



A G E N D A

**REGULAR MEETING
OF THE CITY COUNCIL
CITY OF HIGHLAND VILLAGE, TEXAS
TUESDAY, SEPTEMBER 13, 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. Receive Presentation regarding Alternate Municipal Court Judge
2. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of September 13, 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)

**MEET AND GREET – BOARDS AND COMMISSIONS
(City Council Chambers – 6:30 P.M.)**

3. Meet and Greet with Board and Commission Applicants

**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)
 - (b) Section 551.074 – Deliberate the appointment, evaluation and duties of public officers, specifically members of the Planning and Zoning Commission, Zoning Board of Adjustment, and Board of Directors of the Highland Village Community Development Corporation

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

5. Call to Order
6. Prayer to be led by Mayor Charlotte J. Wilcox

7. **Pledge of Allegiance to the U.S. and Texas Flags to be led by Mayor Charlotte J. Wilcox**
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**
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 Regular Meeting held on August 23, 2016**
12. **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 (2nd and final read)**
13. **Consider Resolution 2016-2657 Authorizing an Interlocal Agreement with Harris County Department of Education, sponsor of the Choice Partners Cooperative Purchasing Program**
14. **Receive Budget Report for Period Ending July 31, 2016**

ACTION AGENDA

15. **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)**
 - (b) **Section 551.074 – Deliberate the appointment, evaluation and duties of public officers, specifically members of the Planning and Zoning Commission, Zoning**

**Board of Adjustment, and Board of Directors of the Highland Village
Community Development Corporation**

16. Conduct a Public Hearing regarding a Boundary Adjustment Agreement with the City of Lewisville relating to Property to Adjust the City's Corporate Boundaries adjacent to I-35E and within the area of Lewisville Lake West of I-35E and South of Highland Village Road
17. Conduct a Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2016-2017
18. Consider Ordinance 2016-1215 Adopting the Fiscal Year 2016-2017 Annual Budget (1st of two reads)
19. Consider Ordinance 2016-1216 Levying the Ad Valorem Taxes for the Year 2016 at a Rate of \$0.56963 per \$100 Assessed Valuation on all Taxable Property within the Corporate Limits of the City of Highland Village as of January 1, 2016 (1st of two reads)
20. Consider Resolution 2016-2656 Authorizing the City Manager to Negotiate and Enter into an Interlocal Agreement with Denton County for Use of the Denton County Radio Communication System
21. Consider Ordinance 2016-1217 Amending Section 8.04.003 of the Code of Ordinances setting forth the local amendments to the 2015 Edition of the International Fire Code by adopting provisions relating to the inspections of Multi-Family Dwellings (1st of two reads)

LATE WORK SESSION

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

22. 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
23. 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 9th DAY OF SEPTEMBER, 2016 NOT LATER THAN 4:00 P.M.



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

AGENDA# 1	MEETING DATE: 09/13/16
SUBJECT:	Receive Presentation regarding Alternate Municipal Court Judge
PREPARED BY:	Ken Heerman, Assistant City Manager

BACKGROUND:

In May of 2016, Colette Sallas was appointed as presiding judge, with the retirement of Ron Hurst. Judge Hurst has transitioned to a different role with the City of associate judge, with primary responsibility of handling arraignments and magistrate duties at the City's jail. Associate judges are needed to fill in when the presiding judge is unavailable and to provide coverage in addressing duties associated with the jail. Currently, virtually all coverage is provided by Judge Sallas and Judge Hurst. Two other alternate judges utilized by the City were reappointed last year. However, Greg Bertrand has submitted his resignation, and Holly Fox has not actively been utilized in recent years. The City of Highland Village Charter requires judges for this court to be a licensed attorney in the State of Texas and be appointed by Council. The appointments are for a two year period.

IDENTIFIED NEED/S:

Judge Sallas is requesting addition of a new associate judge, Sharon Wilson. Ms. Wilson is a licensed attorney (since 2009), currently practicing in Denton, Texas. Judge Sallas will present Ms. Wilson to Council in early-worksession. Her resume follows this briefing.

BUDGETARY IMPACT/ORDINANCE CHANGE:

There is no additional budget impact. Compensation for alternate judges is a call-out fee of \$75 for magistrate services and a court fee of \$400 per half day docket and \$600 per full day docket.

RECOMMENDATION:

No recommendation, discussion item only.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 7 **MEETING DATE: 09/13/16**

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: 09/13/16

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.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11	MEETING DATE 09/13/16
SUBJECT:	Consider Approval of Minutes of the Regular Meeting held on August 23, 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 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 August 23, 2016 Council Meeting minutes.

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS
HELD IN THE MUNICIPAL COMPLEX, LOCATED AT 1000 HIGHLAND VILLAGE ROAD
TUESDAY, AUGUST 23, 2016**

The City Council of the City of Highland Village, Texas met in Early Work Session on the 23rd day of August, 2016 at 6:00 p.m., prior to the Regular Council meeting.

Call to Order

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

Roll Call

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

1. Provide an Update on the General Fund Budget for Fiscal Year 2016-2017

Assistant City Manager Ken Heerman presented an update relating to the General Fund Budget for Fiscal Year 2016-2017. He reported projected revenues are at 4.3%, with a base budget increase of only 0.1% from FY 2015-2016. Mr. Heerman explained twenty percent is the targeted ending fund balance, and with Supplemental Requests totaling \$497,800, which is an overall increase of 3.3%, leaves a projected fund balance of 23%.

As presented in the July 30th budget planning session with Council, the proposed Retirement Health Savings plan was presented and would be available only for employees that have been with the City for ten years or more. During the planning session, Council directed staff to look at also including employees that had ten years or more previous municipal service in other jurisdictions. Mr. Heerman reported this would include thirteen (13) additional employees as meeting the criteria. Based on earlier feedback from Council, funding in the amount of \$58,000 has been included in the proposed budget to include both in the program.

In looking ahead over the next five years, we do not have any debt proposed for this budget year, but looking ahead to 2018 and 2023, there is the opportunity because our existing debt service decreases. Mr. Heerman stated it is anticipated that there will be a street bond and parks bond brought forward for consideration. He stated we will have to evaluate our revenue structure to determine what will be feasible at that time. The five year outlook projections indicate meeting or exceeding the minimum ending fund balance of 20%, including the bond issues.

2. Provide Status on Board and Commission Applications

City Secretary Angela Miller reported on the number of positions there are on each board with terms that will expire on September 30, 2016. An update on current board member preferences and new applicant preferences was also presented. On September 13th, Council will hold a Meet and Greet with current board and commission members wishing to serve again, as well as with new applicants. Appointments will be made at the September 27th Council meeting.

3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of August 23, 2016

Relating to Agenda Item #13, Mayor Pro Tem Michelle Schwolert asked what the proposed rules and regulations for the dog park are based on. Parks and Recreation Director Linda Cornelius reported staff looked at nationwide standard rules as well as rules from local area dog parks. Mayor Wilcox stated she had discussed with Ms. Cornelius the proposed regulation that no person nine (9) years of age or younger is allowed in the off leash area of the dog park, but from a safety standpoint understands the age limit. Councilmember Busche asked about the rules and regulations for unmanned aircraft. Ms. Cornelius reported staff looked at nationwide and area regulations, as well as Federal Aviation Administration (FAA) regulations. City Manager Michael Leavitt reported the FAA controls the air space, but the City can have a say in rules regarding take off/landing if it is on City property. Ms. Cornelius stated although it has not been a problem in our City, it has in other cities, and staff is trying to be proactive.

Relating to Agenda Item #20, Mr. Leavitt stated there were a lot of questions on this item when it was presented to the Planning and Zoning Commission (P&Z). He reported the property is not typical in regards to usual public right-of-ways, as it is burdened with a lot restrictions, such as public access easements and an agreement with the City and family that owns the property to the north of the property that it will not be dedicated as a public right-of-way. What was presented to P&Z and now before Council accurately shows how this property has been platted, is historically accurate, and is reflective of how it has been filed on record with Denton County. He reported it does meet all of the legal requirements of a replat.

Councilmember Busche suggested moving Agenda Item #23 up to the Consent Agenda.

Councilmember Fleming reported the President of the Highland Village Lion's Club wanted to send a special thank you to the Fire and Police Departments for their help with the Balloon Festival. Although the event had to be cancelled due to weather, they appreciated the City and their working relationship.

Council concluded Early Work Session at 6:52 p.m.

CLOSED SESSION

Council did not meet in 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)

OPEN SESSION

5. Call to Order

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

Roll Call

Present:	Charlotte Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	Mike Lombardo	Councilmember
	Barbara Fleming	Councilmember
	Fred Busche	Councilmember
	John McGee	Councilmember
	William Meek	Deputy Mayor Pro Tem
Staff Members:	Michael Leavitt	City Manager
	Kevin B. Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Mark Stewart	Assistant Police Chief
	Brad Goudie	Fire Chief
	Jason Collier	Assistant Fire Chief
	Martha Butz	Human Resources Director
	Scott Kriston	Public Works Director
	Billy Spencer	Building Official
	Laurie Mullens	Public Affairs Manager
	Andrew Boyd	Senior A/V Technician

6. Prayer to be led by Deputy Mayor Pro Tem Meek

Deputy Mayor Pro Tem Meek gave the Invocation.

7. Pledge of Allegiance to the U.S. and Texas Flags to be led by Deputy Mayor Pro Tem Meek

Deputy Mayor Pro Tem Meek led the Pledge to the U.S. and Texas flags.

8. Visitor Comments

No one wished to speak.

9. Mayor and Council Reports on Items of Community Interest

Councilmember Lombardo reminded everyone with school back in session to please use caution and watch for children, to be mindful of school zones and not to text while driving.

Mayor Wilcox stated she had been contacted by a resident who reported her husband went into respiratory failure and that Officer Henderson was first to arrive on the scene, followed by Officer Oliver. The resident reported if not for the officers she would not have remained so calm and been able to provide assistance during the incident. Mayor Wilcox commended Officer Henderson and Officer Oliver for their assistance.

- **Proclamation - National Preparedness Month**

Mayor Wilcox presented a proclamation to Fire Chief Brad Goudie, Assistant Chief Jason Collier, and members of C Shift: Captain Jared Middleton, Driver/Operator Robert Dukes, and Firefighters/Paramedics Rhett Rimmer, Cary Daniels, and Jack Lacy for National Preparedness Month.

10. City Manager/Staff Reports

City Manager Michael Leavitt reported Special Abilities of North Texas invites the community to join them on Thursday, August 25, from 3:30 – 5:30 p.m. for the grand opening of their new headquarters and Lewisville Training Center, located at 1511 Justin Road, Suite B. They are partnering with several area chambers to share the afternoon for a ribbon cutting and tours.

- **HVTV Update**

The latest video report from HVTV News was shown:

Be Kind in Highland Village – with kids returning to school, former Highland Village resident turned actor, Hayley Orrantia, reminded students to stay true to themselves, stand up to bullying, set a standard for yourself in how you treat others, and of the importance of being kind to others

NFL Punt, Pass & Kick Competition – this is a national skills competition for boys and girls between the ages 6 to 15 to compete against each other in punting, passing and kicking; the free competition will be held on Saturday, September 10 at Brazos Park starting at 10:00 a.m., contact www.nflppk.com to register

Fall Family Campout – to be held at Pilot Knoll Park on September 24 & 25; events will include tent decorating, late night movie, s'mores and a nature hunt; registration deadline is September 16; campsites are \$50 each and include all activities, dinner and a snack for breakfast

Honor Our Veterans – The HVBA will be accepting applications until September 2 for the Honor Our Veterans ceremony to be held in November, in order to be honored on the monument, the veteran must have 1 year of residency in HV and can be currently enlisted or have been honorably discharged; once approved a plaque with the veteran's name on it will be placed on the veteran's monument in recognition of their service

Emergency Preparedness Month – September is Emergency Preparedness Month; visit the Highland Village Fire Department's facebook page to learn how to be prepared

CONSENT AGENDA

- 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 (2nd 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 (2nd 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 (2nd and final read)**
15. **Consider Ordinance 2016-1204 Adopting Amendments to the Fiscal Year 2015-2016 Budget (2nd and final read)**
16. **Receive Budget Report for Period Ending June 30, 2016**

Councilmember Busche requested Agenda Item #23 be moved up from the Regular Agenda to the Consent Agenda. With no objections, Mayor Wilcox moved the item up to the Consent Agenda.
23. **Consider Memorandum of Understanding between the City of Highland Village and Town of Copper Canyon relating to the Ladera Development**

Motion by Councilmember McGee, seconded by Deputy Mayor Pro Tem Meek, to approve Consent Agenda Items #10 through #16, and Agenda Item #23. 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

No action was taken on this item.

18. **Presentation of City Manger Recommended Budget for Fiscal Year 2016-2017**

Assistant City Manager Ken Heerman reported each year the budget is constructed in context of a five year outlook with the purpose of adequately planning for the future. He stated the following development considerations were used in preparing the budget:

Provide high level of service expected in Highland Village

Staffing has increased over the last several years to a generally anticipated level needed for build-out. There are no new positions proposed for FY 2016-2017.

Provide services in cost-effective manner

In preparing the budget the assumption is not to increase the tax rate while still maintaining an on-going 20% level fund balance

Mr. Heerman reported a stated Council objective to provide competitive compensation for employees is supported by continuous monitoring of area benchmark cities. This helps the City to remain competitive and in retaining good employees that will provide high quality service to our residents.

Personnel

- A 4% overall adjustment is proposed this year, similar to other area cities, to address market adjustments, certifications, employee increases and provide for \$15 compensation floor
- Health insurance reflected a 12% increase
- TMRS rate increased from 13.44% to 13.79%
- A new proposed program is proposed this year for City employees - Retirement Health Savings program (RHS) – this program does not have an unfunded liability burden to the City; employees roll all accrued sick time and a determined percentage of vacation to RHS when ending employment with the City; the City can elect to contribute an annual amount as the budget allows

The following additional information was presented by Mr. Heerman:

Public Safety

- Training and phased implementation of the Emergency Care Attendant (ECA) program – provides for medical emergency response by police officers that are trained to provide initial emergency aid
- Continued development of the Computer Aided Dispatch (CAD) system installed in FY 2016
- New equipment in the Fire Dept (\$20,000) – the purchase of a Lucus device, which provides continuous mechanical compressions on patients requiring CPR, thus freeing up one of the paramedics to focus on other critical interventions

Technology

- Replacement/updating of security camera system (\$175,000) in all City facilities and parks
- Continued implementation of online permitting module
- Off-site backup of City network in Dallas data center (\$38,000)

City Facilities

- Both exterior and interior repairs totaling \$60,000 are anticipated for City Hall
- A dry fire suppression system (\$10,000) is to be installed in the IT equipment room at the Public Works Service Center

City Parks

- Initiate design for future development of Sunset Point Park (\$16,000)
- Hydraulic study for ponds at Unity Park (\$15,000), to determine options for future use and associated maintenance

General Fund Revenues

- Projected increase of 4.3% for FY 2016-2017, most of that is related to a 4.9% increase in assessed valuation (\$13,278,780 of new property added to the tax roll)
- Sales Tax shows a 5% increase over last year's revenues

- Franchise Fees are expected to decrease due to depressed natural gas prices
- Licenses/Permits have shown a slight increase due to residential building activity

General Fund Expenditures - Base budget increase was \$20,524 or .1%:

- Personnel – reflects a 4.5% increase
- Services/Supplies – reflects a 2.4% decrease
- Capital - scheduled equipment replacement and security cameras

Fund Balance – The City is exceeding its target of 20%

- Projected FY 2016 Ending Fund Balance is 25%
- Budgeted FY 2016-2017 Ending Fund Balance is 23% - The proposed budget is presented in the context of maintaining a 20% fund balance over the five year outlook

Utility Fund Revenues and Expenditures

- Over the last few years, revenues have been going down and expenditures have increased
- Compared to FY 2010-2011 and FY 2011-2012, each of the last three years have decreased roughly by \$800,000 a year
- Upper Trinity Regional Water District cost have increased an average of \$200,000 each of the last three years
- Days of Working Capital have decreased from 158 days in FY 2012-2013 to 72 days in FY 2015-2016

Projects for FY 2016-2017 shows:

- Projected revenues total \$8.45M – based on “normalized” usage
- Projected expenditures of \$8.48M will not allow for an increase in reserve balances
- A review of the utility rate structure is suggested for next year

Future Outlook

Mr. Heerman reported while the City is in excellent financial condition, there are variables in the intermediate future to merit a cautious approach when developing the current budget in context of a five-year outlook:

- FY 2016-2017 property values increased 4.9%. As demonstrated by Wichita Estates and Ladera developments, new growth potential does exist, however it is limited. There are an estimated 300 residential lots remaining with the City limits.
- With the remodel of The Shops at Highland Village, along with new development in the shopping center filling existing vacancies, sales tax revenues are expected to remain steady.
- Increased rainfall over the past two summers, coupled with changed patterns in water use, has resulted in significantly reduced utility revenues. There is only 58 days of working capital projected (compared to the target of 90 days). In the coming year, alternative rate structures will be considered to obtain sufficient revenues to maintain the utility system, but in a fair and equitable manner

City Manager Leavitt thanked Mr. Heerman, each of the department heads, Mayor and Council for their hard work on the budget. Mayor Wilcox stated she appreciates the conservative leadership of the staff.

19. Conduct a Public Hearing on the Proposed Budget and Tax Rate for Fiscal Year 2016-2017

PUBLIC HEARING CONDUCTED

Mr. Heerman reported Truth in Taxation requires two public hearings on the proposed budget and tax rate. This is the first public hearing, with a second one to be held on Tuesday, September 13th. Mayor Wilcox opened the public hearing. With no one wishing to speak, she closed the public hearing.

Mr. Leavitt reported a copy of the proposed budget is on file with the City Secretary and is also available on the City's website. Mayor Wilcox reported the current tax rate of \$.56963 has not been raised since 2000.

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

PUBLIC HEARING CONDUCTED and REPLAT APPROVED

Public Works Director Scott Kriston reported the City received 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.

As of this date of preparation of this briefing, August 9, 2016, staff has received (2) phone calls 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 conform to 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.

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.

Mayor Wilcox opened the public hearing. With no one wishing to speak, she closed the public hearing. City Attorney Kevin Laughlin reported the replat does meet all technical requirements for the property.

Motion by Mayor Pro Tem Schwolert, seconded by Councilmember Fleming, to approve the 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, as presented. Motion passed 7-0.

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

SITE PLAN APPROVED

Mr. Kriston reported 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 are as follows:

- 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.

City Staff has reviewed the site plan package and finds that the proposed site plan conforms to 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

David Latt, representing the applicant, was present for the meeting. Mr. Latt reported the presented color scheme is used on all of their credit unions, most recently Coppell, Grand Prairie, Arlington, and Richardson.

Motion by Councilmember Busche, seconded by Councilmember Lombardo, to approve 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, as presented. Motion passed 7-0.

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 (1st of two reads)

APPROVED 1st 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. 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.

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. Their questions were answered during the meeting, and there were no objections to the adoption of the building codes.

Motion by Mayor Wilcox, seconded by Deputy Mayor Pro Tem Meek, to approve the first read of Ordinance Nos. 2016-1206, 2016-1207, 2016-1208, 2016-1209, 2016-1210, 2016-1211, 2016-1212, 2016-1213, and 2016-1214, as presented. Motion passed 7-0.

Agenda Item #23 was moved up to the Consent Agenda.

LATE WORK SESSION

24. Update on Boundary Adjustment Agreement with the City of Lewisville relating to the Property within the 35Express Project right of way

City Manager Leavitt reported in our original annexation, the City of Highland Village eastern corporate limits were established as the west edge of the Interstate 35E right-of-way in the area of Copperas Branch Park. The 35Express Project has encroached approximately 450 feet west of the existing established right-of-way to provide the needed expansion of the I-35 project.

Per the Local Government Code, cities cannot share a public right-of-way and therefore must be fully located within one city. The 35Express Project has created areas that necessitate a boundary adjustment between the Cities of Highland Village and Lewisville. The City of Lewisville provides Police, Fire, and EMS for the I-35E corridor, which is identified in their annexation documents. Our new eastern corporate limits will be the new westerly right-of-way for Interstate 35.

A secondary aspect of the proposed boundary adjustment agreement relates to Copperas Branch Pond (Pond), South of Highland Village Road. Currently the Pond is split between Highland Village (on the west side) and Lewisville (on the east side). It is proposed that Highland Village will annex the entire Pond area up to Lewisville's corporate limit line, which will be established as the Northwest property line of the Highland Lakes Phase II, Final Plat for the City of Lewisville. The annexation does include the shoreline of the Pond. The shoreline and pond area is currently not under any lease by either city from the Corp of Engineers. The Corp of Engineers and the City of Highland Village are currently working on the development of a lease agreement

which will be similar to our lease for Wichita Forrest. Both areas are zoned Wildlife Management which allows only passive recreation activities.

Two public hearings are required. The first is scheduled for Tuesday, September 13, at 7:30 p.m. and the second is scheduled for Wednesday, September 14, at 12:00 p.m. (noon).

- 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.)**

Councilmember McGee requested an item be placed on a future agenda for discussion regarding safety concerns, liability, and the recent hot air balloon accident in Lockhart.

- **35Express Update**

Mr. Leavitt provided the following update regarding the 35Express Update:

Beginning Thursday, August 25, at 6:00 a.m., AGL will close Highland Village Road for two weeks to construct the connection between Highland Village Road and the southbound frontage road.

- Access to Highland Village Road from southbound I-35: Traffic will continue south on I-35E, exit to FM 407, and travel west to Highland Village Road
- To access to the southbound frontage road: Traffic will take Highland Village Road west and turn left onto Brazos Boulevard, then make a right onto Garden Ridge Boulevard and continue to the southbound I-35E frontage road

A milestone ceremony for the Lewisville Lake Bridge is scheduled for Wednesday, September 7 at 10 a.m. Northbound and southbound I-35E main lane traffic is scheduled to be relocated onto the new Lewisville Lake bridge in early September.

26. Adjournment

Mayor Wilcox adjourned the meeting at 8:27 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 12

MEETING DATE: 09/13/16

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 Consider Ordinance No. 2016-1210 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.

At the August 23, 2016 City Council meeting, Council approved the first read of Ordinance Nos. 2016-1206, 2016-1207, 2016-1208, 2016-1209, 2016-1210, 2016-1211, 2016-1212, 2016-1213, and 2016-1214, as presented.

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 this second 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 12th 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 23RD DAY OF AUGUST, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 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 23rd DAY OF AUGUST, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:8/17/16:78304)

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 23RD DAY OF AUGUST, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 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 23RD DAY OF AUGUST, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 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 *dwellings*, 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 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

Section 910.3 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 m² per 0.4719 m³/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) ¹/₂ 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 23RD DAY OF AUGUST, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:8/17/16:78303)

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 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

Section 910.3 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 m² per 0.4719 m³/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 23RD DAY OF AUGUST, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:8/17/16:78094)

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 23RD DAY OF AUGUST, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 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 23RD DAY OF AUGUST, 2016.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE,
TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 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 ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER LINDER ^d	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	SPEED ^d (MPH)	Topographic Effects ^k	Special Wind Regions ^l	Windborne Debris Zone ^m		Weatherin g a	Frost Line Depth ^b	Termite ^c					
5 lb/ft	115 (3 sec- gust)/ 76 fastest mile	No	No	No	A	Moderate	6"	Very Heavy	22 ^o F	No	Local Code	150	64.9 ^o 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:

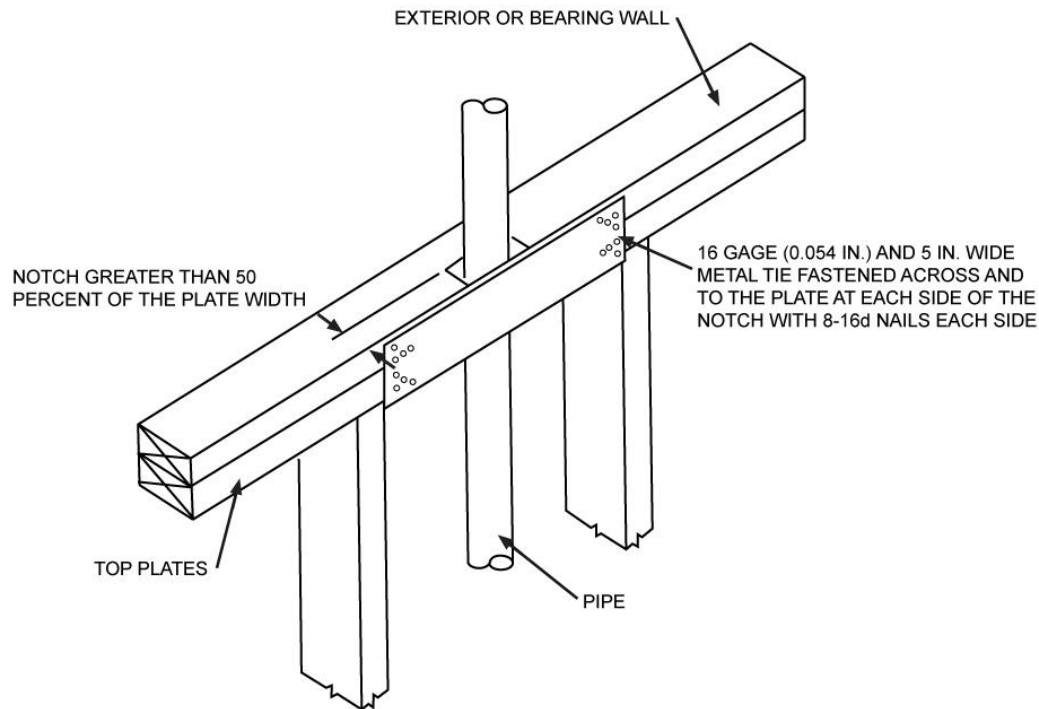
...Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.

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 m³/s) shall be provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Exception: Where all appliances in the house are of sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m³/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m³/s) shall be provided with a makeup air at a rate approximately equal to the difference between the exhaust air rate and 600 cubic feet per minute.

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 23RD DAY OF AUGUST, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE 13TH DAY OF SEPTEMBER, 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# 13

MEETING DATE: 09/13/16

SUBJECT: Consider Resolution 2016-2657 Authorizing an Interlocal Agreement with Harris County Department of Education, which sponsors Choice Partners Cooperative Purchasing Program

PREPARED BY: Ken Heerman, Asst City Manager

BACKGROUND:

The City has a number of interlocal agreements with other government agencies to take advantage of consolidated purchasing opportunities. There are various agencies in Texas with government purchasing cooperatives: General Services Commission (GSC), Houston Galveston Area Purchasing Commission (HGAC), Denton County – each agency is independent and will have specific products that offer favorable pricing for the City to utilize. Choice Partners, the purchasing cooperative of Harris County Department of Education provides the City another option that is utilized by a large number of cities in the North Texas area.

IDENTIFIED NEED/S:

An interlocal agreement is all that is required to participate in the State Purchasing Program. There are no associated membership fees.

OPTIONS & RESULTS:

N/A

PROGRESS TO DATE: (if appropriate)

N/A

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

Council to approve Resolution 2016-2657 authorizing the City Manager to enter into an interlocal agreement with the Harris County Department of Education, which sponsors Choice Partners Cooperative Purchasing Program.

**Interlocal Contract - City
Between Harris County Department of Education
& City of _____**

Pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code and Chapter 271, Subchapter F of the Texas Local Government Code, this Interlocal and Cooperative Purchasing Program Contract ("Contract") is made and entered into by and between the Harris County Department of Education ("HCDE"), located in Houston, Texas, and City of _____ ("CITY"), located in _____ County, for the purpose of providing services.

Preamble

HCDE is a local governmental entity established to promote education in Harris County, Texas and is also duly authorized to provide programs and services in the State of Texas. Both HCDE and CITY desire to set forth, in writing, the terms and conditions of their agreement.

General Terms and Conditions

In consideration of the mutual covenants and conditions contained in this Contract and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties intending to be legally bound agree as follows:

1. Term. This Contract is effective from the date of the first signature and shall automatically renew unless either party gives thirty (30) days prior written notice of non-renewal. This Contract may be terminated by either party with or without cause with thirty (30) days written notice. See other means of terminating the contract in Article 11, below. Any such notice shall be sent according to Article 8.
2. Agreement. The terms of this Contract shall apply and will be considered a part of any Addendum for programs and services delivered by HCDE. This Contract and the attached and incorporated Addendum, purchase orders, or exhibits, if any, contain the entire agreement of the parties and there are no representations, agreements, arrangements, or undertakings, oral or written, between the parties to this Contract other than those set forth in this Contract and duly executed in writing.
3. Purpose and Scope of Work.
 - A. HCDE agrees to:**
 - Provide CITY with subsequent independent contracts and/or descriptive offerings of each of the programs and services that HCDE provides through its respective divisions.
 - Provide services upon the submission of independent contracts or purchase orders within the HCDE divisions.
 - Conduct, as a minimum, an annual audit or survey, as appropriate, for each of the programs.
 - B. CITY agrees to:**
 - Participate in any or all of the services that HCDE has to offer.
 - Submit purchase order(s) or independent contract(s) for each of the programs it wishes to purchase and/or collaborate.
 - Agree to follow the terms and conditions of each independent contract or purchase orders for each of the programs.

- Assign the appropriate person to act as representative to each respective program delivered.
4. As is. HCDE makes this Contract available to HCDE participating entities “as is” and are under no obligation to revise the terms, conditions, scope, prices, and/or any requirements of the Contract for the benefit of CITY.
 5. Assignment. Neither this Contract nor any duties or obligations entered in subsequent contracts because of this agreement shall be assignable by either party without the prior written acknowledgment and authorization of both parties.
 6. Conflict of Interest. During the Term of HCDE’s service to CITY, CITY, its personnel and agents, shall not, directly or indirectly, whether for CITY’s own account or with any other person or entity whatsoever, employ, solicit or endeavor to entice away any person who is employed by HCDE.
 7. Contract Amendment. This Contract may be amended only by the mutual agreement of all parties in writing to be attached to and incorporated into this Contract.
 8. Notice. Any notice provided under the terms of this Contract by either party to the other shall be in writing and shall be sent by **certified mail, return receipt requested**. Notice to shall be sufficient if made or addressed as follows:

Harris County Department of Education
 Attn: James Colbert, Jr.
 County School Superintendent
 6300 Irvington Blvd.
 Houston, Texas 77022
 713-694-6300

City of _____
 Attn: _____
 Title: _____
 Address: _____
 City, State, Zip: _____
 Phone: _____
 Email: _____

9. Relation of Parties. It is the intention of the parties that CITY is independent of HCDE and not an employee, agent, joint venturer, or partner of HCDE and nothing in this Contract shall be interpreted or construed as creating or establishing the relationship of employer and employee, agent, joint venturer or partner, between HCDE and CITY or HCDE and any of CITY’s agents.
10. Non-Exclusivity of Services. Nothing in this Contract may be construed to imply that HCDE has exclusive right to provide CITY these services. During the Term of Contract, CITY reserves the right to use all available resources to procure other professional services as needed and, in doing so, will not violate any rights of HCDE.
11. Termination. This Contract may be terminated prior to the expiration of the Term hereof as follows:
 - By CITY upon 30 days notice if the work/service is not provided in a satisfactory and proper manner after a remedy has been reported and discussed;
 - By mutual written agreement of the parties, upon thirty (30) days prior notice; or
 - By either party immediately if the other party commits a material breach any of the terms of this Contract and no remedial action can be agreed upon by the parties.

12. Master Contract. This Contract can be utilized as the Master Contract. The general terms and conditions in this Contract will serve to outline the working relationship between HCDE and the CITY. Both parties agree to allow the CITY to use any or all of the services with no charge from HCDE, including Choice Partners.
- The CITY agrees to adhere to the terms and conditions set forth for the programs and/or services as contracted under these programs. All other programs and/or services provided by HCDE requiring a fee will need an addendum to the approved Master Interlocal Contract. The specific terms and conditions of the addendum will govern that individual contract. In the case of a conflict between the Master Contract and any addendum, the provisions of the addendum will govern.
13. Severability. In the event that any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions, and the Contract shall be construed as if such invalid, illegality, or unenforceable provision had never been contained in it.
14. Governing Law and Venue. This Contract shall be governed by and construed in accordance with the laws of the State of Texas. The mandatory and exclusive venue for the adjudication or resolution of any dispute arising out of this Contract shall be in Harris County, Texas.
15. Authorization. Each party acknowledges that the governing body of each party to the Contract has authorized this Contract.
16. Benefit for Signatory Parties Only. Neither this Contract, nor any term or provisions hereof, not any inclusion by reference, shall be construed as being for the benefit of any party not in signatory hereto.

In witness whereof, HCDE and CITY have executed this Contract to be effective on the date specified in Article 1. Term above:

_____	Harris County Department of Education
Name of City	
_____	_____
Authorized Signature	
_____	James Colbert, Jr.
Printed Name	
_____	County School Superintendent
Title	
_____	_____
Date	Date

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2016-2657

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AUTHORIZING COOPERATIVE PURCHASING AGREEMENT WITH HARRIS COUNTY DEPARTMENT OF EDUCATION, WHICH SPONSORS CHOICE PARTNERS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Choice Partners ("the Program"), sponsored by Harris County Department of Education is authorized to provide purchasing services for local governments pursuant to the authority granted under Sections 271.101 to 271.102 of the Local Government Code; and

WHEREAS, City of Highland Village is a local government defined as an entity qualified to participate in the cooperative Purchasing Program in Choice Partners; and

WHEREAS, the City Council of the City of Highland Village finds in that the anticipated savings to be realized by participation in the Program will be highly beneficial to and in the best interest of the residents of the City;

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

SECTION 1. The City Manager is hereby authorized to enter into a cooperative purchasing agreement with Harris County Department of Education for the ability to purchase goods and services from state contract as well as any further documents necessary to participate in such cooperative purchasing program.

SECTION 2. Ken Heerman, Assistant City Manager, is further designated as the official representative of the City of Highland Village relating to the program.

SECTION 3. This Resolution shall be effective immediately upon its approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, THIS THE 13TH DAY OF SEPTEMBER, 2016.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:9/1/16:78790)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 14

MEETING DATE: 09/13/16

SUBJECT: Receive Budget Reports for Period Ending July 31, 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 July represents the tenth 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 July 31, 2016.

General Fund Summary

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget (Includes Budget Amendments)	Year to Date	Variance	% Received
Property Tax	\$ 9,217,070	\$ 9,217,070	\$ 9,092,248	\$ (124,822)	99%
Sales Tax	2,696,757	2,696,757	1,699,056	(997,701)	63%
Franchise Fees	1,758,950	1,758,950	1,009,128	(749,822)	57%
Licensing & Permits	368,864	368,864	452,765	83,901	123%
Park/Recreation Fees	157,917	157,917	226,276	68,359	143%
Public Safety Fees	40,000	40,000	33,908	(6,092)	85%
Rents	119,963	119,963	112,914	(7,049)	94%
Municipal Court	117,300	117,300	87,936	(29,364)	75%
Public Safety Charges for Svc	465,881	465,881	361,457	(104,424)	78%
Interest Income	32,000	32,000	36,787	4,787	115%
Miscellaneous	134,150	134,150	194,475	60,325	145%
Total Revenues	\$ 15,108,852	\$ 15,108,852	\$ 13,306,950	\$ (1,801,902)	88%

Other Sources

Transfers In	\$ 534,000	\$ 840,000	\$ -	\$ (840,000)	0%
Total Available Resources	\$ 15,642,852	\$ 15,948,852	\$ 13,306,950	\$ (2,641,902)	

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
City Manager Office	\$ 563,557	\$ 573,557	\$ 426,442	\$ 147,115	74%
Finance (includes Mun. Court)	1,482,564	1,527,564	1,214,861	312,703	80%
Human Resources	477,384	482,384	344,676	137,708	71%
City Secretary Office	299,525	309,525	226,963	82,562	73%
Information Services	882,394	862,394	596,436	265,958	69%
Police	4,347,903	4,347,903	3,346,419	1,001,484	77%
Fire	2,745,224	3,050,224	2,212,983	837,242	73%
Community Services	405,824	441,824	344,992	96,832	78%
Streets/Drainage	1,781,262	1,981,262	871,186	1,110,076	44%
Maintenance	896,814	836,814	596,065	240,748	71%
Parks	1,547,279	1,547,279	1,178,516	368,763	76%
Recreation	391,795	456,795	348,207	108,588	76%
Total Expenditures	\$ 15,821,526	\$ 16,417,526	\$ 11,707,746	\$ 4,709,780	71%

Capital Summary

(Included in totals above - summary information only)

Equipment Replacement	\$ 294,500	\$ 784,500	\$ 368,269	\$ 416,231	47%
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Other Uses

Transfers Out	\$ 16,000	\$ 1,014,000	\$ -	\$ 1,014,000	0%
Total Expenditures	\$ 15,837,526	\$ 17,431,526	\$ 11,707,746	\$ 5,723,780	

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)	(1,482,674)	1,599,204
Ending Fund Balance	\$ 3,838,205	\$ 3,590,657	\$ 6,672,535

Audited FY15

Fund Balance Detail	Original Budget	Revised Budget	Year to Date
Reserve Fund Balance (15% of Total Expenditures)	\$ 2,373,229	\$ 2,462,629	\$ 1,756,162
Restricted	11,500	11,500	11,500
Unassigned	1,453,476	1,116,528	4,904,873
Total Fund Balance	\$ 3,838,205	\$ 3,590,657	\$ 6,672,535

General Fund Expenditure Summary

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 10,989,906	\$ 10,944,906	\$ 8,502,834	\$ 2,442,072	78%
Services / Supplies	4,475,120	4,576,120	2,726,970	1,849,151	60%
Capital	356,500	896,500	477,943	418,557	53%
	\$ 15,821,526	\$ 16,417,526	\$ 11,707,746	\$ 4,709,780	71%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 8,188,404	\$ 8,113,404	\$ 6,329,577	\$ 1,783,828	78%
<i>Employee Benefits</i>	2,801,502	2,831,502	2,173,257	658,245	77%
<i>Total Personnel</i>	\$ 10,989,906	\$ 10,944,906	\$ 8,502,834	\$ 2,442,072	78%

Services / Supplies					
<i>Professional Services</i>	\$ 1,207,923	\$ 1,286,423	\$ 893,608	\$ 392,814	69%
<i>Employee Development</i>	301,311	306,311	202,519	103,792	66%
<i>Office Supplies / Equipment</i>	1,102,621	1,060,121	756,561	303,559	71%
<i>Utilities</i>	321,472	321,472	237,612	83,860	74%
<i>Other</i>	1,541,794	1,601,794	636,669	965,125	40%
<i>Total Services / Supplies</i>	\$ 4,475,120	\$ 4,576,120	\$ 2,726,970	\$ 1,849,151	60%

Capital					
<i>Equipment / Vehicles</i>	\$ 356,500	\$ 896,500	\$ 477,943	\$ 418,557	53%
<i>Total Capital</i>	\$ 356,500	\$ 896,500	\$ 477,943	\$ 418,557	53%

<i>Total General Fund Expenditure Summary</i>	\$ 15,821,526	\$ 16,417,526	\$ 11,707,746	\$ 4,709,780	71%
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General Fund Revenue

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Property Tax	\$ 9,217,070	\$ 9,217,070	\$ 9,092,248	\$ (124,822)	99%
Sales Tax	2,696,757	2,696,757	1,699,056	(997,701)	63%
Franchise Fees	1,758,950	1,758,950	1,009,128	(749,822)	57%
Licensing & Permits	368,864	368,864	452,765	83,901	123%
Park/Recreation Fees	157,917	157,917	226,276	68,359	143%
Public Safety Fees	40,000	40,000	33,908	(6,092)	85%
Rents	119,963	119,963	112,914	(7,049)	94%
Municipal Court	117,300	117,300	87,936	(29,364)	75%
Public Safety Charges for Svc	465,881	465,881	361,457	(104,424)	78%
Interest Income	32,000	32,000	36,787	4,787	115%
Miscellaneous	134,150	134,150	194,475	60,325	145%
Total Revenues	\$ 15,108,852	\$ 15,108,852	\$ 13,306,950	\$ (1,801,902)	88%

City Manager Office

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 370,229	\$ 380,229	\$ 323,938	\$ 56,291	85%
Services / Supplies	193,328	193,328	102,504	90,824	53%
Capital	-	-	-	-	0%
	\$ 563,557	\$ 573,557	\$ 426,442	\$ 147,115	74%

- - - Detail - - -

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

Salaries / Wages	\$ 290,437	\$ 300,437	\$ 269,079	\$ 31,358	90%
Employee Benefits	79,792	79,792	54,859	24,933	69%
Total Personnel	\$ 370,229	\$ 380,229	\$ 323,938	\$ 56,290	85%

Services / Supplies

Professional Services (City-wide legal - \$115,000)	\$ 135,396	\$ 135,396	\$ 92,465	\$ 42,931	68%
Employee Development	12,570	12,570	5,472	7,098	44%
Supplies / Equipment	5,110	5,110	1,522	3,588	30%
Utilities	-	-	-	-	0%
Other (Contingency)	40,252	40,252	3,045	37,207	8%
Total Services / Supplies	\$ 193,328	\$ 193,328	\$ 102,504	\$ 90,824	53%

Capital

Equipment / Vehicles	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total City Manager	\$ 563,557	\$ 573,557	\$ 426,442	\$ 147,114	74%
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Finance Department FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 964,415	\$ 1,004,415	\$ 790,212	\$ 214,203	79%
Services / Supplies	518,149	523,149	424,648	98,501	81%
Capital	-	-	-	-	0%
	\$ 1,482,564	\$ 1,527,564	\$ 1,214,861	\$ 312,703	80%

- - - Detail - - -

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

Salaries / Wages	\$ 730,033	\$ 770,033	\$ 597,118	\$ 172,915	78%
Employee Benefits	234,382	234,382	193,094	41,287	82%
Total Personnel	\$ 964,415	\$ 1,004,415	\$ 790,212	\$ 214,203	79%

Services / Supplies

Professional Services (City-wide liability insurance - \$109,384 / DCAD - \$72,640)	\$ 469,594	\$ 474,594	\$ 377,615	\$ 96,979	80%
Employee Development	19,276	19,276	19,005	271	99%
Supplies / Equipment	11,394	11,394	4,461	6,933	39%
Utilities	-	-	771	(771)	100%
Other (Special Events)	17,885	17,885	22,795	(4,910)	127%
Total Services / Supplies	\$ 518,149	\$ 523,149	\$ 424,648	\$ 98,501	81%

Capital

Equipment / Vehicles	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total Finance Department	\$ 1,482,564	\$ 1,527,564	\$ 1,214,861	\$ 312,703	80%
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Human Resources

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 383,576	\$ 383,576	\$ 289,378	\$ 94,198	75%
Services / Supplies	93,808	98,808	55,298	43,511	56%
Capital	-	-	-	-	0%
	\$ 477,384	\$ 482,384	\$ 344,676	\$ 137,708	71%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 294,616	\$ 294,616	\$ 216,575	\$ 78,041	74%
<i>Employee Benefits</i>	88,960	88,960	72,803	16,157	82%
Total Personnel	\$ 383,576	\$ 383,576	\$ 289,378	\$ 94,197	75%
Services / Supplies					
<i>Professional Services</i>	\$ 21,533	\$ 21,533	\$ 11,606	\$ 9,927	54%
<i>Employee Development</i>	60,900	65,900	38,667	27,233	59%
<i>Supplies / Equipment</i>	2,575	2,575	1,613	962	63%
<i>Utilities</i>	-	-	250	(250)	100%
<i>Other</i>	8,800	8,800	3,162	5,638	36%
Total Services / Supplies	\$ 93,808	\$ 98,808	\$ 55,298	\$ 43,511	56%
Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%
Total Human Resources	\$ 477,384	\$ 482,384	\$ 344,676	\$ 137,707	71%

City Secretary Office

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 177,815	\$ 187,815	\$ 148,056	\$ 39,759	79%
Services / Supplies	121,710	121,710	78,907	42,803	65%
Capital	-	-	-	-	0%
	\$ 299,525	\$ 309,525	\$ 226,963	\$ 82,562	73%

- - - Detail - - -

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

Salaries / Wages	\$ 142,303	\$ 152,303	\$ 118,283	\$ 34,020	78%
Employee Benefits	35,512	35,512	29,773	5,739	84%
Total Personnel	\$ 177,815	\$ 187,815	\$ 148,056	\$ 39,758	79%

Services / Supplies

Professional Services	\$ 19,900	\$ 19,900	\$ 14,141	\$ 5,759	71%
Employee Development (Council meeting meals, outside meetings, etc.)	47,105	47,105	19,597	27,508	42%
Supplies / Equipment	16,005	16,005	11,343	4,662	71%
Utilities	-	-	-	-	0%
Other	38,700	38,700	33,825	4,875	87%
Total Services / Supplies	\$ 121,710	\$ 121,710	\$ 78,907	\$ 42,803	65%

Capital

Equipment / Vehicles	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total City Secretary Office	\$ 299,525	\$ 309,525	\$ 226,963	\$ 82,561	73%
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Information Services

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 525,692	\$ 445,692	\$ 297,492	\$ 148,200	67%
Services / Supplies	294,702	304,702	189,270	115,432	62%
Capital	62,000	112,000	109,674	2,326	98%
	\$ 882,394	\$ 862,394	\$ 596,436	\$ 265,958	69%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 398,197	\$ 318,197	\$ 228,611	\$ 89,586	72%
<i>Employee Benefits</i>	127,495	127,495	68,881	58,614	54%
Total Personnel	\$ 525,692	\$ 445,692	\$ 297,492	\$ 148,199	67%
Services / Supplies					
<i>Professional Services</i>	\$ 152,204	\$ 152,204	\$ 87,160	\$ 65,044	57%
<i>Employee Development</i>	28,895	28,895	17,050	11,845	59%
<i>Supplies / Equipment</i>	2,531	2,531	1,951	580	77%
<i>Utilities</i>	15,812	15,812	11,598	4,214	73%
<i>Other (Data Processing)</i>	95,260	105,260	71,511	33,749	68%
Total Services / Supplies	\$ 294,702	\$ 304,702	\$ 189,270	\$ 115,432	62%
Capital					
<i>Equipment / Vehicles</i>	62,000	112,000	109,674	2,326	98%
Total Capital	\$ 62,000	\$ 112,000	\$ 109,674	\$ 2,326	98%
Total City Secretary Office	\$ 882,394	\$ 862,394	\$ 596,436	\$ 265,957	69%

Police Department FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 3,947,596	\$ 3,877,596	\$ 3,017,023	\$ 860,573	78%
Services / Supplies	350,307	420,307	294,696	125,611	70%
Capital	50,000	50,000	34,700	15,300	69%
	\$ 4,347,903	\$ 4,347,903	\$ 3,346,419	\$ 1,001,484	77%

- - - Detail - - -

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

Salaries / Wages	\$ 2,992,199	\$ 2,922,199	\$ 2,262,189	\$ 660,010	77%
Employee Benefits	955,397	955,397	754,834	200,563	79%
Total Personnel	\$ 3,947,596	\$ 3,877,596	\$ 3,017,023	\$ 860,573	78%

Services / Supplies

Professional Services	\$ 74,283	\$ 144,283	\$ 110,968	\$ 33,315	77%
Employee Development	40,955	40,955	25,351	15,604	62%
Supplies / Equipment	166,349	166,349	112,892	53,457	68%
Utilities	-	-	-	-	0%
Other (Animal Care - \$49,420)	68,720	68,720	45,485	\$ 23,235	66%
Total Services / Supplies	\$ 350,307	\$ 420,307	\$ 294,696	\$ 125,611	70%

Capital

Equipment / Vehicles	50,000	50,000	34,700	15,300	69%
Total Capital	\$ 50,000	\$ 50,000	\$ 34,700	\$ 15,300	69%

Total Police Department	\$ 4,347,903	\$ 4,347,903	\$ 3,346,419	\$ 1,001,484	77%
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Fire Department FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

--- Summary ---

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 2,154,504	\$ 2,154,504	\$ 1,664,754	\$ 489,750	77%
Services / Supplies	472,220	487,220	410,960	76,260	84%
Capital	118,500	408,500	137,268	271,232	34%
	\$ 2,745,224	\$ 3,050,224	\$ 2,212,983	\$ 837,242	73%

--- Detail ---

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

Salaries / Wages	\$ 1,566,423	\$ 1,566,423	\$ 1,229,934	\$ 336,490	79%
Employee Benefits	588,081	588,081	434,821	153,260	74%
Total Personnel	\$ 2,154,504	\$ 2,154,504	\$ 1,664,754	\$ 489,749	77%

Services / Supplies

Professional Services	\$ 45,550	\$ 45,550	\$ 45,842	\$ (292)	101%
Employee Development (Training - \$42,000)	55,156	55,156	47,434	7,722	86%
Supplies / Equipment	227,504	242,504	176,788	65,716	73%
Utilities	3,660	3,660	1,543	2,117	42%
Other	140,350	140,350	139,352	998	99%
Total Services / Supplies	\$ 472,220	\$ 487,220	\$ 410,960	\$ 76,260	84%

Capital

Equipment / Vehicles	118,500	408,500	137,268	271,232	34%
Total Capital	\$ 118,500	\$ 408,500	\$ 137,268	\$ 271,232	34%

Total Fire Department	\$ 2,745,224	\$ 3,050,224	\$ 2,212,983	\$ 837,241	73%
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Community Services

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 383,620	\$ 413,620	\$ 325,697	\$ 87,923	79%
Services / Supplies	22,204	28,204	19,294	8,910	68%
Capital	-	-	-	-	0%
	\$ 405,824	\$ 441,824	\$ 344,992	\$ 96,832	78%

- - - Detail - - -

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

<i>Salaries / Wages</i>	\$ 291,447	\$ 291,447	\$ 240,700	\$ 50,747	83%
<i>Employee Benefits</i>	92,173	122,173	84,997	37,176	70%
Total Personnel	\$ 383,620	\$ 413,620	\$ 325,697	\$ 87,922	79%

Services / Supplies

<i>Professional Services</i>	\$ 9,200	\$ 12,700	\$ 6,096	6,605	48%
<i>Employee Development</i>	5,205	5,205	1,882	3,323	36%
<i>Supplies / Equipment</i>	7,799	10,299	11,317	(1,018)	110%
<i>Utilities</i>	-	-	-	-	0%
<i>Other</i>	-	-	-	-	0%
Total Services / Supplies	\$ 22,204	\$ 28,204	\$ 19,294	\$ 8,910	68%

Capital

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

Total Building Operations	\$ 405,824	\$ 441,824	\$ 344,992	\$ 96,831	78%
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Streets Division

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 626,022	\$ 626,022	\$ 494,170	\$ 131,852	79%
Services / Supplies	1,110,240	1,110,240	235,197	875,043	21%
Capital	45,000	245,000	141,820	103,180	58%
	\$ 1,781,262	\$ 1,981,262	\$ 871,186	\$ 1,110,076	44%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 446,578	\$ 446,578	\$ 349,095	\$ 97,483	78%
<i>Employee Benefits</i>	179,444	179,444	145,075	34,369	81%
Total Personnel	\$ 626,022	\$ 626,022	\$ 494,170	\$ 131,852	79%
Services / Supplies					
<i>Professional Services</i>	\$ 47,576	\$ 47,576	\$ 3,716	\$ 43,861	8%
<i>Employee Development</i>	2,464	2,464	3,451	(987)	140%
<i>Supplies / Equipment</i>	38,950	38,950	29,051	9,899	75%
<i>Utilities</i>	90,000	90,000	70,315	19,685	78%
<i>Other (Street Maintenance)</i>	931,250	931,250	128,665	802,585	14%
Total Services / Supplies	\$ 1,110,240	\$ 1,110,240	\$ 235,197	\$ 875,043	21%
Capital					
<i>Equipment / Vehicles</i>	45,000	245,000	141,820	103,180	58%
Total Capital	\$ 45,000	\$ 245,000	\$ 141,820	\$ 103,180	58%
Total Streets	\$ 1,781,262	\$ 1,981,262	\$ 871,186	\$ 1,110,076	44%

Maintenance Division

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 299,925	\$ 299,925	\$ 236,790	\$ 63,135	79%
Services / Supplies	565,889	505,889	336,275	169,614	66%
Capital	31,000	31,000	23,000	8,000	74%
	\$ 896,814	\$ 836,814	\$ 596,065	\$ 240,748	71%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 209,169	\$ 209,169	\$ 165,732	\$ 43,437	79%
<i>Employee Benefits</i>	90,755	90,755	71,058	19,698	78%
Total Personnel	\$ 299,925	\$ 299,925	\$ 236,790	\$ 63,135	79%

Services / Supplies					
<i>Professional Services</i>	\$ 64,480	\$ 64,480	\$ 49,696	\$ 14,784	77%
<i>Employee Development</i>	5,475	5,475	4,361	1,114	80%
<i>Supplies / Equipment (Fuel & Oils - \$242,696 / Repair Parts - \$60,000)</i>	410,834	350,834	228,975	121,859	65%
<i>Utilities</i>	85,000	85,000	53,243	31,757	63%
<i>Other</i>	100	100	-	100	0%
Total Services / Supplies	\$ 565,889	\$ 505,889	\$ 336,275	\$ 169,614	66%

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

Total Maintenance	\$ 896,814	\$ 836,814	\$ 596,065	\$ 240,748	71%
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Parks Division FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 974,555	\$ 974,555	\$ 764,212	\$ 210,344	78%
Services / Supplies	522,724	522,724	382,823	139,901	73%
Capital	50,000	50,000	31,481	18,519	63%
	\$ 1,547,279	\$ 1,547,279	\$ 1,178,516	\$ 368,763	76%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 691,820	\$ 691,820	\$ 539,620	\$ 152,200	78%
<i>Employee Benefits</i>	282,735	282,735	224,591	58,144	79%
<i>Total Personnel</i>	\$ 974,555	\$ 974,555	\$ 764,212	\$ 210,344	78%
Services / Supplies					
<i>Professional Services</i>	\$ 168,206	\$ 168,206	\$ 94,304	\$ 73,902	56%
<i>Employee Development</i>	14,755	14,755	12,317	2,438	83%
<i>Supplies / Equipment</i>	212,063	212,063	175,270	36,793	83%
<i>Utilities</i>	127,000	127,000	99,891	27,109	79%
<i>Other</i>	700	700	1,042	(342)	149%
<i>Total Services / Supplies</i>	\$ 522,724	\$ 522,724	\$ 382,823	\$ 139,901	73%
Capital					
<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%
<i>Total Parks</i>	\$ 1,547,279	\$ 1,547,279	\$ 1,178,516	\$ 368,763	76%

Recreation Division FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 181,957	\$ 196,957	\$ 151,111	\$ 45,846	77%
Services / Supplies	209,838	259,838	197,096	62,742	76%
Capital	-	-	-	-	0%
	\$ 391,795	\$ 456,795	\$ 348,207	\$ 108,588	76%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 135,183	\$ 150,183	\$ 112,641	\$ 37,542	75%
<i>Employee Benefits</i>	46,775	46,775	38,470	8,304	82%
Total Personnel	\$ 181,957	\$ 196,957	\$ 151,111	\$ 45,846	77%
Services / Supplies					
<i>Professional Services</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Employee Development</i>	8,555	8,555	7,930	625	93%
<i>Supplies / Equipment</i>	1,506	1,506	1,379	127	92%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Recreation Programs)</i>	199,777	249,777	187,787	61,990	75%
Total Services / Supplies	\$ 209,838	\$ 259,838	\$ 197,096	\$ 62,742	76%
Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%
Total Recreation	\$ 391,795	\$ 456,795	\$ 348,207	\$ 108,588	76%

Equipment Replacement / Capital Schedule

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
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	408,500	137,268	271,232	34%
Community Services Capital Outlay	-	-	-	-	0%
Streets Dept Capital Outlay	45,000	245,000	141,820	103,180	58%
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%
Total Expenditures	\$ 294,500	\$ 784,500	\$ 368,269	\$ 416,231	47%

Utility Fund Revenues

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired	83.3%
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Fees	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Electronic Payment</i>	\$ (100,000)	\$ (100,000)	\$ (76,638)	\$ (23,363)	77%
<i>Charges / Penalties</i>	86,000	86,000	61,317	24,683	71%
<i>Total Fees</i>	\$ (14,000)	\$ (14,000)	\$ (15,320)	\$ 1,320	109%

Licenses & Permits

<i>Construction Inspection</i>	\$ 10,000	\$ 10,000	\$ 9,000	\$ 1,000	90%
<i>Total Licenses & Permits</i>	\$ 10,000	\$ 10,000	\$ 9,000	\$ 1,000	90%

Charges for Services

<i>Water Sales</i>	\$ 4,979,529	\$ 4,979,529	\$ 2,957,253	\$ 2,022,276	59%
<i>Sewer Sales</i>	3,618,840	3,618,840	2,777,237	841,603	77%
<i>Inspection Fees</i>	3,550	3,550	3,650	(100)	103%
<i>Total Charges for Service</i>	\$ 8,601,919	\$ 8,601,919	\$ 5,738,139	\$ 2,863,780	67%

Interest

<i>Interest (Operations)</i>	\$ 4,000	\$ 4,000	\$ 8,547	\$ (4,547)	214%
<i>Interest (Capital Projects)</i>	10,000	10,000	7,193	2,807	72%
<i>Total Interest</i>	\$ 14,000	\$ 14,000	\$ 15,740	\$ (1,740)	112%

Impact Fees

<i>Impact Fees</i>	\$ 124,000	\$ 124,000	\$ 173,776	\$ (49,776)	140%
<i>Total Impact Fees</i>	\$ 124,000	\$ 124,000	\$ 173,776	\$ (49,776)	140%

Miscellaneous Income

<i>Miscellaneous Income</i>	\$ 5,000	\$ 5,000	\$ 3,878	\$ 1,122	78%
<i>Total Miscellaneous Income</i>	\$ 5,000	\$ 5,000	\$ 3,878	\$ 1,122	78%

<i>Total Utility Fund Revenues</i>	\$ 8,740,919	\$ 8,740,919	\$ 5,925,213	\$ 2,815,706	68%
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Utility Division FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

- - - Summary - Operations - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 1,443,376	\$ 1,443,376	\$ 1,126,121	\$ 317,254	78%
Services / Supplies	5,483,718	5,683,718	4,413,067	1,270,651	78%
Capital	195,500	195,500	-	195,500	0%
Total Utility Division	\$ 7,122,594	\$ 7,322,594	\$ 5,539,188	\$ 1,783,406	76%

- - - Detail - Operations - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 1,014,641	\$ 1,014,641	\$ 802,511	\$ 212,129	79%
<i>Employee Benefits</i>	428,735	428,735	323,610	105,125	75%
Total Personnel	\$ 1,443,376	\$ 1,443,376	\$ 1,126,121	\$ 317,254	78%
Services / Supplies					
<i>Professional Services</i>	\$ 177,303	\$ 177,303	\$ 125,882	\$ 51,421	71%
<i>Employee Development</i>	70,554	70,554	33,532	37,022	48%
<i>Supplies / Equipment</i>	93,830	93,830	65,530	28,300	70%
<i>Utilities</i>	404,356	404,356	286,478	117,878	71%
<i>Other (Well Lot Maintenance)</i>	467,150	467,150	253,249	213,901	54%
Sub-Total - Operations Services / Supplies	\$ 1,213,193	\$ 1,213,193	\$ 764,670	\$ 448,523	63%
Wholesale Water / Wastewater					
Note: UTRWD billing reflects a one month delay					
<i>UTRWD - Administration Fees</i>	\$ 4,955	\$ 4,955	\$ 4,954	\$ 1	100%
<i>UTRWD - Water Volume Cost</i>	936,196	836,196	627,093	209,103	75%
<i>UTRWD - Water Demand Charges</i>	1,202,130	1,202,130	995,000	207,130	83%
<i>UTRWD - Sewer Effluent Volume Rate</i>	592,191	892,191	742,460	149,731	83%
<i>UTRWD - Capital Charge Joint Facilities</i>	1,201,048	1,201,048	1,001,902	199,146	83%
<i>UTRWD - HV Sewer Line to UTRWD</i>	334,005	334,005	276,988	57,017	83%
<i>UTRWD - Wtr Transmission - Opus Develop</i>	-	-	-	-	0%
Sub-Total - Wholesale Water / Wastewater	\$ 4,270,525	\$ 4,470,525	\$ 3,648,397	\$ 822,128	82%
Total Services / Supplies	\$ 5,483,718	\$ 5,683,718	\$ 4,413,067	\$ 1,270,651	78%
Capital					
<i>Equipment / Vehicles</i>	195,500	195,500	-	195,500	0%
Total Capital	\$ 195,500	\$ 195,500	\$ -	\$ 195,500	0%
Total Utility Division - Operations	\$ 7,122,594	\$ 7,322,594	\$ 5,539,188	\$ 1,783,406	76%

Utility Fund Working Capital FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Water Sales</i>	\$ 4,979,529	\$ 4,979,529	\$ 2,957,253	\$ 2,022,276	59%
<i>Sewer Sales</i>	3,618,840	3,618,840	2,777,237	841,603	77%
<i>Other Fees / Charges</i>	104,550	104,550	77,845	26,705	74%
<i>Electronic Payment Credit</i>	(100,000)	(100,000)	(76,638)	(23,363)	77%
<i>Interest</i>	4,000	4,000	8,547	(4,547)	214%
Total Revenues	\$ 8,606,919	\$ 8,606,919	\$ 5,744,244	\$ 2,862,675	67%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Administration</i>	\$327,744	\$327,744	\$ 249,257	\$ 78,487	76%
<i>Operations</i>	2,328,825	2,328,825	1,641,534	687,291	70%
<i>UTRWD</i>	4,270,525	4,470,525	3,648,397	822,128	82%
<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%
Total Expenditures	\$ 8,405,383	\$ 8,605,383	\$ 6,627,767	\$ 1,977,616	77%

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%
Total Other Sources (Uses)	\$ (620,000)	\$ (620,000)	\$ 150,000	\$ (770,000)	-24%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Net Increase/Decrease</i>	(418,464)	(618,464)	(733,524)
Beginning Working Capital			
<i>Operations</i>	2,104,471	2,104,471	2,104,471
<i>Available Impact Fees</i>	854,369	854,369	854,369
Total Available Working Capital	\$ 2,958,840	\$ 2,958,840	\$ 2,958,840
Ending Working Capital			
<i>Operations</i>	1,686,007	1,486,007	1,370,947
<i>Designated Capital Project</i>	-	-	-
<i>Available Impact Fees</i>	828,369	828,369	878,145
Total Available Working Capital	\$ 2,514,376	\$ 2,314,376	\$ 2,249,092

<i>Impact Fees</i>			
<i>Beginning Balance</i>	854,369	854,369	854,369
+ <i>Collections</i>	124,000	124,000	173,776
- <i>Applied to offset Debt Service</i>	(150,000)	(150,000)	(150,000)
<i>Ending Balance</i>	828,369	828,369	878,145

*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 JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Park Entry Fees</i>	\$ 226,275	\$ 226,275	\$ 309,449	\$ (83,174)	137%
<i>Annual Park Passes</i>	20,000	20,000	24,355	(4,355)	122%
<i>Concession Sales</i>	-	-		-	0%
<i>Interest</i>	1,500	1,500	1,125	375	75%
<i>I-35 Mitigation</i>	125,000	125,000	15,927	109,073	13%
Total Revenues	\$ 372,775	\$ 372,775	\$ 350,855	\$ 21,920	94%

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	\$ 152,233	\$ 65,670	70%
<i>Services / Supplies</i>	119,374	121,074	74,437	46,637	61%
<i>Capital</i>	34,000	62,000	17,320	44,680	28%
Total Expenditures	\$ 371,278	\$ 400,978	\$ 243,990	\$ 156,987	61%

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

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	(28,203)	106,865
Ending Fund Balance	\$ 19,835	\$ 20,363	\$ 155,431

Audited FY15

Debt Service Fund

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Revenues</i>	\$1,764,216	\$ 1,764,216	\$ 1,739,242	\$ 24,974	99%
<i>Interest Income</i>	300	300	1,141	(841)	380%
<i>Total Revenues</i>	\$ 1,764,516	\$ 1,764,516	\$ 1,740,383	\$ 24,133	99%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Principal Payments</i>	\$ 1,855,000	\$ 1,855,000	\$ 1,855,000	\$ -	100%
<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	\$ 2,120,906	\$ 534,428	80%

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
<i>Beginning Fund Balance</i>	\$ 168,604	\$ 154,343	\$ 154,343
<i>+ Net Increase (Decrease)</i>	7,299	7,299	358,135
<i>Ending Fund Balance</i>	\$ 175,903	\$ 161,642	\$ 512,478

Audited FY15

Capital Projects Fund

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Grants	\$ -	\$ -	\$ -	\$ -	0%
Contributions	-	-	-	-	0%
Interest Income	-	-	2,734	(2,734)	100%
Total Revenues	\$ -	\$ -	\$ 2,734	\$ (2,734)	100%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
2015 Tax Note (CAD, Radio System, Screening Walls, Drainage)	\$ 1,500,724	\$ 1,500,724	\$ 770,045	\$ 730,679	51%
2012 Certificate (Parks/Streets/Drainage)	-	1,200,000	913,435	286,565	100%
Total Expenditures	\$ 1,500,724	\$ 2,700,724	\$ 1,683,480	\$ 1,017,244	62%

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)	-	100%
Transfers In	-	774,000	-	-	0%
Transfer Out	-	(150,000)	-	-	0%
Total Financing Sources	\$ 1,500,724	\$ 2,124,724	\$ 1,503,488	\$ -	71%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning fund balance</i>	\$ -	\$ 392,061	\$ 392,061
<i>+Net Increase (Decrease)</i>	-	4,825,448	(177,258)
Ending Fund Balance	\$ -	\$ (183,939)	\$ 214,803

Audited FY15

Screening Walls portion of 2015 Tax Note expenditures (\$205,000) recorded in General Fund, thus providing for sufficient resources for remaining expenditures.

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>
Beginning Fund Balance	-	-	-
Revenues:			
Bond Proceeds (Net of Premium/Discount)	(1,500,724)	(1,500,724)	1,503,488
Interest Income	-	-	2,734
Total Revenues	\$ (1,500,724)	\$ (1,500,724)	\$ 1,506,222
Expenditures:			
<i>Police CAD/RMS Software</i>	433,724	433,724	311,551
<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
Total Expenditures	\$ 1,500,724	\$ 1,500,724	\$ 770,045
Other Sources (Uses):			
Transfers In	-	-	-
Transfers Out	-	(150,000)	-
Total Other Sources (Uses)	\$ -	\$ (150,000)	\$ -
Net Increase (Decrease)	-	(150,000)	736,177
Ending Fund Balance	\$ -	\$ (150,000)	\$ 736,177

Capital Projects Fund (Detail)

FY 2012 Issue

Streets, Drainage and Parks Improvements

	<i>Actual</i> 2012 - 2013	<i>Actual</i> 2013 - 2014	<i>Actual</i> 2014 - 2015	<i>Budget</i> 2015 - 2016	<i>Revised</i> 2015 - 2016	<i>YTD</i> 2015 - 2016
Beginning Fund Balance	-	785,228	641,828	-	392,061	392,061
Revenues:						
Bond Proceeds (Net of Premium/Discount)	2,919,049	-	-	-	-	-
Interest Income	8,655	761	779	-	-	-
Total Revenues	\$ 2,927,704	\$ 761	\$ 779	\$ -	\$ -	\$ -
Expenditures:						
<i>Issuance Costs</i>	67,639	-	-	-	-	-
<i>Street Projects (Sellmeyer Lane)</i>	1,158,783	2,965	250,546	-	1,200,000	913,435
<i>Drainage Projects</i>	71,060	-	-	-	-	-
<i>Parks Projects</i>	793,312	165,848	-	-	-	-
Total Expenditures	\$ 2,090,794	\$ 168,813	\$ 250,546	\$ -	\$ 1,200,000	\$ 913,435
Other Sources (Uses):						
Transfers In	28,032	28,381	-	-	774,000	-
Transfers Out	(79,714)	(3,729)	-	-	-	-
Total Other Sources (Uses)	\$ (51,682)	\$ 24,652	\$ -	\$ -	\$ 774,000	\$ -
Net Increase (Decrease)	785,228	(143,400)	(249,767)	-	(426,000)	(913,435)
Ending Fund Balance	\$ 785,228	\$ 641,828	\$ 392,061	\$ -	\$ (33,939)	\$ (521,374)

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 JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Drainage Conversion Fee</i>	\$ -	\$ -	\$ 5,165	\$ (5,165)	100%
<i>Drainage Fee Receipts</i>	\$ 480,000	480,000	380,605	99,395	79%
<i>Miscellaneous</i>		105,000	684		
<i>Interest</i>	75	75	341	(266)	454%
Total Revenues	\$ 480,075	\$ 585,075	\$ 386,794	\$ 99,129	66%

Anticipated FEMA
reimbursement Canyon Creek

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>	-	280,000	9,470	270,530	100%
Total Expenditures	\$ 463,027	\$ 743,027	\$ 299,819	\$ 443,208	40%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Transfers In - City Impervious / General Fund</i>	\$ 16,000	\$ 166,000	\$ -	\$ 166,000	0%
<i>Operating Transfers Out / General Fund</i>	(16,000)	(16,000)	-	(16,000)	0%
Total Other Sources (Uses)	\$ -	\$ 150,000	\$ -	\$ 150,000	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	(7,952)	86,975
Ending Fund Balance	\$ 175,268	\$ 157,504	\$ 252,431

Audited FY15

Park Development Fee Fund

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Interest</i>	\$ 27	\$ 27	\$ 152	\$ (125)	563%
<i>Community Park Fees</i>	-	-	684	(684)	100%
<i>Linear Park Fees</i>	-	-	-	-	0%
<i>Neighborhood Park Fees</i>	-	-	-	-	0%
<i>Service Area II</i>	-	-	-	-	0%
<i>Service Area IV</i>	-	-	-	-	0%
Total Revenues	\$ 27	\$ 27	\$ 836	\$ (809)	3096%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Unity Park</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Capital Outlay (Unity Park)</i>	-	300,000	9,400	290,600	3%
<i>Capital Outlay (Village Park)</i>	-	-	-	-	0%
<i>Capital Outlay - (St James development, Area I)</i>	-	-	-	-	0%
Total Expenditures	\$ -	\$ 300,000	\$ 9,400	\$ 290,600	0%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In</i>	\$ -	\$ 225,000	\$ -	\$ -	0%
<i>Operating Transfers Out (Funding for projects at Unity Park with FY2012 bond)</i>	-	-	-	-	0%
Total Other Sources (Uses)	\$ -	\$ 225,000	\$ -	\$ 225,000	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	(74,973)	(8,564)
Ending Fund Balance	\$ 71,877	\$ (3,117)	\$ 63,292

Audited FY15

Ending Fund Balance Detail	Original Budget	Year to Date
<i>Community Park Fees</i>	\$ -	20,775
<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>	-	49,254
Total	\$ -	\$ 63,292

Public Safety Special Revenue Fund

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues	\$ 25,600	\$ 89,600	\$ 30,061	\$ 59,539	34%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ -	\$ -	\$ -	\$ -	0%
Services / Supplies	3,600	32,600	3,575	29,025	11%
Capital	-	-	-	-	0%
Total Expenditures	\$ 3,600	\$ 32,600	\$ 3,575	\$ 29,025	0%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
Operating Transfers In	\$ -	\$ -	\$ -	\$ -	0%
Operating Transfers Out	22,000	24,000	-	24,000	0%
Total Other Sources (Uses)	\$ 22,000	\$ 24,000	\$ -	\$ 24,000	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	\$ 15,866	\$ 16,396	\$ 16,396
+ Net Increase (Decrease)	-	33,000	26,486
Ending Fund Balance	\$ 15,866	\$ 49,396	\$ 42,882

Audited FY15

Municipal Court Technology Fee Fund

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues	\$ 5,500	\$ 5,500	\$ 3,253	2,247	59%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Services / Supplies	\$ 5,500	\$ 5,500	\$ 5,005	\$ 495	91%
Total Expenditures	\$ 5,500	\$ 5,500	\$ 5,005	\$ 495	91%

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

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	\$ 32,929	\$ 37,655	\$ 37,655
+ Net Increase (Decrease)	-	-	(1,752)
Ending Fund Balance	\$ 32,929	\$ 37,655	\$ 35,903

Audited FY15

Municipal Court Building Security Fund

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues (Court Fines)	\$ 4,100	\$ 4,100	\$ 2,440	\$ 1,660	60%

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)	(1,540)
Ending Fund Balance	\$ 26,506	\$ 26,207	\$ 28,567

Audited FY15

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

	<i>Actual 2013-2014</i>	<i>Actual 2014-2015</i>
Beginning Fund Balance	\$ 594,537	\$ 717,764
Revenues		
4B Sales Tax	1,171,495	1,197,263
DCTA ELAP	-	-
Linear Park Fees	607	11,934
Miscellaneous Income	-	-
Interest Income	151	6,112
Total	\$ 1,172,253	\$ 1,215,309
Expenditures		
<i>Personnel</i>	112,132	113,602
Services / Supplies	113,409	148,197
Reimburse GF (Support Functions)	28,000	28,000
Reimburse GF (Debt Service)	795,485	887,884
Total Non-Capital Expenditures	\$ 1,049,026	\$ 1,177,683
Capital		
Engineering	-	-
Projects Funded Directly	-	-
Transfer to 4B Capital Projects	\$ -	\$ -
Equipment	-	-
Net Increase / (Decrease)	123,227	37,626
Working Capital Balance	\$ 717,764	\$ 755,390

<i>Budget 2015-2016</i>	<i>Revised Budget 2016-2017</i>	<i>YTD 2015-2016</i>
\$ 366,259	\$ 755,390	\$ 755,390
1,307,012	1,307,012	814,938
-	-	-
-	-	970
6,000	6,000	-
2,000	2,000	576
\$ 1,315,012	\$ 1,315,012	\$ 816,483
179,823	179,823	130,701
168,039	308,039	216,000
28,000	28,000	-
898,117	898,117	736,879
\$ 1,273,979	\$ 1,413,979	\$ 1,083,580
-	-	-
5,500	415,000	-
\$ 5,500	\$ 415,000	\$ -
-	-	-
35,533	(513,967)	(267,097)
\$ 401,792	\$ 241,423	\$ 488,293

PEG Fee Fund

FY 2015/2016 Budget

YEAR TO DATE JULY

Percent of Budget Year Transpired

83.3%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>PEG Fee Receipts</i>	\$ 65,000	\$ 65,000	\$ 50,424	\$ 14,576	78%
<i>Total Revenues</i>	\$ 65,000	\$ 65,000	\$ 50,424	\$ 14,576	78%

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>	-	(55,000)	-	(55,000)	0%
<i>Total Other Sources (Uses)</i>	\$ -	\$ (55,000)	\$ -	\$ (55,000)	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)	(58,000)	33,235
<i>Ending Fund Balance</i>	\$ 22,900	\$ (27,724)	\$ 63,511

Audited FY15

Note:
The Revised Transfers-Out displaces the majority of budgeted capital expenditures. As a result, the projected fund balance is \$2,601 rather than (\$27,724) shown

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 16

MEETING DATE: 09/13/16

SUBJECT: Conduct a Public Hearing regarding a Boundary Adjustment Agreement with the City of Lewisville relating to Property within the 35Express Project Right-of-Way

PREPARED BY: Michael Leavitt, City Manager

BACKGROUND:

In our original annexation, The City of Highland Village Eastern Corporate limits were established as the west edge of the Interstate 35E right-of-way in the area of Copperas Branch Park. The 35Express Project has encroached approximately 450 feet west of the existing established right-of-way to provide the needed expansion of the I-35 project.

Per the Local Government Code, cities cannot share a public right-of-way and therefore must be fully located within one city. The 35Express Project has created areas that necessitate a boundary adjustment between the Cities of Highland Village and Lewisville. The City of Lewisville provides Police, Fire, and EMS for the I-35E corridor which is identified in their annexation documents. Our new Eastern Corporate limits will be the new westerly right-of-way for Interstate 35.

A secondary aspect of the proposed boundary adjustment agreement relates to Copperas Branch Pond (Pond), South of Highland Village Road. Currently the Pond is split between Highland Village (on the west side) and Lewisville (on the east side). It is proposed that Highland Village will annex the entire Pond area up to Lewisville's corporate limit line, which will be established as the Northwest property line of the Highland Lakes Phase II, Final Plat for the City of Lewisville. The annexation does include the shoreline of the Pond. The shoreline and pond area is currently not under any lease by either city from the Corp of Engineers. The Corp of Engineers and The City of Highland Village are currently working on the development of a lease agreement which will be similar to our lease for Wichita Forrest. Both areas are zoned Wildlife Management which allows only passive recreation activities only.

Two public hearings are required. The first is scheduled for this evening and the second is scheduled for Wednesday, September 14, at 12:00 p.m. (noon).

IDENTIFIED NEED/S:

Tonight is the first of two required public hearings.

OPTIONS & RESULTS:

PROGRESS TO DATE: (if appropriate)

Highland Village and Lewisville have worked together to adjust the boundaries accordingly.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

There is no value gained or lost by either City, all area being swapped in this boundary adjustment is owned by the U.S. Federal Government or by the State of Texas as right-of-way, which provides no property tax value to the cities.

RECOMMENDATION:

To conduct the first public hearing relating to a Boundary Adjustment Agreement with the City of Lewisville.

EXHIBIT "A"
DESCRIPTION OF I-35E TRACT

BEING A TRACT OF LAND OUT OF THE W.P. PEARCE SURVEY, ABSTRACT NO. 1015, AND THE STEPHEN BURNLEY SURVEY, ABSTRACT NO. 116, DENTON COUNTY, TEXAS, AS SHOWN ON THE ATTACHED EXHIBIT A, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IT IS THE INTENT TO DESCRIBE A TRACT OF LAND BEING BOUNDED ON THE NORTH BY THE SURVEY LINE BETWEEN THE STEPHEN BURNLEY SURVEY, ABSTRACT NO. 116, AND THE WILLIS HAMMONDS SURVEY, ABSTRACT NO. 550, BEING BOUNDED ON THE EAST BY TO OLD RIGHT OF WAY LINE FOR IH 35E, BEING BOUNDED ON THE SOUTH BY CITY LIMIT LINE BETWEEN THE CITIES OF HIGHLAND VILLAGE AND LEWISVILLE, PER RESOLUTION #95-857, 2075-12-95(R) AND BEING BOUNDED ON THE WEST BY THE WEST LINE OF THE NEW RIGHT OF WAY FOR IH-35E PER THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) RIGHT OF WAY PLANS FOR IH-35E, DENTON COUNTY, PROJECT NO. 0196-02-110, DATED FEBRUARY 22, 2011:

The POINT OF BEGINNING is at the intersection of the north line of the Right of Way for Highland Village Road and the west line of the new Right of Way for IH-35E per said TxDOT plans;

THENCE North 09°06'29" West, with said Right of Way line, a distance of 325.00 feet to a point;

THENCE North 06°47'15" West, with said Right of Way line, a distance of 104.70 feet to a point at the beginning of a tangent curve to the right;

THENCE, with said Right of Way line, along a curve to the right, having a radius of 11798.00 feet, through a central angle of 09°08'16", an arc distance of 1881.58 feet, and having a chord which bears North 02°13'07" West, a distance of 1879.59 feet to a point;

THENCE North 05°53'04" East, with said Right of Way line, a distance of 600.35 feet to a point;

THENCE North 04°17'16" East, with said Right of Way line, a distance of 161.60 feet to a point, said point being an existing north line of the City Limit for the City of Highland Village, and being the line common to the Burnley and Hammonds Surveys;

THENCE North 89°44'34" East, with said City Limit line, a distance of 150.74 feet to a point, said point being on the west line of the old Right of Way line of IH-35E;

THENCE South 05°18'44" East, with said Right of Way line, a distance of 276.55 feet to a point;

THENCE South 04°25'19" West, with said Right of Way line, a distance of 611.13 feet to a point at the beginning of a non-tangent curve to the left;

THENCE with said Right of Way line, along a curve to the left, having a radius of 5047.15 feet, through a central angle of 14°01'24" an arc distance of 1235.30 feet, and having a chord which bears South 02°12'08" East, a distance of 1232.22 feet to a point;

THENCE South 09°12'50" East, with said Right of Way line, a distance of 986.24 feet to a point;

THENCE South 40°03'10" West, with said Right of Way line, a distance of 66.99 feet to a point;

THENCE South 09°12'50" East, with said Right of Way line, a distance of 30.00 feet to a point;

THENCE South 45°11'50" East, with said Right of Way line, a distance of 70.00 feet to a point;

THENCE South 00°07'50" East, with said Right of Way line, a distance of 260.47 feet to a point, said point being on the south line of the City Limit for the City of Highland Village per Resolution No. 95-857, 2075-12-95(R);

THENCE South 36°57'45" West, with said City Limit Line, a distance of 189.44 feet to a point, said point being on the west line of the Right of Way for IH-35E, per said TxDOT Right of Way plans;

THENCE North 09°06'29" West, with said Right of Way line, a distance of 400.25 feet to a point on the south line of the Right of Way for Highland Village Road;

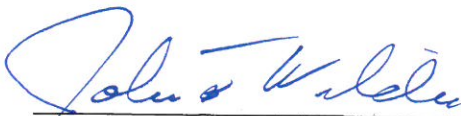
THENCE North 31°21'43" West, crossing Highland Village Road, a distance of 204.12 feet to the POINT OF BEGINNING, and containing approximately 17.22 acres of land.

NOTES:

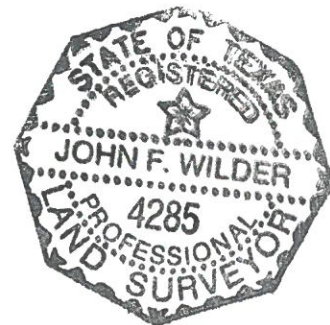
COE = United States Corps of Engineers

No field survey was performed for this survey. All bearings, distances, and monument calls are based on recorded plat and deed information.

In the event of the creation of changes in the west Right of Way for IH-35E in this area, the City limit line between Lewisville and Highland Village will be based on the most current changes and will be the same as the newly created Right of Way line.


John F. Wilder, RPLS 4285

4-15-15
DATE



CURVE TABLE					
NUMBER	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	11798.00	09°08'16"	1881.58	N 02°13'07" W	1879.59
C2	5047.15	14°01'24"	1235.30	S 02°12'08" E	1232.22

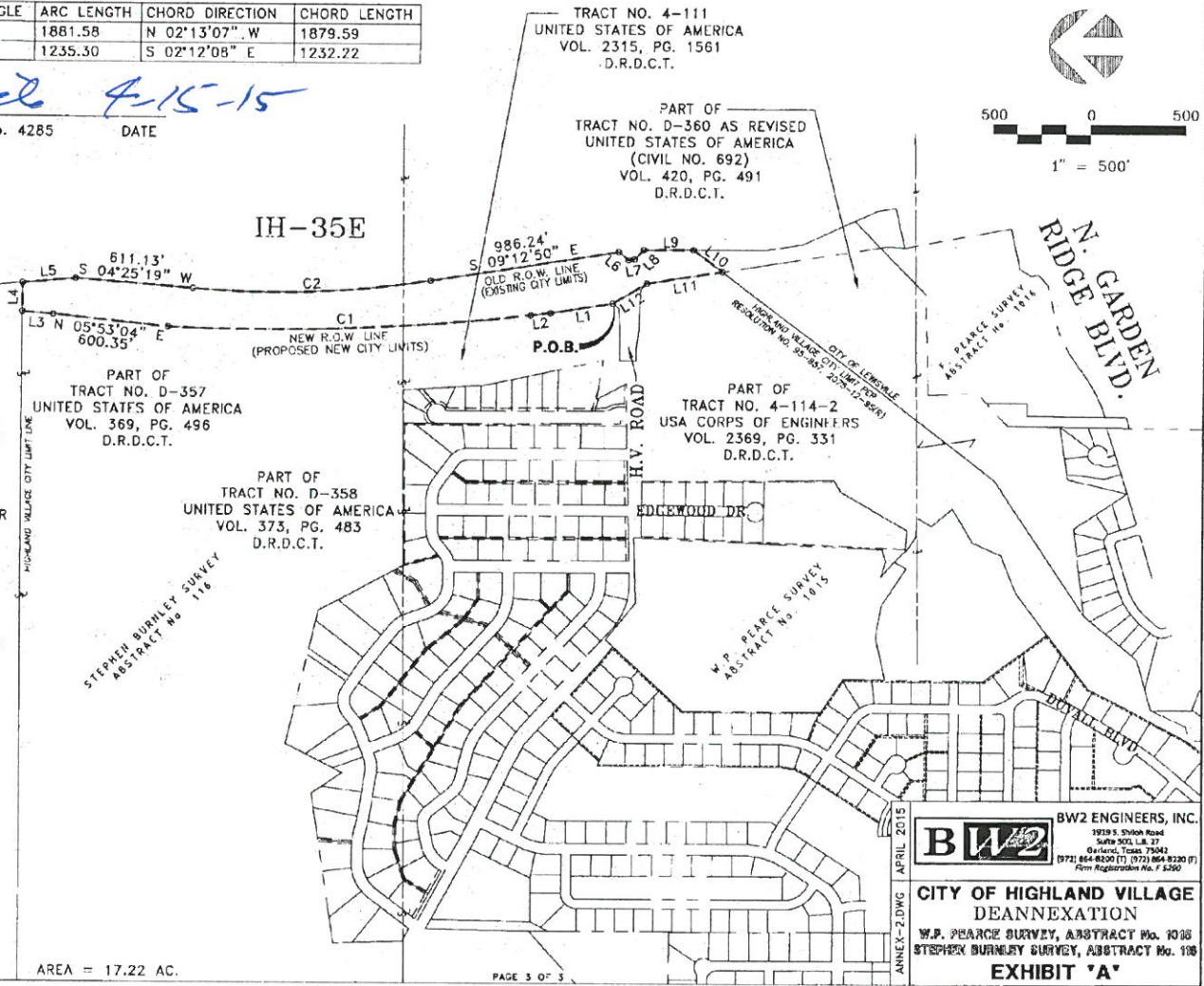
John F. Wilder 4-15-15
 JOHN F. WILDER, R.P.L.S. No. 4285 DATE



- NOTES:
1. NO FIELD SURVEY WAS PERFORMED FOR THIS SURVEY. ALL BEARINGS, DISTANCES, AND MONUMENT CALLS ARE BASED ON RECORDED PLAT AND DEED INFORMATION.
 2. IN THE EVENT OF THE CREATION OF CHANGES IN THE WEST RIGHT OF WAY FOR IH-35E IN THIS AREA, THE CITY LIMIT LINE BETWEEN LEWISVILLE AND HIGHLAND VILLAGE WILL BE BASED ON THE MOST CURRENT CHANGES AND WILL BE THE SAME AS THE NEWLY CREATED RIGHT OF WAY LINE.
 3. NEW R.O.W. PER TxDOT R.O.W. PLANS FOR IH-35E DENTON CO., PROJECT NO. 0196-02-110, DATED FEBRUARY 22, 2011.

LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N 09°06'29" W	325.00'
L2	N 06°47'15" W	104.70'
L3	N 04°17'16" E	161.60'
L4	N 89°44'34" E	150.74'
L5	S 05°18'44" E	276.55'
L6	S 40°03'10" W	66.99'
L7	S 09°12'50" E	30.00'
L8	S 45°11'50" E	70.00'
L9	S 00°07'50" E	260.47'
L10	S 36°57'45" W	189.44'
L11	N 09°06'29" W	400.25'
L12	N 31°21'43" W	204.12'

AREA = 17.22 AC.



BW2 BW2 ENGINEERS, INC.
 1919 S. Shook Road
 Suite 500, L.B. 27
 Garland, Texas 75042
 (972) 844-8000 (F) (972) 864-8230 (C)
 Firm Registration No. F 5250

CITY OF HIGHLAND VILLAGE
 DEANNEXATION
 W.P. PEARCE SURVEY, ABSTRACT No. 1010
 STEPHEN BURNLEY SURVEY, ABSTRACT No. 108
EXHIBIT "A"

ANNEX-2.DWG APRIL 2015

EXHIBIT "B"
DESCRIPTION OF COPPERAS LAKE TRACT

DESCRIPTION

BEING A TRACT OF LAND OUT OF THE FRANCIS PEARCE SURVEY, ABSTRACT NO. 1016, AND THE W.PL PEARCE SURVEY, ABSTRACT NO. 1019, DENTON COUNTY, TEXAS, AS SHOWN ON THE ATTACHED EXHIBIT A, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IT IS THE INTENT TO DESCRIBE A TRACT OF LAND BEING BOUNDED ON THE NORTHWEST BY THE CITY LIMIT LINE FOR THE CITY OF HIGHLAND VILLAGE PER HIGHLAND VILLAGE RESOLUTION NO. 95-857 (RESOLUTION NO. 2075-12-95 (R)), BEING BOUNDED ON THE EAST BY THE WEST LINE OF THE RIGHT OF WAY FOR IH 35E, PER THE TEXAS DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLANS FOR IH 35E, DENTON COUNTY, PROJECT NO. 0196-02-110, DATED FEBRUARY 22, 2011, AND BEING BOUNDED ON THE SOUTHEAST BY 1) THE NORTH LINE OF HIGHLAND LAKES, PHASE II, AN ADDITION TO THE CITY OF LEWISVILLE, TEXAS AS RECORDED IN CABINET O, SLIDE 97 OF THE DEED RECORDS OF DENTON COUNTY, TEXAS (DRDCT), 2) THE NORTH LINE AND WEST LINE OF A TRACT OF LAND AS DEEDED TO THE CITY OF LEWISVILLE AND RECORDED IN VOLUME 2215, PAGE 523, DRDCT, 3) THE NORTH LINE OF MEADOW LAKE 4, SECTION 2, AN ADDITION TO THE CITY OF LEWISVILLE AS RECORDED IN CABINET F, SLIDE 278, DRDCT:

The POINT OF BEGINNING is a 5/8 inch iron rod found for the northeast corner of said Highland Lakes, Phase II, being on the west line of said Right of Way for IH 35E,

THENCE South 44°59'47" West, departing said Right of Way line with a north line of Highland Lakes, Phase II, a distance of 343.67 feet to a Corps of Engineers monument;

THENCE South 87°56'39" West, continue with said north line, a distance of 529.91 feet to a Corps of Engineers monument;

THENCE South 02°15'33" East, with a west line of Highland Lakes, Phase II, a distance of 260.12 feet to a point;

THENCE South 46°25'45" West, with a north line of Highland Lakes, Phase II, a distance of 63.37 feet to a point being a northwest line of Highland Lakes, Phase II, and being the northeast corner of said City of Lewisville tract;

Thence South 46°20'49" West, with the north line of the City of Lewisville tract, a distance of 167.72 feet to the COE monument No. D 360-5;

THENCE South 00°39'52" West, with the west line of City of Lewisville tract, a distance of 269.90 feet to COE monument No. D 360-6/D 361-I, said point being the northeast corner of said Meadow Lake 4;

THENCE South 81°48'11" West, with the north line of Meadow Lake 4, a distance of 275.00 feet to a COE monument;

THENCE South 13°17'21" West, continue with said north line, a distance of 314.09 feet to a point;

THENCE North 33°51'46" West, continue with said north line, a distance of 328.00 feet to a COE monument;

THENCE South 82°55'14" West, continue with said north line, passing at 436.00 feet a COE monument, in all, distance of 450.00 feet to a 5/8 inch iron rod found for the northwest corner of Meadow Lake 4, said point being on the Highland Village City Limit line per Resolution No. 95-857;

THENCE North 56°12'55" East, with said City Limit line, a distance of 833.00 feet to a point;

THENCE North 36°57'45" East, continue with said line, a distance of 1799.93 feet to a point on the west line of the Right of Way for IH 35E;


THENCE South 09°06'29" East, with said Right of Way line, a distance of 832.64 feet to the POINT OF BEGINNING, and containing approximately 19.96 acres of land.

NOTES:

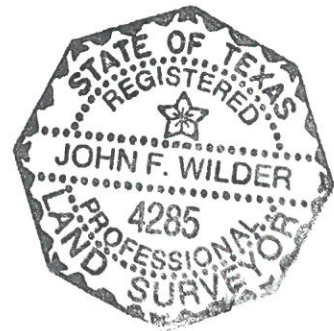
COE = United States Corps of Engineers

No field survey was performed for this survey. All bearings, distances, and monument calls are based on recorded plat and deed information.

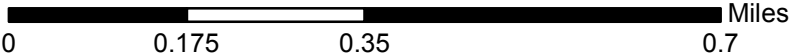
In the event of the creation of changes in the west Right of Way for IH-35E in this area, the City limit line between Lewisville and Highland Village will be based on the most current changes and will be the same as the newly created Right of Way line.


John F. Wilder, RPLS 4285

4-15-15
DATE



PROPOSED CITY LIMIT CHANGES BETWEEN THE CITIES OF HIGHLAND VILLAGE AND LEWISVILLE

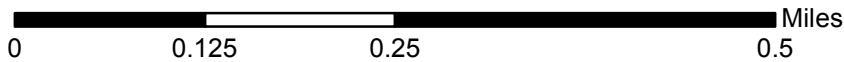


DISCLAIMER:

This data has been compiled for The City of Highland Village. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.

Not to Survey Standards

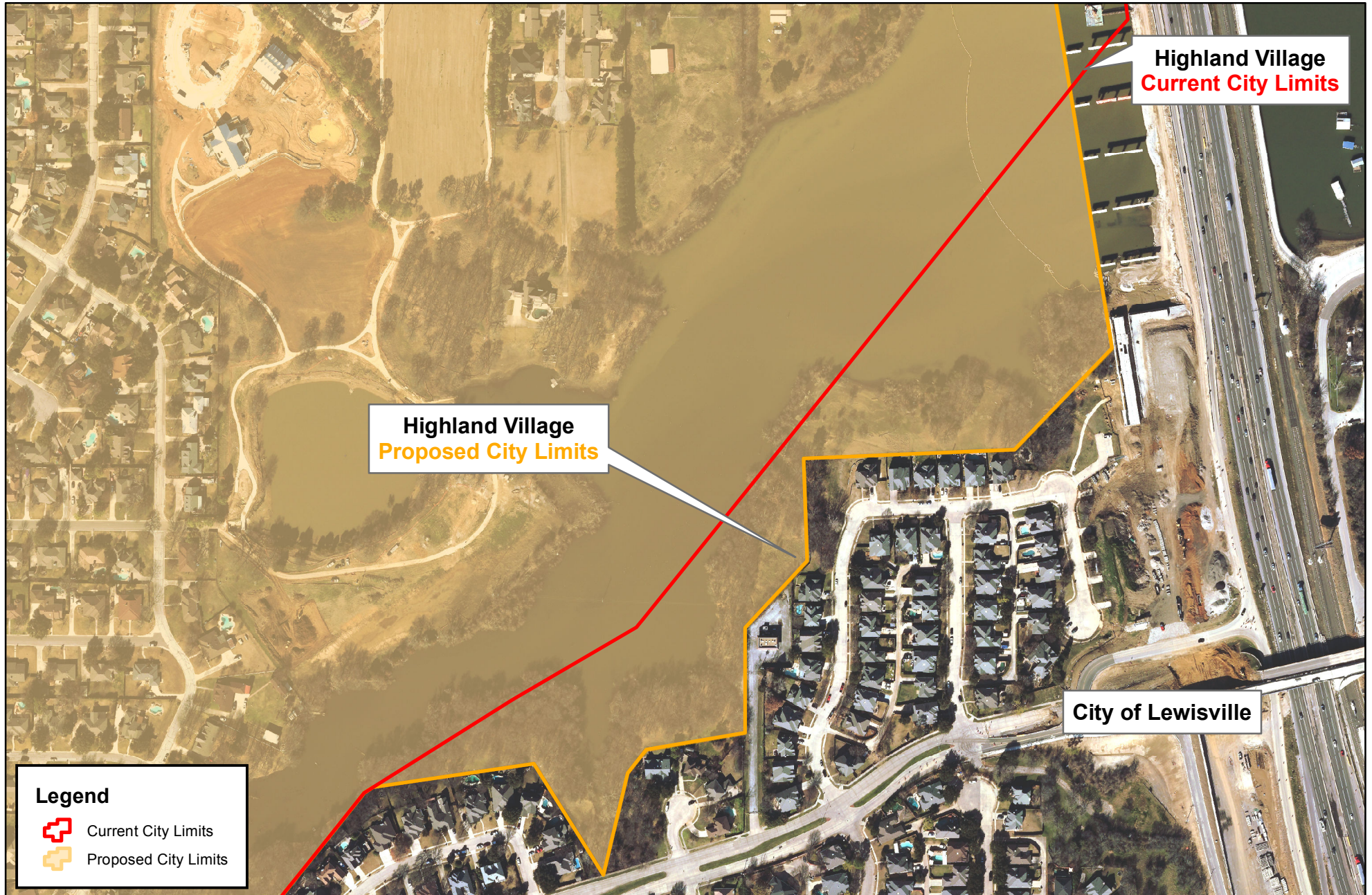
PROPOSED CITY LIMIT CHANGES BETWEEN THE CITIES OF HIGHLAND VILLAGE AND LEWISVILLE



DISCLAIMER:

This data has been compiled for The City of Highland Village. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.
Not to Survey Standards

PROPOSED CITY LIMIT CHANGES BETWEEN THE CITIES OF HIGHLAND VILLAGE AND LEWISVILLE



0 0.05 0.1 0.2 Miles

DISCLAIMER:

This data has been compiled for The City of Highland Village. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.

Not to Survey Standards

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA# 17 **MEETING DATE: 09/13/16**

SUBJECT: Conduct a 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 19th
 - City Manager Recommended Budget posted on City Website
- August 23rd (Regular Council Meeting)
 - Public Hearing on tax rate and budget
- September 13th (Regular Council Meeting)
 - Public Hearing on tax rate and budget
 - 1st read on tax rate and budget
- September 27th (Regular Council Meeting)
 - 2nd 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 2016-2017.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 18

MEETING DATE: 09/13/2016

**SUBJECT: Consider Ordinance 2016-1215 Adopting the FY 2016-2017
Annual Budget**

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

City staff initiated the FY 2017 Budget process in May of this year with departments reviewing programs and related costs in their respective areas. The budget was developed with Council in a series of workshops: the Capital Improvement Program was presented, followed by the General Fund Budget, Special Revenue Funds, and the Utility Fund. The proposed budget has been available on the City Web Site for review by residents. The final document presented is a joint product of Staff and Council to reflect priorities established by Council in the initial stages of this budget process. The second of two public hearings will be conducted at this meeting (the previous public hearing at the August 23rd meeting).

IDENTIFIED NEED/S:

The FY 2016/17 Budget is presented for Council approval. The presented budget mirrors the expressed consensus of Council from the budget work sessions.

Truth in Taxation - specifically Local Government Code Section 102.007, requires specific action in adoption of the budget. A vote to adopt the budget must be a record vote. And the adopted budget must contain a cover page that includes a number of specifically worded statements regarding revenue, delineation of the record vote to adopt the budget, tax rates, and debt obligations amounts. All the pertinent information is likewise included in the City Manager Recommended Budget posted on-line, save the record vote of council – which will be updated subsequent to the actual council vote.

Additionally, adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of council to ratify the property tax increase reflected in the budget. As this budget does indeed raise more revenue, this is to be presented as a separate companion agenda item with the 2nd read.

OPTIONS & RESULTS:

The complete budget is available for viewing on the City website, and is on file in the City Secretary's Office.

<https://tx-highlandvillage2.civicplus.com/DocumentCenter/View/2487>

PROGRESS TO DATE: (if appropriate)

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

A budget ordinance follows. Fund expenditure totals are enumerated in the ordinance along with parameters regarding amendments to the approved budget.

RECOMMENDATION:

Council to take a record vote to approve the first read of Ordinance 2016-1215 adopting the FY 2016-2017 Budget.

CITY OF HIGHLAND VILLAGE

ORDINANCE NO. 2016-1215

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, AND CATEGORY APPROPRIATIONS FOR EACH FUND AND DEPARTMENT, PROJECT AND ACCOUNT; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR INTER-FUND TRANSFERS; PROVIDING FOR INVESTMENT OF CERTAIN FUNDS; PROVIDING FOR FISCAL AND BUDGETARY POLICY GUIDELINES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as required by Article VI of the City Charter, the City Manager has prepared and submitted to the City Council a Budget Estimate of expenditures and revenues of all city departments, activities and offices for the fiscal year beginning October 1, 2016 and ending September 30, 2017, and

WHEREAS, said 2016-2017 budget has been filed with the City Secretary of the City of Highland Village as required by law; and

WHEREAS, notices of public hearings upon said 2016-2017 budget have been duly and legally posted or published as required by law; and,

WHEREAS, said public hearings were held on August 23, 2016 and September 13, 2016, and whereon full and final consideration was given said budget; and

WHEREAS, the City Council of the City of Highland Village, Texas, has determined that the proposed FY 2016-2017 budget will be sufficient to provide the needed services to Highland Village residents;

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

Section 1. For the purpose of providing the funds necessary and proposed to be expended in the Budget of the City of Highland Village for the fiscal year beginning October 1, 2016 and ending September 30, 2017, the Budget heretofore prepared by the City Manager and submitted to the City Council for its consideration and approval, said Budget for the different funds of the City of Highland Village are hereby fixed as follows:

General Fund	\$16,339,850
Debt Service Fund	\$2,644,800
Corps Leased Parks Fund	\$418,234
HV Drainage Utility Fund	\$748,298
Capital Projects Fund	\$0
Public Safety Special Revenue Fund	\$3,600
Park Development Fee Fund	\$0
PEG Fee Fund	\$33,700
Municipal Court Technology Fee Fund	\$5,500

Municipal Court Building Security Fund	\$0
Utility Fund	\$9,179,586
HV Community Development Fund	\$396,987
Total Funds	\$29,770,555

The above said budget is hereby approved for a total of \$29,770,555 and the available resources and revenues of the City of Highland Village for said fiscal year be and the same are hereby appropriated and set aside for the maintenance and operation of the various departments of the Government of the City of Highland Village, together with the various activities and improvements as set forth in said Budget, and expenditures under these appropriations shall not exceed the enumerated line items unless and until the line item(s) shall be amended by a Council-approved budget amendment, and further the expenditures shall be in accordance with the uses and purposes of the respective departments, as such are more specifically identified by the line items, and activities as provided for in said Budget. Amendments to the budget, including appropriations and expenditures which deviate from this budget shall be approved by the City Council by presentation of the item on a form in substantial conformity to that attached hereto as Exhibit A. Notwithstanding the foregoing, the City Manager is hereby authorized to make expenditures under this budget, without budget amendment, which exceed specific line items within expenditure categories, these categories being Personnel, Services/Supplies, and Capital. In no event shall expenditures for any department, expended under the City Manager's authority, exceed the departmental appropriation for said department.

Section 2. The Budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017, approved herein, is on file in the City Secretary Office.

Section 3. The expenditures during the fiscal year beginning October 1, 2016 and ending September 30, 2017 shall be made in accordance with the Budget approved by this ordinance unless otherwise authorized by duly enacted ordinance of the City of Highland Village.

Section 4. The City Manager be and is hereby authorized in accordance with the provisions of Section 6.17 of the City Charter to approve expenditures up to the amount set forth in the financial policies adopted by the City Council, with any expenditure over such amount requiring the approval of the City Council.

Section 5. The City Manager be and is hereby authorized to make interfund transfers in accordance with budgeted appropriations during the fiscal year.

Section 6. The City Manager and/or the designated Investment Officer is authorized to invest idle funds, whether operating funds or bond funds in accordance with the City's Investment Policy as prescribed by the Public Funds Investment Act.

Section 7. The administration and execution of said budget for fiscal year beginning October 1, 2016 and ending September 30, 2017 shall be subject to certain fiscal and budgetary policies as adopted by the City Council.

UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE ON FIRST READING, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:

	Aye	Nay
Charlotte Wilcox, Mayor- Place 1		
Michelle Schwolert, Councilmember-Place 2		
Mike Lombardo, Councilmember – Place 3		
Barbara Fleming, Councilmember – Place 4		
Fred Busche, Councilmember – Place 5		
John McGee, Councilmember – Place 6		
William Meek – Councilmember – Place 7		

WITH ___ VOTING “AYE” AND ___ VOTING “NAY,” THIS ORDINANCE NO. 2016-1215 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THE 13th DAY OF SEPTEMBER, 2016.

UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE ON SECOND AND FINAL READING, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:

	Aye	Nay
Charlotte Wilcox, Mayor- Place 1		
Michelle Schwolert, Councilmember-Place 2		
Mike Lombardo, Councilmember – Place 3		
Barbara Fleming, Councilmember – Place 4		
Fred Busche, Councilmember – Place 5		
John McGee, Councilmember – Place 6		
William Meek – Councilmember – Place 7		

WITH ___ VOTING “AYE” AND ___ VOTING “NAY,” THIS ORDINANCE NO. 2016-1215 WAS 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:9/1/16:78796)

EXHIBIT A

Budget Amendment Request Worksheet Expenditure Line Item for Proposed Change:

<u>Department</u>	<u>Category</u>	<u>Current Budget</u> (Annual)	<u>Proposed Budget</u> (Annual)	<u>Increase /</u> <u>Decrease</u>
<u>Expenditures</u>				
<u>Total</u>				-

Reason for Request

FUND BALANCE

☐

GENERAL FUND BALANCE

Details:

Net Change \$ -

☐

UTILITY FUND WORKING CAPITAL BALANCE

Details:

Net Change \$

☒

**COUNCIL APPROVAL
REQUIRED**

**Inter-Departmental, offset by equal decrease
or offset by increase in revenue item.**

CITY OF HIGHLAND VILLAGE

COUNCIL BRIEFING

AGENDA#	19	MEETING DATE:	09/13/16
SUBJECT:	Consider Ordinance 2016-1216 Levying the Ad Valorem Taxes for the Year 2016 at a Rate of \$.56963 Per \$100 Assessed Valuation on all Property Within the Corporate Limits of the City of Highland Village as of January 1, 2016		
PREPARED BY:	Ken Heerman, Assistant City Manager		

BACKGROUND:

Texas Tax Code §26.05 requires a tax rate be adopted by official action following passage of a budget. The tax rate must be adopted in two separate components – Maintenance and Operations (M&O), and Interest and Sinking (I&S). The total tax rate of \$.56963/\$100 is unchanged from last year. However, because the current M&O rate, if adopted for FY 2016-2017 will result in raising more funds from property taxes than the current fiscal year, state law requires two public hearings be held regarding the proposed tax rate, as well as placement of associated notices in the city's official newspaper, posting to the City Website, also broadcast on HVTV. State law also requires a public hearing be held prior to adoption of the city's annual budget.

IDENTIFIED NEED/S:

Ordinance No. 2016-1215 provides for the adoption of the City's official budget for Fiscal Year 2016-2017. Pursuant to the direction of the City Council, the City Manager has prepared the FY 2016-2017 budget based on anticipated revenues to the City from various sources, including the assessment of taxes on real and business personal property located within the City. In order to provide for sufficient revenues to pay the City's operation and maintenance obligations as well as the City's outstanding debt obligations, the FY 2016-2017 budget requires the City receive property tax revenues that would be generated through the adoption of the same tax rate adopted for FY 2015-2016. Staff has prepared for consideration Ordinance No. 2016-1216 which provides for the adoption of a total tax rate of \$.56963 per \$100 valuation (composed of a Maintenance and Operation rate of \$0.48279 per \$100 valuation and a debt service rate of \$0.08684 per \$100 valuation) to fund the FY 2016-2017 budget. Because the proposed tax rate will exceed the effective tax rate of \$0.55058 per \$100 valuation (which is the rate that would provide the same amount of funds raised from property taxes for the current fiscal year), state law requires certain language in larger font be included in the ordinance adopting the tax rate for the next fiscal year (see Section 2 of Ordinance No. 2016-1216). In addition, as the proposed tax rate exceeds the effective tax rate, at least 60 percent of the governing body must vote in favor of the ordinance by a record vote. State law also requires that the motion approving an ordinance adopting a tax rate that is greater than the effective tax rate include specific language (see **Recommendation** section below).

PROGRESS TO DATE: (if appropriate)

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

The ordinance adopting the tax rate follows this briefing.

RECOMMENDATION:

Staff recommends approval of Ordinance No. 2016-1216 on first reading. State law requires the motion to approve Ordinance No. 2016-1216 on first reading be made in the following form:

“I move that the property tax rate be increased by the adoption of a tax rate of \$.56963, which is effectively a 3 percent increase in the tax rate and, therefore, I further move that Ordinance No. 2016-1216 be approved on first reading.”

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2016-1216

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 AT A RATE OF \$0.56963 PER \$100 ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF HIGHLAND VILLAGE AS OF JANUARY 1, 2016; TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE CITY OF HIGHLAND VILLAGE; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2016 TAX ROLL CERTIFIED BY THE CHIEF APPRAISER OF THE DENTON CENTRAL APPRAISAL DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, assessments and renditions of all taxable property in the City of Highland Village have been made for the year 2016 by the Denton Central Appraisal District; and

WHEREAS, the City Council has approved Ordinance No. 2016-1215 adopting the City's annual budget for fiscal year 2016-2017; and

WHEREAS, the City Council of the City of Highland Village, Texas, has determined that a total tax rate of \$0.56963 per \$100 assessed valuation should be adopted in order to provide funds necessary for the operations and maintenance obligations of the City and to fund required debt payments; and

WHEREAS, the City Council of the City of Highland Village, Texas, upon full consideration of the matter, is of the opinion that the tax rate hereinafter set forth is proper and should be approved and adopted.

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

Section 1. There should be and is hereby levied for the year 2016 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Highland Village, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of \$0.56963 on each \$100 assessed value of taxable property, which tax shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current operational and maintenance expenses of the municipal government of the City, a tax of \$0.48279 on each one hundred dollars (\$100.00) assessed value of all taxable property within the City of Highland Village.
- (b) For the purpose of creating a sinking fund to pay the interest and principal maturities of all outstanding debt of the City of Highland Village, not otherwise provided for, a tax of \$0.08684 on each one hundred dollars (\$100.00) of assessed value of taxable property within the City of Highland Village and shall be applied to the payment of interest and maturities of all such outstanding debt, including paying agent fees.

Section 2. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 4 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$20.62.

Section 3. All ad valorem taxes shall become due and payable on October 1, 2016, and all ad valorem taxes for the year shall become delinquent if not paid prior to February 1, 2017. There shall be no discount for payment of taxes prior to February 1, 2017. A delinquent tax shall incur all penalty and interest authorized by law, to wit:

- (a) A penalty of six percent on the amount of the tax for the first calendar month it is delinquent, plus one percent for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent.
- (b) Provided, however, a tax delinquent on July 1, 2017, incurs a total penalty of twelve percent of the amount of delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax shall also accrue interest at the rate of one percent for each month or portion of a month the tax remains unpaid. Taxes for the year 2015 and taxes for all future years that become delinquent on or after February 1 but not later than May 1, that remain delinquent on July 1 of the year in which they become delinquent, incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and 33.07, as amended. Taxes assessed against tangible personal property for the year 2014 and for all future years that become delinquent on or after February 1 of a year incur an additional penalty on the later of the date the personal property taxes become subject to the delinquent tax attorney's contract, or 60 days after the date the taxes become delinquent, such penalty to be in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 33.11. Taxes for the year 2015 and taxes for all future years that remain delinquent on or after June 1 under Texas Property Tax Code Sections 26.07(f), 26.15(e), 31.03, 31.031, 31.032 or 31.04 incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and Section 33.08, as amended.

Section 4. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

Section 5. The assessments and renditions for the year 2016 on all taxable property and the Tax Roll certified by the Chief Appraiser of the Denton Central Appraisal District as presented to the City Council are hereby approved.

Section 6. The fact that it is necessary that this Ordinance be enacted in order to authorize the collection of ad valorem taxes for the fiscal year 2016-2017 requires that this Ordinance shall take effect immediately from and after its passage on second reading, as the law in such cases provides.

UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE ON FIRST READING, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:

	Aye	Nay
Charlotte Wilcox, Mayor- Place 1		
Michelle Schwolert, Councilmember-Place 2		
Mike Lombardo, Councilmember – Place 3		
Barbara Fleming, Councilmember – Place 4		
Fred Busche, Councilmember – Place 5		
John McGee, Councilmember – Place 6		
William Meek – Councilmember – Place 7		

WITH ___ VOTING “AYE” AND ___ VOTING “NAY,” THIS ORDINANCE NO. 2016-1216 WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THE 13th DAY OF SEPTEMBER, 2016.

UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE ON SECOND AND FINAL READING, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:

	Aye	Nay
Charlotte Wilcox, Mayor- Place 1		
Michelle Schwolert, Councilmember-Place 2		
Mike Lombardo, Councilmember – Place 3		
Barbara Fleming, Councilmember – Place 4		
Fred Busche, Councilmember – Place 5		
John McGee, Councilmember – Place 6		
William Meek – Councilmember – Place 7		

WITH ___ VOTING “AYE” AND ___ VOTING “NAY,” THIS ORDINANCE NO. 2016-1216 WAS 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:9/1/16:78789)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 20

MEETING DATE: 09/13/16

SUBJECT: Consider Resolution 2016-2656 Authorizing the City Manager to Negotiate and Enter into an Interlocal Cooperation Agreement with Denton County for the Use of the Denton County Radio Communications System

PREPARED BY: Doug Reim, Chief of Police

BACKGROUND:

In 2015 the City contracted with Mission Critical Partners (MCP) to conduct a public safety radio system assessment. Recommendations were presented and approved by Council in April 2016. These recommendations included the purchase of a new public safety digital radio system by Highland Village with connection to the Denton County Radio Communications System.

Purchase of the new radio system has been made. Final installation, networking and testing are underway. The approved plan included migrating off the Lewisville radio system and subscribing to the new digital Denton County radio system.

IDENTIFIED NEED/S:

As previously identified, the City will need to transition from the outdated analog Lewisville radio system to the new Denton County digital radio system. Our existing agreement with Lewisville will end September 30, 2016 unless otherwise extended.

OPTIONS & RESULTS:

N/A

PROGRESS TO DATE: (if appropriate)

An interlocal agreement with Denton County is currently under negotiation and review by both the City and Denton County.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

It is anticipated there will be no cost in the first year for subscribers on the Denton County system. Future costs will be established through a proposed "User Committee" consisting of agencies which have entered into an agreement for communication services with Denton County. Currently we have budgeted \$6,167 in the Radio Contract expense line for the Lewisville interlocal.

RECOMMENDATION:

Staff recommends authorizing the City Manager to negotiate and execute the appropriate documents to enter into an interlocal agreement with Denton County for participation in their Radio Communications System.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2016-2656

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING NEGOTIATION AND EXECUTION OF AN INTERLOCAL AGREEMENT WITH DENTON COUNTY FOR THE USE OF THE DENTON COUNTY RADIO COMMUNICATIONS SYSTEM, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Denton County ("the County") owns, operates, and maintains a P25 digital radio-communications system ("the System") for the purpose of providing radio communications in support of its governmental operations; and

WHEREAS, the City of Highland Village ("the City") wishes to use certain portions of the System for its governmental operations; and

WHEREAS, the use of the System in the provision of governmental services benefits the public health and welfare, promotes efficiency and effectiveness of local governments, and is of mutual concern to the County and the City and

WHEREAS, the County and the City are political subdivisions within the State of Texas, each of which engages in the provision of governmental services for the benefit of its citizens; and

WHEREAS, the Interlocal Cooperation Act, Texas Government Code, Chapter 791, as amended ("the Act") provides authority for local governments of the State of Texas to enter into Interlocal agreements with each other for the purpose of performing governmental functions and services as set forth in the Act;

WHEREAS, the City Council of the City of Highland Village finds it to be in the public interest to authorize the negotiation and execution of an interlocal agreement with Denton County to provide for City's use of the System;

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

SECTION 1. The City Manager is hereby authorized to negotiate and execute an interlocal agreement with Denton County to provide for the use by the City of the System.

SECTION 2. This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED this the 13th day of **September, 2016**.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney
(kbl:9/9/16:78980)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 21

MEETING DATE: 09/13/16

SUBJECT: Consider Ordinance 2016-1217 Amending Article 8.04 “Fire Code” of the Code of Ordinances to Provide for the Regular Inspection of Multi-Family Buildings

PREPARED BY: Jason Collier, Assistant Fire Chief

BACKGROUND:

For the first time in the City of Highland Village’s history we have multi-family residences. Current City ordinances do not contain provisions for regular inspections for compliance with the fire code and other health and safety codes.

IDENTIFIED NEED/S:

This ordinance will allow City inspectors to conduct fire, health and safety inspections in the new multi-family residences to insure the safety of the tenants and maintain the quality of life standards of the city.

OPTIONS & RESULTS:

The proposed ordinance will provide a mechanism for inspection by the fire department and building department to insure compliance with the fire code and other safety codes.

PROGRESS TO DATE: (if appropriate)

The city attorney has written a draft of Ordinance 2016-1217 for Council review and approval.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve the first read of Ordinance 2016-1217.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2016-1217

AN ORDINANCE OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AMENDING ARTICLE 8.04 "FIRE CODE", SECTION 8.04.003 "LOCAL AMENDMENTS ADOPTED" OF THE CODE OF ORDINANCES OF THE CITY OF HIGHLAND VILLAGE, TEXAS, BY ADDING A "APPENDIX N - MULTI-FAMILY CERTIFICATE OF INSPECTION PERMITS"; 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 Fire Code, as adopted and amended pursuant to Article 8.04 of the Code of Ordinance contains no provision for the regular inspection of multi-family buildings for compliance with the Fire Code and other health and safety codes of the City; and

WHEREAS, upon recommendation of the City Manager and the Fire Chief, 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 amend the Fire Code to provide for such inspections;

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

Section 1: Article 8.04 "Fire Code," Section 8.04.003 "Local Amendments Adopted" of the Code of Ordinances of the City of Highland Village, Texas, is hereby amended by adding Appendix N "Multi-Family Certificate of Inspection Permits" to read as follows:

Appendix N: Multi-Family Certificate of Inspection Permits

N101 Scope. The fire code official is authorized to administer Certificate of Inspection Permits and Fees. The fire code official is authorized to enter and examine multi-family dwelling complexes, buildings and/or dwelling units, in accordance with Section 103.3 for the purpose of enforcing the Fire Code.

N102.1 Definitions. For the purpose of this appendix, the following words and phrases have the meanings respectively ascribed to them by this subsection:

Bedroom means room used or intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, closet, hallway, utility space, entry way, garage, patio or breezeway.

Building Inspector means City's chief building official or designated representative.

Certificate of inspection permit means certificate of inspection permit issued by the fire marshal pursuant to this appendix demonstrating compliance with this code issued on an annual basis.

City means the City of Highland Village.

Dwelling unit means a structure, or that part of a structure, which is used as a home residence, or sleeping place by one or more persons maintaining a common household to the exclusion of all others.

Efficiency unit means a dwelling unit that is the equivalent of a one-bedroom unit.

Family means any number of individuals living together as a single housekeeping unit in which not more than two individuals are unrelated by blood, marriage, or adoption when residing in a dwelling containing one or two bedrooms, or not more than three individuals unrelated by blood, marriage or adoption when residing in a dwelling unit containing three or more bedrooms. Foster children shall be considered as a related member of the family.

Fire Inspector means the City's certified fire marshal or designated representative.

Multi-family dwelling complex or Apartment Complex means any building or portion thereof which is rented, leased or let to be occupied for compensation as three or more dwelling units or which is occupied as a home or place of residence by three or more families living in independent dwelling units located in the City.

Owner means a person claiming, or in whom is vested, the ownership, dominion or title of real property, including, but not limited to:

1. Holder of fee simple title;
2. Holder of life estate;
3. Holder of a leasehold estate for an initial term of five years or more;
4. The buyer in a contract for deed;
5. A mortgagee, receiver, executor or trustee in control of real property; but including the holder of a leasehold estate or tenancy for an initial term of less than five years.

Premises means a lot, plot or parcel of land, including any structure thereon, and furthermore, including a dwelling unit, appurtenances thereto, grounds and facilities held out for the use of tenants generally and any other area or facility whose use is promised to the tenant.

Property manager means a person who for compensation has managing control of an apartment complex for owner.

Resident manager means a property manager or agent of a property manager who resides in the apartment complex.

Single location means a single location is defined as property held in common ownership that is compact and contiguous property separated only by public streets.

Tenant means any person who occupies a dwelling unit for living or dwelling purposes with the landlord's consent.

N103 Certificate of Inspection Permit Fee.

N103.1 Certificate of Inspection Permit Fees. Fees for permits associated with annual certificates of fire inspection permits shall be as adopted by resolution of the City Council and set forth in the City fee schedule maintained by the office of the City Secretary.

N103.2 Reinspection fee. A re-inspection fee for each re-inspection of each noted violation item shall be assessed for inspections that are required to verify that a violation has been repaired or corrected. Failure of a reinspection fee to be paid shall be considered a violation of this appendix and subject to penalties herein.

N103.3 Permit Compliance. Each owner, manager, or occupant shall, within forty-five (45) days after such inspection, deliver to the city the permit fee. Failure by the owner, manager, or occupant to pay the certificate of inspection permit fee by reason of refusal or delay in tendering the fee within the prescribed time, shall, upon conviction in a court of competent jurisdiction, be guilty of a misdemeanor and each day that such owner, manager or occupancy shall fail to obtain said permit shall constitute a separate offense. No multi-family occupancy may operate its business without a valid certificate of inspection permit. No certificate of inspection permit shall be valid until the permit fee has been paid.

N103.4 Valid Certificate of Inspection Permit. A certificate of inspection permit fee will be charged not more than once per year for an inspection of any occupancy or building and issuance of a permit, except as provided for in Section 109 of the Fire Code.

N103.5 Revocation of Certificate of Inspection Permit.

Any certificate of inspection permit issued under the Fire Code may be suspended or revoked when it is determined after a hearing by the community development director that:

1. It is used by a person other than the person to whom the certificate was issued;
2. It is used for a location other than that for which it was issued;
3. Any of the conditions or limitations set forth in the certificate has been violated;

4. The possessor of the certificate fails, refuses, or neglects to comply with any order or notice served upon him under the provisions of the Fire Code within the time period provided therein; or
5. There has been any false statement or misrepresentations as to a material fact in the plans, specifications, or documentation upon which the permit or application was based.

N103.6 Inspection.

N103.6.1 The owner, resident manager, and property manager, as a condition to the issuance of the permit required by this appendix, shall consent and agree to permit and allow the City's fire or building inspector to make inspections of the apartment complex when and as needed to ensure compliance with this appendix. Such inspection shall include a review of compliance with this Fire Code, all International Codes adopted pursuant to Article 24.02 of the Code of Ordinances; the Texas Health Code, the Comprehensive Zoning Ordinance, and other applicable codes and ordinances shall be complied with at all times and are part of the inspection set forth in this Section N103.6.

N103.6.2 The multi-family inspector and the owner, resident manager, or property manager shall agree on a reasonable date and time between January 1 and December 31 of each year. One or more units may be inspected at random. If violations exist, the fire inspector has the option of inspecting more than one unit per building in order to determine if violations exist in more units. If no violations are apparent or violations are minor, only one unit per building will be inspected.

N103.7 Reinspection. If at the time of inspection, the occupancy is found not to be in compliance with this Fire Code, a certificate of inspection permit will not be issued. After notification of the violations which were detected, the owner, manager, or occupant shall be required to remedy the conditions of violation, and a citation may be issued for each violation, at each inspection. The occupant, owner, or manager shall be notified of a time at which reinspection shall occur. The date for the first reinspection shall not be more than 30 days from the time of the original inspection. The date for any subsequent reinspection shall be not more than 10 days from the time of the last inspection. Once the apartment complex passes inspection, a certificate of inspection permit and fee will be issued, and the provision of N103.6 apply.

N103.8 Permit Compliance - Multi-family. In addition to the terms of N103.3, Any person owning, operating, managing or maintaining an apartment complex at more than one location shall obtain a permit for each separate location.

N103.9 Revocation of Certificate of Inspection Permit - Multi-family. Shall meet the requirements of M103.9

N103.10 Right of Entry. In conjunction with the requirements of N103.3 of this Fire Code, the owner, resident manager, or property manager shall grant access to all dwelling units in the apartment complex and all portions of the

premises and structures located on the premises that are not dwelling units. This includes all storage areas, community buildings, swimming pools, athletic facilities, club rooms, equipment rooms and all other portions of the facilities not constructed as dwelling units, upon reasonable advance notice being given to the owner, property or resident manager and all occupied dwelling units when, upon reliable information, the multi-family inspector or building inspector has reason to believe that violations of the ordinances of the city or state law exist that involve serious threats to life, safety, health and property.

N103.11 Notice to Tenants/Residents. An owner or property manager shall require an apartment lease contract to be executed between the apartment complex and the tenant or tenants who will occupy a dwelling unit. The lease shall contain a provision which allows the owner or property manager to show the apartment or dwelling unit to city inspectors. If the apartment complex's standard lease form does not contain the above stated provision, the owner or property manager shall require the tenant to sign, as a condition for occupancy of a dwelling unit, a document provided by the city which will allow the owner or property manager to show the apartment or dwelling unit to the multi-family inspector or building inspector.

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 13TH DAY OF SEPTEMBER, 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:9916:78981)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 22	MEETING DATE: 09/13/16
SUBJECT:	Status Reports on Current Projects and Discussion on Future Agenda Items
PREPARED BY:	Angela Miller, City Secretary

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

September 13, 2016 **Regular City Council Mtg. 7:30 pm**

September 14, 2016 **Special City Council Mtg. 12:00 pm** (Public Hearing #2)

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**

November 24 & 25, 2016 **City Offices Closed for the Thanksgiving Holiday**

Please visit www.highlandvillage.org or the City Hall bulletin board for latest additions, updates and changes

By: Karen Bradley, Administrative Assistant - City Secretary Office