - \$774,000 transfers from General Fund for remaining Sellmeyer Road improvements, partially offset by \$150,000 transfer to the Drainage Utility related to the Canyon Creek project.

UTILITY.FUND	<b>Net Change \$ - 200,000</b>
HVCDC	<b>Net Change \$- 2,130,000</b>
CORPS LEASED PARKS FUND	<b>Net Change \$ - 29,700</b>
PEG FEE FUND	<b>Net Change \$ - 55,000</b>
PARK DEVELOPMENT FEE FUND	<b>Net Change \$ - 75,000</b>
PUBLIC SAFETY FUND	<b>Net Change \$ - 2,000</b>
DRAINAGE UTILITY	<b>Net Change \$ -25,000</b>
CAPITAL PROJECTS FUND	<b>Net Change \$ - 576,000</b>

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 16**

**MEETING DATE: 08/23/16**

**SUBJECT: Receive Budget Reports for Period Ending June 30, 2016**

**PREPARED BY: Ken Heerman, Assistant City Manager**

**BACKGROUND:**

In accordance with the City Charter, Section 6.12, paragraph D, a budget report is submitted monthly for Council Review.

The budget report submitted for June represents the ninth report in the Fiscal Year.

**IDENTIFIED NEED/S:**

N/A

**OPTIONS & RESULTS:**

N/A

**PROGRESS TO DATE: (if appropriate)**

N/A

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

N/A

**RECOMMENDATION:**

Council to receive the budget reports for the period ending June 30, 2016.

# General Fund Summary

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget (Includes Budget Amendments)	Year to Date	Variance	% Received
Property Tax	\$ 9,217,070	\$ 9,217,070	\$ 9,159,825	\$ (57,245)	99%
Sales Tax	2,696,757	2,696,757	1,482,738	(1,214,019)	55%
Franchise Fees	1,758,950	1,758,950	773,676	(985,274)	44%
Licensing & Permits	368,864	368,864	359,914	(8,950)	98%
Park/Recreation Fees	157,917	157,917	177,519	19,602	112%
Public Safety Fees	40,000	40,000	30,908	(9,092)	77%
Rents	119,963	119,963	107,456	(12,507)	90%
Municipal Court	117,300	117,300	79,565	(37,735)	68%
Public Safety Charges for Svc	465,881	465,881	297,875	(168,006)	64%
Interest Income	32,000	32,000	26,567	(5,433)	83%
Miscellaneous	134,150	134,150	192,405	58,255	143%
<b>Total Revenues</b>	<b>\$ 15,108,852</b>	<b>\$ 15,108,852</b>	<b>\$ 12,688,449</b>	<b>\$ (2,420,403)</b>	<b>84%</b>

Other Sources					
Transfers In	\$ 534,000	\$ 534,000	\$ -	\$ (534,000)	0%
Lease / Purchase Proceeds	-	-	-	-	-

<b>Total Available Resources</b>	<b>\$ 15,642,852</b>	<b>\$ 15,642,852</b>	<b>\$ 12,688,449</b>	<b>\$ (2,954,403)</b>	
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Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
City Manager Office	\$ 563,557	\$ 563,557	\$ 397,261	\$ 166,296	70%
Finance (includes Mun. Court)	1,482,564	1,482,564	1,132,650	349,914	76%
Human Resources	477,384	477,384	306,236	171,148	64%
City Secretary Office	299,525	299,525	208,842	90,683	70%
Information Services	882,394	882,394	546,995	335,399	62%
Police	4,347,903	4,347,903	3,037,033	1,310,871	70%
Fire	2,745,224	2,745,224	2,021,995	723,229	74%
Community Services	405,824	405,824	313,360	92,464	77%
Streets/Drainage	1,781,262	1,781,262	794,241	987,021	45%
Maintenance	896,814	896,814	532,615	364,199	59%
Parks	1,547,279	1,547,279	1,054,951	492,328	68%
Recreation	391,795	391,795	299,286	92,510	76%
<b>Total Expenditures</b>	<b>\$ 15,821,526</b>	<b>\$ 15,821,526</b>	<b>\$ 10,645,465</b>	<b>\$ 5,176,062</b>	<b>67%</b>

Capital Summary	(Included in totals above - summary information only)				
Equipment Replacement	\$ 294,500	\$ 294,500	\$ 368,269	\$ (73,769)	125%

Other Uses					
Transfers Out	\$ 16,000	\$ 16,000	\$ -	\$ 16,000	0%

<b>Total Expenditures</b>	<b>\$ 15,837,526</b>	<b>\$ 15,837,526</b>	<b>\$ 10,645,465</b>	<b>\$ 5,192,062</b>	
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Fund Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	4,032,879	5,073,331	5,073,331
+ Net Increase (Decrease)	(194,674)	(194,674)	2,042,985
Ending Fund Balance	\$ 3,838,205	\$ 4,878,657	\$ 7,116,316

Audited FY15

Fund Balance Detail	Original Budget	Revised Budget	Year to Date
Reserve Fund Balance (15% of Total Expenditures)	\$ 2,373,229	\$ 2,373,229	\$ 1,596,820
Restricted	11,500	11,500	11,500
Unassigned	1,453,476	2,493,928	5,507,996
<b>Total Fund Balance</b>	<b>\$ 3,838,205</b>	<b>\$ 4,878,657</b>	<b>\$ 7,116,316</b>

# General Fund Expenditure Summary

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 10,989,906	\$ 10,989,906	\$ 7,687,167	\$ 3,302,739	70%
Services / Supplies	4,475,120	4,475,120	2,590,029	1,885,091	58%
Capital	356,500	356,500	368,269	(11,769)	103%
	\$ 15,821,526	\$ 15,821,526	\$ 10,645,465	\$ 5,176,062	67%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 8,188,404	\$ 8,188,404	\$ 5,720,698	\$ 2,467,707	70%
<i>Employee Benefits</i>	2,801,502	2,801,502	1,966,469	835,032	70%
<i>Total Personnel</i>	\$ 10,989,906	\$ 10,989,906	\$ 7,687,167	\$ 3,302,739	70%

<b>Services / Supplies</b>					
<i>Professional Services</i>	\$ 1,207,923	\$ 1,207,923	\$ 830,075	\$ 377,848	69%
<i>Employee Development</i>	301,311	301,311	186,236	115,075	62%
<i>Office Supplies / Equipment</i>	1,102,621	1,102,621	677,524	425,097	61%
<i>Utilities</i>	321,472	321,472	214,679	106,793	67%
<i>Other</i>	1,541,794	1,541,794	681,515	860,279	44%
<i>Total Services / Supplies</i>	\$ 4,475,120	\$ 4,475,120	\$ 2,590,029	\$ 1,885,091	58%

<b>Capital</b>					
<i>Equipment / Vehicles</i>	\$ 356,500	\$ 356,500	\$ 368,269	\$ (11,769)	103%
<i>Total Capital</i>	\$ 356,500	\$ 356,500	\$ 368,269	\$ (11,769)	103%

<i>Total General Fund Expenditure Summary</i>	\$ 15,821,526	\$ 15,821,526	\$ 10,645,465	\$ 5,176,062	67%
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# General Fund Revenue

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Property Tax	\$ 9,217,070	\$ 9,217,070	\$ 9,159,825	\$ (57,245)	99%
Sales Tax	2,696,757	2,696,757	1,482,738	(1,214,019)	55%
Franchise Fees	1,758,950	1,758,950	773,676	(985,274)	44%
Licensing & Permits	368,864	368,864	359,914	(8,950)	98%
Park/Recreation Fees	157,917	157,917	177,519	19,602	112%
Public Safety Fees	40,000	40,000	30,908	(9,092)	77%
Rents	119,963	119,963	107,456	(12,507)	90%
Municipal Court	117,300	117,300	79,565	(37,735)	68%
Public Safety Charges for Svc	465,881	465,881	297,875	(168,006)	64%
Interest Income	32,000	32,000	26,567	(5,433)	83%
Miscellaneous	134,150	134,150	192,405	58,255	143%
<b>Total Revenues</b>	<b>\$ 15,108,852</b>	<b>\$ 15,108,852</b>	<b>\$ 12,688,449</b>	<b>\$ (2,420,403)</b>	<b>84%</b>

# City Manager Office

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 370,229	\$ 370,229	\$ 303,354	\$ 66,875	82%
Services / Supplies	193,328	193,328	93,908	99,420	49%
Capital	-	-	-	-	0%
	\$ 563,557	\$ 563,557	\$ 397,261	\$ 166,296	70%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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#### Personnel

<b>Salaries / Wages</b>	\$ 290,437	\$ 290,437	\$ 252,383	\$ 38,053	87%
<b>Employee Benefits</b>	79,792	79,792	50,970	28,822	64%
<b>Total Personnel</b>	\$ 370,229	\$ 370,229	\$ 303,354	\$ 66,874	82%

#### Services / Supplies

<b>Professional Services</b> (City-wide legal - \$115,000)	\$ 135,396	\$ 135,396	\$ 83,874	\$ 51,522	62%
<b>Employee Development</b>	12,570	12,570	5,472	7,098	44%
<b>Supplies / Equipment</b>	5,110	5,110	1,517	3,593	30%
<b>Utilities</b>	-	-	-	-	0%
<b>Other (Contingency)</b>	40,252	40,252	3,045	37,207	8%
<b>Total Services / Supplies</b>	\$ 193,328	\$ 193,328	\$ 93,908	\$ 99,420	49%

#### Capital

<b>Equipment / Vehicles</b>	-	-	-	-	0%
<b>Total Capital</b>	\$ -	\$ -	\$ -	\$ -	0%

<b>Total City Manager</b>	\$ 563,557	\$ 563,557	\$ 397,261	\$ 166,295	70%
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# Finance Department FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

## - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 964,415	\$ 964,415	\$ 722,352	\$ 242,063	75%
Services / Supplies	518,149	518,149	410,298	107,851	79%
Capital	-	-	-	-	0%
	\$ 1,482,564	\$ 1,482,564	\$ 1,132,650	\$ 349,914	76%

## - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 730,033	\$ 730,033	\$ 544,213	\$ 185,820	75%
<i>Employee Benefits</i>	234,382	234,382	178,139	56,243	76%
<b>Total Personnel</b>	\$ 964,415	\$ 964,415	\$ 722,352	\$ 242,063	75%

<b>Services / Supplies</b>					
<i>Professional Services</i> (City-wide liability insurance - \$109,384 / DCAD - \$72,640)	\$ 469,594	\$ 469,594	\$ 365,584	\$ 104,010	78%
<i>Employee Development</i>	19,276	19,276	17,728	1,548	92%
<i>Supplies / Equipment</i>	11,394	11,394	4,357	7,037	38%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Special Events)</i>	17,885	17,885	22,628	(4,743)	127%
<b>Total Services / Supplies</b>	\$ 518,149	\$ 518,149	\$ 410,298	\$ 107,851	79%

<b>Capital</b>					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
<b>Total Capital</b>	\$ -	\$ -	\$ -	\$ -	0%
<b>Total Finance Department</b>	\$ 1,482,564	\$ 1,482,564	\$ 1,132,650	\$ 349,914	76%

# Human Resources

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 383,576	\$ 383,576	\$ 260,993	\$ 122,583	68%
Services / Supplies	93,808	93,808	45,243	48,565	48%
Capital	-	-	-	-	0%
	\$ 477,384	\$ 477,384	\$ 306,236	\$ 171,148	64%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 294,616	\$ 294,616	\$ 196,801	\$ 97,815	67%
<i>Employee Benefits</i>	88,960	88,960	64,192	24,768	72%
<b>Total Personnel</b>	\$ 383,576	\$ 383,576	\$ 260,993	\$ 122,582	68%
<b>Services / Supplies</b>					
<i>Professional Services</i>	\$ 21,533	\$ 21,533	\$ 9,955	\$ 11,578	46%
<i>Employee Development</i>	60,900	60,900	31,231	29,669	51%
<i>Supplies / Equipment</i>	2,575	2,575	1,608	967	62%
<i>Utilities</i>	-	-	250	(250)	
<i>Other</i>	8,800	8,800	2,198	6,602	25%
<b>Total Services / Supplies</b>	\$ 93,808	\$ 93,808	\$ 45,243	\$ 48,565	48%
<b>Capital</b>					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
<b>Total Capital</b>	\$ -	\$ -	\$ -	\$ -	0%
<b>Total Human Resources</b>	\$ 477,384	\$ 477,384	\$ 306,236	\$ 171,147	64%

# City Secretary Office

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 177,815	\$ 177,815	\$ 134,681	\$ 43,134	76%
Services / Supplies	121,710	121,710	74,161	47,549	61%
Capital	-	-	-	-	0%
	\$ 299,525	\$ 299,525	\$ 208,842	\$ 90,683	70%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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#### Personnel

<b>Salaries / Wages</b>	\$ 142,303	\$ 142,303	\$ 107,696	\$ 34,606	76%
<b>Employee Benefits</b>	35,512	35,512	26,984	8,528	76%
<b>Total Personnel</b>	\$ 177,815	\$ 177,815	\$ 134,681	\$ 43,133	76%

#### Services / Supplies

<b>Professional Services</b>	\$ 19,900	\$ 19,900	\$ 13,065	\$ 6,835	66%
<b>Employee Development</b> (Council meeting meals, outside meetings, etc.)	47,105	47,105	18,302	28,803	39%
<b>Supplies / Equipment</b>	16,005	16,005	10,345	5,660	65%
<b>Utilities</b>	-	-	-	-	0%
<b>Other</b>	38,700	38,700	32,450	6,250	84%
<b>Total Services / Supplies</b>	\$ 121,710	\$ 121,710	\$ 74,161	\$ 47,549	61%

#### Capital

<b>Equipment / Vehicles</b>	-	-	-	-	0%
<b>Total Capital</b>	\$ -	\$ -	\$ -	\$ -	0%

<b>Total City Secretary Office</b>	\$ 299,525	\$ 299,525	\$ 208,842	\$ 90,682	70%
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# Information Services

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 525,692	\$ 525,692	\$ 270,587	\$ 255,105	51%
Services / Supplies	294,702	294,702	276,408	18,294	94%
Capital	62,000	62,000	-	62,000	0%
	\$ 882,394	\$ 882,394	\$ 546,995	\$ 335,399	62%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 398,197	\$ 398,197	\$ 208,233	\$ 189,964	52%
<i>Employee Benefits</i>	127,495	127,495	62,355	65,140	49%
<b>Total Personnel</b>	\$ 525,692	\$ 525,692	\$ 270,587	\$ 255,104	51%
<b>Services / Supplies</b>					
<i>Professional Services</i>	\$ 152,204	\$ 152,204	\$ 79,210	\$ 72,994	52%
<i>Employee Development</i>	28,895	28,895	16,643	12,252	58%
<i>Supplies / Equipment</i>	2,531	2,531	1,733	798	68%
<i>Utilities</i>	15,812	15,812	11,141	4,671	70%
<i>Other (Data Processing)</i>	95,260	95,260	167,681	(72,421)	176%
<b>Total Services / Supplies</b>	\$ 294,702	\$ 294,702	\$ 276,408	\$ 18,294	94%
<b>Capital</b>					
<i>Equipment / Vehicles</i>	62,000	62,000	-	-	0%
<b>Total Capital</b>	\$ 62,000	\$ 62,000	\$ -	\$ 62,000	0%
<b>Total City Secretary Office</b>	\$ 882,394	\$ 882,394	\$ 546,995	\$ 335,398	62%

Includes purchase of a network storage device (\$109,674) that is shared with Peg Fee Fund and budgeted as capital (lease / purchase). Appropriation will be reallocated with mid-year budget amendment

# Police Department FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

## - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 3,947,596	<b>\$ 3,947,596</b>	<b>\$ 2,728,514</b>	\$ 1,219,082	69%
Services / Supplies	350,307	<b>350,307</b>	<b>273,819</b>	76,488	78%
Capital	50,000	<b>50,000</b>	<b>34,700</b>	15,300	69%
	<b>\$ 4,347,903</b>	<b>\$ 4,347,903</b>	<b>\$ 3,037,033</b>	\$ 1,310,871	70%

## - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 2,992,199	<b>\$ 2,992,199</b>	<b>\$ 2,045,687</b>	\$ 946,512	68%
<i>Employee Benefits</i>	955,397	<b>955,397</b>	<b>682,827</b>	272,570	71%
<b>Total Personnel</b>	<b>\$ 3,947,596</b>	<b>\$ 3,947,596</b>	<b>\$ 2,728,514</b>	\$ 1,219,082	69%
<b>Services / Supplies</b>					
<i>Professional Services</i>	\$ 74,283	<b>\$ 74,283</b>	<b>\$ 99,762</b>	\$ (25,479)	134%
<i>Employee Development</i>	40,955	<b>40,955</b>	<b>24,900</b>	16,055	61%
<i>Supplies / Equipment</i>	166,349	<b>166,349</b>	<b>108,587</b>	57,762	65%
<i>Utilities</i>	-	<b>-</b>	<b>-</b>	-	0%
<i>Other (Animal Care - \$49,420)</i>	68,720	<b>68,720</b>	<b>40,569</b>	\$ 28,151	59%
<b>Total Services / Supplies</b>	<b>\$ 350,307</b>	<b>\$ 350,307</b>	<b>\$ 273,819</b>	\$ 76,488	78%
<b>Capital</b>					
<i>Equipment / Vehicles</i>	50,000	<b>50,000</b>	<b>34,700</b>	15,300	69%
<b>Total Capital</b>	<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ 34,700</b>	\$ 15,300	69%
<b>Total Police Department</b>	<b>\$ 4,347,903</b>	<b>\$ 4,347,903</b>	<b>\$ 3,037,033</b>	\$ 1,310,871	70%

# Fire Department FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

## --- Summary ---

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 2,154,504	\$ 2,154,504	\$ 1,488,079	\$ 666,425	69%
Services / Supplies	472,220	472,220	396,648	75,572	84%
Capital	118,500	118,500	137,268	(18,768)	116%
	\$ 2,745,224	\$ 2,745,224	\$ 2,021,995	\$ 723,229	74%

## --- Detail ---

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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### Personnel

<b>Salaries / Wages</b>	\$ 1,566,423	\$ 1,566,423	\$ 1,097,798	\$ 468,625	70%
<b>Employee Benefits</b>	588,081	588,081	390,281	197,800	66%
<b>Total Personnel</b>	\$ 2,154,504	\$ 2,154,504	\$ 1,488,079	\$ 666,424	69%

### Services / Supplies

<b>Professional Services</b>	\$ 45,550	\$ 45,550	\$ 43,906	\$ 1,644	96%
<b>Employee Development</b> (Training - \$42,000)	55,156	55,156	43,229	11,927	78%
<b>Supplies / Equipment</b>	227,504	227,504	168,747	58,758	74%
<b>Utilities</b>	3,660	3,660	1,414	2,246	39%
<b>Other</b>	140,350	140,350	139,352	998	99%
<b>Total Services / Supplies</b>	\$ 472,220	\$ 472,220	\$ 396,648	\$ 75,572	84%

### Capital

<b>Equipment / Vehicles</b>	118,500	118,500	137,268	(18,768)	116%
<b>Total Capital</b>	\$ 118,500	\$ 118,500	\$ 137,268	\$ (18,768)	116%

<b>Total Fire Department</b>	\$ 2,745,224	\$ 2,745,224	\$ 2,021,995	\$ 723,228	74%
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Initial pmt for new Fire Engine -  
corresponding budget reflected in  
Capital

# Community Services

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 383,620	\$ 383,620	\$ 295,669	\$ 87,951	77%
Services / Supplies	22,204	22,204	17,691	4,513	80%
Capital	-	-	-	-	0%
	\$ 405,824	\$ 405,824	\$ 313,360	\$ 92,464	77%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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#### Personnel

<i>Salaries / Wages</i>	\$ 291,447	\$ 291,447	\$ 219,246	\$ 72,201	75%
<i>Employee Benefits</i>	92,173	92,173	76,423	15,750	83%
<b>Total Personnel</b>	\$ 383,620	\$ 383,620	\$ 295,669	\$ 87,950	77%

#### Services / Supplies

<i>Professional Services</i>	\$ 9,200	\$ 9,200	\$ 4,980	4,220	54%
<i>Employee Development</i>	5,205	5,205	1,832	3,373	35%
<i>Supplies / Equipment</i>	7,799	7,799	10,878	(3,079)	139%
<i>Utilities</i>	-	-	-	-	0%
<i>Other</i>	-	-	-	-	0%
<b>Total Services / Supplies</b>	\$ 22,204	\$ 22,204	\$ 17,691	\$ 4,513	80%

#### Capital

<i>Equipment / Vehicles</i>	-	-	-	-	0%
<b>Total Capital</b>	\$ -	\$ -	\$ -	\$ -	0%

<b>Total Building Operations</b>	\$ 405,824	\$ 405,824	\$ 313,360	\$ 92,463	77%
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# Streets Division

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 626,022	\$ 626,022	\$ 447,516	\$ 178,506	71%
Services / Supplies	1,110,240	1,110,240	204,905	905,335	18%
Capital	45,000	45,000	141,820	(96,820)	315%
	\$ 1,781,262	\$ 1,781,262	\$ 794,241	\$ 987,021	45%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 446,578	\$ 446,578	\$ 315,813	\$ 130,766	71%
<i>Employee Benefits</i>	179,444	179,444	131,703	47,741	73%
<b>Total Personnel</b>	\$ 626,022	\$ 626,022	\$ 447,516	\$ 178,506	71%
<b>Services / Supplies</b>					
<i>Professional Services</i>	\$ 47,576	\$ 47,576	\$ 3,716	\$ 43,861	8%
<i>Employee Development</i>	2,464	2,464	3,401	(937)	138%
<i>Supplies / Equipment</i>	38,950	38,950	27,628	11,322	71%
<i>Utilities</i>	90,000	90,000	63,388	26,612	70%
<i>Other (Street Maintenance)</i>	931,250	931,250	106,773	824,477	11%
<b>Total Services / Supplies</b>	\$ 1,110,240	\$ 1,110,240	\$ 204,905	\$ 905,335	18%
<b>Capital</b>					
<i>Equipment / Vehicles</i>	45,000	45,000	141,820	(96,820)	315%
<b>Total Capital</b>	\$ 45,000	\$ 45,000	\$ 141,820	\$ (96,820)	315%
<b>Total Streets</b>	\$ 1,781,262	\$ 1,781,262	\$ 794,241	\$ 987,021	45%

# Maintenance Division

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 299,925	\$ 299,925	\$ 215,057	\$ 84,868	72%
Services / Supplies	565,889	565,889	294,558	271,331	52%
Capital	31,000	31,000	23,000	8,000	74%
	\$ 896,814	\$ 896,814	\$ 532,615	\$ 364,199	59%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 209,169	\$ 209,169	\$ 150,361	\$ 58,808	72%
<i>Employee Benefits</i>	90,755	90,755	64,696	26,060	71%
<b>Total Personnel</b>	\$ 299,925	\$ 299,925	\$ 215,057	\$ 84,868	72%

<b>Services / Supplies</b>					
<i>Professional Services</i>	\$ 64,480	\$ 64,480	\$ 42,899	\$ 21,581	67%
<i>Employee Development</i>	5,475	5,475	4,231	1,244	77%
<i>Supplies / Equipment (Fuel &amp; Oils - \$242,696 / Repair Parts - \$60,000)</i>	410,834	410,834	200,651	210,183	49%
<i>Utilities</i>	85,000	85,000	46,777	38,223	55%
<i>Other</i>	100	100	-	100	0%
<b>Total Services / Supplies</b>	\$ 565,889	\$ 565,889	\$ 294,558	\$ 271,331	52%

<b>Capital</b>					
<i>Equipment / Vehicles</i>	31,000	31,000	23,000	8,000	74%
<b>Total Capital</b>	\$ 31,000	\$ 31,000	\$ 23,000	\$ 8,000	74%

<b>Total Maintenance</b>	\$ 896,814	\$ 896,814	\$ 532,615	\$ 364,199	59%
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# Parks Division

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

### - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 974,555	\$ 974,555	\$ 695,388	\$ 279,167	71%
Services / Supplies	522,724	522,724	328,081	194,643	63%
Capital	50,000	50,000	31,481	18,519	63%
	\$ 1,547,279	\$ 1,547,279	\$ 1,054,951	\$ 492,328	68%

### - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 691,820	\$ 691,820	\$ 491,530	\$ 200,290	71%
<i>Employee Benefits</i>	282,735	282,735	203,858	78,877	72%
<i>Total Personnel</i>	\$ 974,555	\$ 974,555	\$ 695,388	\$ 279,167	71%
<b>Services / Supplies</b>					
<i>Professional Services</i>	\$ 168,206	\$ 168,206	\$ 83,125	\$ 85,081	49%
<i>Employee Development</i>	14,755	14,755	11,985	2,770	81%
<i>Supplies / Equipment</i>	212,063	212,063	140,220	71,843	66%
<i>Utilities</i>	127,000	127,000	91,710	35,290	72%
<i>Other</i>	700	700	1,042	(342)	149%
<i>Total Services / Supplies</i>	\$ 522,724	\$ 522,724	\$ 328,081	\$ 194,643	63%
<b>Capital</b>					
<i>Equipment / Vehicles</i>	50,000	50,000	31,481	18,519	63%
<i>Total Capital</i>	50,000	50,000	31,481	18,519	63%
<b>Accounts with Budgets</b>					
<i>Highland Village Days</i>	-	-	-	-	0%
<i>Total Capital</i>	\$ -	\$ -	\$ -	\$ -	0%
<b>Total Parks</b>	\$ 1,547,279	\$ 1,547,279	\$ 1,054,951	\$ 492,328	68%

# Recreation Division FY 2015/2016 Budget

**YEAR TO DATE JUNE**

*Percent of Budget Year Transpired*

**75.0%**

## - - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 181,957	\$ 181,957	\$ 124,977	\$ 56,980	69%
Services / Supplies	209,838	209,838	174,309	35,529	83%
Capital	-	-	-	-	0%
	\$ 391,795	\$ 391,795	\$ 299,286	\$ 92,510	76%

## - - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>Personnel</b>					
<i>Salaries / Wages</i>	\$ 135,183	\$ 135,183	\$ 90,936	\$ 44,247	67%
<i>Employee Benefits</i>	46,775	46,775	34,041	12,734	73%
<i>Total Personnel</i>	\$ 181,957	\$ 181,957	\$ 124,977	\$ 56,980	69%
<b>Services / Supplies</b>					
<i>Professional Services</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Employee Development</i>	8,555	8,555	7,281	1,274	85%
<i>Supplies / Equipment</i>	1,506	1,506	1,251	255	83%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Recreation Programs )</i>	199,777	199,777	165,777	34,000	83%
<i>Total Services / Supplies</i>	\$ 209,838	\$ 209,838	\$ 174,309	\$ 35,529	83%
<b>Capital</b>					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
<i>Total Capital</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Total Recreation</i>	\$ 391,795	\$ 391,795	\$ 299,286	\$ 92,510	76%

# Equipment Replacement / Capital Schedule

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

<b>Expenditures</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Year to Date</b>	<b>Variance</b>	<b>% Used</b>
City Manager Office Capital Outlay	-	-	-	-	0%
Finance Capital Outlay	-	-	-	-	0%
Human Resources Capital Outlay	-	-	-	-	0%
City Secretary Capital Outlay	-	-	-	-	0%
Police Dept Capital Outlay	50,000	50,000	34,700	15,300	69%
Fire Dept Capital Outlay	118,500	118,500	137,268	(18,768)	116%
Community Services Capital Outlay	-	-	-	-	0%
Streets Dept Capital Outlay	45,000	45,000	141,820	(96,820)	315%
Maintenance Capital Outlay	31,000	31,000	23,000	8,000	74%
City Parks Capital Outlay	50,000	50,000	31,481	18,519	63%
City Recreation Capital Outlay	-	-	-	-	0%
<b>Total Expenditures</b>	<b>\$ 294,500</b>	<b>\$ 294,500</b>	<b>\$ 368,269</b>	<b>\$ (73,769)</b>	<b>125%</b>

# Utility Fund Revenues

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

<b>Percent of Budget Year Transpired</b>	<b>75.0%</b>
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<b>Fees</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Year to Date</b>	<b>Variance</b>	<b>% Received</b>
<i>Electronic Payment</i>	\$ (100,000)	\$ (100,000)	\$ (68,508)	\$ (31,493)	69%
<i>Charges / Penalties</i>	86,000	86,000	55,677	30,323	65%
<b>Total Fees</b>	\$ (14,000)	\$ (14,000)	\$ (12,831)	\$ (1,169)	92%

### Licenses & Permits

<i>Construction Inspection</i>	\$ 10,000	\$ 10,000	\$ 8,625	\$ 1,375	86%
<b>Total Licenses &amp; Permits</b>	\$ 10,000	\$ 10,000	\$ 8,625	\$ 1,375	86%

### Charges for Services

<i>Water Sales</i>	\$ 4,979,529	\$ 4,979,529	\$ 2,434,546	\$ 2,544,983	49%
<i>Sewer Sales</i>	3,618,840	3,618,840	2,464,586	1,154,254	68%
<i>Inspection Fees</i>	3,550	3,550	3,625	(75)	102%
<b>Total Charges for Service</b>	\$ 8,601,919	\$ 8,601,919	\$ 4,902,757	\$ 3,699,162	57%

### Interest

<i>Interest (Operations)</i>	\$ 4,000	\$ 4,000	\$ 6,073	\$ (2,073)	152%
<i>Interest (Capital Projects)</i>	10,000	10,000	6,733	3,267	67%
<b>Total Interest</b>	\$ 14,000	\$ 14,000	\$ 12,805	\$ 1,195	91%

### Impact Fees

<i>Impact Fees</i>	\$ 124,000	\$ 124,000	\$ 168,780	\$ (44,780)	136%
<b>Total Impact Fees</b>	\$ 124,000	\$ 124,000	\$ 168,780	\$ (44,780)	136%

### Miscellaneous Income

<i>Miscellaneous Income</i>	\$ 5,000	\$ 5,000	\$ 3,850	\$ 1,150	77%
<b>Total Miscellaneous Income</b>	\$ 5,000	\$ 5,000	\$ 3,850	\$ 1,150	77%

<b>Total Utility Fund Revenues</b>	\$ 8,740,919	\$ 8,740,919	\$ 5,083,988	\$ 3,656,931	58%
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# Utility Division FY 2015/2016 Budget

YEAR TO DATE JUNE

Percent of Budget Year Transpired

75.0%

## --- Summary - Operations ---

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 1,443,376	\$ 1,443,376	\$ 1,026,015	\$ 417,361	71%
Services / Supplies	5,483,718	5,483,718	3,956,771	1,526,948	72%
Capital	195,500	195,500	-	195,500	0%
Total Utility Division	\$ 7,122,594	\$ 7,122,594	\$ 4,982,785	\$ 2,139,809	70%

## --- Detail - Operations ---

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
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### Personnel

Salaries / Wages	\$ 1,014,641	\$ 1,014,641	\$ 731,950	\$ 282,691	72%
Employee Benefits	428,735	428,735	294,065	134,670	69%
Total Personnel	\$ 1,443,376	\$ 1,443,376	\$ 1,026,015	\$ 417,361	71%

### Services / Supplies

Professional Services	\$ 177,303	\$ 177,303	\$ 124,972	\$ 52,331	70%
Employee Development	70,554	70,554	33,501	37,053	47%
Supplies / Equipment	93,830	93,830	62,485	31,345	67%
Utilities	404,356	404,356	244,783	159,573	61%
Other (Well Lot Maintenance)	467,150	467,150	231,992	235,158	50%
Sub-Total - Operations Services / Supplies	\$ 1,213,193	\$ 1,213,193	\$ 697,733	\$ 515,460	58%

### Wholesale Water / Wastewater

Note: UTRWD billing reflects a one month delay

UTRWD - Administration Fees	\$ 4,955	\$ 4,955	\$ 4,954	\$ 1	100%
UTRWD - Water Volume Cost	936,196	936,196	525,328	410,868	56%
UTRWD - Water Demand Charges	1,202,130	1,202,130	895,500	306,630	74%
UTRWD - Carry Cost - Opus	-	-	-	-	0% ?
UTRWD - Chapman Lake Project	-	-	-	-	0% ?
UTRWD - Sewer Effluent Volume Rate	592,191	592,191	682,255	(90,064)	115%
UTRWD - Capital Charge Joint Facilities	1,201,048	1,201,048	901,712	299,336	75%
UTRWD - HV Sewer Line to UTRWD	334,005	334,005	249,289	84,716	75%
UTRWD - Wtr Transmission - Opus Develop	-	-	-	-	0% ?
Sub-Total - Wholesale Water / Wastewater	\$ 4,270,525	\$ 4,270,525	\$ 3,259,037	\$ 1,011,488	76%

Total Services / Supplies	\$ 5,483,718	\$ 5,483,718	\$ 3,956,771	\$ 1,526,948	72%
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### Capital

Equipment / Vehicles	195,500	195,500	-	195,500	0%
Total Capital	\$ 195,500	\$ 195,500	\$ -	\$ 195,500	0%

Total Utility Division - Operations	\$ 7,122,594	\$ 7,122,594	\$ 4,982,785	\$ 2,139,809	70%
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# Utility Fund Working Capital FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Water Sales</i>	\$ 4,979,529	\$ 4,979,529	\$ 2,434,546	\$ 2,544,983	49%
<i>Sewer Sales</i>	3,618,840	3,618,840	2,464,586	1,154,254	68%
<i>Other Fees / Charges</i>	104,550	104,550	71,777	32,773	69%
<i>Electronic Payment Credit</i>	(100,000)	(100,000)	(68,508)	(31,493)	69%
<i>Interest</i>	4,000	4,000	6,073	(2,073)	152%
<b>Total Revenues</b>	<b>\$ 8,606,919</b>	<b>\$ 8,606,919</b>	<b>\$ 4,908,475</b>	<b>\$ 3,698,444</b>	<b>57%</b>

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Administration</i>	\$327,744	\$327,744	\$ 226,817	\$ 100,927	69%
<i>Operations</i>	2,328,825	2,328,825	1,496,931	831,894	64%
<i>UTRWD</i>	4,270,525	4,270,525	3,259,037	1,011,488	76%
<i>Debt Service</i>	1,282,789	1,282,789	1,088,579	194,210	85%
<i>Capital Projects</i>	-	-	-	-	0%
<i>Equipment Replace / Capital</i>	195,500	195,500	-	195,500	0%
<b>Total Expenditures</b>	<b>\$ 8,405,383</b>	<b>\$ 8,405,383</b>	<b>\$ 6,071,364</b>	<b>\$ 2,334,019</b>	<b>72%</b>

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Transfers In (Applied Impact Fees)</i>	\$ 150,000	\$ 150,000	\$ 150,000	\$ -	100%
<i>Operating Transfers Out / Utility Capital Projects</i>	(300,000)	(300,000)	-	(300,000)	0%
<i>Operating Transfers Out / General Fund</i>	(470,000)	(470,000)	-	(470,000)	0%
<b>Total Other Sources (Uses)</b>	<b>\$ (620,000)</b>	<b>\$ (620,000)</b>	<b>\$ 150,000</b>	<b>\$ (770,000)</b>	<b>-24%</b>

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Net Increase/Decrease</i>	(418,464)	(418,464)	(1,012,889)
<b>Beginning Working Capital</b>			
<i>Operations</i>	2,104,471	2,104,471	2,104,471
<i>Available Impact Fees</i>	854,369	854,369	854,369
<b>Total Available Working Capital</b>	<b>\$ 2,958,840</b>	<b>\$ 2,958,840</b>	<b>\$ 2,958,840</b>
<b>Ending Working Capital</b>			
<i>Operations</i>	1,686,007	1,686,007	1,091,582
<i>Designated Capital Project</i>	-	-	-
<i>Available Impact Fees</i>	828,369	828,369	873,149
<b>Total Available Working Capital</b>	<b>\$ 2,514,376</b>	<b>\$ 2,514,376</b>	<b>\$ 1,964,731</b>

<i>Impact Fees</i>			
<i>Beginning Balance</i>	854,369	854,369	854,369
+ <i>Collections</i>	124,000	124,000	168,780
- <i>Applied to offset Debt Service</i>	(150,000)	(150,000)	(150,000)
<i>Ending Balance</i>	828,369	828,369	873,149

\*The working Capital Analysis is prepared to provide a picture of the "cash position" of this enterprise fund. Income restricted for specific use and non-operating expenses are excluded. Impact fees are excluded from revenues, however included for working capital balances - as they are available to address contingency expenditures.

# Corps Leased Parks Fund

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Park Entry Fees</i>	\$ 226,275	\$ 226,275	\$ 280,921	\$ (54,646)	124%
<i>Annual Park Passes</i>	20,000	20,000	21,065	(1,065)	105%
<i>Concession Sales</i>	-	-		-	0%
<i>Interest</i>	1,500	1,500	1,015	485	68%
<i>I-35 Mitigation</i>	125,000	125,000	15,927	109,073	13%
<b>Total Revenues</b>	<b>\$ 372,775</b>	<b>\$ 372,775</b>	<b>\$ 318,927</b>	<b>\$ 53,848</b>	<b>86%</b>

I-35 Mitigation Revenue is recognized as it is used and / or to replace lost revenue. Initial total - \$641,834

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ 217,904	\$ 217,904	\$ 137,905	\$ 79,998	63%
<i>Services / Supplies</i>	119,374	119,374	64,596	54,778	54%
<i>Capital</i>	34,000	34,000	-	34,000	0%
<b>Total Expenditures</b>	<b>\$ 371,278</b>	<b>\$ 371,278</b>	<b>\$ 202,502</b>	<b>\$ 168,776</b>	<b>55%</b>

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In / General Fund</i>	-	-	-	-	0%
<b>Total Other Sources (Uses)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0%</b>

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 18,338	\$ 48,566	\$ 48,566
<i>+ Net Increase (Decrease)</i>	1,497	1,497	116,426
<b>Ending Fund Balance</b>	<b>\$ 19,835</b>	<b>\$ 50,063</b>	<b>\$ 164,992</b>

**Audited FY15**

# Debt Service Fund

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Revenues</i>	\$1,764,216	\$ 1,764,216	\$ 1,752,167	\$ 12,049	99%
<i>Interest Income</i>	300	300	976	(676)	325%
<i>Total Revenues</i>	\$ 1,764,516	\$ 1,764,516	\$ 1,753,143	\$ 11,373	99%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Principal Payments</i>	\$ 1,855,000	\$ 1,855,000	\$ 1,933,344	\$ (78,343.91)	104%
<i>Interest Payments</i>	796,334	796,334	262,709	533,625	33%
<i>Paying Agent Fees</i>	4,000	4,000	3,196	804	80%
<i>Total Expenditures</i>	\$ 2,655,334	\$ 2,655,334	\$ 2,199,249	\$ 456,085	83%

Other Sources (Uses)	Original Budget	Revised Budget	Year to Date	Variance	% Received
Transfers In (Out) [To 4B]	898,117	898,117	736,879	-	82%
Proceeds from Refunding Debt	-	-	7,700,000	-	0%
Debt Issuance Cost	-	-	(78,344)	-	0%
Payment to Escrow Agent	-	-	(7,619,878)	-	0%
<i>Total Financing Sources</i>	\$ 898,117	\$ 898,117	\$ 738,658	\$ -	82%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date	Audited FY15
<i>Beginning Fund Balance</i>	\$ 168,604	\$ 154,343	\$ 154,343	
<i>+ Net Increase (Decrease)</i>	7,299	7,299	292,552	
<i>Ending Fund Balance</i>	\$ 175,903	\$ 161,642	\$ 446,895	

# Capital Projects Fund

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Grants	\$ -	\$ -	\$ -	\$ -	0%
Contributions	-	-	-	-	0%
Interest Income	-	-	2,483	(2,483)	0%
<b>Total Revenues</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,483</b>	<b>\$ (2,483)</b>	<b>0%</b>

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<b>2015 Tax Note</b> (CAD, Radio System, Screening Walls, Drainage)	\$ 1,500,724	\$ 1,500,724	\$ 742,653	\$ 758,071	49%
<b>2012 Certificate</b> (Parks/Streets/Drainage)	-	-	755,339	(755,339)	0%
<b>Total Expenditures</b>	<b>\$ 1,500,724</b>	<b>\$ 1,500,724</b>	<b>\$ 1,497,992</b>	<b>\$ 2,732</b>	<b>100%</b>

Other Financing Sources (Uses)	Original Budget	Revised Budget	Year to Date	Variance	% Received
Bond Issue Proceeds	\$ 1,500,724	\$ 1,500,724	\$ 1,535,000	\$ -	102%
Bond Discount / Premium	-	-	-	-	0%
Debt Issuance	-	-	(31,512)	-	0%
Operating Transfers	-	-	-	-	0%
Transfer Out	-	-	-	-	0%
<b>Total Financing Sources</b>	<b>\$ 1,500,724</b>	<b>\$ 1,500,724</b>	<b>\$ 1,503,488</b>	<b>\$ -</b>	<b>0%</b>

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning fund balance	\$ 617,875	\$ 392,061	\$ 392,061
+Net Increase (Decrease)	3,001,448	3,001,448	7,980
Ending Fund Balance	\$ 617,875	\$ 392,061	\$ 400,041

Audited FY15

# Capital Projects Fund (Detail)

## FY 2015 Issue

Police, Drainage and Public Works Improvements

	<i>Original Budget</i>	<i>Revised Budget</i>	<i>YTD 2015 - 2016</i>
<b>Beginning Fund Balance</b>	-	-	-
<b>Revenues:</b>			
<b>Bond Proceeds</b> (Net of Premium/Discount)	(1,500,724)	(1,500,724)	1,503,488
<b>Interest Income</b>	-	-	2,483
<b>Total Revenues</b>	\$ (1,500,724)	\$ (1,500,724)	\$ 1,505,971
<b>Expenditures:</b>			
<i>Police CAD/RMS Software</i>	433,724	433,724	284,159
<i>Dispatch Radio System</i>	690,000	690,000	435,217
<i>Screening Walls</i>	205,000	205,000	-
<i>Drainage Projects</i>	172,000	172,000	23,277
<b>Total Expenditures</b>	\$ 1,500,724	\$ 1,500,724	\$ 742,653
<b>Other Sources (Uses):</b>			
<b>Transfers In</b>	-	-	-
<b>Transfers Out</b>	-	-	-
<b>Total Other Sources (Uses)</b>	\$ -	\$ -	\$ -
<b>Net Increase (Decrease)</b>	-	-	763,318
<b>Ending Fund Balance</b>	\$ -	\$ -	\$ 763,318

# Capital Projects Fund (Detail)

## FY 2012 Issue

### Streets, Drainage and Parks Improvements

	<i>Actual 2012 - 2013</i>	<i>Actual 2013 - 2014</i>	<i>Projected 2014 - 2015</i>	<i>Budget 2014 - 2015</i>	<i>YTD 2015 - 2016</i>
<b>Beginning Fund Balance</b>	-	785,228	641,828	641,828	392,061
<b>Revenues:</b>					
<b>Bond Proceeds</b> (Net of Premium/Discount)	2,919,049	-	-	-	-
<b>Interest Income</b>	8,655	761	779	500	
<b>Total Revenues</b>	\$ 2,927,704	\$ 761	\$ 779	\$ 500	\$ -
<b>Expenditures:</b>					
<i>Issuance Costs</i>	67,639	-	-	-	-
<i>Street Projects (Sellmeyer Lane)</i>	1,158,783	2,965	250,546	618,375	755,339
<i>Drainage Projects</i>	71,060	-	-	-	-
<i>Parks Projects</i>	793,312	165,848	-	-	-
<b>Total Expenditures</b>	\$ 2,090,794	\$ 168,813	\$ 250,546	\$ 618,375	\$ 755,339
<b>Other Sources (Uses):</b>					
<b>Transfers In</b>	28,032	28,381	-	-	-
<b>Transfers Out</b>	(79,714)	(3,729)	-	-	-
<b>Total Other Sources (Uses)</b>	\$ (51,682)	\$ 24,652	\$ -	\$ -	\$ -
<b>Net Increase (Decrease)</b>	785,228	(143,400)	(249,767)	(617,875)	(755,339)
<b>Ending Fund Balance</b>	\$ 785,228	\$ 641,828	\$ 392,061	\$ 23,953	\$ (363,278)

Remaining proceeds utilized on Sellmeyer Rd project with majority of remainder funded by GF. Will transfer appropriation with mid-year budget amendments.

# Drainage Utilities

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Drainage Conversion Fee</i>	\$ -	\$ -	\$ 5,165	\$ (5,165)	0%
<i>Drainage Fee Receipts</i>	\$ 480,000	\$ 480,000	\$ 340,261	\$ 139,739	71%
<i>Interest</i>	75	75	292	(217)	389%
<b>Total Revenues</b>	\$ 480,075	\$ 480,075	\$ 346,401	\$ 139,522	72%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ 315,994	\$ 315,994	\$ 226,768	\$ 89,226	72%
<i>Services / Supplies</i>	147,033	147,033	63,580	83,453	43%
<i>Capital</i>	-	-	9,470	(9,470)	0%
<b>Total Expenditures</b>	\$ 463,027	\$ 463,027	\$ 299,819	\$ 163,208	65%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Transfers In - City Impervious / General Fund</i>	\$ (16,000)	\$ (16,000)	\$ -	\$ (16,000)	0%
<i>Operating TransfersOut / General Fund</i>	16,000	16,000	-	16,000	0%
<b>Total Other Sources (Uses)</b>	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 158,220	\$ 165,456	\$ 165,456
<i>+ Net Increase (Decrease)</i>	17,048	17,048	46,582
<b>Ending Fund Balance</b>	\$ 175,268	\$ 182,504	\$ 212,038

**Audited FY15**

# Park Development Fee Fund

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Interest</i>	\$ 27	\$ 27	\$ 132	\$ (105)	490%
<i>Community Park Fees</i>	-	-	684	(684)	0%
<i>Linear Park Fees</i>	-	-	-	-	0%
<i>Neighborhood Park Fees</i>	-	-	-	-	0%
<i>Service Area II</i>	-	-	-	-	0%
<i>Service Area IV</i>	-	-	-	-	0%
<b>Total Revenues</b>	\$ 27	\$ 27	\$ 816	\$ (789)	3023%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Unity Park</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Capital Outlay (Unity Park)</i>	-	-	9,400	-	0%
<i>Capital Outlay (Village Park)</i>	-	-	-	-	0%
<i>Capital Outlay - (St James development, Area I)</i>	-	-	-	-	0%
<b>Total Expenditures</b>	\$ -	\$ -	\$ 9,400	\$ -	0%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Operating Transfers Out (Funding for projects at Unity Park with FY2012 bond)</i>	-	-	-	-	0%
<b>Total Other Sources (Uses)</b>	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 71,850	\$ 71,856	\$ 71,856
<i>+ Net Increase (Decrease)</i>	27	27	(8,584)
<b>Ending Fund Balance</b>	\$ 71,877	\$ 71,883	\$ 63,272

**Audited FY15**

Ending Fund Balance Detail	Original Budget	Year to Date
<i>Community Park Fees</i>	\$ -	20,768
<i>Linear Park Fees</i>	-	-
<i>Neighborhood Park Fees (Area I)</i>	-	-
<i>Neighborhood Park Fees (Area II)</i>	-	(6,737)
<i>Neighborhood Park Fees (Area IV)</i>	-	49,242
<b>Total</b>	\$ -	\$ 63,272

# Public Safety Special Revenue Fund

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues	\$ 25,600	\$ 25,600	\$ 29,861	\$ (4,261)	117%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ -	\$ -	\$ -	\$ -	0%
Services / Supplies	3,600	3,600	3,575	25	99%
Capital	-	-	-	-	0%
Total Expenditures	\$ 3,600	\$ 3,600	\$ 3,575	\$ 25	0%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
Operating Transfers In	\$ -	\$ -	\$ -	\$ -	0%
Operating Transfers Out	22,000	22,000	-	22,000	0%
Total Other Sources (Uses)	\$ 22,000	\$ 22,000	\$ -	\$ 22,000	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	\$ 15,866	\$ 16,396	\$ 16,396
+ Net Increase (Decrease)	-	-	26,286
Ending Fund Balance	\$ 15,866	\$ 16,396	\$ 42,682

**Audited FY15**

# Municipal Court Technology Fee Fund

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

<b>Revenues</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Year to Date</b>	<b>Variance</b>	<b>% Received</b>
Revenues	\$ 5,500	\$ 5,500	\$ 2,919	2,581	53%

<b>Expenditures</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Year to Date</b>	<b>Variance</b>	<b>% Used</b>
Services / Supplies	\$ 5,500	\$ 5,500	\$ 4,929	\$ 571	90%
<b>Total Expenditures</b>	\$ 5,500	\$ 5,500	\$ 4,929	\$ 571	90%

<b>Other Sources/Uses</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Year to Date</b>	<b>Variance</b>	<b>% Used</b>
Operating Transfers In	\$ -	\$ -	\$ -	\$ -	0%
Operating Transfers Out	-	-	-	-	0%
<b>Total Other Sources (Uses)</b>	\$ -	\$ -	\$ -	\$ -	0%

<b>Beginning &amp; Ending Balance</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Year to Date</b>
Beginning Fund Balance	\$ 32,929	\$ 37,655	\$ 37,655
+ Net Increase (Decrease)	-	-	(2,010)
Ending Fund Balance	\$ 32,929	\$ 37,655	\$ 35,645

**Audited FY15**

# Municipal Court Building Security Fund

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues (Court Fines)	\$ 4,100	\$ 4,100	\$ 2,190	\$ 1,911	53%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel (Bailiff)	\$ 3,000	\$ 3,000	\$ -	\$ 3,000	0%
Services / Supplies	5,000	5,000	3,980	1,020	80%
Total Expenditures	\$ 8,000	\$ 8,000	\$ 3,980	\$ 4,020	50%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	\$ 30,406	\$ 30,107	\$ 30,107
+ Net Increase (Decrease)	(3,900)	(3,900)	(1,790)
Ending Fund Balance	\$ 26,506	\$ 26,207	\$ 28,317

**Audited FY15**

Highland Village Community Development Corporation  
Working Capital Analysis (FY 2016)

	<i>Actual 2013-2014</i>	<i>Actual 2014-2015</i>	<i>Budget 2015-2016</i>	<i>YTD 2015-2016</i>
<b>Beginning Fund Balance</b>	<b>\$ 594,537</b>	<b>\$ 717,764</b>	<b>\$ 755,390</b>	<b>\$ 755,390</b>
<b>Revenues</b>				
4B Sales Tax	1,171,495	1,197,263	1,307,012	718,870
DCTA ELAP	-	-	-	-
Linear Park Fees	607	11,934	-	845
Miscellaneous Income	-	-	6,000	-
Interest Income	151	6,112	2,000	562
<b>Total</b>	<b>\$ 1,172,253</b>	<b>\$ 1,215,309</b>	<b>\$ 1,315,012</b>	<b>\$ 720,277</b>
<b>Expenditures</b>				
Personnel	112,132	113,602	179,823	117,824
Services / Supplies	113,409	148,197	168,039	187,853
Reimburse GF (Support Functions)	28,000	28,000	28,000	-
Reimburse GF (Debt Service)	795,485	887,884	898,117	736,879
<b>Total Non-Capital Expenditures</b>	<b>\$ 1,049,026</b>	<b>\$ 1,177,683</b>	<b>\$ 1,273,979</b>	<b>\$ 1,042,557</b>
<b>Capital</b>				
Engineering	-	-	-	-
Projects Funded Directly	-	-	5,500	-
Transfer to 4B Capital Projects	\$ -	\$ -	\$ 5,500	\$ -
Equipment	-	-	-	-
Net Increase / (Decrease)	123,227	37,626	35,533	(322,279)
<b>Working Capital Balance</b>	<b>\$ 717,764</b>	<b>\$ 755,390</b>	<b>\$ 790,923</b>	<b>\$ 433,111</b>

# Highland Village Community Development Corporation

## Capital Projects

	<i>Actual 2013-2014</i>	<i>Actual 2014-2015</i>
<b>Funding</b>		
Debt Issuance	6,701,164	-
Bond Discount	-	-
Debt Issuance Cost	-	-
Funding from Operations		-
Capital Projects (HV RR Crossing)		-
Denton County	68,848	-
I-35 Mitigation		-
Interest Earnings	9,525	-
<b>Total Available Project Funding</b>	<b>\$ 6,779,537</b>	<b>\$ -</b>

<b>Budget 2015-2016</b>	<b>YTD 2015-2016</b>
-	-
-	-
-	-
5,500	-
-	-
-	-
-	-
500	<b>1,728</b>
<b>\$ 6,000</b>	<b>\$ 1,728</b>

Expenditures		
<b>Castlewood Trail</b>		
Engineering - \$131,200	22,512	
Project Cost - \$1.312M (Estimated)	620,617	400,236
<b>Copperas Trail</b>		
Engineering - \$112,380	-	-
Project Cost - \$1.5M (Estimated)	-	-
<b>HV Rd Trail</b> (Phase IIa - CH to Svc Cntr)		
Engineering - \$25,000	-	-
Project Cost - \$250,982 (Estimated)	-	-
<b>HV Rd Trail</b> (Phase IIb - Lions Club Park to Doubletree Ranch Park)		
Engineering (Mostly included in Copperas Trail Eng.) - \$25,714 (Remain)	-	-
Project Cost - \$250,000 (Estimated)	-	-
<b>FM 2499 Sidewalk</b>		
Engineering - \$12,500	-	-
Project Cost - \$117,678 (Estimated)	-	-
<b>Pedestrian Crosswalk Enhancement</b>		
Engineering	-	-
Project Cost - \$26,000/Crossing	-	-
<b>Marauder Park Lake Access</b>		
Engineering - \$31,000 (Estimated)	-	-
Project Cost - \$58,178 (Estimated)	-	-
<b>HV Rd RR Crossing</b>		
Engineering - \$7,200 (Estimated)	-	-
Project Cost - \$48,000 (Estimated)	-	-
<b>Lakeside Community Park</b> (707 HV Rd Trailhead)	4,793	
Engineering - \$40,000		
Project Cost - \$420,000	-	630,385
<b>Misc. Small, Fill-In/Connector Sections</b>		
Project Cost - \$20,000 (Per Year)	18,210	9,375
<b>Doubletree Ranch Park</b>		
Engineering - \$779,300	288,451	
Project Cost - \$8,500,000 (Estimated)	1,020,930	5,889,393

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Total Capital Projects	\$ 1,975,513	\$ 6,929,389
Remaining Project Funding	\$ 8,523,083	\$ 1,593,694

\$	20,000	\$	1,634,433
\$	1,579,694	\$	(39,011)

# PEG Fee Fund

## FY 2015/2016 Budget

**YEAR TO DATE JUNE**

**Percent of Budget Year Transpired**

**75.0%**

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>PEG Fee Receipts</i>	\$ 65,000	\$ 65,000	\$ 48,806	\$ 16,194	75%
<i>Total Revenues</i>	\$ 65,000	\$ 65,000	\$ 48,806	\$ 16,194	75%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Services / Supplies</i>	19,500	19,500	5,550	13,950	28%
<i>Capital</i>	48,500	48,500	11,640	36,860	24%
<i>Total Expenditures</i>	\$ 68,000	\$ 68,000	\$ 17,190	\$ 50,810	25%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Operating Transfers Out</i>	-	-	-	-	0%
<i>Total Other Sources (Uses)</i>	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning fund balance</i>	\$ 25,900	\$ 30,276	\$ 30,276
<i>+Net Increase (Decrease)</i>	(3,000)	(3,000)	31,616
<i>Ending Fund Balance</i>	\$ 22,900	\$ 27,276	\$ 61,892

**Audited FY15**

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

<b>AGENDA#</b> 18	<b>MEETING DATE:</b> 08/23/16
<b>SUBJECT:</b>	<b>Presentation of City Manager Recommended Budget for Fiscal Year 2016-2017</b>
<b>PREPARED BY:</b>	<b>Ken Heerman, Assistant City Manager</b>

**BACKGROUND:**

City staff has presented the components of the FY 2017 Budget in various work sessions initiating with a preliminary look at capital projects at the Council planning session on February 2, 2016. The Capital Improvement Program was presented on June 28, 2016, and the General Fund and Special Revenue Funds were discussed at a Council planning meeting on July 30, 2016. Finally, the Utility Fund was reviewed at the August 9<sup>th</sup> Council Meeting. Concurrent with the first of two public hearings, the City Manager Recommended Budget is presented to Council inclusive of feedback provided with the various budget discussions.

**IDENTIFIED NEED/S:**

The proposed budget can be viewed on the City website at:  
<http://tx-highlandvillage.civicplus.com/DocumentCenter/View/2487>

**OPTIONS & RESULTS:**

Following this briefing is the Budget in Brief section contained in the proposed budget.

**PROGRESS TO DATE: (if appropriate)**

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

**RECOMMENDATION:**

Council to receive presentation from the City Manager.

## Budget Development Considerations

In Highland Village, much like the rest of the Dallas/Fort Worth area, housing values have been on the rise the past few years. This is evidenced by increases of 6.1% and 6.9% respectively in assessed valuation the past two years. For Fiscal Year 2017, the increase is more modest at 4.9%, however still indicative of a strong market. This increase is clearly welcomed, given flat revenues anticipated for sales tax and franchise fees. Also positive for Fiscal Year 2017 is increased residential construction, with two new developments (Ladera and Wichita Estates) providing an immediate increase in permit revenue and long-term increased assessed valuation. Each year, the budget is constructed in context of a five-year outlook with the purpose of adequately planning for the future, realizing that many revenue and expenditure decisions have long-term implications. It is our goal to develop a budget that will maintain the desired quality of life for our residents, while remaining within the framework of continuing financial viability.

As Highland Village approaches substantial build-out, a focus has been on determination and provision of ongoing staffing levels that balance resource needs of a high service level that has been provided to our residents, but in context of sustainability and affordability to a new reality of revenues reaching a relative plateau with build-out. The new challenge will be to continue the high level of service expected by Highland Village residents with an emphasis on fiscal responsibility to ensure sustainability with just a few areas of potential development remaining. The City is mindful of two primary objectives when pursuing development opportunities: maximizing economic benefit to the City while enhancing the quality of life enjoyed by our residents. Potential new revenues need to be viewed in the context of the cost of additional services and City personnel necessitated by growth in our commercial and residential communities. Primary drivers in the development of this year's budget are articulated Council goals and related strategies to meet service demands, viewed in context of sustainability in our local government.

## Council Goals

- ◆ Continue to Provide Superior Public Safety, Customer Service, Social, and Health Services to the Community
- ◆ Conduct the Business of the City in a Fiscally Responsible Manner
- ◆ Promote Quality Transportation Services
- ◆ Employ High Quality, Service Oriented People
- ◆ Provide for a Diversified Business Climate
- ◆ Provide Quality Leisure Opportunities
- ◆ Work to Instill a "Sense of Community" in Highland Village Residents
- ◆ Expand the Leadership Role of the Entire Council by Active Participation in Community Groups and Professional Development
- ◆ To Make Highland Village Developments and its Operations Sustainable so they Protect and Enhance the City's Quality of Life

## Staff Initiatives

### Personnel

For a number of years, the City has closely adhered to a multi-year staffing plan that was developed to accommodate a growing population and resulting service needs, with a recent focus on determination of the staffing plan to take the City forward as a mature City. In Fiscal Year 2015, City Council, recognizing the critical role technology has become in all City operations, tasked City Staff to review our capabilities. An organizational analysis was conducted, detailing deficiencies in available resources needed to realize full benefits of technology with respect to efficiency and effectiveness. Recommendations included establishment of an Information Services Department, as well as the addition of two new positions to manage the significantly increased utilization of technology. Additionally, in Fiscal Year 2016 Public Safety reinforced staffing required for the expected service load, adding three Firefighter/Paramedics to provide a sixth position on each of the three shifts, and two Police Officers

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funded by The Shops at Highland Village in exchange for dedicated staffing during determined times.

With no additional positions proposed for Fiscal Year 2017, budgetary issues are directed at existing employees. A stated Council objective to provide competitive compensation for employees is supported by continuous monitoring of benchmark cities. For Fiscal Year 2017, a 4% overall salary adjustment is proposed to match up to these cities.

In addition, the City is proposing a Retirement Health Savings (RHS) program for employees. Previously, a retirement medical benefit for employees has not been a component of the City's benefit package in contrast to many of our benchmark cities due to the liability burden that often accompanies this benefit. The RHS program is an employer sponsored health benefit savings vehicle that allows employees to accumulate assets to pay for medical expenses and premiums in retirement on a tax-free basis. As employer contributions are discretionary (determined annually based on budgetary constraints), it does not provide additional unfunded liability, and it does not impact the City's health insurance plan. Initially, the anticipated annual amount is \$58,000.

## Technology

Utilize technology to create efficiencies in City government through:

- ◆ Ongoing implementation of a digital records management program.
- ◆ Continuation of the phased implementation of the City's building permits software module that enhances efficiency in the permitting process and provides increased online access to customers.
- ◆ Replacing and updating the security camera system in all City facilities and parks.
- ◆ Provision of off-site back up of the City network in a Dallas data center. Currently, the primary storage of network data from City Hall is backed up at the Public Works building. This does not meet the standards for best practices for off-site storage, as a single significant weather event could compromise both locations.

## Economic Development

In Fiscal Year 2017, we will continue the successful partnership program between the Highland Village Business Association (HVBA) and local businesses. Encouraging shopping and dining in Highland Village through social media, multi-media production, and involvement in existing departmental events such as Restaurant Week leading up to the Annual Fallen Officers Bike Race and 5K.

## Public Safety

- ◆ Continued development of the Computer Aided Dispatch (CAD) system installed in Fiscal Year 2016 will facilitate improved response times, greatly enhancing our capabilities and effectiveness. In addition, the City will explore and promote opportunities to interface with surrounding agencies.
- ◆ Training and phased implementation of the Emergency Care Attendant (ECA) program where medical emergency response is given by Police Officers trained to provide initial emergency aid.
- ◆ In 2009 three Automated License Plate Recognition Systems (ALPR), along with server software components were purchased for \$60,000 under a grant from the Criminal Justice Division of the Governor's Office. An expenditure of \$4,800 will be required to update operating software for these systems to the current version for continued operation.
- ◆ The Fire Department will obtain a Lucas device which provides continuous mechanical compressions on patients requiring CPR, thus freeing up one of the Paramedics to focus on other critical interventions. One device will be purchased in Fiscal Year 2017 for \$20,000, with an additional device anticipated to be purchased in Fiscal Year 2018 for use on the second ambulance.

## City Facilities

- ◆ Completion of Doubletree Ranch Park is scheduled for fall of 2016.
- ◆ Interior and exterior repairs in the amount of \$60,000 are anticipated for City Hall.

- ◆ A dry fire suppression system totaling \$10,000 is to be installed in the Information Services equipment room at the Public Works Service Center. This will replace the current sprinkler system for this area, with intent to prevent damage to computer network equipment resulting from exposure to water.

## City Parks

- ◆ Complete design for future development of Sunset Point Park at a cost of \$16,000.
- ◆ A hydraulic study for ponds at Unity Park totaling \$15,000 will be done to determine options for future use and associated maintenance.

## Budget Highlights

- ◆ No tax rate increase is proposed. The current tax rate of \$0.56963 has been maintained since 2000.
- ◆ No initial utility rate increase, however a review of the current rate structure is suggested. Due to the combination of weather patterns and changed consumption usage, revenues have been significantly reduced over the past few years, lowering the utility system reserves to a minimum level.
- ◆ Initiate a street sweeping program in Fiscal Year 2017.
- ◆ Year two of a three year program to replace Police body cameras. The new cameras have significantly increased functionality.
- ◆ Replace a major capital equipment item, Gradall, for \$250,000. This equipment is the primary piece of equipment utilized by Drainage Utilities.
- ◆ Full programming of Doubletree Ranch Park is budgeted in the Highland Village Community Development Corporation Fund.

# General Fund

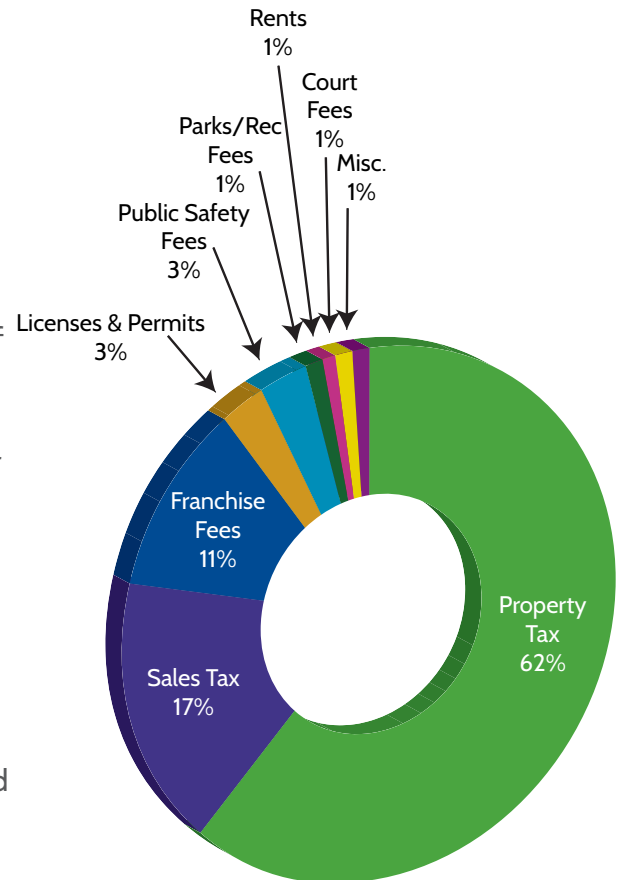
The General Fund is the primary operating fund. It is where the majority of departmental budgets are recorded.

## Revenues

	FY 2016 Budget	FY 2016 Projected	FY 2017 Budget	% Change (From FY 2016 Budget)
Property Tax	9,217,070	9,085,000	9,763,828	5.93%
Sales Tax	2,696,757	2,559,815	2,700,218	0.13%
Franchise Fees	1,758,950	1,683,758	1,714,328	-2.54%
Licenses and Permits	368,864	479,364	450,833	22.22%
Public Safety Fees	505,881	492,831	505,921	0.01%
Park/Recreation Fees	157,917	220,202	221,070	39.99%
Rents	119,963	123,923	126,401	5.37%
Municipal Court	117,300	110,000	112,200	-4.35%
Interest Income	32,000	28,000	32,000	0.00%
Miscellaneous	134,150	233,803	129,850	-3.21%
<b>Total Revenues</b>	<b>\$ 15,108,852</b>	<b>\$ 15,016,696</b>	<b>\$ 15,756,649</b>	<b>4.29%</b>

## Primary Factors

- ◆ Property tax valuations increased 4.9% for Fiscal Year 2017, primarily due to increased values of existing homes and new properties totaling \$13,278,780 being added to the tax roll. This is offset by a \$25M reduction in valuation of The Shops at Highland Village development resulting from a lawsuit judgment.
- ◆ Sales tax revenues are expected to increase 5% over Fiscal Year 2016 collected revenue, providing projected collections of \$2.7M.
- ◆ Franchise fee projections are expected to decrease slightly due to reduced gas franchise fees (resulting from depressed natural gas prices).
- ◆ License and permits reflect an increase of 22% over Fiscal Year 2016 largely due to increased building activity with Wichita Estates (currently under construction) and the anticipated Ladera development.
- ◆ Parks and Recreation fees reflect a 40% increase, however this is solely due to a change in accounting for Tennis Program revenues where previously only net revenues were depicted. For Fiscal Year 2017, the full revenues along with the associated expenditures are shown. Otherwise, Parks and Recreation fees are relatively unchanged from Fiscal Year 2016.

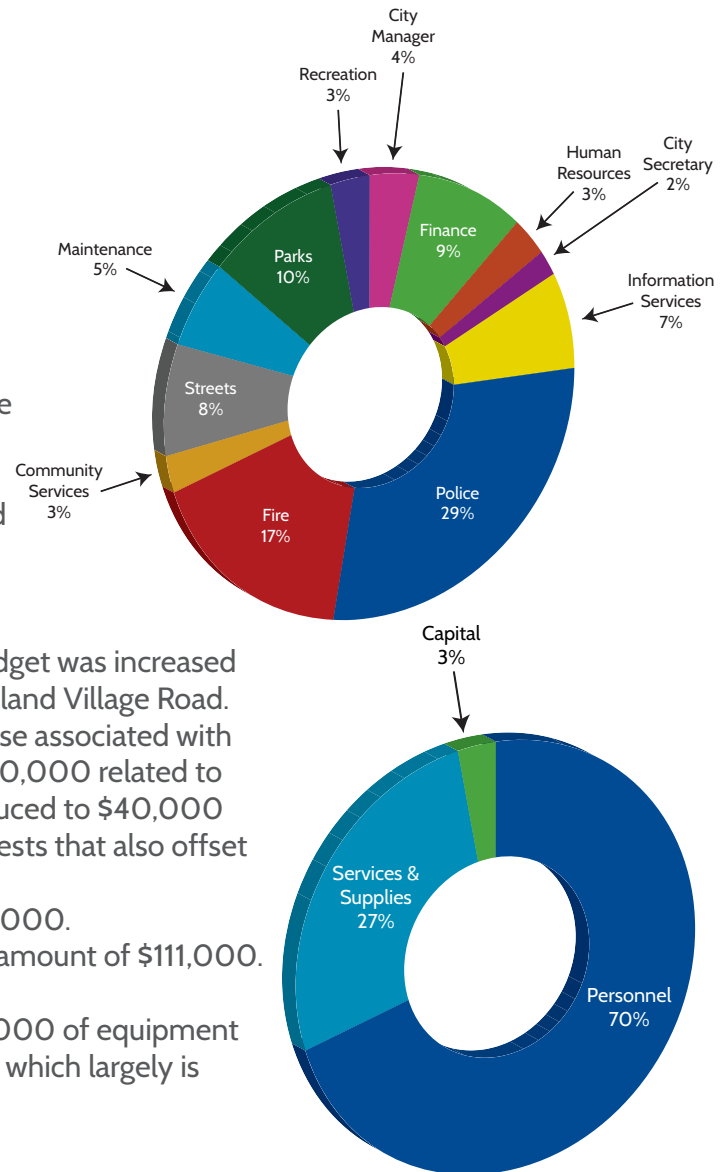


# Expenditures

	FY 2016 Budget	FY 2017 Base	FY 2017 Supplemental	FY 2017 Total	Difference
<b>Personnel</b>					
Salaries	8,188,405	8,358,498	58,000	8,416,498	228,093
Benefits	2,801,502	3,069,597	-	3,069,597	268,095
<b>Total Personnel</b>	<b>10,989,906</b>	<b>11,428,094</b>	<b>58,000</b>	<b>11,486,094</b>	<b>496,188</b>
<b>Services/Supplies</b>					
Professional Services	1,207,923	1,270,794	42,800	1,313,594	105,671
Employee Development	301,311	313,817	-	313,817	12,506
Supplies/Equipment	1,102,621	959,876	105,000	1,064,876	(37,745)
Utilities	321,472	328,432	-	328,432	6,960
Other	1,541,794	1,311,037	38,000	1,349,037	(192,757)
<b>Total Services/Supplies</b>	<b>4,475,120</b>	<b>4,183,955</b>	<b>185,800</b>	<b>4,369,755</b>	<b>(105,365)</b>
<b>Capital</b>					
Capital	356,500	230,000	254,000	484,000	127,500
<b>Total Expenditures</b>	<b>\$ 15,821,526</b>	<b>\$ 15,842,050</b>	<b>\$ 497,800</b>	<b>\$ 16,339,850</b>	<b>\$ 518,323</b>

## Primary Factors

- ◆ Personnel expenditures show an increase of \$496,188, or 4.5% over Fiscal Year 2016.
  - The majority of this increase, \$347,396, is related to proposed salary increases, which was partially offset by a reduction in base salaries of \$165,6446 resulting from retirement and turnover of tenured positions.
  - Health insurance increased \$203,816, reflective of a 12% increase in premiums.
  - TMRS increased \$42,292 resulting from an increase in the City contribution rate from 13.44% in Fiscal Year 2016 to 13.79% in Fiscal Year 2017.
  - Implementation of the RHS program is anticipated to be \$58,000.
- ◆ The Services/Supplies category reflects a decrease of \$105,365, or 2.4% for Fiscal Year 2017. A primary factor contributing to this decrease is that last year's budget was increased by \$500,000 to accommodate for the overlay of Highland Village Road. However, this was partially offset by a \$134,000 increase associated with a capital lease purchase of a second ambulance, and \$70,000 related to the restoration of the Contingency Fund which was reduced to \$40,000 in Fiscal Year 2016. In addition, new supplemental requests that also offset the decrease include:
  - Engineering studies for two City parks totaling \$31,000.
  - Repairs and enhancements to City facilities in the amount of \$111,000.
  - Off-site back up for network data for \$38,000.
- ◆ Capital expenditures totaling \$484,000 include \$230,000 of equipment replacement, with \$254,000 in supplemental requests which largely is comprised of \$175,000 related to security cameras.



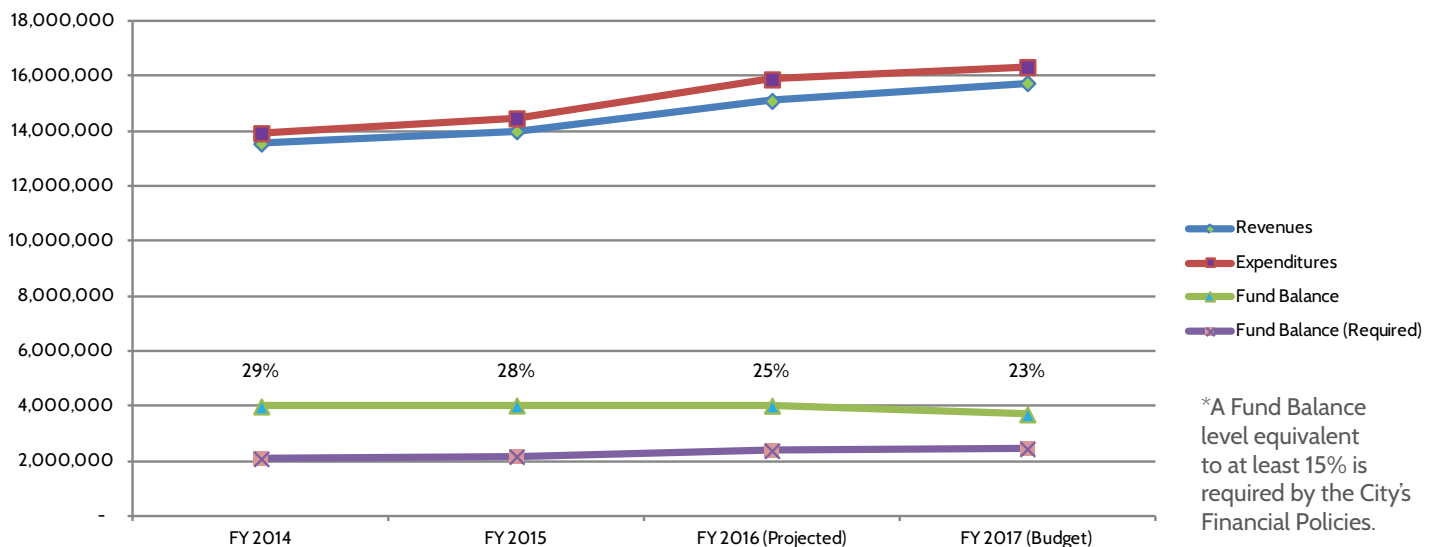
## Future Outlook

The City is in excellent financial condition, but there are numerous variables in the intermediate time frame to merit a cautious approach when developing the current year budget in context of a five-year outlook.

- ◆ The DFW area continues to experience property value increases. Continuing the upward trend, Fiscal Year 2017 provides an increase of 4.9%, however somewhat diminished by a \$25M reduction in valuation of The Shops at Highland Village development resulting from a lawsuit judgment. Recent activity in residential development provides opportunity for permits and growth in assessed valuation over the next few years. This is still somewhat limited as roughly only 300 potential lots remain in the City.
- ◆ Sales tax collections do reflect a slight increase in Fiscal Year 2017. With the remodel of The Shops at Highland Village complete, along with new development in the shopping center filling existing vacancies, sales tax revenues are expected to remain steady with modest increases in future years.
- ◆ Numerous positions have been added the past few years to solidify personnel needed for build-out, which has been largely accomplished. In light of this, there is heightened awareness of the impact of ongoing expenditures. Additional positions, which provide ongoing expenditures, will be carefully analyzed and scrutinized by City Staff and Council.
- ◆ Increased rainfall over the past two summers, coupled with changed patterns in water consumption, have resulted in significantly reduced utility revenues. In turn, utility reserves have been largely depleted, projected to reflect only 58 days of working capital (compared to the target of 90 days), prompting concern moving forward. The current rate structure is a progressive rate schedule, with each tier of increased usage reflecting a higher cost per gallon. Thus, a significant portion of revenues are dependent on higher usage volumes of the summer months, adding a higher degree of volatility when we experience changes in weather patterns. This methodology has worked well for a number of years, but the aforementioned factors of the past two years merit a review of this structure. Therefore, in the upcoming year, alternative rate structures will be developed for consideration with an objective of evaluating the best process to obtain sufficient revenues to maintain the utility system, but in a fair and equitable manner.

## Fund Balance

The projected ending Fund Balance for Fiscal Year 2016 is 25%, which exceeds the target level of 20%. Previously, the above normal Fund Balance provided a cushion in the event The Shops at Highland Village met the taxable sales threshold of \$80M, prompting incentive payments to be made. Fiscal Year 2017 is the last year of the agreement, and it is not anticipated that this threshold will be achieved. In turn, this provides opportunity to redirect the additional reserves to other initiatives. Identified capital programs include \$5.5M for street reconstruction (over the next five years) and \$3.7M of potential improvements at Unity Park. Retiring debt in Fiscal Year 2018 provides an opportunity to pursue new debt issuance. Ability to fund all of the improvements is however constrained by the need to maintain Fund Balance to at least 20% of expenditures.



## **CITY OF HIGHLAND VILLAGE**

### **COUNCIL BRIEFING**

**AGENDA# 19**                      **MEETING DATE: 08/23/16**

**SUBJECT:                      Conduct Public Hearing on the Proposed Budget and Tax Rate  
for Fiscal Year 2016-2017**

**PREPARED BY:              Ken Heerman, Assistant City Manager**

### **BACKGROUND:**

Truth in Taxation requires two public hearings before implementing a tax rate if a rate is **considered** which will exceed the lower of the rollback or effective rate. The effective rate is generally equal to the prior year's taxes divided by the current taxable value of properties that were also on the tax roll in the prior year. As the current tax rate of \$.56963 does indeed exceed the effective rate of \$.55058, the public hearings are required.

### **IDENTIFIED NEED/S:**

The proposed tax rate of \$.56963 is unchanged from last year.

The proposed budget can be viewed on the City website at  
<http://tx-highlandvillage.civicplus.com/DocumentCenter/View/2487>

### **OPTIONS & RESULTS:**

Budget calendar:

- August 19<sup>th</sup>
  - City Manager Recommended Budget posted on City Website
- August 23<sup>rd</sup> (Regular Council Meeting)
  - Public Hearing on tax rate and budget
- September 13<sup>th</sup> (Regular Council Meeting)
  - Public Hearing on tax rate and budget
  - 1<sup>st</sup> read on tax rate and budget
- September 27<sup>th</sup> (Regular Council Meeting)
  - 2<sup>nd</sup> read on tax rate and budget

### **PROGRESS TO DATE: (if appropriate)**

### **BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

### **RECOMMENDATION:**

Council to conduct a public hearing on the proposed tax rate and budget for FY 2017.

**CITY OF HIGHLAND VILLAGE**  
**CITY COUNCIL**

**AGENDA# 20                      MEETING DATE: 08/23/16**

**SUBJECT:                      Conduct Public Hearing and Consider an Application for a Replat of the Property located at 2760 Justin Rd., being a portion of Tract 1-A and the remainder of Tract 2 (SW Corner) of the Barnett Subdivision**

**PREPARED BY:              Autumn Aman, Community Development Coordinator**

**BACKGROUND:**

An application requesting a Replat was submitted by DR Rankin Engineering on behalf of the property owner, Neighborhood Credit Union to replat the undeveloped property located west of Whataburger at the northeast corner of the intersection of FM 407 and Barnett Boulevard. The purpose of the replat is to accommodate a future Neighborhood Credit Union building.

**IDENTIFIED NEED/S:**

Public hearings are required at both Planning and Zoning and City Council for replats. All public hearing notifications requirements have been met.

**OPTIONS & RESULTS:**

Consideration of a subdivision plat is a ministerial act requiring the City Council to approve the replat if it satisfies all of the technical requirements of the City's subdivision regulations and state law. A plat application can only be denied if the plat application is not complete or otherwise fails to comply with the City's subdivision regulations.

**PROGRESS TO DATE: (if appropriate)**

As of this date of preparation of this briefing, August 9, 2016, staff has received (1) call inquiring only on the nature of the request. City Staff and the City's Engineer have reviewed the replat application and find that the application is complete and conforms with all technical standards of the subdivision ordinance.

At the August 16, 2016, Planning and Zoning meeting, it was recommended to send the replat forward to City Council for approval with a vote of (5-0), requesting that city staff review the following (i) labeling of the Barnett Blvd. 60' roadway easement to right-of-way if appropriate, (ii) possible labeling of 20' public access and utility easement on the west side of property if appropriate, (iii) review legal metes and bounds to reflect the "site triangle" if appropriate.

**BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

N/A

## **RECOMMENDATION:**

Staff recommends the City Council consider the recommendation made by the Planning and Zoning Commission to approve the replat for the property located at 2760 Justin Rd, being a portion of Tract 1-A and the remainder of Tract 2 (SW Corner), of the Barnett Subdivision as presented.

**CITY OF HIGHLAND VILLAGE**  
**CITY COUNCIL**

**AGENDA# 21**

**MEETING DATE: 08/23/16**

**SUBJECT: Review and Consider an application for a Site Plan for the property located in the Barnett Subdivision, being a portion of Tract 1-A and the remainder of Tract 2 (SW Corner), commonly known as 2760 Justin Road**

**PREPARED BY: Autumn Aman, Community Development Coordinator**

**BACKGROUND:**

An application was received for a Site Plan to construct an approximately 2,790 square foot building for Neighborhood Credit Union on the property located at the northeast corner of the intersection of FM 407 and Barnett Boulevard, immediately west of the Whataburger. The site plan package includes a site plan, building elevations, signage, lighting plan, and landscape plans.

Details:

- The property is currently zoned Planned Development Commercial (PD-C), Credit Unions are a permitted use within this zoning.
- Compliance Reference for the site design is the “Non-Residential Overlay Ordinance” (Look & Feel).
- The applicant has received approval from the Upper Trinity Regional Water District (U.T.R.W.D.) for all items being placed within their easement, street buffer trees, sidewalk, etc.
- There is (1) one existing overhead power line on the East side of the property that will be placed underground. Per ordinance, all on-site utilities, including electrical and cable lines, shall be placed underground. The power line on the corner of Barnett Blvd. and FM 407 is a primary/feeder line, which per ordinance, is not required to be placed underground.
- The applicant is proposing to not install an exterior Trash Receptacle on this site. Trash receptacles are allowed as an incidental use; however, being a financial institute, the applicant has advised City staff that it will be using more secure ways of eliminating their trash.

**IDENTIFIED NEED/S:**

N/A

## **OPTIONS & RESULTS:**

Options are to (i) approve the site plan as submitted, (ii) approval subject to revisions, or (iii) deny the site plan package upon a finding that it does not comply one or more requirements of the PD zoning or City Ordinances for the property.

## **PROGRESS TO DATE: (if appropriate)**

City Staff has reviewed the site plan package and finds that the proposed site plan conforms with applicable City Ordinances.

At the August 16, 2016, Planning and Zoning meeting, it was recommended to send the site plan forward for approval with a vote of (5-0) with the following modifications:

- Recommend replacing the “Knockout” roses with another planting due to infestations that have been affecting this type of plant.
- Integrate grass within the median on the east property line.
- Add (1) additional street buffer tree, crape myrtle, along FM 407.
- Add (1) additional tree in the median on the northern property line.
- Recommend including irrigation drawings to City Council.

## **BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

No Ordinance change is required.

## **RECOMMENDATION:**

That City Council review and consider the recommendation of the Planning and Zoning Commission.

## **CITY OF HIGHLAND VILLAGE**

### **COUNCIL BRIEFING**

**AGENDA# 22**

**MEETING DATE: 08/23/16**

**SUBJECT:** Consider Ordinance No. 2016-1206, Ordinance 2016-1207, Ordinance 2016-1208, Ordinance 2016-1209, Ordinance 2016-1211, Ordinance 2016-1212, Ordinance 2016-1213, and Ordinance 2016-1214 Amending Chapter 24 “Building Regulations”, Article 24.02 “Technical and Construction Co, the Code of Ordinances adopting the 2015 International Building Codes and the 2014 National Electrical Code and related Local Amendments and Amending the Code of Ordinances Chapter 8 “Fire Prevention and Protection,” Article 8.04 “Fire Code” adopting the 2015 International Fire Code and Related Local Amendments

**PREPARED BY:** Billy Spencer, Building Official

### **BACKGROUND:**

Since the Fall of 2013, the City of Highland Village has been enforcing the 2009 International Building Codes.

Many cities in Texas have already adopted the 2015 IBC and other associated Codes.

### **IDENTIFIED NEED/S:**

International Building Code-2015 Edition with Regional Amendments.  
International Residential Code-2015 Edition with Regional Amendments  
International Plumbing Code- 2015 Edition with Regional Amendments  
International Mechanical Code-2015 Edition with Regional Amendments  
International Fuel Gas Code-2015 Edition with Regional Amendments  
International Property Maintenance Code-2015 Edition with Regional Amendments  
International Existing Building Code- 2015 Edition with Regional Amendments  
National Electrical Code-2014 Edition with Regional Amendments  
International Fire Code-2015 Edition with Regional Amendments

The North Central Texas Council of Governments recommends that all municipalities adopt all the codes with the regional amendments in order to reduce confusion and provide regional uniformity, which benefits builders, architects, contractors and consequently home buyers.

### **OPTIONS & RESULTS:**

The State of Texas requires all municipalities to adopt the 2015 International Energy Conservation Code. The remaining 2015 International Codes listed above should be adopted

in order to be compatible with the State mandated Codes. This will standardize the regulations for the design and construction of all buildings.

### **PROGRESS TO DATE: (if appropriate)**

Staff has reviewed the recommendation for the regional amendments and has added additional amendments in order to comply with existing Zoning Ordinances. The Zoning Board of Appeals was presented with the consideration of the adoption of the 2015 Building Codes on July 7, 2016. The board members had a few questions pertaining to the adoption of codes and their questions were answered during the meeting, and there were no objections to the adoption of the building codes.

### **BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)**

Budget amounts have been addressed during the 2016-17 budget year.

### **RECOMMENDATION:**

Staff recommends the adoption of the ordinances presented for consideration pursuant to the following suggested motion:

***I move that Ordinance Nos. 2016-1206, 2016-1207, 2016-1208, 2016-1209, 2016-1210, 2016-1211, 2016-1212, 2016-1213, and 2016-1214 be approved on first reading as presented.***

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1206**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING CHAPTER 24, "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADDING A NEW DIVISION 10 TITLED "EXISTING BUILDING CODE" ADOPTING THE 2015 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE WITH LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended by adding a new Division 10 titled "Existing Building Code" to read in its entirety as follows:

## **Division 10. Existing Building Code**

### **Sec. 24.02.451          Adoption of 2015 International Existing Building Code**

The 2015 Edition of the International Existing Building Code, as published by the International Code Council and as amended pursuant to Sec. 24.02.452, is hereby adopted. Copies of the Existing Building Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Existing Building Code. For purposes of this Division, the phrase "Existing Building Code" means collectively (i) the 2015 Edition of the International Existing Building Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 24.02.452.

### **Sec. 24.02.452          Local Amendments Adopted**

For purposes of enforcement of the provisions of the Existing Building Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Existing Building Code* are hereby amended as follows:

#### **Section 102.4 is amended to read as follows:**

**[A] 102.4 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 102.4.1 and 102.4.2.

#### **Section 202 is amended by amending the definition of "Existing Building" to read as follows:**

**Existing Building** - A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; or a change of occupancy.

#### **Section 405.1.2 is amended to read as follows:**

**405.1.2 Existing fire escapes.** Existing fire escapes shall continue to be accepted as a component in the means of egress in existing buildings only. Existing fire escapes shall be permitted to be repaired or replaced.

#### **Section 405.1.3 is deleted.**

#### **Section 406.2 is amended to read as follows:**

**406.2 Replacement window opening control devices.** In Group R-2 or R-3 buildings containing dwelling units, window opening control devices complying with ASTM F 2090 shall be installed where an existing window is replaced and where all of the following apply to the replacement window:

1. The window is operable;
2. The window replacement includes replacement of the sash and the frame;

3. The top of the sill of the window opening is at a height less than 36 inches (915 mm) above the finished floor;
4. The window will permit openings that will allow passage of a 4-inch-diameter (102 mm) sphere when the window is in its largest opened position; and
5. The vertical distance from the top of the sill of the window opening to the finished grade or other surface below, on the exterior of the building, is greater than 72 inches (1829 mm).

The window opening control device, after operation to release the control device allowing the window to fully open, shall not reduce the minimum net clear opening area of the window unit to less than the area required by Section 1030.2 of the International Building Code. (*remaining language unchanged*)

**Section 406.3 is amended to read as follows:**

**406.3 Replacement window emergency escape and rescue openings.** Where windows are required to provide emergency escape and rescue openings in Group R-2 and R-3 occupancies, replacement windows shall be exempt from the requirements of Sections 1030.2, 1030.3 and 1030.5 of the International Building Code, provided the replacement window meets the following conditions: (*remaining language unchanged*)

**Section 408.3 is deleted.**

**Section 409.1 is amended by adding a paragraph titled “Exception” to read as follows:**

**Exception:** Moved historic buildings need not be brought into compliance with the exception of new construction features required as the result of such movement, including but not limited to foundations and/or other structural elements.

**Section 410.1 is amended by adding a paragraph titled “Exception” to read as follows:**

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

**Section 410.4.2 is amended by adding number paragraph 7 to read as follows:**

7. At least one accessible family or assisted use toilet room shall be provided in accordance with Chapter 11 of the International Building Code.

**Section 601.3 is deleted.**

**Section 602.3 is amended to read as follows:**

**602.3 Glazing in hazardous locations.** Replacement glazing in hazardous locations shall comply with the safety glazing requirements of the *International Building Code*, *International Energy Conservation Code*, or *International Residential Code* as applicable.

**Section 606.2.4 is deleted.**

**Section 607.1 is amended to read as follows:**

**607.1 Material.** Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

**Section 701.3 is deleted.**

**Section 702.6 is amended to read as follows:**

**702.6 Materials and methods.** All new work shall comply with the materials and methods requirements in the *International Building Code*, *International Energy Conservation Code*, *International Mechanical Code*, *National Electrical Code*, and *International Plumbing Code*, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

**Section 802.1 is amended to read as follows:**

**802.1 General.** *Alteration* of buildings classified as special use and occupancy as described in Chapter 4 of the *International Building Code* shall comply with the requirements of Section 801.1 and the scoping provisions of Chapter 1 where applicable.

**Section 803.5.1 is amended to read as follows:**

**803.5.1 Minimum requirement.** Every portion of open-sided walking surfaces, including *mezzanines*, *equipment platforms*, *aisles*, *stairs*, *ramps* and landings that are not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

**Section 804.1 is amended by adding the following sentence at the end of the section:**

...For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the *work area* shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject *work area*, and if the *work area* includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

**Section 804.2.2 is amended by amending Exception No. 2 to read as follows:**

**Exception:** Where the building does not have sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a new fire pump, fire sprinkler protection shall not be required.

**Section 804.2.5 is amended by amending “Exception” to read as follows:**

**Exception:** Supervision is not required where the Fire Code does not require such for new construction.

**Section 804.3 is amended to read in its entirety as follows:**

**804.3 Standpipes.** Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements.

**Section 805.2 is amended by deleting Exception #1.**

**Section 805.3.1.1 is amended by deleting numbered paragraph 4.**

**Section 805.3.1.2 is amended to read as follows:**

**805.3.1.2 Fire Escapes required.** For other than Group I-2, where more than one exit is required an existing fire escape complying with section 805.3.1.2.1 shall be accepted as providing one of the required means of egress.

**Section 805.3.1.2.1 is amended as follows:**

***A. Numbered paragraph 2 is amended to read as follows:***

2. Access to a fire escape shall be through a door.

***B. Numbered paragraph 3 is deleted.***

***C. Numbered paragraph 5 is amended to read as follows:***

5. In all building of Group E occupancy up to and including the 12<sup>th</sup> grade, building of Group I occupancy, boarding houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.

**Section 805.3.1.2.2 is deleted.**

**Section 805.3.1.2.3 is deleted.**

**Section 805.5.2 is amended by adding the following at the end of the section:**

*B and E occupancies are not included in the list and consideration should be given to adding them depending on existing buildings stock.*

**Section 806.2 is amended by adding a paragraph titled "Exception" to read as follows:**

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

**Section 904.1 is amending by adding a sentence to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the *work area* shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject *work area*, and if the *work area* includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

**Section 904.1.1 is amended to read as follows:**

**904.1.1 High-rise buildings.** An automatic sprinkler system shall be provided in work areas of high-rise buildings.

**Section 1103.5 is deleted.**

**Section 1201.4 is deleted.**

**Section 1302.7 is deleted.**

**Section 1401.2 is amended to read as follows:**

**1401.2 Applicability.** Structures existing prior to the date of an approved final inspection issued under a code edition which is at least two published code editions preceding the currently adopted building code; or a change of occupancy, {remainder of section unchanged}.

**Section 1401.3.2 is amended to read as follows:**

**1401.3.2 Compliance with other codes.** Buildings that are evaluated in accordance with this section shall comply with the *International Fire Code*.

**Chapter 16 is amended by changing the referenced version to the IECC to read as follows:**

IECC Edition as adopted by the State of Texas\_International Energy Conservation Code®. .301.2, 702.6, 708.1, 811.1, 908.1

**Sec. 24.02.453        Fees and Charges.**

Any and all fees and charges proscribed by the Existing Building Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

**Sec. 24.02.454        Conflicts with Comprehensive Zoning Ordinance**

To the extent of any irreconcilable conflicts between the Existing Building Code and the provisions of the City's Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

**Sec. 24.02.455        Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**Approved:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**

(kbl:8/18/16:78307)

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1207**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING IN ITS ENTIRETY DIVISION 5 "MECHANICAL CODE" OF CHAPTER 24 "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL MECHANICAL CODE WITH LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Division 5 "Mechanical Code" of Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended to read in its entirety as follows:

## **Division 5. Mechanical Code**

### **Sec. 24.02.201      Adoption of 2015 International Mechanical Code**

The 2015 Edition of the International Mechanical Code, as published by the International Code Council and as amended pursuant to Sec. 24.02.202, is hereby adopted. Copies of the Mechanical Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Mechanical Code. For purposes of this Division, the phrase "Mechanical Code" means collectively (i) the 2015 Edition of the International Mechanical Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 24.02.202.

### **Sec. 24.02.202      Local Amendments Adopted**

For purposes of enforcement of the provisions of the Mechanical Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Mechanical Code* are hereby amended as follows:

#### **Section 102.8 is amended 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.

#### **Sections 106.5.2 and 106.5.3 are amended to read as follows:**

**106.5.2 Fee schedule.** Fees for the issuance of permits and performance of inspections as required by this code shall be as established from time to time by resolution of the City Council and set forth in the City's Fee Schedule maintained in the Office of the City Secretary.

**106.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 50 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**Section 306.3 is amended to read as follows:**

**306.3 Appliances in attics.** Attics containing appliances shall be provided *{intervening text 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 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 is capable of being serviced and removed... *{remainder of section unchanged}*

**Section 306.5 is amended 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 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 *{intervening language unchanged}* on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope).... *{remaining text unchanged}*.

**Section 306.5.1 is amended to read as follows:**

**306.5.1 Sloped roofs.** Where appliances, *equipment*, fans or other components that require service are installed on roof having slopes greater than 3 units vertical in 12 units horizontal (25-percent slope) or greater 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*.

**Section 306 is amended by adding 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 maximum 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and the water heater installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

**Section 307.2.3 is amended by amending numbered paragraph 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.

**Section 403.2.1 is amended by adding a paragraph 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.

**Section 501.3 is amended by adding a new paragraph 4 under "Exceptions" to read as follows:**

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

**Section 607.5.1 is amended to read as follows:**

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

**Sec. 24.02.203 Fees and Charges.**

Any and all fees and charges proscribed by the Mechanical Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

**Sec. 24.02.204 Conflicts with Comprehensive Zoning Ordinance; Other Pool Regulations**

a. To the extent of any irreconcilable conflicts between the Mechanical Code and the provisions of the City's Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

b. To the extent of any irreconcilable conflict between the provisions of this the Mechanical Code and Article 24.03 of the Code of Ordinances relating to the regulation of swimming pools, the provisions of said Article 24.03 shall be controlling.

**Sec. 24.02.205          Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>rd</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**APPROVED:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**  
(kbl:8/17/16:78304)

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1208**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, RETITLING AND AMENDING IN ITS ENTIRETY DIVISION 6 "FUEL GAS CODE" OF CHAPTER 24, "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FUEL GAS CODE WITH LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Division 6 "Fuel Gas Code" of Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended to read in its entirety as follows:

## **Division 6. Fuel Gas Code**

### **Sec. 24.02.251      Adoption of 2015 International Fuel Gas Code**

The 2015 Edition of the International Fuel Gas Code, as published by the International Code Council and as amended pursuant to Sec. 24.02.252, is hereby adopted. Copies of the Fuel Gas Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Fuel Gas Code. For purposes of this Division, the phrase "Fuel Gas Code" means collectively (i) the 2015 Edition of the International Fuel Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 24.02.252.

### **Sec. 24.02.052      Local Amendments Adopted**

For purposes of enforcement of the provisions of the Fuel Gas Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Fuel Gas Code* are hereby amended as follows:

#### **Section 102.2 is amended by adding a paragraph titled "Exception" to read as follows:**

**Exception:** Existing dwelling units shall comply with Section 621.2.

#### **Section 102.8 is amended 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.

#### **Section 306.3 is amended to read in its entirety as follows:**

**[M] 306.3 Appliances in attics.** Attics containing appliances shall be provided . *{intervening language 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:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.

4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

**Exceptions:**

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.
2. Where the passageway is not less than ... (*remainder of section unchanged*).

**Section 306.5 is amended 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, a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such access shall . . . {*intervening language unchanged*}. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... {*remainder of section unchanged*}.

**Section 306.5.1 is amended 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 3 units vertical in 12 units horizontal (25 percent slope) or greater 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*.

**Section 306 is amended by adding 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.

**Section 401.5 is amended by adding the following language at the end of the section:**

...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"

**Section 402.3 is amended by adding the following paragraph titled "Exception":**

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

**Section 404.12 is amended to read as follows:**

**404.12 Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) top of pipe below grade.

**Section 406.1 is amended 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.

{all subsections remain unchanged}

**Section 406.4 is amended to read as follows:**

**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.

**Section 406.4.1 is amended to read as follows:**

**406.4.1 Test pressure.** The test pressure to be used shall be no less than 3 psig (20 kPa gauge), or at the discretion of the Building Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. For tests requiring a pressure of 3 psig, 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.

**Section 406.4.1 is amended to read in its entirety as follows:**

**406.4.1 Test pressure.** The test pressure to be used shall be no less than 1 1/2 times the proposed maximum working pressure, but no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, 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. Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

**Section 406.4.2, inclusive of subsections, is amended to read in its entirety 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.

**Section 409.1 is amended by adding 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.

**Section 410.1 is amended by adding the following sentence at the end of the section and a new paragraph titled “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.

**Section 621.2 is amended by adding a paragraph titled “Exception” to read as follows:**

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

**Sec. 24.02.253 Fees and Charges.**

Any and all fees and charges proscribed by the Fuel Gas Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

**Sec. 24.02.254 Conflicts with Comprehensive Zoning Ordinance**

To the extent of any irreconcilable conflicts between the Fuel Gas Code and the provisions of the City’s Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

**Sec. 24.02.255 Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**Approved:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**  
(kbl:8/17/16:78306)

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1209**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING IN ITS ENTIRETY DIVISION 4 "ELECTRICAL CODE" OF CHAPTER 24 "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADOPTING THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the National Electrical Code prepared by the National Fire Protection Association and the International Codes were prepared by the International Code Council, have been reviewed by the NCTCOG, and in addition have been reviewed by City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, and the 2014 edition of the National Electrical Code is the most current published electrical code at this time; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to update and adopt the 2014 edition of the National Electrical Code, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein and as those codes are specifically modified by this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Division 4 "Electrical Code" of Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended to read in its entirety as follows:

## **Division 4. Electrical Code**

### **Sec. 24.02.151      Adoption of 2014 National Electrical Code**

The 2014 Edition of the National Electrical Code, as published by the National Fire Protection Association and as amended pursuant to Sec. 24.02.152, is hereby adopted. Copies of the Electrical Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Electrical Code. For purposes of this Division, the phrase "Electrical Code" means collectively (i) the 2014 Edition of the National Electrical Code, as published by the National Fire Protection Association and (ii) the local amendments adopted pursuant to Sec. 24.02.152.

### **Sec. 24.02.152      Local Amendments Adopted**

For purposes of enforcement of the provisions of the Electrical Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2011 Edition of the National Electrical Code* are hereby amended as follows:

#### **Add a new Article 90.9 titled "Administrative Provisions" to read as follows:**

#### **Article 90.9 ADMINISTRATIVE PROVISIONS**

**(A) PERMITS REQUIRED.** Any owner, authorized agent, individual or contractor who desires to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the code official and obtain the required permit for the work. A separate permit shall be obtained for each building or structure.

No permit shall be issued for installing, altering, extending or replacing any electrical wiring or equipment on any building, structure or premise, if any unlawful electrical wiring or equipment exists on the same premises, until a permit to correct such conditions is first obtained and all necessary corrections are made.

**Exempt work.** The following work shall be exempt from the requirement for a permit:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this code.
2. Reinstallation of attachment plug receptacles, but not the outlets thereof.
3. Repair or replacement of any overcurrent device of the required capacity in the same location.
4. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
5. Taping joints.

6. Removal of electrical wiring.
7. Temporary wiring for experimental purposes in suitable experimental laboratories.
8. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
9. Low-energy power, control and signal circuits of Classes II and III as defined in this code.
10. Electrical maintenance work, as defined in this code that is performed by an individual properly authorized to do such work.

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

#### **(B) TO WHOM PERMITS MAY BE ISSUED**

**General.** No permit shall be issued to any person to do or cause to be done any work regulated by this code, except to a person holding a valid, State of Texas Electrical Contractors License as follows:

1. must be in possession of a current and valid State Electrical Contractor's License;
2. must have a current and active registration with the City of Highland Village as a registered Contractor;
3. must designate a State of Texas Master Electrician to act as the Master of Record who must be in possession of a current and valid State of Texas Master Electrician License.

**Homestead owner.** Permits may be issued to a property owner who wishes to do electrical work in a building owned and occupied by him as his homestead. This provision only permits the homeowner to work on that part of the electrical system that occurs after, but does not include, the first main breaker behind the electrical meter. The phrase "to do electrical work" shall be construed to mean work actually performed personally by the owner.

#### **(C) WHO MAY DO THE WORK**

**General.** It shall be unlawful for any person to do or cause to be done any electrical work within the City of Highland Village except as provided in this section. Doing work other than what is authorized by this section is considered a violation by the worker as well as the Master Electrician and/or Contractor.

**State of Texas licensees.** Individuals in possession of a State of Texas license may perform work in the City of Highland Village according to the conditions of that state license.

**On-site supervision.** In the performance of *electrical work*, on-site supervision shall be provided for any electrical worker not in possession of a valid Master or Journeyman license. In the performance of *electrical sign work*, on-site supervision shall be provided for any electrical

sign worker not in possession of a valid Master, Master Sign, Journeyman or Journeyman Sign license.

**“On-site supervision”** means a qualified Master or Journeyman is on the job site at all times electrical or electrical sign work, as allowed above, is in progress.

**C02.2.3 Homestead owner.** A homestead owner shall be able to perform work on his homestead property.

#### **(D) FEES**

**General.** Fees for the issuance of permits and performance of inspections as required by this code shall be as established from time to time by resolution of the City Council and set forth in the City’s Fee Schedule maintained in the Office of the City Secretary.

#### **Investigation fees: Work without a permit.**

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

**Exceptions:** This provision shall not apply to emergency work when it shall be proved to the satisfaction of the building official that such work was urgently necessary and that it was not practical to obtain a permit for the work prior to the commencement of the work. In all cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

**Investigation Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the application fee set forth in City Fee Schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

#### **Article 100, Part I is amended by amending the definitions of “Engineering Supervision” and “Intersystem Bonding Termination” to read as follows:**

**Engineering Supervision.** Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations.

**Intersystem Bonding Termination.** A device that provides a means for connecting intersystem bonding conductors for communication systems and other systems to the grounding electrode system. Bonding conductors for other systems shall not be larger than 6 AWG.

#### **Article 110.2 is amended 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.*

Informational Note No.1: 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*.

Informational Note No. 2: Manufacturer's self-certification of equipment may not necessarily comply with US product safety standards as certified by a Nationally Recognized Testing Lab.

Informational Note No. 3: NFPA 790 and 791 provide an example of an approved method for qualifying a third party inspection agency.

**Article 210.52(G)(1) is amended to read as follows:**

**(1) Garages.** In each attached garage and in each detached garage with electric power. At least one receptacle outlet shall be installed for each car space.

**Article 230.71(A) is amended by adding the following paragraph titled "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.

**Article 240.91 is deleted.**

**Article 300.11 is amended by adding the following paragraph titled "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").

**Article 310.15(B)(7) is amended to read as follows:**

**(7)** This Article shall not be used in conjunction with 220.82.

**Article 500.8(A)(3) is amended to read as follows:**

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

**Article 505.7(A) is amended to read as follows:**

**(A) Implementation of Zone Classification System.** Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed by a qualified Licensed Professional Engineer in the State of Texas.

**Article 517.30(G) is amended to read as follows:**

**(G) Coordination.** Overcurrent protective devices serving the equipment branch of the essential electrical system shall be coordinated for the period of time that a fault's duration extends beyond 0.1 second.

Exception No. 1: Between transformer primary and secondary overcurrent protective devices, where only one overcurrent protective device or set of overcurrent protective devices exists on the transformer secondary.

Exception No. 2: Between overcurrent protective devices of the same size (ampere rating) in series.

Informational Note: The terms coordination and coordinated as used in this section do not cover the full range of overcurrent conditions.

**Article 517.30(G) is amended by adding a new Paragraph (H) to read as follows:**

**(H) Selective Coordination.** Overcurrent protective devices serving the life safety, and critical branches of the essential electrical system shall be selectively coordinated with all supply-side overcurrent protective devices.

Exception No. 1: Between transformer primary and secondary overcurrent protective devices, where only one overcurrent protective device or set of overcurrent protective devices exists on the transformer secondary.

Exception No. 2: Between overcurrent protective devices of the same size (ampere rating) in series.

Informational Note: The terms coordination and coordinated as used in this section do not cover the full range of overcurrent conditions.

**Article 680.25(A) is amended 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

**Sec. 24.02.153        Fees and Charges.**

Any and all fees and charges proscribed by the Electrical Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

**Sec. 24.02.154        Conflicts with Comprehensive Zoning Ordinance; Other Pool Regulations**

a.        To the extent of any irreconcilable conflicts between the National Electrical Code and the provisions of the City's Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

b.        To the extent of any irreconcilable conflict between the provisions of the National Electrical Code and Article 24.03 of the Code of Ordinances relating to the regulation of swimming pools, the provisions of said Article 24.03 shall be controlling.

**Sec. 24.02.155        Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**APPROVED:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**  
(kbl 8/17/16:78090)

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1210**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING IN ITS ENTIRETY CHAPTER 8 "FIRE PREVENTION AND PROTECTION," ARTICLE 8.04 "FIRE CODE" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Chapter 8, "Fire Prevention and Protection," Article 8.04 "Fire Code" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended to read in its entirety as follows:

## **ARTICLE 8.04 FIRE CODE**

### **Sec. 8.04.001 Adoption of 2015 International Fire Code**

The 2015 Edition of the International Fire Code, as published by the International Code Council and as amended pursuant to Sec. 8.04.003, is hereby adopted. Copies of the Fire Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. For purposes of this Division, the phrase "Fire Code" means collectively (i) the 2015 Edition of the International Fire Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 8.04.003.

### **Sec. 8.04.002 Enforcement**

The Fire Chief, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Fire Code. The phrase "fire code official," when used in the Fire Code, shall mean the Fire Chief or his authorized representative.

### **Sec. 8.04.003 Local Amendments Adopted**

For purposes of enforcement of the provisions of the Fire Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Fire Code* are hereby amended as follows:

#### **Section 102.1 is amended by amending numbered paragraph 3 to read as follows:**

3. Existing structures, facilities and conditions when required in Chapter 11 or in specific sections of this code.

#### **Section 105.3.3 is amended 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.

#### **Section 105.7 is amended by adding Section 105.7.19 to read as follows:**

**105.7.19 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.

#### **Section 202 is amended by adding definitions for the phrases "DEFENDING IN PLACE," "SELF-SERVICE STORAGE FACILITY," "STANDYBY PERSONNEL," and "UPGRADED OR REPLACED FIRE ALARM SYSTEM" to read as follows:**

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

**SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

**STANDBY PERSONNEL.** Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

**UPGRADED OR REPLACED FIRE ALARM SYSTEM.** A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

1. Replacing one single board or fire alarm control unit component with a newer model
2. Installing a new fire alarm control unit in addition to or in place of an existing one
3. Conversion from a horn system to an emergency voice/alarm communication system
4. Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

1. Firmware updates
2. Software updates
3. Replacing boards of the same model with chips utilizing the same or newer firmware

**Section 202 is amended by amending the definitions of “AMBULATORY HEALTH CARE FACILITY,” “ATRIUM,” “FIRE WATCH,” “FIREWORKS,” “HIGH-PILED COMBUSTIBLE STORAGE,” “HIGH RISE BUILDING,” AND “REPAIR GARAGE” to read as follows:**

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

- Dialysis centers
- Buildings where procedures involving sedation occur
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

**ATRIUM.** An opening connecting three or more stories... *{remaining text unchanged}*

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

**FIREWORKS.** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, *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*}...

**HIGH-PILED COMBUSTIBLE STORAGE:** [add the following to existing definition:] 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.

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

**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.

**Section 307.1.1 is amended to read as follows:**

**307.1.1 Prohibited Open Burning.** Open burning 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.}

**Section 307.2 is amended 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. 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 (TCEQ) 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*.

**Section 307.3 is amended to read as follows:**

**307.3 Extinguishment Authority.** The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

**Section 307.4 is amended to read as follows:**

**307.4 Location.** The location for open burning shall not be less than 300 feet (91,440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91,440 mm) of any structure.

*{Exceptions unchanged}*

**Section 307.4.3 is amended by adding a new paragraph 2 under “Exceptions” to read as follows:**

2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system.

**Section 307.4 is amended by adding Section 307.4.4 and Section 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.

**Section 307.5 is amended to read as follows:**

**307.5 Attendance.** Open burning, trench burns, bonfires or recreational fires shall be constantly attended until the... *{remainder of section unchanged}*

**Section 308.1.4 is amended to read as follows:**

**308.1.4 Open-flame cooking devices.** Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be 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. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

**Section 308.1.6.2 is amended by amending paragraph number 3 under the section titled “Exceptions” to read as follows:**

3. Torches or flame-producing devices in accordance with Section 308.1.3.

**Section 308.1.6.3 is amended to read as follows:**

**308.1.6.3 Sky Lanterns.** A person shall not release or cause to be released an unmanned free-floating devices containing an open flame or other heat source, such as but not limited to a sky lantern.

**Section 311.5 is amended to read as follows:**

**311.5 Placards.** 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 as required by Section 311.5.1 through 311.5.5.

**Section 403.5 is amended to read as follows:**

**403.5 Group E Occupancies.** An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.5.1 through 403.5.3.

**Section 404.2.2; by adding number 4.10 to read as follows:**

4.10 Fire extinguishing system controls.

**Section 405.4 is amended to read as follows:**

**405.4 Time.** The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

**Section 501.4 is amended 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.

**Section 503.1.1 is amended to read as follows:**

**503.1.1 Buildings and facilities.** *Approved fire apparatus ...{intervening text unchanged}...* building or facility. Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten foot (10') wide unobstructed pathway around the external walls of the structure.

{“Exception” remains unchanged}

**Section 503.2.1 is amended to read as follows:**

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (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 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.

**Section 503.2.2 is amended 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.

**Section 503.2.3 is amended to read as follows:**

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support imposed loads of 80,000 pounds for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

**Section 503.3 is amended to read as follows:**

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

**(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 Chief.

**Section 503.4 is amended 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.

**Section 505.1 is amended to read as follows:**

**505.1 Address identification.** New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. 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 6 inch (152.4 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 identification 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.

**Section 507.4 is amended to read as follows:**

**507.4 Water supply test date and information.** The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*, as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as approved by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

**Section 507.5.4 is amended 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.

**Section 509.1 is amended by adding a new Section 509.1.2 to read as follows:**

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

**Section 603.3.2.1 is amended by changing the paragraph titled “Exception” to read in its entirety 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.

**Section 603.3.2.2 is amended 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 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.

**Amend Section 604.1.2 to read as follows:**

**604.1.2 Installation.** Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

**Amend Section 604.1 by adding Section 604.1.9 to read as follows:**

**604.1.9 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.

**Amend Section 604.2 to read as follows:**

**604.2 Where Required.** Emergency and standby power systems shall be provided where required by Sections 604.2.1 through 604.2.24 or elsewhere identified in this code or any other referenced code.

**Amend Section 604.2.4 to read as follows:**

**604.2.4 Emergency Voice/alarm Communications Systems.** Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

- Covered and Open Malls, Section 907.2.20 and 914.2.3
- Group A Occupancies, Sections 907.2.1 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

**Amend Section 604.2.12 to read as follows:**

**604.2.12 Means of Egress Illumination.** Emergency power shall be provided for *means of egress* illumination in accordance with Sections 1008.3 and 1104.5.1. (90 minutes)

**Amend Section 604.2.13 to read as follows:**

**604.2.13 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 Section 2702 of the *International Building Code*. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4

**Amend Section 604.2.15 to read as follows:**

**604.2.15 Smoke Control Systems.** Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11:

Covered Mall Building, International Building Code, Section 402.7  
Atriums, International Building Code, Section 404.7  
Underground Buildings, International Building Code, Section 405.8  
Group I-3, International Building Code, Section 408.4.2  
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 1029.6.2.1

**Amend Section 604.2 by adding Section 604.2.17 through 604.2.24 to read as follows:**

**604.2.17 Covered and Open Mall Buildings.** Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.3.

**604.2.18 Airport Traffic Control Towers.** A standby power system shall be provided in airport traffic control towers more than 65 ft. in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

**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 504.10, 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 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

**Amend Section 604 by adding Section 604.8 to read as follows:**

**604.8 Energy Time Duration.** Unless a time limit is specified by the fire code official, 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.

**Amend Section 609.2 to read as follows:**

**609.2 Where Required.** A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors, including but not limited to cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, or any form of roofed enclosure, as required by the fire code official.

**Exceptions:**

1. Tents, as provided for in Chapter 31.
2. {No change to existing Exception 2.}

Additionally, fuel gas and power provided for such cooking appliances shall be interlocked with the extinguishing system, as required by Section 904.12.2. Fuel gas containers and piping/hose shall be properly maintained in good working order and in accordance with all applicable regulations

**Section 704.1 is amended 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*.

**Section 807.3 is amended to read as follows:**

**807.3 Combustible Decorative Materials.** In occupancies in Groups A, E, I, and R-1, and dormitories in Group R-2, curtains, draperies, fabric hangings and other similar combustible

decorative materials suspended from walls or ceilings shall comply with Section 807.4 and shall not exceed 10 percent of the specific wall or ceiling area to which they are attached.

**Section 807.5.2.2 is amended to read as follows:**

**807.5.2.2 Artwork in Corridors.** Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the 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.

**Section 807.5.2.3 is amended to read as follows:**

**807.5.2.3 Artwork in Classrooms.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. 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.

**Section 807.5.5.2 is amended to read as follows:**

**807.5.5.2 Artwork in Corridors.** Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the 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.

**Section 807.5.5.3 is amended to read as follows:**

**807.5.5.3 Artwork in Classrooms.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. 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.

**Section 901.6.1 is amended by adding 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 code official*.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.

**Section 901.6 is amended by adding Section 901.6.3 to read as follows:**

**901.6.3 False Alarms and Nuisance Alarms.** False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

**Section 901.7 is amended to read as follows:**

**901.7 Systems out of service.** Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left

unprotected by the shut down until the *fire protection system* has been returned to service.  
...{remaining text unchanged}

**Section 901.8.2 is amended to read as follows:**

**901.8.2 Removal of Occupant-use Hose Lines.** The *fire code official* is authorized to permit the removal of occupant-use hose lines and hose valves where all of the following conditions exist:

1. The hose line(s) would not be utilized by trained personnel or the fire department.
2. If the occupant-use hose lines are removed, but the hose valves are required to remain as per the fire code official, such shall be compatible with local fire department fittings.

**Section 903.1.1 is amended to read as follows:**

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

**Section 903.2 is amended to read as follows:**

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

**Section 903.2 is further amended by deleting the paragraph titled "Exception."**

**Section 903.2.9 is amended by adding 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.

**Section 903.2.11.3 is amended to read as follows:**

**903.2.11.3 Buildings 35 feet or more in height.** An automatic sprinkler system shall be installed throughout buildings that have one or more stories, other than penthouses in compliance with Section 1510 of the *International Building Code*, that is located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

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

**Section 903.2.11 is amended by adding Sections 903.2.11.7, 903.2.11.8, and 903.2.11.9 to read as follows:**

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

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

**Section 903.3.1.1.1 is amended to read as follows:**

**903.3.1.1.1 Exempt locations.** When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such ...*{intervening 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. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

**Section 903.3.1.2 is amended by adding Section 903.3.1.2.3 to read as follows:**

**[F] Section 903.3.1.2.3 Attics and Attached Garages.** Sprinkler protection is required in attic spaces of such buildings two or more stories in height, in accordance with NFPA 13 and or NFPA 13R requirements, and attached garages.

**Section 903.3.1.3 is amended to read as follows:**

**903.3.1.3 NFPA 13D sprinkler systems.** Where allowed, *automatic sprinkler systems* installed in one- and two-family *dwelling*s, Group R-3, Group R-4 Condition 1 and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

**Section 903.3.1 is amended by adding Section 903.3.1.4 to read as follows:**

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

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

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

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

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

**Section 903.3.5 is amended by adding the following sentence at the end of the section:**

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.

**Section 903.4 is amended by adding the following paragraph following the paragraph titled "Exceptions":**

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

**Section 903.4.2 is amended by adding the following sentence at the end of the section:**

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

**Section 905.2 is amended 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.

**Section 905.3 is amended by adding Section 905.3.9 to read as follows:**

**905.3.9 Buildings Exceeding 10,000 sq. ft.** In buildings exceeding 10,000 square feet in area per story and 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, Class I automatic wet or manual wet standpipes shall be provided.

**Exceptions:**

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.

**Section 905.4 is amended by amending numbered paragraphs 1, 3 and 5 to read as follows:**

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

**Exception:** Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a {remainder of Exception unchanged.}

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located to serve the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.

**Section 905.4 is amended by adding a numbered paragraph 7 to read as follows:**

7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred foot (200') intervals along major corridors thereafter, or as approved by the fire code official.

**Section 905.9 is amended by adding the following paragraph after the "Exceptions":**

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

**Section 907.1 is amended by adding Section 907.1.4 to read as follows:**

**907.1.4 Design standards.** Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

**Section 907.2.1 is amended to read as follows:**

**907.2.1 Group A.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.-10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

**Exception:** {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.

**Section 907.2.3 is amended 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.

**Section 907.2.3 is amended by amending paragraph 1 and adding a new paragraph 1.1 under "Exceptions" to read as follows:**

- 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

**Section 907.2.13 is amended by amending paragraph 3 under "Exceptions" to read as follows:**

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

**Section 907.4.2 is amended by adding a new 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.

**Section 907.6.1 is amended by adding a new 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 a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

**Section 907.6.3 is amended by deleting all four “Exceptions.”**

**Section 907.6.6 is amended by adding the following sentence at the end of the paragraph:**

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

**Section 909 is amended by adding Section 909.22 to read as follows:**

**909.22 Stairway or Ramp Pressurization Alternative.** Where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and the stair pressurization alternative is chosen for compliance with Building Code requirements for a smokeproof enclosure, interior exit stairways or ramps shall be pressurized to a minimum of 0.10 inches of water (25 Pa) and a maximum of 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect. Such systems shall comply with Section 909, including the installation of a separate fire-fighter's smoke control panel as per Section 909.16, and a Smoke Control Permit shall be required from the fire department as per Section 105.7.

**[F] 909.22.1 Ventilating equipment.** The activation of ventilating equipment for the stair or ramp pressurization system shall be by smoke detectors installed at each floor level at an approved location at the entrance to the smokeproof enclosure. When the closing device for the stairway or ramp shaft and vestibule doors is activated by smoke detection or power failure, the mechanical equipment shall activate and operate at the required performance levels. Smoke detectors shall be installed in accordance with Section 907.3.

**909.22.1.1 Ventilation Systems.** Smokeproof enclosure ventilation systems shall be independent of other building ventilation systems. The equipment, control wiring, power wiring and ductwork shall comply with one of the following:

1. Equipment, control wiring, power wiring and ductwork shall be located exterior to the building and directly connected to the smokeproof enclosure or connected to

the smokeproof enclosure by ductwork enclosed by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

2. Equipment, control wiring, power wiring and ductwork shall be located within the smokeproof enclosure with intake or exhaust directly from and to the outside or through ductwork enclosed by not less than 2-hour barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
3. Equipment, control wiring, power wiring and ductwork shall be located within the building if separated from the remainder of the building, including other mechanical equipment, by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

**Exceptions:**

1. Control wiring and power wiring utilizing a 2-hour rated cable or cable system.
2. Where encased with not less than 2 inches (51 mm) of concrete.
3. Control wiring and power wiring protected by a listed electrical circuit protective systems with a fire-resistance rating of not less than 2 hours.

**909.22.1.2 Standby Power.** Mechanical vestibule and stairway and ramp shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 2702 of the Building Code.

**909.22.1.3 Acceptance and Testing.** Before the mechanical equipment is approved, the system shall be tested in the presence of the fire code official to confirm that the system is operating in compliance with these requirements.

**Section 910.2 is amended by amending paragraphs 2 and 3 under “Exceptions” to read as follows:**

2. Only manual smoke and heat removal shall not be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall not be required in areas of buildings equipped with control mode special application sprinklers with a response time index of  $50(m \cdot S)^{1/2}$  or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

**Section 910.2 is amended by adding a new Section 910.2.3 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 m<sup>2</sup>) in single floor area.

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

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

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

**Section 910.3 is amended by adding section 910.3.4 to read as follows:**

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

**[F] 910.3.4.1 Sprinklered buildings.** Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

**Exception:** Manual only systems per Section 910.2.

**910.3.4.2 Nonsprinklered Buildings.** Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

**Exception:** Listed gravity-operated drop out vents.

**Amend Section 910.4.3.1 to read as follows:**

**910.4.3.1 Makeup Air.** Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m<sup>2</sup> per 0.4719 m<sup>3</sup>/s) of smoke exhaust.

**Amend Section 910.4.4 to read as follows:**

**910.4.4 Activation.** The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by an approved fire detection system. Individual manual controls shall also be provided.

**Exception:** Manual only systems per Section 910.2.

**Section 912.2 is amending by adding Section 912.2.3 to read as follows:**

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

**Amend Section 913.2.1 by adding the following sentence and exception to read as follows:**

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

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

**Amend Section 914.3.1.2 to read as follows:**

**914.3.1.2 Water Supply to required Fire Pumps.** In buildings that are more than 120 feet (128 m) in *building height*, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

**Exception:** {No change to exception.}

**Amend Section 1006.2.2.6 by adding Section 1006.2.2.6 to read as follows:**

**1006.2.2.6 Electrical Rooms.** For electrical rooms, special exiting requirements may apply. Reference the Electrical Code as adopted.

**Section 1009.1 is amended by adding a new paragraph 4 under “Exceptions” to read as follows:**

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

**Section 1010.1.9.4 is amended by amending paragraphs 3 and 4 under “Exceptions” to read as follows:**

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

**Section 1015.8 is amended by amending paragraph number 1 to read as follows:**

1. Operable windows where the top of the sill of the opening is located more than 55 (16764 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.

**Section 1020.1 is amended by adding a new paragraph 6 under “Exceptions” to read as follows:**

- 6 In group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector shall activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors shall be connected to an approved automatic fire alarm system where such system is provided.

**Section 1029.1.1.1 is deleted.**

**Section 1024.1 is amended to read as follows:**

**1024.1 General.** *Approved* luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet (16.764 mm) above the lowest level of fire department vehicle access in accordance with Sections 1024.1 through 1024.5.

...{“Exceptions” unchanged}...

**Section 1031.2 is amended to read as follows:**

**1031.2 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. An exit or exit passageway shall not be used for any purpose that interferes with a means of egress.

**Section 1103.3 is amended by adding the following sentence to the end of the paragraph:**

Provide emergency signage as required by Section 607.3.

**Section 1103.5 is amended by adding Section 1103.5.1 to read as follows:**

**1103.5.1 Group A-2. 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.

**Section 1103.7 is amended by adding Section 1103.7.8 and 1103.7.8.1 to read as follows:**

**1103.7.8 Fire Alarm System Design Standards.** Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

**Exception:** Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

**1103.7.8.1 Communication requirements.** Refer to Section 907.6.6 for applicable requirements.

**Section 2304.1 is amended to read as follows:**

**2304.1 Supervision of Dispensing.** The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant; and/or,
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 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.

**Section 2401.2 is deleted.**

**Table 3206.2 is amended by amending Footnote j to read as follows:**

- j. Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of 50 (m • s) <sup>1</sup>/<sub>2</sub> or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13.

**Section 5601.1.3 is amended to read in its entirety 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. The use of fireworks for approved displays as allowed in Section 5608.

**Section 5703.6 is amended 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.

**Amend Section 5704.2.9.5 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 through 5704.2.9.5.3. {no change to remainder of section, including its subsections]

**Amend Section 5704.2.9.5 by adding Section 5704.2.9.5.3 to read as follows:**

**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.

**Section 5704.2.11.4 is amended to read as follows:**

**5704.2.11.4 Leak prevention.** Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

**Section 5704.2.11.4.2 is amended to read as follows:**

**5704.2.11.4.2 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 5704.2.11.4.3.

**Section 5704.2.11.4 is amended by adding a new Section 5704.2.11.4.3 to read as follows:**

**5704.2.11.4.3 Observation wells.** Approved sampling tubes of a minimum 6 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling 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.

**Section 6103.2.1 is amended by adding a new 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.

**Section 6104.2 is amended by adding a paragraph 2 under "Exception" to read as follows:**

2. Except as permitted in 308 and 6104.3.2, LP-gas containers are not permitted in residential areas.

**Section 6104.3 is amended by adding a new 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 3804.3 for location of containers.

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

**Section 5704.2.11.4 is amended to read as follows:**

**5704.2.11.4 Leak Prevention.** Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

**Table B105.2 is amended by amending footnote a. to read as follows:**

- a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

**Sec. 8.04.004 Rapid entry key control vaults for nonresidential structures**

- (a) Installation required. An exterior rapid entry key control vault shall be installed on all nonresidential occupancies.
- (b) Location. A rapid entry key control vault must be located within six feet of the main entrance to the occupancy, and such vault must be installed no more than seven feet above grade.
- (c) Size. All rapid entry key control vaults installed shall be of sufficient size to contain all keys required by the fire marshal of the fire department.

- (d) Testing and listing. All such vaults installed must be tested and listed by Underwriters' Laboratories, Inc., and proof of such testing and listing must be provided to the fire department prior to installation.

**Sec. 8.04.005 Fees and Charges.**

Any and all fees and charges proscribed by the Fire Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

**Sec. 8.04.006 Penalty**

The provisions of this article constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**APPROVED:**

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**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**

(kbl:8/17/16:78303)

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1211**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, RETITLING AND AMENDING IN ITS ENTIRETY DIVISION 2 "BUILDING AND RESIDENTIAL CODES" OF CHAPTER 24, "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Building Code, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Division 2 "Building and Residential Codes" of Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" of the Code of Ordinances of the City of Highland Village, Texas, is hereby re-titled and amended to read in its entirety as follows:

## **Division 2. Building Code**

### **Sec. 24.02.051      Adoption of 2015 International Building Code**

The 2015 Edition of the International Building Code, as published by the International Code Council and as amended pursuant to Sec. 24.02.052, is hereby adopted. Copies of the Building Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Building Code. For purposes of this Division, the phrase "Building Code" means collectively (i) the 2015 Edition of the International Building Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 24.02.052.

### **Sec. 24.02.052      Local Amendments Adopted**

For purposes of enforcement of the provisions of the Building Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Building Code* are hereby amended as follows:

#### **Section 101.4 is amended 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.

#### **Section 101.4 is amended by adding a new Section 101.4.7 to read as follows:**

**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.

#### **Sections 103 and 103.1 is amended by replacing the phrase "Department of Building Safety" with "Building Inspections and Permits Department" where it appears.**

#### **Section 105.2 is amended to read as follows:**

**105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

1. Retaining Walls which are not over two feet (2') in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids. A building permit must be obtained for any wall two feet (2') in height or higher. In addition to the building permit application, the retaining wall contractor needs to submit two construction plans identifying the height and length of each portion of the retaining wall, as well as the material being used for the wall. If any portion of the retaining wall is four feet (4') in height or higher, the construction plans must be prepared

by a certified professional engineer. The wall shall be measured from the bottom of the footing to the top of the wall. It will be the responsibility of the retaining wall contractor to have his certified professional engineer inspect his walls following construction, if any portion is over four feet (4') in height. Walls under four feet (4') will be the sole responsibility of the retaining wall contractor.

2. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
3. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Temporary motion picture, television and theater stage sets and scenery.
6. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
7. Swings and other playground equipment accessory to one- and two-family dwellings.
8. Window awnings supported by an exterior wall of Group R-3, as applicable in Section 101.2, and Group U occupancies.
9. Movable cases, counters and partitions not over 5 feet 9 inches (5'9") (1,753 mm) in height.

**Section 109.2 is amended to read as follows:**

**109.2 Schedule of permit fees.** Building Permit Fees for New Construction, Additions, Alterations and Repairs shall be as established from time to time by resolution of the City Council and set forth in the City's Fee Schedule maintained in the Office of the City Secretary.

**Section 109.4 is amended to read as follows:**

**109.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee established in the schedule of fees that shall be in addition to the required permit fees. 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.

**Section 109.6 is amended to read as follows:**

**109.6 Refunds.** The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. When no work has taken place, the Building Official may authorize the refunding of not more than 95 percent of any permit fee required by this code provided the request for refund is in writing from the applicant, accompanied with the original receipt and request is made not later than 180 days after the date of application of permit issuance.

**Section 109 is amended by adding new Sections 109.7, 109.8, 109.8.1, 109.8.2 and 109.9 to read as follows:**

**109.7 Re-inspection Fee.** A re-inspection fee as established by city council resolution may be charged when:

1. The inspection called for is not ready when the inspector arrives;
2. No building address or permit card is clearly posted;
3. City approved plans are not on the job site available to the inspector;
4. The building is locked or work otherwise not available for inspection when called;
5. 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.
8. Concealing work without first obtaining required inspections.

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

**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.

**Section 110.3.5 is deleted.**

**Section 202 is amended by amending the definitions of “Ambulatory Health Care Facility,” “Atrium,” “High-Rise Building,” and “Special Inspector” 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 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

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

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

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

**Section 202 is amended by adding new definitions for the phrases “Assisted Living Facilities,” and “Repair Garage” 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.

**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

**Section 303.1.3 is amended to read as follows:**

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

**Section 304.1 is amended to add the following to the list of occupancies:**

- Fire stations
- Police stations with detention facilities for 5 or less

**Section 307.1 is amended by adding the following language to the end of Exception 4. Cleaning Establishments:**

See also IFC chapter 21, Dry Cleaning Plant provisions.

**Section 403.1 is amended by amending Paragraph 3 under “Exceptions” to read as follows:**

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

**Section 403.3 is amended by deleting Paragraph 2 under “Exceptions.”**

**Section 403.3.2 is amended by amending the first paragraph to read as follows:**

**403.3.2 Water supply to required fire pumps.** In buildings that are more than 120 feet (36.5 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

**Section 404.5 is amended by deleting the paragraph titled “Exception.”**

**Section 406.3.5.1 is amended by adding the following sentence:**

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

**Section 506.3.2.1 is amended to read as follows:**

**506.3.2.1 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.

**Section 712.1.9 is amended by changing Item 4 to read as follows**

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

**Section 901.6.1 is amended by adding a new 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 code official*.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

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

**Section 903.1.1 is amended to read as follows:**

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

**Section 903.2 is amended to read as follows:**

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

**Section 903.2 "Exception" is deleted.**

**Section 903.2.9 is amended by adding a new 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.

**Section 903.2.11.3 is amended to read as follows:**

**903.2.11.3 Buildings 35 feet or more in height.** An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the *International Building Code* that is located 35 feet (10.668 mm) or more above the lowest level of fire department vehicle access.

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

**Amend Section 903.2.11 by adding Sections 903.2.11.7, 903.2.11.8, and 903.2.11.9 to read as follows:**

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

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

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

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

**Section 903.3.1.1.1 is amended to read as follows:**

**903.3.1.1.1 Exempt locations.** When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such... {intervening 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 chief building official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Elevator machine rooms, machinery spaces, and hoistways other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

**Section 903.3.1.2 is amended by adding a new Section 903.3.1.2.3 to read as follows:**

**Section 903.3.1.2.3 Attics and Attached Garages.** Sprinkler protection is required in attic spaces of such buildings two or more stories in height, in accordance with NFPA 13 and or NFPA 13R requirements, and attached garage s.

**Section 903.3.1.3 is amended to read as follows:**

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

**Section 903.3.1 is amended by adding a new Section 903.3.1.4 to read as follows:**

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

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

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

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

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

**Section 903.3.5 is amended by adding the following sentence at the end of the section:**

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

**Section 903.4 is amended by adding the following paragraph after “Exceptions”:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department

hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

**Section 903.4.2 is amended by adding the following sentence at the end of the section:**

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

**Section 905.2 is amended 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.

**Section 905.3 is amended by adding Section 905.3.9 to read as follows:**

**905.3.9 Buildings exceeding 10,000 sq. ft.** In buildings exceeding 10,000 square feet in area per story and 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, Class I automatic wet or manual wet standpipes shall be provided.

**Exceptions:**

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.

**Section 905.4, Paragraphs 1, 3, and 5 are amended to read as follows:**

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

**Exception:** Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a. {Remainder is unchanged.}

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either to serve the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.

**Section 905.4 is amended by adding a new Paragraph 7 to read as follows:**

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

**Section 905.9 is amended by adding the following paragraph after “Exceptions”:**

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

**Section 907.1 is amended by adding a new Section 907.1.4 to read as follows:**

**907.1.4 Design Standards.** Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

**Section 907.2.1 is amended to read as follows:**

**907.2.1 Group A.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3. 10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

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.

(“Exception” remains unchanged.)

**Section 907.2.3 is amended by amending the first paragraph to read as follows:**

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

**Section 907.2.3 is amended by amending Paragraph 1 under “Exceptions” to read as follows:**

**Exceptions:**

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.
  - 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

**Section 907.2.13 is amended by amending paragraph 3 under “Exceptions” to read as follows:**

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

**Section 907.4.2 is amended by adding a new 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.

**Section 907.6.1 is amended by adding a new 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 a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

**Section 907.6.3 is amended by deleting all four Exceptions.**

**Section 907.6.6 is amended by adding the following sentence at end of paragraph:**

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

**Section 909 is amended by adding a new Section 909.22 to read as follows:**

**909.22 Stairway or ramp pressurization alternative.** Where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and the stair pressurization alternative is chosen for compliance with Building Code requirements for a smoke proof enclosure, interior exit stairways or ramps shall be pressurized to a minimum of 0.10 inches of water (25 Pa) and a maximum of 0.35 inches of water (87 Pa) in the shaft relative

to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect. Such systems shall comply with Section 909, including the installation of a separate fire-fighter's smoke control panel as per Section 909.16, and a Smoke Control Permit shall be required from the Fire Department as per Section 105.7.

**909.22.1 Ventilating equipment.** The activation of ventilating equipment for the stair or ramp pressurization system shall be by smoke detectors installed at each floor level at an approved location at the entrance to the smoke proof enclosure. When the closing device for the stairway or ramp shaft and vestibule doors is activated by smoke detection or power failure, mechanical equipment shall activate and operate at the required performance levels. Smoke detectors shall be installed in accordance with Section 907.3.

**909.22.1.1 Ventilation systems.** Smoke proof enclosure ventilation systems shall be independent of other building ventilation systems. The equipment, control wiring, power wiring and ductwork shall comply with one of the following:

1. Equipment, control wiring, power wiring and ductwork shall be located exterior to the building and directly connected to the smoke proof enclosure or connected to the smoke proof enclosure by ductwork enclosed by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
2. Equipment, control wiring, power wiring and ductwork shall be located within the smoke proof enclosure with intake or exhaust directly from and to the outside or through ductwork enclosed by not less than 2-hour barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
3. Equipment, control wiring, power wiring and ductwork shall be located within the building if separated from the remainder of the building, including other mechanical equipment, by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

**Exceptions:**

1. Control wiring and power wiring utilizing a 2-hour rated cable or cable system.
2. Where encased with not less than 2 inches (51 mm) of concrete.
3. Control wiring and power wiring protected by a listed electrical circuit protective systems with a fire-resistance rating of not less than 2 hours.

**909.22.1.2 Standby power.** Mechanical vestibule and stairway and ramp shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 2702 of the Building Code.

**909.22.1.3 Acceptance and testing.** Before the mechanical equipment is approved, the system shall be tested in the presence of the fire code official to confirm that the system is operating in compliance with these requirements.

**Section 910.2 is amended by amending paragraphs 2 and 3 under “Exceptions” to read as follows:**

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

**Section 910.2 is amended by adding Section 910.2. 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 m<sup>2</sup>) in single floor area.

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

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

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

**Section 910.3 is amended by adding a new Section 910.3.4 to read as follows:**

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

**910.3.4.1 Sprinklered buildings.** Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

**Exception:** Manual only system per 910.2

**910.3.4.2 Nonsprinklered buildings.** Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

**Exception:** Listed gravity-operated drop out vents.

**Section 910.4.3.1 is amended to read as follows:**

**910.4.3.1 Makeup air.** Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m<sup>2</sup> per 0.4719 m<sup>3</sup>/s) of smoke exhaust.

**Section 910.4.4 is amended to read as follows:**

**910.4.4 Activation.** The mechanical smoke removal system shall be activated by the automatic sprinkler system or by an approved fire detection system. Individual manual controls shall also be provided.

**Exception:** Manual only systems per Section 910.2.

**Section 912.2 is amended by adding a new Section 912.2.3 to read as follows:**

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

**Section 913.2.1 is amended to read as follows:**

**913.2.1 General.** Where provided, fire pumps shall be installed in accordance with this section and NHPA 20. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

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

**Section 1006.2.2.6 is amended by adding a new Section 1006.2.2.6 to read as follows:**

**1006.2.2.6 Electrical Rooms.** For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

**Section 1009.1 is amended by adding a new Paragraph 4 under “Exceptions” to read as follows:**

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

**Section 1010.1.9.4 is amended by amending Paragraphs 3 and 4 under “Exceptions” to read as follows:**

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

4. Where a pair of doors serves a Group A, B, F, M or S occupancy...{*Remainder unchanged*}

**Section 1015.8 is amended to read as follows:**

1. Operable windows where the top of the sill of the opening is located more than 55 feet (16 764 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.

**Section 1020.1 is amended by adding a new Paragraph 6 under “Exceptions” to read as follows:**

6. In group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector shall activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors shall be connected to an approved automatic fire alarm system where such system is provided.

**Section 1029.1.1.1 is deleted.**

**Section 1101.1 is amended by adding an “Exception” to read as follows:**

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

**Section 1203.1 is 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 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*.

**Table 1505.1 is amended by amending footnote “b” to read as follows and deleting footnote “c”:**

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

**Section 1505.7 is deleted.**

**Section 1510.1 is amended by amending the first paragraph 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.

{“Exception” remains unchanged}

**Section 1704.2 is amended to read as follows:**

**1704.2 Special inspections and tests.** Where application is made to the Building Official for construction as specified in Section 105, the owner or the owner’s authorized agent, or the registered design professional in responsible charge, other than the contractor, shall employ one or more approved agencies to provide special inspections and tests during construction on the types of work listed under Section 1705 and identify the approved agencies to the Building Official. The special inspector shall not be employed by the contractor. These special inspections and tests are in addition to the inspections identified by the Building Official that are identified in Section 110.

**Section 1704.2.1, is amended to read as follows:**

**1704.2.1 Special inspector qualifications.** Prior to the start of construction and or upon request, the approved agencies shall provide written documentation to the registered design professional in responsible charge and the building official demonstrating the competence and relevant experience or training of the special inspectors who will perform the special inspections and tests during construction. [Remainder unchanged]

**Section 1704.2.4 is amended to read as follows:**

**1704.2.4 Report requirement.** Approved agencies shall keep records of special inspections and tests. The approved agency shall submit reports of special inspections and tests to the Building Official upon request, and to the registered design professional in responsible charge. Individual inspection reports shall indicate that work inspected or tested was or was not completed in conformance to approved construction documents. [Remainder unchanged]

**Section 2901.1 is amended to read as follows:**

**2901.1 Scope.** The provisions of this chapter and the... {*intervening text unchanged*} ...conform to the *International Private Sewage Disposal Code*. The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

**Section 2902.1 is amended by adding the following sentence:**

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

**Table 2902.1; is amended by adding footnote f to read as follows:**

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

**Section 2902.1 is amended by adding a 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 City's health department.

**Section 3002.1 is amended by adding "Exceptions" to read as follows:**

**Exceptions:**

1. Elevators wholly located within atriums complying with Section 404 shall not require hoistway enclosure protection.
2. Elevators in open or enclosed parking garages that serve only the parking garage, and complying with Sections 406.5 and 406.6, respectively, shall not require hoistway enclosure protection.

**Section 3005.4 is amended to read in its entirety as follows:**

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

**Section 3005 is amended by adding a new Section 3005.7 to read as follows.**

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

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

**3005.7.2.1 Prohibited locations.** Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoist-ways.

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

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

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

**Section 3005 is amended by adding a new Section 3005.8 to read as follows:**

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

**Section 3006.2 is amended by amending paragraph 5 to read as follows:**

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

**Section 3109.1 is amended to read as follows:**

**3109.1 General.** Swimming pools shall comply with the requirements of Sections 3109.2 through 3109.5, other applicable sections of this code, and Article 24.03 of the Code of Ordinances of the City of Highland Village, as amended. To the extent of any irreconcilable conflict between the provisions of this code and said Article 24.03, the provisions of said Article 24.03 shall be controlling.

**Section 3109.3 is amended to read as follows:**

**3109.3 Public swimming pools.** Public and /or Commercial swimming pools shall be constructed per the requirements and specifications of TDH (Texas Department of Health).

**Section 3109.4.1 is amended to read as follows:**

**3109.4.1 Barrier height and clearances.** The top of the barrier shall be at least 72 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

**Section 3109 is amended by adding a new Section 3109.6 to read as follows:**

**3109.6 Swimming Pool Inspection Required.** Swimming Pools or spas permitted in the City shall not be filled with water until final inspection approval has been issued by the building official.

## **Sec. 24.02.053        Fees and Charges.**

Any and all fees and charges proscribed by the Building Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

**Sec. 24.02.054            Conflicts with Comprehensive Zoning Ordinance**

To the extent of any irreconcilable conflicts between the Building Code and the provisions of the City's Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

**Sec. 24.02.055            Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**APPROVED:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

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**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Kevin B. Laughlin, City Attorney**  
(kbl:8/17/16:78094)

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1212**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING IN ITS ENTIRETY DIVISION 8 "PROPERTY MAINTENANCE CODE" OF CHAPTER 24, "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Division 8 "Property Maintenance Code" of Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended to read in its entirety as follows:

## **Division 8. Property Maintenance Code**

### **Sec. 24.02.351 Adoption of 2015 International Property Maintenance Code**

The 2015 Edition of the International Property Maintenance Code, as published by the International Code Council, is hereby adopted. Copies of the International Maintenance Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Property Maintenance Code. For purposes of this Division, the phrase "Property Maintenance Code" means collectively (i) the 2015 Edition of the International Building Code, as published by the International Code Council and (ii) any local amendments as may be later adopted.

### **Sec. 24.02.352 Fees and Charges.**

Any and all fees and charges proscribed by the Property Maintenance Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

### **Sec. 24.02.353 Conflicts with Comprehensive Zoning Ordinance; Other Pool Regulations**

a. To the extent of any irreconcilable conflicts between the Property Maintenance Code and the provisions of the City's Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

b. To the extent of any irreconcilable conflict between the provisions of this the Property Maintenance Code Code and Article 24.03 of the Code of Ordinances relating to the regulation of swimming pools, the provisions of said Article 24.03 shall be controlling.

### **Sec. 24.02.354 Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**APPROVED:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**  
(kbl:8/17/16:78302)

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1213**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING IN ITS ENTIRETY DIVISION 3 "PLUMBING CODE" OF CHAPTER 24 "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PLUMBING CODE WITH LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Division 3 "Plumbing Code" of Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended to read in its entirety as follows:

## **Sec. 24.02.101            Adoption of 2015 International Plumbing Code**

The 2015 Edition of the International Plumbing Code, as published by the International Code Council and as amended pursuant to Sec. 24.02.102, is hereby adopted. Copies of the Plumbing Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Plumbing Code. For purposes of this Division, the phrase "Plumbing Code" means collectively (i) the 2015 Edition of the International Plumbing Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 24.02.102.

## **Sec. 24.02.102            Local Amendments Adopted**

For purposes of enforcement of the provisions of the Plumbing Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Plumbing Code* are hereby amended as follows:

### **Table of Contents, Chapter 7, Section 714 is amended to read as follows:**

714      Engineered Drainage Design . . . . . 67

### **Section 102.8 is amended 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.

### **Sections 106.6.2 and 106.6.3 are amended to read as follows:**

**106.6.2 Fee schedule.** Fees for the issuance of permits and performance of inspections as required by this code shall be as established from time to time by resolution of the City Council and set forth in the City's Fee Schedule maintained in the Office of the City Secretary.

**106.6.3 Fee refunds.** The building official shall authorize the refunding of fees as follows:

1.      The full amount of any fee paid hereunder that was erroneously paid or collected.
2.      Not more than 50 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3.      Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

**Section 109 is amended to read in its entirety as follows:**

**SECTION 109  
MEANS OF APPEAL**

Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the Plumbing Code may be made to the Zoning Board of Adjustment sitting as the Board of Appeals pursuant to Section 24.01.002 of this Code of Ordinances and Section 9 of the Comprehensive Zoning Ordinance, which sections shall govern all proceedings and decisions related to such appeal.

**Section 305.4.1 is amended to read as follows:**

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

**Section 305.7 is amended to read as follows:**

**305.7 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 could be exposed to damage shall be recessed into the wall or otherwise protected in an *approved* manner.

**Section 314.2.1 is amended 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. ... {intervening text unchanged} ... Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

**Section 409.2 is amended 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. {remainder of section unchanged}

**Section 412.4 is amended to read as follows:**

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

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

3. Public restrooms.

**Section 419.3 is amended 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.

**Section 502.3 is amended to read as follows:**

**502.3 Appliances in attics.** Attics containing a water heater shall be provided {intervening language unchanged} side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions be not less than 20 inches by 30 inches (508mm by 762mm) where such dimensions are large enough to allow removal of the water heater. 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 is capable of being serviced and removed... {remainder of section unchanged}

**Section 502 is amended by adding 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.

**Section 504.6 is amended to read as follows:**

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

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

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

5. Discharge to an indirect waste receptor or to the outdoors.
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. Terminate not more than 6 inches and not less than two time the discharge pipe diameter above the floor or flood level rim of 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.

**Section 502.6 is amended by adding 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.

**Section 604.4 is amended by adding 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.

**Section 606.1 is amended by deleting numbered paragraphs 4 and 5.**

**Section 606.2 is amended to read as follows:**

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

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

**Section 608.1 is amended 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 non-potable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to applicable local regulations, Table 608.1, and as specifically stated in Sections 608.2 through 608.16.10.

**Section 608.16.5 is amended 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.

**Section 608.17 is amended 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.

**Section 610.1 is amended 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 “in-plant” 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 unnecessary.

**Section 703.6 is deleted.**

**Section 704 is amended by adding Section 704.5 to read as follows:**

**704.5 Single stack fittings.** Single stack fittings with internal baffle, PVC schedule 40 or cast iron single stack shall be designed by a registered engineer and comply to a national recognized standard.

**Section 705.11.2 is amended to read in its entirety as follows:**

**705.11.2 Solvent cementing.** Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.

**Section 712 is amended by adding 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.

**Section 714 is amended by changing the title caption to read "ENGINEERED DRAINAGE DESIGN"**

**Section 714.1 is amended to read as follows:**

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

**Section 804 is amended by adding Section 804.2 to read as follows:**

**804.2 Special waste pipe, fittings, and components.** Pipes, fittings, and components receiving or intended to receive the discharge of any fixture into which acid or corrosive chemicals are placed shall be constructed of CPVC, high silicone iron, PP, PVDF, chemical resistant glass, or glazed ceramic materials.

**Section 903.1 is amended to read as follows:**

**903.1 Roof extension.** Open vent pipes that extend through a roof shall terminate not less than six (6) inches (152 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

**Section 917, inclusive of all subsections, is deleted.**

**Section 1002.10 is deleted.**

**Section 1003.1 is amended to read as follows:**

**1003.1 Grease traps required.** Interceptors and separators shall be provided to prevent or minimize sanitary sewer overflows that occur as a result of blockage due to grease, oil, sand and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes.

**Section 1101.8 is amended to read in its entirety as follows:**

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

**Section 1106.1 is amended to read as follows:**

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

**Section 1108.3 is amended to read as follows:**

**1108.3 Sizing of secondary drains.** Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

**Section 1109 is deleted.**

**Section 1202.1 is amended by deleting Paragraph 2 under "Exceptions".**

**Sec. 24.02.103            Fees and Charges.**

Any and all fees and charges proscribed by the Plumbing Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

**Sec. 24.02.104            Conflicts with Comprehensive Zoning Ordinance; Other Pool Regulations**

a.        To the extent of any irreconcilable conflicts between the Plumbing Code and the provisions of the City's Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

b.        To the extent of any irreconcilable conflict between the provisions of this the Plumbing Code and Article 24.03 of the Code of Ordinances relating to the regulation of swimming pools, the provisions of said Article 24.03 shall be controlling.

**Sec. 24.02.105            Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE,  
TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Charlotte J. Wilcox, Mayor

ATTEST:

\_\_\_\_\_  
Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Kevin B. Laughlin, City Attorney  
(kbl:8/17/16:78305)

**CITY OF HIGHLAND VILLAGE, TEXAS**

**ORDINANCE NO. 2016-1214**

**AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING CHAPTER 24, "BUILDING REGULATIONS," ARTICLE 24.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY AMENDING IN ITS ENTIRETY DIVISION 9 TITLED "RESIDENTIAL CODE" ADOPTING THE 2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, INCLUDING APPENDIX G "SWIMMING POOLS, SPAS AND HOT TUBS" ADOPTING LOCAL AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

**WHEREAS**, the City of Highland Village has been involved throughout the development process of the International Codes through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

**WHEREAS**, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Highland Village has adopted since the 1970s; and

**WHEREAS**, the International Codes have been reviewed by the NCTCOG and City staff; and

**WHEREAS**, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

**WHEREAS**, the City Council of the City of Highland Village has determined that it is in the best interest of the citizens of the City of Highland Village to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

**Section 1:** Chapter 24, "Building Regulations," Article 24.02 "Technical and Construction Codes and Standards" Division 9 "Residential Code" of the Code of Ordinances of the City of Highland Village, Texas, is amended in its entirety as follows:

## **DIVISION 9. Residential Code**

### **Sec. 24.02.401      Adoption of 2015 International Residential Code**

The 2015 Edition of the International Residential Code (inclusive of Appendix G “Swimming Pools, Spas and Hot Tubs” and Appendix J “Existing Buildings and Structures”), as published by the International Code Council and as amended pursuant to Sec. 24.02.402, is hereby adopted. Copies of the Residential Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Residential Code. For purposes of this Division, the phrase “Residential Code” means collectively (i) the 2015 Edition of the International Residential Code (inclusive of Appendix G “Swimming Pools, Spas and Hot Tubs” as published by the International Code Council) and (ii) the local amendments adopted pursuant to Sec. 24.02.402.

### **Sec. 24.02.402      Local Amendments Adopted**

For purposes of enforcement of the provisions of the Residential Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Residential Code* are hereby amended as follows:

#### **Section R102.4 is amended 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.

#### **Section R104.10.1 Flood Hazard Areas is deleted.**

#### **Section R105.3.1.1 is deleted.**

#### **Section R106.1.4 is deleted.**

#### **Section 108 is amended by adding a new Section 108.7 to read as follows:**

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

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

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

**Section R110 (inclusive of Sections R110.1 through R110.5) is deleted in its entirety.**

**Section R202 is amended by amending the 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.

**Table R301.2(1) is amended to read as follows:**

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDER <sup>d</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
	SPEED <sup>d</sup> (MPH)	Topographic Effects <sup>k</sup>	Special Wind Regions <sup>L</sup>	Windborne Debris Zone <sup>m</sup>		Weatherin g a	Frost Line Depth <sup>b</sup>	Termite <sup>c</sup>					
5 lb/ft	115 (3 sec- gust)/ 76 fastest mile	No	No	No	A	Moderate	6"	Very Heavy	22 <sup>0</sup> F	No	Local Code	150	64.9 <sup>0</sup> F

**Section R302.1 is amended by adding a new paragraph 6 under "Exceptions" to read as follows:**

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

**Section R302.3 is amended by amending a new paragraph 3. Under "Exception" to read as follows:**

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

**Section R302.5.1 is amended 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.

**Section R303.3 is amended by amending only the last sentence of the paragraph titled “Exception” to read as follows:**

**Exception:....**Exhaust air from the space shall be exhaust out to the outdoors 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.

**Section R313 Automatic Fire Sprinkler Systems, inclusive of all subsections, is deleted.**

**Section R315.2.2 Alterations, repairs and additions is amended by amending paragraph 2 under “Exceptions” to read as follows:**

2. Installation, alteration or repairs of electrical powered...{remaining text unchanged}

**Section R322 Flood Resistant Construction is deleted.**

**Section R326 Swimming Pools, Spas and Hot Tubs is amended to read as follows:**

**R326.1 General.** The design and construction of pools and spas shall comply with the 2015 IRC Appendix Q. Swimming Pools, Spas and Hot Tubs.

**Section R401.2, amended by adding the following sentence to the existing:**

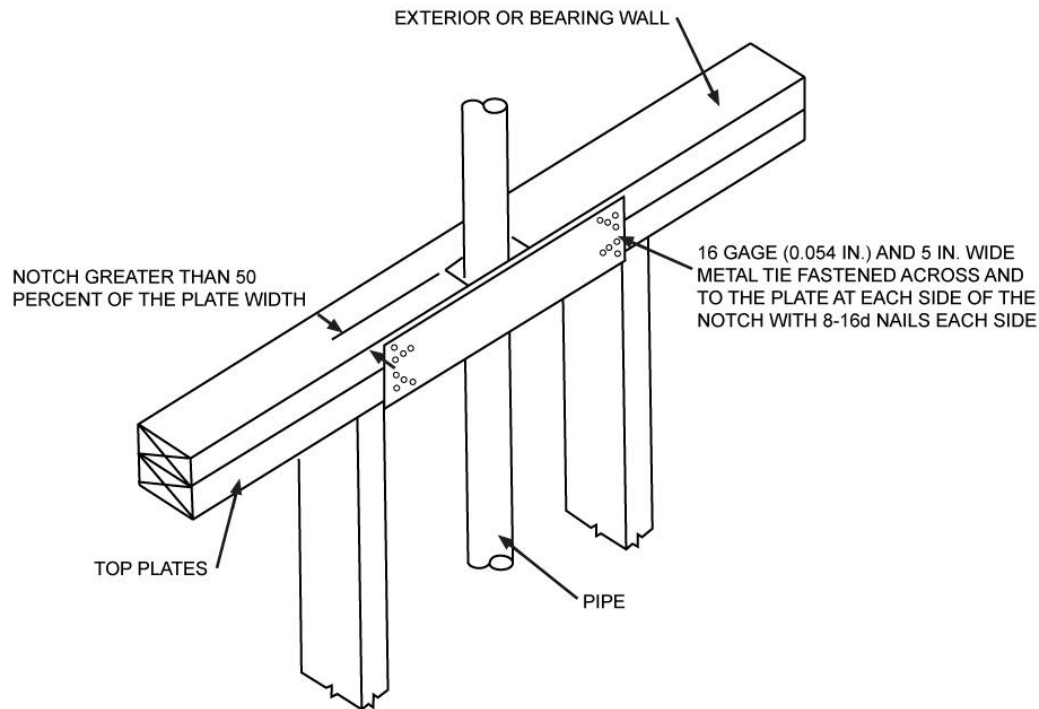
...Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.

**Section 602.6.1 is amended to read as follows:**

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

**Figure R602.6.1 is amended to appear and read as follows:**

WALL CONSTRUCTION



For SI: 1 inch = 25.4 mm

FIGURE R602.6.1  
TOP PLATE FRAMING TO ACCOMMODATE PIPING

**Section R703.8.4.1 is amended by adding the following at the end of the paragraph:**

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.

**Section R902.1 is amended by amending the first paragraph and adding a new paragraph 5 under "Exceptions" 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. Classes A, B, and C

roofing required by this section to be listed shall be tested in accordance with UIL 790 or ASTM E 108.

**Exceptions:**

5. 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).

**Chapter 11 [RE] Energy Efficiency is amended in its entirety to read as follows:**

**N1101.1 Scope.** This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

**N1101.2 Compliance.** Compliance shall be demonstrated by meeting the requirements of the residential provisions of 2015 International Energy Conservation Code as amended by Section 24.02.302 of the Code of Ordinances.

**Section M1305.1.3 is amended to read as follows:**

**M1305.1.3 Appliances in attics.** *Attics* containing *appliances* requiring access shall be provided . . . *{intervening text 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, 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.

**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}*

**Section M1411.3 is amended to read as follows:**

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

**Section M1411.3.1 is amended by amending Items 3 and 4 to read as follows:**

3. An auxiliary drain pan... *{intervening 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... *{intervening text unchanged}*... overflow rim of such pan. A water level detection device may be installed only with prior approval of the *building official*.

**Section M1411.3.1.1 is amended to read as follows:**

**M1411.3.1.1 Water-level monitoring devices.** On down-flow units ...*{intervening text unchanged}*... installed in the drain line. A water level detection device may be installed only with prior approval of the *building official*.

**Section M1503.4 Makeup Air Required is amend to read as follows:**

**M1503.4 Makeup air required.** Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute (0.19 m<sup>3</sup>/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 m<sup>3</sup>/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m<sup>3</sup>/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.

**Section M2005.2 is amended 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.

**Section G2408.3 (305.5) is deleted in its entirety.**

**Section G2412.5 (401.5) is amended by adding the following to the end of the section:**

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"

**Section G2415.2.2 (402.2.2) is amended by adding a paragraph titled "Exception" to read as follows:**

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

**Section G2415.10 (404.10) is amended to read as follows:**

**G2415.12 (404.12) Minimum burial depth.** Underground *pipng systems* shall be installed a minimum depth of 18 inches (457 mm) below grade.

**Section G2417.1 (406.1) is amended to read as follows:**

**G2417.1 (406.1) General.** Prior to acceptance and initial operation, all *pipng* 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 *pipng 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.

**Section G2417.4 is amended 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.

**Section G2417.4.1 is amended to read as follows:**

**G2417.4.1 (406.4.1) Test pressure.** The test pressure to be used shall be 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. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

**Section G2417.4.2 is amended to read as follows:**

**G2417.4.2 (406.4.2) Test duration.** The test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for less than fifteen (15) minutes. For welded *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.

**Section G2420.1 (406.1) is amended by adding a new Section G2420.1.4 to read as follows:**

**G2420.1.4 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*.

**Section G2420.5.1 (409.5.1) is amended to read as follows:**

**G2420.5.1 (409.5.1) Located within the same room.** The shutoff valve ...*{intervening text 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.

**Section G2421.1 (410.1) is amended to read as follows:**

**G2421.1 (410.1) Pressure regulators.** A line *pressure regulator* shall be ... *{intervening text 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.

**Section G2422.1.2.3 (411.1.3.3) is amended by deleting paragraphs 1 and 4 under "Exceptions."**

**Section G2445.2 (621.2) is amended by adding a paragraph titled "Exception" to read as follows:**

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

**Section G2448.1.1 (624.1.1) is amended 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*.

**Section P2801.6.1 is amended to read as follows:**

**Section P2801.6.1 Pan size and drain.** The pan shall be not less than 1 1/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 3/4 inch (19 mm). Piping for safety pan drains shall be of those materials listed in

Table 605.4. Multiple pan drains may terminate to a single discharge piping system when *approved* by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.

**Section P2801.7 is amended by adding an “Exception” to read as follows:**

**Exceptions:** Electric Water Heater

**Section P2804.6.1 is amended to read as follows**

**Section P2804.6.1 Requirements for discharge piping.** The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

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

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

5. Discharge, to an indirect waste receptor or to the outdoors.

[remaining text is unchanged]

**Section P2902.5.3 is amended 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.

**Section P3009.9 is amended to read as follows:**

**P3003.9. Solvent cementing.** Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.

Exception: A primer is not required where both of the following conditions apply.

**Section P3111, including all subsections, is deleted in its entirety.**

**Section P3112.2 is amended in its entirety to read as follows:**

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

**Appendix Q is re-titled Swimming Pools, Spas and Hot Tubs and amended to read as follows:**

**Appendix Q. Swimming Pools, Spas and Hot Tubs.**

**SECTION AQ101 GENERAL**

**AQ101.1 General.** The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- or two-family dwelling.

**AQ101.2 Pools in flood hazard areas.** Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve placement of fill, shall comply with Section AQ101.2.1 or AQ101.2.2.

**Exception:** Pools located in riverine flood hazard areas which are outside of designated floodways.

**AQ101.2.1 Pools located in designated floodways.** Where pools are located in designated floodways, documentation shall be submitted to the building official which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the jurisdiction.

**AQ101.2.2 Pools located where floodways have not been designated.** Where pools are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than 1 foot (305 mm) at any point within the jurisdiction.

**SECTION AQ102 DEFINITIONS**

**AQ102.1 General.** For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

**ABOVE-GROUND/ON-GROUND POOL.** See "Swimming pool."

**BARRIER.** A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

**HOT TUB.** See "Swimming pool."

**IN-GROUND POOL.** See "Swimming pool."

**RESIDENTIAL.** That which is situated on the premises of a detached one- or two-family dwelling, or a one-family townhouse not more than three stories in height.

**SPA, NONPORTABLE.** See "Swimming pool."

**SPA, PORTABLE.** A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

**SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water more than 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

**SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

**SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.

## **SECTION AG103 SWIMMING POOLS**

**AQ103.1 In-ground pools.** In-ground pools shall be designed and constructed in compliance with ANSI/NSPI-5.

**AQ103.2 Above-ground and on-ground pools.** Above-ground and on-ground pools shall be designed and constructed in compliance with ANSI/NSPI-4.

**AQ103.3 Pools in flood hazard areas.** In flood hazard areas established by Table R301.2(1), pools in coastal high-hazard areas shall be designed and constructed in compliance with ASCE 24.

## **SECTION AQ104 SPAS AND HOT TUBS**

**AQ104.1 Permanently installed spas and hot tubs.** Permanently installed spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-3.

**AQ104.2 Portable spas and hot tubs.** Portable spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-6.

## **SECTION AQ105 BARRIER REQUIREMENTS**

**AQ105.1 Application.** The provisions of this appendix shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide

protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

**AQ105.2 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219mm) above grade measured on the side of the barrier, which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51mm) measured on the side of the barrier, which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).
8. Access gates shall comply with the requirements of Section AQ105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

- 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and
  - 8.2. The gate and barrier shall have not opening greater than 0.5 inch (13 mm) within 18 inches (457 mm) of the release mechanism.
9. Where a wall of a dwelling serves a part of the barrier one of the following conditions shall be met:
- 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or
  - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch (es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or
  - 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then:
- 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access, or
  - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AQ105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter (102 mm) sphere.

**AQ105.3 Indoor swimming pool.** Walls surrounding an indoor swimming pool shall comply with Section AQ105.2, Item 9.

**AQ105.4 Prohibited locations.** Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb them.

**AQ105.5 Barrier exceptions.** Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AQ107, shall be exempt from the provisions of this appendix

## **SECTION AQ106 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS**

**AQ106.1 General.** Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

## **SECTION AQ107 ABBREVIATIONS**

### **AQ107.1 General.**

ANSI—American National Standards Institute  
11 West 42nd Street  
New York, NY 10036

APSP—Association of Pool and Spa Professionals  
NSPI—National Spa and Pool Institute  
2111 Eisenhower Avenue  
Alexandria, VA 22314

ASCE—American Society of Civil Engineers  
1801 Alexander Bell Drive  
Reston, VA 98411-0700

ASTM—ASTM International  
100 Barr Harbor Drive  
West Conshohocken, PA 19428

UL—Underwriters Laboratories, Inc.  
333 Pfingsten Road  
Northbrook, IL 60062-2096

## **SECTION AQ108 REFERENCED STANDARDS**

### **AQ108.1 General.**

#### **ANSI/NSP**

ANSI/NSPI-3—99	Standard for Permanently Installed Residential Spas	AQ104.1
ANSI/NSPI-4—99	Standard for Above-ground/ On-ground Residential Swimming Pools	AQ103.2
ANSI/NSPI-5—03	Standard for Residential In-ground Swimming Pools	AQ103.1
ANSI/NSPI-6—99	Standard for Residential Portable Spas	AQ104.2

#### **ANSI/APSP**

ANSI/APSP-7—06	Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs and Catch Basins	AQ106.1
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#### **ASCE**

ASCE/SEI-24—05	Flood-resistant Design and Construction	AQ103.3
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## **ASTM**

ASTM F 1346—91 (2003)	Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools Spas and Hot Tubs	AQ105.2, AQ105.5
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## **UL**

UL 2017—2000	Standard for General-purpose Signaling Devices and Systems—with revisions through June 2004	AQ105.2
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### **Sec. 24.02.403 Fees and Charges.**

Any and all fees and charges proscribed by the Residential Code, whether or not originally adopted by ordinance, shall be adopted or amended by resolution approved by the city council and incorporated into an official schedule of fees, a copy of which shall be placed on file and maintained in the office of the city secretary and made available for public inspection.

### **Sec. 24.02.404 Conflicts with Comprehensive Zoning Ordinance; Other Pool Regulations**

a. To the extent of any irreconcilable conflicts between the Residential Code and the provisions of the City's Comprehensive Zoning Ordinance, as amended, the regulation imposing the more stringent requirement(s) shall control.

b. To the extent of any irreconcilable conflict between the provisions of the Residential Code and Article 24.03 of the Code of Ordinances relating to the regulation of swimming pools, the provisions of said Article 24.03 shall be controlling.

### **Sec. 24.02.405 Penalty**

The provisions of this division constitute a police regulation, the violation of which shall be subject to the penalty set forth in Section 1.01.009(b) of this Code of Ordinances.

**SECTION 2.** Except as provided in Section 1 of this Ordinance, all provisions of the Ordinances of the City of Highland Village, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** 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, and shall not affect the validity of the Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1.01.009 of the Code of Ordinances.

**SECTION 6.** This ordinance shall take effect on the first day of the calendar month following its passage on second reading and publication in accordance with the provisions of the state law and the Charter of the City of Highland Village.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE 23<sup>RD</sup> DAY OF AUGUST, 2016.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**APPROVED:**

\_\_\_\_\_  
**Charlotte J. Wilcox, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Angela Miller, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Kevin B. Laughlin, City Attorney**  
(kbl:8/17/16:78301)

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 23**

**MEETING DATE: 08/23/16**

**SUBJECT: Consider Memorandum of Understanding between the City of Highland Village and Town of Copper Canyon relating to the Ladera Development**

**PREPARED BY: Angela Miller, City Secretary**

**COMMENTS**

This Memorandum of Understanding (MOU) relates to the proposed construction of an age restricted development known as the Ladera Development. The development is located in Highland Village, and adjacent to Chinn Chapel Road located in the Town of Copper Canyon. The MOU will expedite construction of the development as well as improve roadway and traffic conditions on Chinn Chapel Road.

## **MEMORANDUM OF UNDERSTANDING**

**THIS MEMORANDUM OF UNDERSTANDING** (“MOU”) is made and entered into by and between the Town of Copper Canyon, Texas (“Town”), and the City of Highland Village, Texas (“City”), relative to the proposed construction of an age-restricted development to be known as Ladera Highland Village (“Ladera”) located in the City but adjacent to Chinn Chapel Road in the Town, and the improvement of Chinn Chapel Road in the Town, as follows:

**WHEREAS**, Integrity Group, LLC (“Integrity”), has proposed the construction of Ladera, which is located in the City but with its one main access point entering Chinn Chapel Road in the Town; and

**WHEREAS**, the City, the Town and Integrity have attempted to address outstanding development issues, and this MOU reflects the understanding between the City and the Town, and the resolution of all such issues between the City and the Town; and

**WHEREAS**, it is anticipated by the Town that the extent of the proposed boundary adjustment agreement would include a portion of the area from the northwesterly corner of Common Green Lot #3, Castlewood Sec. Two-1 north of the Kansas City Southern railroad tracks on Chinn Chapel Road to the southern end of the newly constructed right turn lane into Ladera from Chinn Chapel Road, with the railroad crossing becoming a “quiet zone” upon completion of the roadway improvements and with the Town recognizing that a sliver of right-of-way currently owned by the Castlewood HOA in Highland Village (whose value was estimated in 2010 at \$1,000) is needed from the Castlewood Homeowner’s Association north of the railroad crossing and east of Chinn Chapel Road to complete the final “quite zone” alignment of Chinn Chapel Road; and

**WHEREAS**, since the Town and Ladera will jointly bid the roadway improvements referenced herein, the construction truck route referenced in this MOU will expedite construction and reduce the time needed for construction had the Town and Ladera separately bid the road construction improvements referenced herein; and

**WHEREAS**, this MOU reflects the Town and the City working together to expedite the development of Ladera as well as improve roadway and traffic conditions on Chinn Chapel Road, for the benefit of residents of both Copper Canyon and Highland Village; and

**WHEREAS**, the City and the Town at a later date will endeavor to enter into any necessary formal agreements referenced herein.

**NOW, THEREFORE**, the City and the Town agree as follows:

1. Construction Truck Route. The City is willing to continue to work with Integrity regarding the routing of construction truck traffic based on the “Truck Route Exhibit to Serve Marschel Property,” attached hereto as Exhibit “A” and incorporated herein by reference. It is anticipated that the Truck Route Exhibit shall be included as part of the final

construction plans submitted and approved by the City in association with the Final Plat for Ladera. In addition, the City is agreeable to construction truck traffic for the Chinn Chapel Roadway Improvements, including the Woodland Drive Roadway Improvements, to utilize the same routes in the Truck Route Exhibit to Serve Marschel Property.

2. Temporary Concrete Batch Plant. Subject to compliance with all TCEQ permits and requirements as well as any applicable City ordinances and regulations , the City is willing to authorize a temporary concrete batch plant to be located on the Ladera property at a location which will not adversely impact the residents of the Chapel Hill subdivision, for a period not to exceed eighteen (18) months from the initial set up of the plant or the date authorized by Integrity, whichever is earlier, such plant to be used solely to provide concrete for the Ladera Development, the Chinn Chapel Roadway Improvements, and the Woodland Drive Roadway Improvements.

3. Boundary Adjustment Agreement. The Highland Village City Council consider for approval a boundary adjustment agreement that adjusts the boundary of the incorporated limits between the Town of Copper Canyon and the City of Highland Village to the easterly right-of-way of Chinn Chapel Road as it exists after the reconstruction of Chinn Chapel Road (inclusive of the new right turn lane into Ladera), to be effective after the approval and recording of the final plat of Ladera, the completion of construction of the Chinn Chapel Roadway Improvements, and the approval and acceptance of all parties to the “tie in” of Ladera’s entrance onto Chinn Chapel Road.

4. Non-Binding Agreement. This MOU is expressly conditioned upon and subject to the City and the Town entering into definitive written agreements as to all aspects of the matters set forth in this MOU (to the extent the matter calls for a formal agreement) and is not binding upon the City or the Town in any way, except to the extent that it reflects the good faith intent to proceed to negotiate such agreement(s). Unless and until formal written agreements are entered into, none of the parties hereto shall be under any obligation to the other party, regardless of this MOU and regardless of any negotiations, agreements or understandings heretofore or hereinafter existing between the City and the Town, it being understood that no contractual relationship shall exist between the City and the Town unless and until the definitive agreements shall have been signed by authorized representatives of the City and the Town. .

5. Correspondence. All correspondence related to this MOU and the parties herein shall be directed as follows:

**When to the City:**

Michael Leavitt, City Manager  
1000 Highland Village Road  
Highland Village, Texas 75077

With a copy to: Kevin B. Laughlin  
Nichols, Jackson, Dillard, Hager & Smith, LLP  
500 N Akard, Suite 1800  
Dallas, Texas 75201

**When to the Town:**

Sue Tejml, Mayor  
400 Woodland Drive  
Copper Canyon, Texas 75077

**With a copy to:** Ms. Donna Welsh, Town Administrator  
400 Woodland Drive  
Copper Canyon, Texas 75077

**APPROVED:**

**TOWN OF COPPER CANYON, TEXAS**

\_\_\_\_\_  
Sue Tejml, Mayor

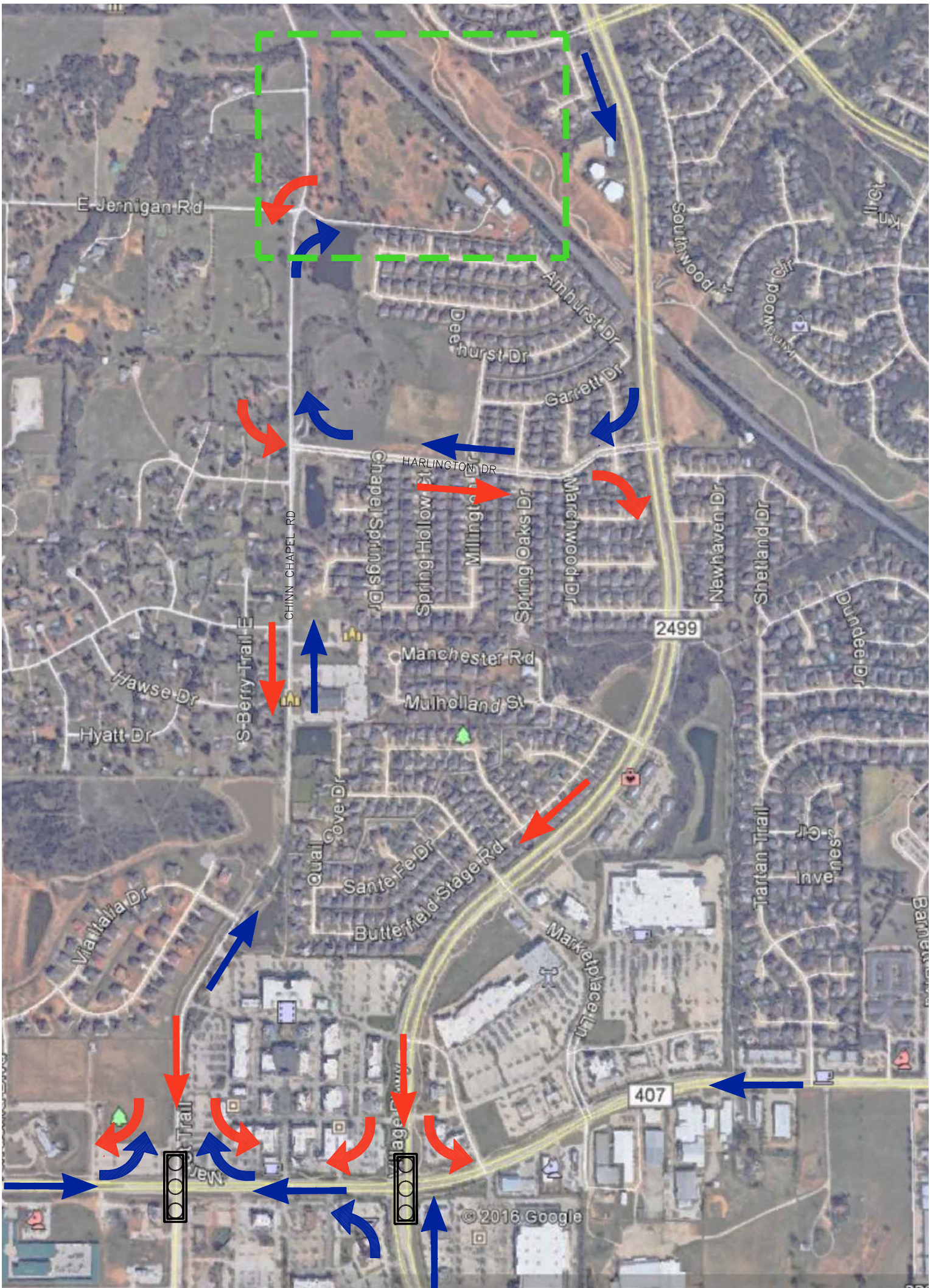
\_\_\_\_\_  
Date

**APPROVED:**

**CITY OF HIGHLAND VILLAGE, TEXAS**

\_\_\_\_\_  
Charlotte Wilcox, Mayor

\_\_\_\_\_  
Date



**TRUCK ROUTE EXHIBIT  
TO SERVE  
MARSCHEL PROPERTY**  
in the  
CITY OF HIGHLAND VILLAGE  
DENTON COUNTY, TEXAS



**EGRESS**



**REGRESS**



**SITE PLANNING CIVIL ENGINEERING PLATTING**  
**CONSULTANTS, LLC**  
**LAND SURVEYING LANDSCAPE ARCHITECTURE**



111 Hillside Drive • Lewisville, TX 75057 • P: 972.436.9712 • F: 972.436.9715  
144 Old Town Blvd. North, Ste 2 • Argyle, TX 76226 • P: 940.240.1012 • F: 940.240.1028  
TBPE Firm No. 1798 TBPLS Firm No. 10047700

DRAWN BY: ASC DATE: 08/17/2016 SCALE: 1"=750' JOB. No. **15045**

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

**AGENDA# 24**

**MEETING DATE: 08/23/16**

**SUBJECT: Update on Boundary Adjustment Agreement with the City of Lewisville as it Relates to the 35Express Project**

**PREPARED BY: Angela Miller, City Secretary**

**COMMENTS**

The approval of the boundary adjustment agreement with City of Lewisville will require an ordinance and two readings. However, it also requires the holding of two public hearings that must take place not **on or after the 40<sup>th</sup> day but before the 20<sup>th</sup> day before the first reading of the ordinance**. It also requires that newspaper and website notices be published **not earlier than the 20<sup>th</sup> day but not later than the 10<sup>th</sup> day prior to each public hearing**. Given those parameters, as well as the desire to call as few special meetings as possible, a suggested annexation schedule would be as follows:

**September 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup>** - Publish notice in newspaper and on City website for both public hearings (must remain on website until date of second hearing)(Note: September 1<sup>st</sup> – 3<sup>rd</sup> are the three dates that fall into the time allowed for notice of public hearing for both hearings. If it falls outside these dates and the notice will need to be published twice.)

**September 13** - Conduct the 1<sup>st</sup> public hearing at a regular council meeting

**September 14-20 (pick a date)** - Conduct the 2<sup>nd</sup> public hearing at a **special** council meeting

**October 11<sup>th</sup>** - 1<sup>st</sup> reading of ordinance

**October 25<sup>th</sup>** - 2<sup>nd</sup> reading of ordinance

The City Attorney has requested a proposed adoption schedule from the Lewisville City Attorney.

**CITY OF HIGHLAND VILLAGE**  
**COUNCIL BRIEFING**

<b>AGENDA#</b> 25	<b>MEETING DATE:</b> 08/23/16
<b>SUBJECT:</b>	<b>Status Reports on Current Projects and Discussion on Future Agenda Items</b>
<b>PREPARED BY:</b>	<b>Angela Miller, City Secretary</b>

**COMMENTS**

This item is on the agenda to allow a Councilmember to inquire about a subject of which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

- 35Express Update



## **UPCOMING EVENTS**

**Expected Absences:** None

**August 23, 2016**      **Regular City Council Mtg. 7:30 pm**

September 1, 2016      Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

**September 5, 2016**      **Labor Day Holiday – City Offices Closed**

**September 13, 2016**      **Regular City Council Mtg. 7:30 pm**

September 15, 2016      Public Art Advisory Board Mtg. 7:00 pm (if needed)

September 19, 2016      Park Board Mtg. 6:00 pm (if needed)

September 20, 2016      Planning & Zoning Commission Mtg. 7:00 pm (if needed)

**September 27, 2016**      **Regular City Council Mtg. 7:30 pm**

October 6, 2016      Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

**October 11, 2016**      **Regular City Council Mtg. 7:30 pm**

October 17, 2016      Park Board Mtg. 6:00 pm (if needed)

October 18, 2016      Planning & Zoning Commission Mtg. 7:00 pm (if needed)

October 20, 2016      Public Art Advisory Board Mtg. 7:00 pm (if needed)

**October 25, 2016**      **Regular City Council Mtg. 7:30 pm**

November 3, 2016      Zoning Board of Adjustment Mtg. 7:00 pm (if needed)

**November 8, 2016**      **Regular City Council Mtg. 7:30 pm**

November 15, 2016      Planning & Zoning Commission Mtg. 7:00 pm (if needed)

November 17, 2016      Public Art Advisory Board Mtg. 7:00 pm (if needed)

November 21, 2016      Park Board Mtg. 6:00 pm (if needed)

**November 22, 2016**      **Regular City Council Mtg. 7:30 pm**

\*\*\*Please visit [www.highlandvillage.org](http://www.highlandvillage.org) or the City Hall bulletin board for latest additions, updates and changes\*\*\*

By: Karen Bradley, Administrative Assistant - City Secretary Office