

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, REPEALING AND AMENDING THE CITY'S CODE OF ORDINANCES TO ADOPT CERTAIN INTERNATIONAL BUILDING CODES AND STANDARDS WITH AMENDMENTS; ESTABLISHING CERTAIN BUILDING REGULATIONS AND REQUIREMENTS; ESTABLISHING PENALTIES THERETO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Local Government Code empowers the City to enact building codes, plumbing codes, and other codes and regulations and provide for their administration, enforcement, and amendment; and

WHEREAS, the regulation of building and building construction by the City of Pflugerville is necessary to protect the public health and welfare; and

WHEREAS, the City adopted previous versions of the International Building Code and other International Codes for building and construction, which have since been updated and amended with new versions; and

WHEREAS, the regulation of buildings in all residences, all commercial and other buildings and building construction, plumbing, mechanical, and other codes by the City of Pflugerville is necessary to protect the public health, safety and welfare; and

WHEREAS, the City Council desires to set minimum standards to safeguard the public safety, health, and welfare, insofar as they are affected by building construction, through structural strength, adequate means of egress facilities, stability, sanitary equipment, light and ventilation, energy conservation, fire safety, and in general to promote safety to life and property; and

WHEREAS, it is the opinion of City Council that the best interest of the citizens of Pflugerville will be best served by repealing the previously adopted codes and amending Chapter 150 of the City's Code of Ordinances to adopt the International Building Code, 2021 Edition, International Residential Code, 2021 Edition, International Plumbing Code, 2021 Edition, International Mechanical Code, 2021 Edition, International Code Council Electrical Code, 2021 Edition, International Fuel Gas Code, 2021 Edition, International Energy Conservation Code, 2021 Edition, International Fire Code, 2021 Edition, International Existing Building Code, 2021 Edition, International Property Maintenance Code, 2021 Edition, International Swimming Pool and Spa Code, 2021 Edition, the National Electrical Code, 2020 Edition, including certain amendments to meet local conditions, and to revise the Penalty Provision of Chapter 150 accordingly.

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

SECTION 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Chapter 150 (Building Regulations) of the City of Pflugerville, Texas Code of Ordinances is hereby amended as provided in Exhibit A, incorporated fully herein.

SECTION 3. Violation. A violation of Chapter 150 of the Code of Ordinances after the Effective Date of this Ordinance shall be a misdemeanor and shall, upon conviction, be fined an amount not to exceed the following: (A) \$2,000 for violations of the Plumbing Code, Fire Code, and Fire Code Standards; and \$500.00 for all other violations. In addition, any alleged violation of this Chapter shall be subject to civil enforcement and penalty not to exceed \$1,000.00 per each day the violation occurred and \$5,000 a day for a violation of an ordinance relating to point source effluent limitations or the discharge of a pollutant, other than from a non-point source, into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the City.

SECTION 4. Cumulative. This Ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

SECTION 5. Severability. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of the Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

SECTION 6. All provisions of the Code of Ordinances of the City of Pflugerville not herein amended or repealed shall remain in full force and effect.

SECTION 7. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 8. It is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Government Code Chapter 551, as amended.

SECTION 9. Effective Date. This Ordinance will take effect on, April 1, 2022 in accordance with the provisions of Section 3.15(d) of the City Charter.

PASSED AND APPROVED THIS _____ day of _____ 2022

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, PC

EXHIBIT A

Chapter 150 (Building Regulations) of the City of Pflugerville, Texas Code of Ordinances is hereby amended as follows. Deletions are provided as ~~striketroughs~~ and additions are provided as underlined.

CHAPTER 150: BUILDING REGULATIONS

GENERAL PROVISIONS

§ 150.01 SHORT TITLE.

This chapter shall be known, and may be sited, as the Building Ordinance of the City of Pflugerville, Texas.

§ 150.02 CITY CONSTRUCTION CODE.

The following codes, copies of which are on file in the office of the Building Official ~~city secretary~~, are hereby adopted as the city construction code, which is adopted by reference and made a part of this code as if set forth in full herein. The city construction code will apply to all construction within the city, except as otherwise specifically provided in this code.

(A) The following codes published by the International Code Council:

- (1) International Building Code, with appendices G, H, and I, 2021 ~~2015~~ edition.
- (2) International Residential Code, with amendments, with appendices H and J, 2021 ~~2015~~ edition.
- (3) International Plumbing Code, 2021 ~~2015~~ edition.
- (4) International Mechanical Code, 2021 ~~2015~~ edition.
- (5) International Code Council Electrical Code, 2021 ~~2015~~ edition.
- (6) International Fuel Gas Code, 2021 ~~2015~~ edition.
- (7) International Energy Conservation Code, 2021 ~~2015~~ edition.
- (8) International Fire Code, 2021 ~~2015~~ edition, with appendices.
- (9) International Existing Building Code, 2021 ~~2015~~ edition.
- (10) International Property Maintenance Code, 2021 ~~2015~~ edition.

(B) National Electrical Code, 2020 ~~2014~~ edition, published by the National Fire Protection Association.

§ 150.03 APPLICABILITY.

The regulations of this chapter and the City Construction Code shall be applicable to the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, and maintenance of all buildings or structures within the corporate limits of the city, except to the extent a provision hereof is specifically made applicable to the extraterritorial jurisdiction of the city.

§ 150.04 DEFINITION.

For the purpose of this chapter, the term *NEW CONSTRUCTION* means the construction of a new primary use building on the lot.

§ 150.05 RELATIONSHIP TO OTHER ORDINANCES.

(A) Unless otherwise specifically provided, the City Construction Code shall be construed to supplement this chapter and all other ordinances of the city and shall not be construed to rescind or repeal any part or portion of said ordinances. In the event of irreconcilable conflict between the codes adopted in Section 150.02 above, the most restrictive of the conflicting provisions will prevail.

(B) The building official shall coordinate the requirements of the city construction code and the ordinances set out in subsection (A), above, toward preventing duplication of efforts where the city construction code and such other ordinances call for substantially the same procedures or standards.

§ 150.06 POSTING OF CITY'S CONTACT INFORMATION BY BUILDERS.

(A) Posting Notice. All builders who sell homes on lots and who receive some type of permit from the city ("builders") shall post notice of the city planning department's contact information in an area of the builder's sales office that is readily accessible by the public, in the form designated by the city planning department. A copy of the required notice shall be provided by the city planning department at 100 W Main ~~201-B E. Pecan~~ Street, Pflugerville, Texas 78660.

(B) Distributing Notice. All builders shall provide the city planning department's contact information to all prospective purchasers at the same time the builder provides any other written information to the purchaser. This written information includes but is not limited to any promotional materials distributed to the purchaser at the builder's sales offices within the city.

(C) Fines for Failure to Comply. Failure to comply with this section may result in a fine as authorized by title 1, chapter 10, § 10.99 of the city code.

AMENDMENTS

§ 150.10 NATIONAL ELECTRICAL CODE AMENDMENT.

(A) Section 230.41 of the National Electrical Code, 2020 ~~2014~~ edition adopted by the city, is hereby amended to read as follows:

230.41 Insulation of service-entrance conductors. Service-entrance conductors entering or on the exterior of buildings or other structures shall be insulated.

Delete exceptions.

(B) Section 230.43 of the National Electrical Code, ~~2020~~ 2014 edition adopted by the city, is hereby amended to read as follows:

230.43 Wiring methods for 1000 ~~600~~ volts, nominal, or less.

Service-entrance conductors shall be installed in accordance with the applicable requirements of this *code* covering the type of wiring method used and shall be limited to the following methods:

1. Rigid Metallic Conduit (RMC)
2. Intermediate Metal Conduit (IMC)
3. Electrical Metallic Tubing (EMT), or
4. Rigid Nonmetallic Conduit (RNC) will be approved.
5. A service mast supporting the service drop must be a minimum of 2" diameter and shall be either rigid metallic conduit (RMC) or intermediate metal conduit (IMC). No couplings are to be installed above the roofline. The mast must penetrate a minimum of 18" above the high side of the roof deck. Any mast over 3' in length, measured from the high side of the roof deck, must be properly guyed so as to relieve the strain of the service drop.

(C) Section 230.70(A)(1) of the National Electrical Code, ~~2020~~ 2014 edition adopted by the city, is hereby amended to read as follows:

230.70(A)(1) Readily accessible location. The service disconnecting means shall be installed at a readily accessible location outside of a building or structure.

Exception: Services disconnecting means over 1200 amps shall be located a maximum of 25 ft. travel distance from the exterior entrance inside a commercial building. Disconnecting means shall be accessible to the exterior of the building at all times and shall not be located above the first floor of a multi-level building.

~~(D) Section 310.106 of the National Electrical Code, 2014 edition adopted by the city, is hereby amended to read as follows:~~

~~**310.106 Minimum size of conductors.**~~

~~Solid and stranded conductors may not be smaller than No. 12 copper or No. 6 aluminum or copper-clad aluminum.~~

~~Exception No. 1: Small conductor sizes 18 and 16 AWG as permitted by section 240.4(D)(1) and (2).~~

~~Exception No. 2: For flexible cords, as permitted by table 400.4.~~

~~Exception No. 3: For fixture wire as permitted by section 402.6.~~

~~Exception No. 4: For motors rated 1 hp or less, as permitted by section 430.22(F).~~

~~Exception No. 5: For cranes and hoists, as permitted by section 610.14.~~

~~Exception No. 6: For elevator control and signaling circuits, as permitted by section 620.12.~~

~~Exception No. 7: For class 1, class 2, and class 3 circuits, as permitted by article 725.49(A) and 725.127, exception.~~

~~Exception No. 8: For fire alarm circuits as permitted by section 760.49(A); 760.127, exception; and 760.179(B).~~

~~Exception No. 9: For motor control circuits, as permitted by section 430.72.~~

~~Exception No. 10: For control and instrumentation circuits, as permitted by section 727.6.~~

~~Exception No. 11: For electrical signs and outline lighting as permitted in section 600.31(B) and 600.32(B).~~

(E) Section 320.108 of the National Electrical Code, 2020 2014 edition adopted by the city, is hereby amended to read as follows:

320.108 Equipment grounding conductor. Type AC cable shall provide an adequate path for fault current as required by 250.4(A)(5) or (B)(4) to act as an equipment grounding conductor. In addition only type AC cable containing an insulated grounding conductor will be approved.

(F) Section 408.36, exception 1, of the National Electrical Code, 2020 2014 edition adopted by the city, is hereby amended to read as follows:

408.36 Overcurrent protection.

Exception No. 1: A main circuit breaker shall be required in all panelboards used as service equipment. This overcurrent protective device shall be located within or adjacent to the panelboard.

(G) Section 410.36(B) of the National Electrical Code, 2020 2014 edition adopted by the city, is hereby amended to read as follows:

410.36(B) Suspended ceilings. Framing members of suspended ceilings shall not be used to support luminaires (fixtures). A fixture shall have a minimum of two support wires on opposite corners from each other. Support wires shall be the same gage as the ceiling support wire. Support wire shall be secured at both ends and shall be identified from any other support wires in ceilings. All electrical equipment installed to the suspended ceiling shall require additional support wires. Luminaires in fire rated ceilings shall be supported on all four corners.

(H) Section 422.16(B) of the National Electrical Code, 2020 2014 edition adopted by the city, is hereby amended to read as follows:

422.16(B)(1) Electrically operated in-sink waste disposers. Electrically operated in-sink waste disposers shall be cord-and-plug connected with a flexible cord identified as suitable for the

purpose in the installation instructions of the appliance manufacturer, where all of the following conditions are met:

1. The flexible cord shall be terminated with a grounding-type attachment plug.

Exception: A listed kitchen waste disposer distinctly marked to identify it as protected by a system of double insulation, or its equivalent, shall not be required to be terminated with a grounding-type attachment plug.

2. The length of the cord shall not be less than 18" and not over 36".
3. Receptacles shall be located to avoid physical damage to the flexible cord.
4. The receptacle shall be accessible.

422.16(B)(2) Built-in dishwashers and trash compactors. Built-in dishwashers and trash compactors shall be cord-and-plug connected with a flexible cord identified as suitable for the purpose in the installation instructions of the appliance manufacturer, where all of the following conditions are met:

1. The flexible cord shall be terminated with a grounding-type attachment plug.

Exception: A listed kitchen dishwasher or trash compactor distinctly marked to identify it as protected by a system of double insulation, or its equivalent, shall not be required to be terminated with a grounding-type attachment plug.

1. The length of the cord shall be 36" minimum and 48" maximum measured from the face of the attachment plug to the plane of the rear of the appliance.
2. Receptacles shall be located to avoid physical damage to the flexible cord.
3. The receptacle shall be accessible without having to remove the appliance served.

422.16(B)(4) Range hoods. Range hoods shall be cord-and-plug connected with a flexible cord identified as suitable for use on range hoods in the installation instructions of the appliance manufacturer, where all of the following conditions are met:

1. The flexible cord shall be terminated with a grounding-type attachment plug.

Exception: A listed kitchen waste disposer distinctly marked to identify it as protected by a system of double insulation, or its equivalent, shall not be required to be terminated with a grounding-type attachment plug.

2. The length of the cord shall not be less than 18" nor over 36".
3. Receptacles shall be located to avoid physical damage to the flexible cord.
4. The receptacle shall be accessible without removal of the range hood.
5. The receptacle is supplied by an individual branch circuit.

600.6 (A) (4) Remote Location. The disconnecting means if located remote from the sign, sign body, or pole, shall be mounted at a readily accessible location available to first responders and service personnel. The location shall be marked with a label at the sign location and marked as the disconnect for the sign or outline lighting system. The label shall comply with 110.21(B).

§ 150.11 PLUMBING CODE AMENDMENT.

(A) Section 101.1 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the plumbing code of the City of Pflugerville hereinafter referred to as “this code.”

(B) Section 106.6.2 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

106.6.2 Fee schedule. The fees for all plumbing work are as indicated in the resolution adopted under § 150.41 of the city’s Code of Ordinances.

(C) Section 106.6.3 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

106.6.3 Fee refunds. The code official may 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 eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty percent (50%) of the plan review fee paid when an application for a permit is withdrawn or cancelled before any plan review effort has been expended.

(D) Section 108.4 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

108.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, or repairs plumbing work in violation of the approved construction documents or directive of building official, or of a permit or certificate issued under the provisions of this code, is subject to the penalties as set forth in § 150.99 of the City’s Code of Ordinances.

(E) Section 108.5 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, the last sentence, is hereby amended to read as follows:

Any person who continues any work in or about the structure after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, is subject to the penalties set forth in § 150.99 of the city’s Code of Ordinances.

(F) Section 109 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by § 2.3 of the City of Pflugerville Unified Development Code, as amended.

(G) Section 114 of the *International Plumbing Code*, 2021 ~~2015~~ edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by Section 2.3 of the Reference ~~the City of Pflugerville Unified Development Code, Section 2.3 for means of appeal as amended.~~

(H) Section 305.1 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, the last sentence, is hereby amended to read as follows:

Minimum wall thickness of material must be 0.006 ~~0.025 to 0.0059~~ inches.

(I) Section 305.4.1 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems must be a minimum of eighteen inches (18") below finished grade at the point of septic tank connection. Building sewers shall be a minimum of twelve inches (12") below grade.

(J) Section 410 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1/CSA B45.2, ASME A112.19.2/CSA B45.1 and water coolers shall conform to ARI 1010. Drinking fountains and water coolers shall conform to NSF 61, section 9. Where water is served in restaurants, drinking fountains shall not be required. In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required drinking fountains. In occupancies with an occupant load of 15 or less, water coolers or bottled water dispensers shall be permitted to be substituted for the required drinking fountain.

(K) Section 422 ~~418~~ of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended by adding the following section:

422~~418~~.4 Minimum service sink requirements. In occupancies with an occupant load of 15 or less, service sinks shall not be required.

(L) Section 903.1 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

903.1 Roof extension. All open vent pipes that extend through the roof must be terminated at least six inches (6") above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions must be run at least seven feet (7') above the roof.

(M) Section 903.1.3 of the *International Plumbing Code*, 2021 Edition, adopted by the city, is hereby deleted in its entirety. Section 1002.4 of the International Plumbing Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

~~**1002.4 Trap seals.** Each fixture trap shall have a liquid seal of not less than 2 inches and not more than 4 inches, or deeper for special designs relating to accessible fixtures. Where a trap seal is subject to loss by evaporation, a trap seal primer valve shall be installed. A trap seal primer valve shall conform to ASSE 1018 or ASSE 1044 and are subject to building official approval.~~

§ 150.12 INTERNATIONAL BUILDING CODE AMENDMENT.

(A) Section 101.1 of the International Building Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the building code of the City of Pflugerville, hereinafter referred to as “this code.”

(B) Section 103.1 of the *International Building Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

103.1 Creation of Enforcement Agency. The Pflugerville Building Department is hereby created and the official in charge shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

(C) Section 105.1 of the *International Building Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

105.1 Required. Any owner or owner’s authorized agent who intends 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, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit in accordance with the issuance guidelines set forth by the City of Pflugerville to include: approval and acceptance from the Planning and Engineering Department, and Austin Public Health when the building official deems applicable.

(D) Section 107.1 of the International Building Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in accordance with current digital submission guidelines ~~in five sets~~ with each permit application. For all nonresidential new construction and remodel projects, the construction documents shall be prepared by a design professional registered with the State of Texas.

(E) Section 109.6 of the *International Building Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

109.6 Refunds. The Code Official may 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 eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty percent (50%) of the plan review fee paid when an application for a permit is withdrawn or cancelled before any plan review effort has been expended.

(F) Section 111.1 of the International Building Code, 2021 ~~2015~~ edition, adopted by the city, the first sentence, is hereby amended to read as follows:

111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefore as provided herein. Conditions requiring a Certificate of Occupancy include: New Construction, Property Conversion, Change of Ownership/Name, and Major Construction that changes egress routes out of the property. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or other ordinance of the jurisdiction.

(G) Section 113 of the International Building Code, 2021 ~~2015~~ edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by Section 2.3 of the City of Pflugerville Unified Development Code, as amended.

§ 150.13 INTERNATIONAL RESIDENTIAL CODE AMENDMENT.

(A) Section R101.1 of the International Residential Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

101.1 Title. These provisions shall be known as the residential code for one- and two-family dwellings of the City of Pflugerville, and shall be cited as such and will be referred to herein as “this code.”

(B) Section 108.5 of the *International Residential Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

108.5 Refunds. The Code Official may 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 eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than fifty percent (50%) of the plan review fee paid when an application for a permit is withdrawn or cancelled before any plan review effort has been expended.

(C) Section R112 of the International Residential Code, ~~2021~~ 2015 edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by § 2.3 of the City of Pflugerville Unified Development Code, as amended.

(D) Table R301.2~~(4)~~ of the International Residential Code, ~~2021~~ 2015 edition, adopted by the city, is hereby amended to read as follows:

Table R301.2 (4)

Table R301.2 (4)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE SHIELD UNDER-LAYMENT REQ'D	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects	Special Wind Region	Wind-borne debris zone		Weathering	Frost Line Depth	Termite					
5 lb/sq.ft	115	No	No	No	A	Negligible	12	Mod. to heavy	28	No	FIRM c. 2014	30	68.1

(E) Section R303.4.1 of the International Residential Code, 2021 Edition, adopted by the city, is hereby added to read as follows:

R303.4.1 Laundry mechanical ventilation. Mechanical ventilation will be provided in laundry areas in accordance with Table M1505.4.4 Bathrooms-Toilet Rooms.

(F) Section R403.1.1 of the International Residential Code, 2021 Edition, adopted by the city, is hereby amended to read as follows:

R403.1.1 Minimum size. The minimum width, W, and the minimum thickness, T, for concrete footings shall be in accordance with Table R401.1(1) through R401.1(3) and Figure R403.1(1) or 403.1.3, as applicable, but not less than 12 inches (305 mm) in width, and 12 inches (305 mm) in depth....

(G) Section R602.3.1 of the International Residential Code, 2021 Edition, adopted by the city, is hereby amended to read as follows:

R602.3.1 Stud Size, height and spacing. The size, height and spacing of studs shall be in accordance with Table R602.3(5). All wet walls, those containing DWV plumbing and mechanical exhaust 2" and greater, shall be required to be 2 x 6 nominal lumber.

(H) Section M1307.8 of the International Residential Code, 2021 Edition, adopted by the city, is hereby added to read as follows:

M1307.8 Water deflection. Outdoor unit location must be far enough away from any structure to prevent excess roof runoff water from pouring directly on the unit, or protected in a manner acceptable to the Building Official.

(I) Section R1004 of the *International Residential Code, 2021 Edition*, adopted by the city, is hereby amended to add the following Section:

R1004.6 Factory built fireplace air spaces and chases. No electrical, mechanical, or plumbing, except for the combustion air vent and gas line feed associated with the firebox, shall intrude into the airspace enclosing the firebox or any chase for chimney components associated with the fireplace.

(J) Section G2517.4.1 (406.4.1) of the *International Residential Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

G2417.4.1(406.4.1)Test pressure. The test pressure to be used shall be not less than 10 psig 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.

(K) Section P2503.5.1 of the *International Residential Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

P2503.5.1 Rough Plumbing. DWV systems shall be tested on completion of the rough piping, and top out piping installation by water or air with no evidence of leakage. Either test shall be applied to the drainage system in its entirety or in sections after rough piping and top out piping has been installed, as follows:

1. Water test. Each section shall be filled with water to a point not less than 5 feet above the highest fitting connection in that section, or to the highest point in the completed system. Water shall be held in the section under test for a period of 15 minutes. The system shall prove leak free by visual inspection.
2. Air test. The portion under test shall be maintained at a gauge pressure of 5 pounds per square inch (psi) using a 0-15 psi air test gauge assembly with 1/10th lb. increments. This pressure shall be held without introduction of additional air for a period of 15 minutes.

(L) Section P2602.1 of the *International Residential Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

P2602.1 General. ... A building having plumbing fixtures installed and intended for human habitation, occupancy or use on the premises abutting on a street, alley or easement in which there is a public sewer shall have a separate connections to the water and separate connection to the sewer in accordance with IPC 701.3. Where public sewer is not available ...

(M) Section P2604.1 of the *International Residential Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

P2604.1 Trenching and Bedding. Where trenches are excavated such that the bottom of the trench forms the bed for the pipe, solid and continuous load-bearing support shall be provided between joints. Where over-excavated, the trench shall be backfilled to the proper grade with sand, fine gravel or similar granular material...

(N) Section P2706.1.2 of the *International Residential Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

P2706.1.2 Standpipes. Standpipes shall extend not less than 18 inches (457mm) and not greater than 42 inches (1067mm) above their trap weir. Traps shall be installed not less than 6 inches and not greater than 18 inches above grade.

(O) Section P2903.10 of the International Residential Code, 2021 2015 edition, adopted by the city, is hereby deleted in its entirety.

(P) Section P3008.1 of the International Residential Code, 2021 2015 edition, adopted by the city, is hereby amended to read as follows:

P3008.1 General. Fixtures on the first floor of a foundation where the foundation is located at or below the flood level rim of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing an approved backwater valve. Fixtures located on elevated floors of a building above the flood level rim of the next upstream manhole shall not discharge through the backwater valve. Backwater valves shall be provided with access.

(Q) Section P3103.1.3 of the *International Residential Code, 2021 Edition*, adopted by the city, is hereby deleted in its entirety.

(R) Section P3104.1 of the International Residential Code, 2021 2015 edition, adopted by the city, is hereby amended to read as follows:

P3104.1 Connection. All individual branch and circuit vents shall connect to a vent stack, stack vent or extend to the open air.

Exception: Individual, branch and circuit vents shall be permitted to terminate to an air admittance valve upon approval by the building official.

(S) Section P3201.6 of the International Residential Code, 2021 2015 edition, adopted by the city, is hereby amended to read as follows:

P3201.6 Number of fixtures per trap. Each plumbing fixture shall be separately trapped by a water seal trap placed as close as possible to the fixture outlet. The vertical distance from the fixture outlet to the trap weir shall not exceed 24 inches. The height of a clothes washer standpipe above a trap shall conform to section P2706.1.2. Fixtures shall not be double trapped.

~~(H) Section P2503.5.1 of the international Residential Code, 2015 edition, adopted by the city, is hereby amended to read as follows:~~

~~**P2503.5.1 Rough plumbing.** DWV systems shall be tested on completion of the rough piping installation by water or air with no evidence of leakage. Either test shall be applied to the drainage system in its entirety or in sections after rough piping has been installed, as follows:~~

~~1. Water test. Each section shall be filled with water to a point not less than 5 feet above the highest fitting connection in that section, or to the highest point in the completed system. Water shall be held in the section under test for a period of 15 minutes. The system shall prove leak free by visual inspection.~~

~~2. Air test. The portion under test shall be maintained at a gauge pressure of 3 pounds per square inch (psi) using a 0-15 psi air test gauge assembly with 1/10th lb. increments. This pressure shall be held without introduction of additional air for a period of 15 minutes.~~

~~(I) Section R1004 of the International Residential Code, 2015 edition, adopted by the city, is hereby amended to add the following section:~~

~~**R1004.6 Factory built fireplace air spaces and chases.** No electrical, mechanical, or plumbing, except for the combustion air vent and gas line feed associated with the firebox, shall intrude into the airspace enclosing the firebox or any chase for chimney components associated with the fireplace.~~

§ 150.14 FIRE CODE AMENDMENT.

(A) Section 101.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Pflugerville, hereinafter referred to as “this code.”

(B) Section 101.2.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. Appendices, B, C, D and L are adopted as amended.

(C) Section 102.7 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated by Sections 102.7.1 and 102.7.2. The fire code official is authorized to administratively adopt the most recent edition of a code or standard referenced in Chapter 80.

(D) Section 104.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

104.1 General. The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures,

rules and regulations, and publish bulletins, in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations, and bulletins, shall be in compliance with the intent and purpose of this code. The fire code official is authorized to develop administrative rules, and publish bulletins, to supplement the requirements of this code and adopted standards referenced by this code. Should a conflict occur between this code, or a referenced standard, and administrative rules or bulletins adopted by the fire code official, the requirements of the administrative rule or bulletin shall govern.

(E) Section 105.3.3 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

105.3.3. Occupancy prohibited before approval. The building or structure shall not be occupied prior to the code official issuing a permit that indicates that applicable provisions of this code have been met for any new structure or a change in an existing occupancy.

(F) Section 105.5.32 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

105.5.32 Mobile food preparation vehicles A permit is required for mobile food preparation vehicles.

(G) Section 106.6.25 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

105.6.25 Electronic access control systems. Construction permits are required to install or modify an electronic access control system utilizing controlled egress, delayed egress, or electromagnetic locking devices (See Chapter 10). A separate construction permit is required for to install or modify a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

(H) Section 106.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

106.1 Submittals. Construction documents and supporting data shall be submitted in application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. When not required by statute, construction documents shall be prepared by a registered design professional when required by the fire code official.

(I) Section 107 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Section 107 of the *International Fire Code, 2021 Edition*, adopted by the city, is hereby deleted in its entirety

(J) Section 111 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Section 111 of the International Fire Code, 2021 Edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by Sec. 2.3 of the City of Pflugerville Unified Development Code, as amended.

(K) Section 307.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with regulations established by the fire code official.

(L) Section 307.1.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

307.1.1 Authorization. All outdoor burning shall be conducted in accordance with this code, the Texas Outdoor Burning Rules, and supplemental rules adopted by the Fire Code Official. If a conflict should arise between this code, the supplemental rules adopted by the Fire Code Official and the Texas Outdoor Burning Rules, then the more stringent rule shall apply. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the fire code official, and state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

(M) Section 307.2.1 of the *International Fire Code, 2021 Edition*, is hereby deleted in its entirety:

Delete 307.2.1

(N) Section 307.3 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

307.3 Extinguishment authority Any outdoor fire regulated by this section may be extinguished if it creates or adds to a hazardous situation as determined by the fire code official or first responders, if smoke emissions are offensive to others, or if applicable safety guidelines are not followed.

(O) Section 307.4.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

307.4.4 Permanent Outdoor Firepit Permanently installed outdoor firepits shall not be installed within 15 feet of a structure or combustible material.

Exception: Permanent outdoor firepits used at one- and two-family dwellings.

(P) Section 307.5 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

307.5 Attendance *Open burning, bonfires, recreational fires, and the use of portable outdoor fireplaces and permanent outdoor fire pits shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization*

(Q) Section 308.1.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

308.1.4. Open-flame and heat producing devices. Open-flame and heat producing devices shall not stored or operated on balconies or within 10 feet of combustible construction.

Exception: Detached one-and two- family dwellings.

Delete 308.1.4 Exceptions 2 and 3

(R) Section 308.1.7 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Section 308.1.7 Religious ceremonies. When, in the opinion of the code official, adequate safeguards have been taken, participants in religious ceremonies are allowed to carry hand- held candles. Hand-held candles shall not be passed from one person to another while lighted. Use of open flame devices in any Assembly, Educational, or Institutional Occupancy, (except for religious ceremonies), is prohibited unless approved and permitted by the fire code official.

(S) Section 311.2.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Section 311.2.2 Fire protection. Fire protection systems shall be maintained in an operable condition at all times. Any impairment to, or malfunction of, a fire protection system shall be immediately reported to the fire department.

(T) Section 319.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

319.1 General Mobile food preparation vehicles shall comply with this section.

(U) Section 319.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

319.4 Fire protection When required by the fire code official, fire protection shall be provided in accordance with Sections 319.4.1 and 319.4.2.

(V) Section 319.8.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

319.8.1 Maximum aggregate volume The maximum aggregate capacity shall not exceed the limits established by the fire code official.

(W) Section 403.11.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

403.11.2 Public safety plan. Where the fire code official determines that an indoor or outdoor gathering of persons has an adverse impact on public safety, or where such gatherings adversely affect public safety services of any kind, the fire code official shall have the authority to order the

development of a public safety plan which provides an approved level of public safety for the event.

(X) Section 510.4.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

510.4.2 System design. The in-building, two-way emergency responder communication coverage system shall be designed in accordance with Section 510. When required by the fire code official, emergency responder communication coverage system shall comply with the most recent edition of NFPA standard 1221 and supplemental regulations established by the fire code official. (See Section 104.1 as amended)

(Y) Section 503.1.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section, supplemental regulations established by the fire code official, and Appendix D of this code. Access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

(Z) Section 503.2.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 26 feet and an unobstructed-vertical clearance of not less than 14 feet. When required by the fire code official, access roads serving one or two-family dwellings, townhomes, and other residential developments shall be a minimum of 30 feet in width.

Exception: The minimum required width and vertical clearance of a fire apparatus access road may be increased when required by the Fire Code Official. The minimum required width of a fire apparatus access road may be reduced when approved by the Fire Code Official.

(AA) Section 503.3 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Section 503.3 Marking. Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. All required fire lanes shall be provided and maintained with fire lane striping that consists of six-inch (6") wide red background stripe with four-inch (4") high white letters stating "NO PARKING FIRE LANE TOW AWAY" painted upon the red stripe every 25-feet along the entire length of the fire lane, showing the exact boundary of the fire lane. Fire lane markings shall be on the vertical surface of the curb unless otherwise approved by the fire code official.

(BB) Section 503.6 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. When required by the fire code official, defective gates shall be secured in the open position until repaired.

(CC) Section 505.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

505.1 Address Identification. New and existing buildings shall be provided with approved address and building identification. The address and building identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address and building identification characters shall contrast with their background. Address and building numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches high with a minimum stroke width of 1/2 inch. Where required by the fire code official, address and building identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, an approved means shall be used to identify the structure. Address and building identification shall be maintained.

(DD) Section 507.5.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Section 507.5.1 Where required. Fire hydrants shall be installed in approved locations. Where a portion of the facility or building hereafter constructed, or moved into or within, the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided. When more than one hydrant is required, spacing for additional hydrants shall be in accordance with Appendix C of this code. When a fire department connection is provided to supply an automatic fire sprinkler system or fire standpipe system, fire hydrants shall be installed in an approved location to facilitate emergency operations.

Exceptions:

1. For Group R-3 occupancies, the distance requirement shall be 600 feet.
2. The fire code official is authorized to increase the dimension of 300 feet when the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
3. The fire code official is authorized to increase the dimension of 300 feet when hydrant spacing cannot be accomplished because of location on property, topography, waterways, nonnegotiable grades or other similar conditions. The fire code official is authorized to require an approved alternative means of fire protection to compensate for increased hydrant spacing.

(EE) Section 507.5.1.1 of the *International Fire Code, 2021 Edition*, is hereby deleted in its entirety

(FF) Section 509.3 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

509.3. Main Electrical Disconnect. The main electrical disconnect for each building shall be installed on the exterior of the building in an approved location. In lieu of the main disconnect, a remote shunt trip may be installed to disconnect electrical service when approved by the fire code official.

(GG) Section 803.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

803.4 Fire-retardant coatings. When approved by the fire code official, the required flame spread or smoke-developed index of surfaces in existing buildings shall be allowed to be achieved by application of approved fire-retardant coatings, paints or solutions to surfaces having a flame spread index exceeding that allowed. Such applications shall comply with NFPA 703 and the required fire-retardant properties shall be maintained or renewed in accordance with the manufacturer's instructions. The fire-retardant paint, coating or solution shall have been assessed by testing over the same substrate to be used in the application.

(HH) Section 803.11 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

803.11 Foam plastic materials. Foam plastic materials shall not be used as interior wall and ceiling finish. Foam plastic material shall be allowed if it is separated from the interior of the building by an approved thermal barrier in accordance with Section 2603.4 of the International Building Code. Fire-retardant coatings shall not be utilized as an approved thermal barrier. Foam plastic materials shall not be used as interior trim unless specifically allowed by Section 804.2.

(II) Sections 803.11.1 & 803.11.2 of the *International Fire Code, 2021 Edition*, are hereby deleted in their entirety.

(JJ) Section 807.5.2.3 of the *International Fire Code, 2021 Edition*, is hereby 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 20 percent of the specific wall area to which they are attached. The amount of wall area covered can be increased to 50 percent in buildings protected by an automatic fire sprinkler system.

(KK) Section 807.5.5.3 of the *International Fire Code, 2021 Edition*, is hereby 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 20 percent of the specific wall area to which they are attached. The amount of wall area covered can be increased to 50 percent in buildings protected by an automatic fire sprinkler system.

(LL) Section 901.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

901.4 Fire protection and life safety systems. Fire protection and life safety systems shall be installed, repaired, operated, and maintained in accordance with this code, the International Building Code, and supplemental regulations established by the fire code official. (See Section 104.1 as amended)

(MM) Section 901.4.7 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

901.4.7 Pump and riser room. A dedicated room shall be provided for fire pumps and automatic sprinkler system risers. Pump and riser rooms shall be provided with exterior access and the exterior access door shall face an access drive marked as a fire lane. Pump rooms shall comply with the construction requirements specified in NFPA Standard 20. Fire pump rooms and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and automatic sprinkler system riser rooms shall be provided with a door(s) and an unobstructed passageway large enough to allow removal of the largest piece of equipment.

(NN) Section 901.6.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

901.6.1 Standards. Fire protection and life safety systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 901.6.1 and supplemental regulations established by the fire code official. (See Section 104.1 as amended)

(OO) Section 901.6.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

901.6.4 False 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.

(PP) Section 903.1.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.1.2 Fire pump required. When required by the fire code official, an approved fire pump, installed in accordance with this code and NFPA standard 20, shall be provided for an automatic fire sprinkler system with a system demand of 1000 GPM or more.

(QQ) Section 903.2.6 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.2.6. Delete Exception 2 and 3

(RR) Section 903.2.8.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.2.8.4 Care facilities. In residential care facilities, with three or more occupants unrelated to the owner or operator, an automatic fire sprinkler system shall be installed. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted. Attached porches, decks, balconies and garages shall be provided with approved protection.

(SS) Section 903.2.8.5 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.2.8.5 Townhouses constructed as rental units in multifamily developments.. Townhouses constructed as rental units in a multifamily development shall be protected by an automatic fire sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2.

(TT) Section 903.2.9.5 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.2.9.5 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

Exception: Self-service storage facilities, with a fire area not exceeding 12,000 square feet and not greater than one story above grade plane, where all storage spaces can be accessed directly from the exterior.

(UU) Section 903.2.11.3 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.2.11.3 Buildings 55 Feet or more in Height. An automatic sprinkler system shall be installed throughout buildings, other than penthouses in compliance with Section 1511 of the International Building Code, located 55 feet or more above the lowest level of fire department vehicle access, measured to the finished floor. **Delete Exception to 903.2.11.3**

(VV) Section 903.3.1.1.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.3.1.1.1 Exempt Locations. When approved by the fire code official, automatic sprinklers may be omitted from rooms or areas where the application of water constitutes a serious life or fire hazard or where sprinklers are considered undesirable because of the nature of the contents. When automatic sprinkler protection is omitted from a room or area, alternate fire protection measures shall be provided as required by the fire code official.

(WW) Section 903.3.1.1.3 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.3.1.1.3 Protection for Attics and Combustible Concealed Spaces. Automatic sprinkler protection shall be provided in attics and combustible concealed spaces or these spaces shall be filled throughout with noncombustible insulation. When attic protection is provided, and CPVC piping is installed in the attic space, special applications sprinklers shall be provided to protect the attic space. An approved method for freeze protection shall be provided for automatic sprinklers and piping installed in non-conditioned attics and concealed spaces.

(XX) Section 903.3.1.2.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.3.1.2.1 Balconies and decks. For dwelling units and sleep rooms, sprinkler protection shall be provided for exterior balconies, decks, and patios. Sprinkler protection shall be provided for closets or storage areas accessed from balconies, decks, and patios of dwelling units and sleep rooms. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members, and a maximum distance of 14 inches below the deck of the exterior balconies that are constructed of open joist construction.

(YY) Section 903.3.1.2.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.3.1.2.2 Areas located outside dwelling units and sleep rooms. Sprinkler protection shall be provided in all breezeways, corridors, stairs, mechanical rooms, electrical rooms and storage areas. When required by the fire code official, sprinkler protection shall be provided for exterior projections which are combustibles and non-combustible projections which may cover combustible materials, including temporary parking of vehicles. When approved by the fire code official, complete protection of the exterior projections shall not be required. When complete protection is not required, protection may be accomplished through the use of dry, sidewall sprinklers served by the building wet pipe system.

(ZZ) Section 903.3.1.3 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D. See Section 903.2.8.5 for townhouses constructed as rental units in a multifamily complex classified as an R-2 occupancy.

(a) Section 905.3.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

905.3.1 Height. Except when approved by the fire code official, Class II and Class III standpipe systems shall not be installed. Class I standpipe systems shall be installed throughout buildings where any of the following conditions exist:

1. Four or more stories are above or below grade plane.
2. The floor level of the highest story is located more than 30 feet above the lowest level of the fire department vehicle access.
3. The floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.

(b) Section 905.3.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

905.3.4 Stages. When required by the fire code official, Class I hose connections, installed in accordance with NFPA 14, shall be provided for a stage exceeding 1000 square feet in floor area. Class II and Class III hose connections shall not be installed.

(c) Section 905.3.9 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

905.3.9. Distance. The fire code official is authorized to require installation of an approved Class I standpipe system where any portion of a building's interior area is located more than 200 feet of travel, vertically and horizontally, from the nearest point of fire department vehicle access. This distance shall be measured along an approved path of travel from the point of vehicle access to the most remote portion of the building.

(d) Section 905.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

905.4 Location of Class I standpipe hose connections.

Class I standpipe hose connections shall be provided in approved locations. Unless otherwise required by the fire code official, Class I standpipe hose connections shall be provided in all of the following locations:

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 the main floor landing unless otherwise approved by the fire code official.
2. On each side of the wall adjacent to the exit opening of a horizontal exit.
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.
4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal, a hose connection shall be located to serve the roof or at the highest landing of an interior exit stairway with access to the roof provided in accordance with Section 1011.12.
6. Where the most remote portion of a nonsprinklered floor or story is more than 150 feet from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.

(e) Sections 905.5 & 905.6 of the *International Fire Code, 2021 Edition*, are hereby deleted in their entirety.

(f) Section 905.8 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

905.8 Dry standpipes. Dry standpipes shall not be installed except when approved by the fire code official. Dry standpipes shall not be installed in enclosed stairwells.

(g) Section 907.2.6.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.6.1 Group I-1. An automatic smoke detection system shall be installed in corridors, waiting areas open to corridors, sleeping units, and habitable spaces. The system shall be activated in accordance with Section 907.5. In sleeping units, the audible alarm activated by a fire alarm system shall be a 520-Hz low-frequency signal complying with NFPA 72.

Exceptions:

1. For Group I-1, Condition 1 occupancies, smoke detection in habitable spaces is not required where the facility is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.
2. Smoke detection is not required for exterior balconies.
3. In memory care units, when approved by the fire code official, the system may be designed to operate in private mode as defined in NFPA 72. When private mode operation is approved, sleeping unit detectors shall provide a visual display on the corridor side of each sleeping unit and shall provide an audible and visual alarm at the care providers' station attending each unit.

(h) Section 907.2.6.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.6.2 Group I-2. An automatic smoke detection system shall be installed in corridors and sleeping units in Group I-2 facilities. Automatic smoke detection system shall be installed in spaces permitted to be open to the corridors by Section 407.2 of the International Building Code. The system shall be activated in accordance with Section 907.4. In sleeping units, the audible alarm activated by a fire alarm system shall be a 520-Hz low-frequency signal complying with NFPA 72. When approved by the fire code official, the system may be designed to operate in private mode as defined in NFPA 72. When private mode operation is approved, sleeping unit detectors shall provide a visual display on the corridor side of each sleeping unit and shall provide an audible and visual alarm at the care providers' station attending each unit.

(i) Section 907.2.6.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.6.4 Group I-4. A manual fire alarm system, which 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 I-4 occupancies. Where automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. Emergency voice/alarm communication systems, meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6, shall not be required in Group I-4 occupancies with occupant loads of 100 or less, provided that activation of the manual fire alarm system initiates an approved occupant notification signal in accordance with Section 907.5.
2. Manual fire alarm boxes shall not be required in Group I-4 occupancies where all of the following apply:
 - 2.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.
 - 2.2. The emergency voice/alarm communication system or fire alarm system will activate on sprinkler water flow.
 - 2.3. Manual activation is provided from a normally occupied location.

(j) Section 907.2.8 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.8 Group R-1. Fire alarm and smoke detection systems shall be installed in Group R-1 occupancies as required in Sections 907.2.8.1 through 907.2.8.3.

(k) Section 907.2.8.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.8.1 Manual fire alarm system. A manual fire alarm system which activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

Exception:

1. Manual fire alarm boxes are not required throughout the building where all of the following conditions are met:
 - 1.1. The building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

1.2. The notification appliances will activate upon sprinkler water flow.

1.3. Not fewer than one manual fire alarm box is installed at an approved location.

(l) Section 907.2.8.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.8.2 Corridor smoke detection system. An automatic smoke detection system which activates the occupant notification system in accordance with Section 907.5 shall be installed throughout all interior corridors serving sleeping units.

Exception: An automatic smoke detection system is not required in buildings that do not have interior corridors serving sleeping units and where each sleeping unit has a means of egress door opening directly to an exit or to an exterior exit access that leads directly to an exit.

(m) Section 907.2.8.3 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.8.3 Unit smoke detection system. Single- and multiple-station smoke alarms shall be not be installed in R-1 sleeping and dwelling units. An automatic smoke detection system shall be installed in accordance with Section 907.2.11.7. The audible alarm activated by the fire alarm system shall be a 520-Hz low-frequency signal complying with NFPA 72.

(n) Section 907.2.9.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.9.1 Manual fire alarm system. A manual fire alarm system, which activates the occupant notification system in accordance with Section 907.5, shall be installed in Group R-2 occupancies. In dwelling units, the audible alarm activated by the fire alarm system shall be a 520-Hz low-frequency signal complying with NFPA 72.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and the occupant notification appliances will automatically activate throughout the notification zones upon a sprinkler water flow.

(o) Section 907.2.9.4 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.2.9.4. Group R-4. Manual fire alarm system. A manual fire alarm system, which activates the occupant notification system in accordance with Section 907.5, shall be installed in Group R-4 occupancies. In sleeping units, the audible alarm activated by the fire alarm system shall be a 520-Hz low-frequency signal complying with NFPA 72.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and the occupant notification appliances will automatically activate throughout the notification zones upon a sprinkler water flow.

(p) Section 101.2.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

(q) Section 907.5.2.3.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.5.2.3.1 Public use areas and common use areas. Visible alarm notification appliances shall be provided in public use areas, common use areas, and employee work areas. Visible alarms are not required in storage rooms, mechanical spaces, and similar areas which do not exceed 100 ft.² in floor area.

(r) Section 907.6.1.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

907.6.1.1 Wiring Installation. When required by the fire code official, 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.

(s) Section 910.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

910.2 Where required. Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1 and 910.2.2.

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an approved automatic sprinkler system.

2. Automatic smoke and heat removal shall not be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. When required by the fire code official, an approved manual smoke exhaust system shall be installed in accordance with regulations established by the fire code official.

3. Automatic 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 $50(m \times s)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. When required by the fire code official, an approved manual smoke exhaust system shall be installed in accordance with regulations established by the fire code official.

(t) Section 915.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

915.1 General. Carbon monoxide detection shall be installed in new buildings in accordance with Sections 915.1.1 through 915.6 and supplemental regulations established by the fire code official. Carbon monoxide detection shall be installed in existing buildings in accordance with Section 1103.9 and supplemental regulations established by the fire code official. (See Section 104.1 as amended)

(u) Section 1009.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

1009.1 Accessible means of egress required. Accessible means of egress shall comply with both this section and the Architectural Barriers Act of the Texas Civil Statutes (Texas Accessibility Standards or TAS). The fire code official is authorized to require the owner, applicant or agent to provide a technical report from a qualified person certifying TAS compliance. Accessible spaces shall be provided with not less than one accessible means of egress. Where more than one means of egress is required by Section 1006.2 or 1006.3 from an accessible space, each accessible portion of the space shall be served by not less than two accessible means of egress.

(v) Section 1201.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

1201.1 Scope. The provisions of this chapter shall apply to the installation, operation, maintenance, repair, retrofitting, testing, commissioning and decommissioning of energy systems used for generating or storing energy.

(w) Section 1207.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

1207.1 General. The provisions in this section are applicable to stationary and mobile electrical energy storage systems (ESS). When required by the fire code official, energy storage systems shall comply with the most recent edition of NFPA standard 855 and supplemental regulations established by the fire code official. (See Section 104.1 as amended)

Exception: ESS in Group R-3 and R-4 occupancies shall comply with Section 1207.11.

(x) Appendix B. B105.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Appendix B. B105.1 One- and two-family dwellings, Group R-3 and R-4 buildings, and townhomes. The minimum fire-flow and flow duration requirements for one and two-family dwellings, Group R-3 and R-4 buildings and townhomes, shall be 1,000 gallons per minute for 1 hour. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than the flow specified in Table B105.1(2).

Exception: The Fire Code Official is authorized to approve a reduction in required fire-flow when the building is equipped with an approved automatic fire sprinkler system. The amount of fire flow reduction will be determined by the Fire Code Official.

(y) Appendix B. Table B105.1(1) of the *International Fire Code, 2021 Edition*, is hereby deleted in its entirety.

(z) Appendix B. B105.2 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Appendix B. B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings, and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Table B105.1(2).

Exception: The Fire Code Official is authorized to approve a reduction in required fire-flow when the building is equipped with an approved automatic fire sprinkler system. The amount of fire flow reduction will be determined by the Fire Code Official.

(aa) Appendix D. D103.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Appendix D. D103.1 Access road width. The minimum road width of a fire apparatus access road shall be 26 feet, exclusive of shoulders. When required by the fire code official, access roads serving one or two-family dwellings, townhomes, and other residential developments shall be a minimum of 30 feet in width.

Exception: The minimum required width or vertical clearance of a fire apparatus access road may be increased when required by the Fire Code Official. The minimum required width of a fire apparatus access road may be reduced when approved by the Fire Code Official.

(bb) Appendix D. D103.5 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Appendix D. D103.5 Fire apparatus access road gates. Gates securing fire apparatus access roads shall be approved by the Fire Code Official prior to installation. Gates shall be maintained in an operative condition and repaired or replaced when defective. When required by the Fire Code Official, defective gates shall be secured in the open position until repaired

(cc) Appendix D. D107.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Appendix D. D107.1 One- or two-family dwelling residential developments.

Developments of one or two-family dwellings, with lots more than one-half acre in size, where the number of dwelling units exceeds 30, shall be provided with two separate and approved fire apparatus access roads. Developments of one or two-family dwellings, with lots less than one-half acre in size, where the number of dwelling units exceeds 99, shall be provided with two separate and approved fire apparatus access roads.

(dd) Appendix L. L101.1 of the *International Fire Code, 2021 Edition*, is hereby amended to read as follows:

Appendix L. L101.1 Scope. When required by the fire code official, fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix.

(A) Section 101.1 of the *International Fire Code, 2015 edition*, is hereby amended to read as follows:

~~**101.1 Title.** These regulations shall be known as the fire code of the City of Pflugerville, hereinafter referred to as “this code.”~~

(B) Section 104.1 of the *International Fire Code, 2015 edition*, is hereby amended to read as follows:

~~**104.1 General.** The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of~~

~~this code and shall not have the effect of waiving requirements specifically provided for in this code. The fire code official is authorized to develop design standards to supplement the requirements of this code and adopted standards referenced by this code. Should a conflict occur between this code, or a referenced standard, and a design standard approved by the fire code official, the requirements of the design standard shall govern.~~

~~(C) — Section 105.3.3 of the International Fire Code, 2015 edition, is hereby amended to read as follows:~~

~~**105.3.3. Occupancy prohibited before approval.** The building or structure shall not be occupied prior to the code official issuing a permit that indicates that applicable provisions of this code have been met for any new structure or a change in an existing occupancy.~~

~~(D) — Section 108 of the International Fire Code, 2015 edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by § 2.3 of the City of Pflugerville Unified Development Code, as amended.~~

~~(E) — Section 307.2.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:~~

~~**307.2.1 Authorization.** All outdoor burning shall be conducted in accordance with this code, the Texas Outdoor Burning Rules, and supplemental rules adopted by the fire code official. If a conflict should arise between this code, the supplemental rules adopted by the fire code official and the Texas Outdoor Burning Rules, then the more stringent rule shall apply. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.~~

~~(F) — Section 307.4 of the International Fire Code, 2015 edition, is hereby amended to read as follows:~~

~~**307.4 Location.** The location for open burning shall be not less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.~~

~~**Exceptions:**~~

- ~~1. — Fires in approved containers that are not less than 25 feet from a structure.~~

~~(G) — Section 308.1.4 of the International Fire Code, 2015 edition, is hereby amended to read as follows:~~

~~**308.1.4 Open-flame cooking devices.** Charcoal burners and other flame cooking devices shall not be operated on combustible balconies or within 10 ft. of combustible construction. Propane cooking devices shall not be stored on combustible balconies.~~

~~**Exceptions:**~~

- ~~1. — One and two family dwellings.~~

(H) — Section 311.2.2 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**311.2.2 Fire protection.** Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times. Any impairment to or malfunction of the fire alarm, sprinkler or standpipe system must be reported to the fire department.~~

(I) — Section 503.1.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section, appendix D of this code and design standards approved by the fire code official. Access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.~~

(J) — Section 503.2.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width in accordance with appendix D and an unobstructed vertical clearance of not less than 14 feet.~~

(K) — Section 503.3 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**503.3 Marking.** Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. All required fire lanes shall be provided and maintained with fire lane striping that consists of six inch (6") wide red background stripe with four inch (4") high white letters stating "NO PARKING FIRE LANE TOW AWAY" painted upon the red stripe every 25 feet along the entire length of the fire lane, showing the exact boundary of the fire lane. Fire lane markings shall be on the vertical surface of the curb unless otherwise approved by the fire code official.~~

(L) — Section 503.6 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**503.6 Security gates.** The installation of security gates across a fire apparatus road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation, including a means of operation without power and a means of operation with a Knox Box. The security gate and emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. When required by the fire code official, defective gates shall be secured in the open position until repaired.~~

(M) — Section 505.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**505.1 Address identification.** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers, building numbers and building identification signs shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 6 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). When required by the fire code official, address numbers shall be posted at the street entrance. Address numbers, building numbers and building identification signs shall be maintained.~~

(N) — Section 507.5.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet (91.5 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the code official.~~

Exceptions:

1. — For group R-3 and group U occupancies, the distance requirement shall be 600 feet (183 m).

(O) — Section 509.3 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**509.3 Main electrical disconnect.** The main electrical disconnect for each building shall be installed on the exterior of the building in an approved location. In lieu of the main disconnect, a remote shunt trip may be installed to disconnect electrical service when approved by the fire code official.~~

(P) — Section 605.5.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

~~**605.5.1 Power supply.** Extension cords shall be plugged directly into an approved receptacle, power tap or multiplug adapter with surge protection and, except for approved multiplug extension cords, shall serve only one portable appliance.~~

(Q) — Section 807.5.2.3 of the International Fire Code, 2015 edition, is hereby 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 20 percent of the specific wall area to which they are attached. The amount of wall area covered can be increased to 50 percent in buildings protected by an automatic fire sprinkler system.~~

(R) — Section 901.4.6 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

901.4.6 Pump and riser room. ~~A dedicated room shall be provided for fire pumps and automatic sprinkler system risers. Pump and riser rooms shall be provided with exterior access and the exterior access door shall face an access drive marked as a fire lane. Pump rooms shall comply with the construction requirements specified in NFPA standard 20. Where provided, fire pump rooms and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and automatic sprinkler system riser rooms shall be provided with a door(s) and an unobstructed passageway large enough to allow removal of the largest piece of equipment.~~

(S) — Section 903.3.1.2.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

903.3.1.2.1 Balconies and decks. ~~Sprinkler protection shall be provided for all exterior balconies and ground floor patios, including closets or storage areas accessed from balconies and patios, of dwelling units where the building is of type V construction. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members, and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies that are constructed of open wood joist construction.~~

(T) — Section 1009.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

1009.1 Accessible means of egress required. ~~Accessible means of egress shall comply with both this section and the Architectural Barriers Act of the Texas Civil Statutes (Texas Accessibility Standards or TAS). The fire code official is authorized to require the owner, applicant or agent to provide a technical report from a qualified person certifying TAS compliance. Accessible spaces shall be provided with not less than one accessible means of egress. Where more than one means of egress is required by section 1006.2 or 1006.3 from an accessible space, each accessible portion of the space shall be served by not less than two accessible means of egress.~~

(U) — Appendix B, section 105.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

B105.1 One and two family dwellings, group R-3 and R-4 buildings and townhouses. ~~The minimum fire flow and flow duration requirements for one and two family dwellings, group R-3 and R-4 buildings and townhouses shall be 1,000 gallons per minute for 1 hour. Fire flow and flow duration for dwellings having a fire flow calculation area in excess of 3,600 square feet shall not be less than the flow specified in table B105.1(2).~~

Exception: The fire code official is authorized to approve a reduction in required fire flow when the building is equipped with an approved automatic fire sprinkler system. The amount of fire flow reduction permitted will be determined by the fire code official.

(V) — Appendix B, section 105.2 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

B105.2 Buildings other than one and two family dwellings, group R-3 and R-4 buildings and townhouses. The minimum fire flow and flow duration for buildings other than one and two family dwellings, group R-3 and R-4 buildings and townhouses shall be as specified in table B105.1(2).

Exception: The fire code official is authorized to approve a reduction in required fire flow when the building is equipped with an approved automatic fire sprinkler system. The amount of fire flow reduction permitted will be determined by the fire code official.

(W) — Appendix D, section 103.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

D103.1 Access road width. The minimum road width of a fire apparatus access road shall be 26 feet, exclusive of shoulders (see figure D103.1).

Exception: The minimum required width of a fire apparatus access road may be increased or reduced when required by the fire code official.

(X) — Appendix D, section 103.5 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

D103.5 Fire apparatus access road gates. Gates securing fire apparatus access roads shall be approved by the fire code official prior to installation. Gates shall be maintained in an operative condition and repaired or replaced when defective. When required by the fire code official, defective gates shall be secured in the open position until repaired.

(Y) — Appendix D, section 107.1 of the International Fire Code, 2015 edition, is hereby amended to read as follows:

D107.1 One or two family dwelling residential developments. Developments of one or two family dwellings, with lots more than one half acre in size, where the number of dwelling units exceeds 30, shall be provided with two separate and approved fire apparatus access roads. Developments of one or two family dwellings, with lots less than one half acre in size, where the number of dwelling units exceeds 99, shall be provided with two separate and approved fire apparatus access roads.

§ 150.15 MECHANICAL CODE AMENDMENT.

(A) Section 101.1 of the International Mechanical Code, 2021 2015 edition, adopted by the city, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the mechanical code of the City of Pflugerville hereinafter referred to as “this code.”

(B) ~~Section 106.6.2 of the International Mechanical Code, 2015 edition, adopted by the city, is hereby amended to read as follows:~~

~~**106.6.2 Fee schedule.** The fees for all plumbing work are as indicated in the resolution adopted under § 150.41 of the city’s Code of Ordinances.~~

(B) Section ~~109.6~~ ~~106.6.3~~ of the International Mechanical Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

109.6~~106.6.3~~ Fee refunds. The code official may 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 eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty percent (50%) of the plan review fee paid when an application for a permit is withdrawn or cancelled before any plan review effort has been expended.

(C) Section 113.4 ~~108.4~~ of the International Mechanical Code, 2021 ~~2015~~ edition, adopted by the city, is hereby amended to read as follows:

115.4 ~~108.4~~ Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, or repairs plumbing work in violation of the approved construction documents or directive of building official, or of a permit or certificate issued under the provisions of this code, is subject to the penalties as set forth in § 150.99 of the City’s Code of Ordinances.

(D) Section 113.4 ~~108.5~~ of the International Mechanical Code, 2021 ~~2015~~ edition, adopted by the city, the last sentence, is hereby amended to read as follows:

113.4 Failure to Comply. Any person who continues any work in or about the structure after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, is subject to the penalties set forth in § 150.99 of the city’s Code of Ordinances.

(F) Section ~~114.09~~ of the International Mechanical Code, 2021 ~~2015~~ edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by § 2.3 of the City of Pflugerville Unified Development Code, as amended.

§ 150.16 SWIMMING POOL AND SPA CODE

(A) Section 101.1 of the *International Swimming Pool and Spa Code, 2021 Edition*, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Residential Swimming Pool and Spa Code of the City of Pflugerville, hereinafter referred to as “this code.”

(B) Section 101.2 Scope of the *International Swimming Pool and Spa Code, 2021 Edition*, is hereby amended to read as follows:

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of residential aquatic recreation facilities, pools and spas. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading.

(C) Section 114 of the *International Swimming Pool and Spa Code, 2021 Edition*, adopted by the city, the last sentence, is hereby amended to read as follows:

103.1 Creation of agency. The City of Pflugerville Building Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

(D) Section 108 of the *International swimming Pool and Spa Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

108.6 Fee refunds. The Code Official may 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 eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty percent (50%) of the plan review fee paid when an application for a permit is withdrawn or cancelled before any plan review effort has been expended.

(E) Section 106 of the *International Swimming Pool and Spa Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

106.1 Construction documents. Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by the Building Official. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code.

(F) Section 113 of the *International Swimming Pool and Spa Code, 2021 Edition*, adopted by the city, is hereby amended to read as follows:

113.4 Violation Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, or repairs plumbing work in violation of the approved construction documents or directive of Building Official, or of a permit or certificate issued under the provisions of this code, is subject to the penalties as set forth in Section 150.99 of the City’s Code of Ordinances.

(G) Section 114 of the *International Swimming Pool and Spa Code, 2021 Edition*, adopted by the city, the last sentence, is hereby amended to read as follows:

114.4 Failure to comply. Any person who continues any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, is subject to the penalties set forth in Section 150.99 of the city’s Code of Ordinances.

(H) Section 111 of the *International Swimming Pool and Spa Code, 2021 Edition*, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by Section 2.3 of the City of Pflugerville Unified Development Code, as amended.

§ 150.17 MISCELLANEOUS CODE AMENDMENTS.

~~(A) — Section 101.1 of the International Code Council Electrical Code, 2015 edition, is hereby amended to read as follows:~~

~~**101.1 Title.** These regulations shall be known as the electrical code of the City of Pflugerville, hereinafter referred to as “this code.”~~

~~(B) — Section 1101 of the International Code Council Electrical Code, 2015 edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by the City of Pflugerville Unified Development Code, as amended.~~

(A) Section 101.1 of the International Fuel Gas Code, 2021 ~~2015~~ edition, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the fuel gas code of the City of Pflugerville, hereinafter referred to as “this code.”

(B) Section ~~113~~ ~~409~~ of the International Fuel Gas Code, ~~2021~~ ~~2015~~ edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by § 2.3 of the City of Pflugerville Unified Development Code, as amended.

(C) Section ~~C101.1~~ and ~~R101.1~~ of the International Energy Conservation Code, ~~2021~~ ~~2015~~ edition, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the energy conservation code of the City of Pflugerville, hereinafter referred to as “this code.”

(D) Section ~~C11~~ and ~~R11~~ ~~409~~ of the International Energy Conservation Code, 2015 edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by § 2.3 of the City of Pflugerville Unified Development Code, as amended.

(E) Section 101.1 of the International Existing Building Code, ~~2021~~ ~~2015~~ edition, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the existing building code of the City of Pflugerville, hereinafter referred to as “this code.”

(F) Section 112 of the International Existing Building Code, ~~2021~~ ~~2015~~ edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by § 2.3 of the City of Pflugerville Unified Development Code, as amended.

(G) Section 101.1 of the International Property Maintenance Code, ~~2021~~ ~~2015~~ edition, is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the property maintenance code of the City of Pflugerville, hereinafter referred to as “this code.”

(H) Section ~~108~~ ~~444~~ of the International Property Maintenance Code, ~~2021~~ ~~2015~~ edition, adopted by the city, is hereby deleted in its entirety. Appeals shall be governed by § 2.3 of the City of Pflugerville Unified Development Code, as amended.

§ 150.21 RESERVED.

§ 150.22 SIDEWALKS.

(A) The installation of sidewalks shall be required in connection with new construction on a:

- (1) Residential lot in a subdivision approved after March 17, 1980; or
- (2) Commercial lot.

(B) Construction of sidewalks shall conform to the standards set out in the city’s Subdivision Ordinance.

(C) The Building Official is authorized to permit sidewalks that do not comply with the minimum required sidewalk width set out in the Subdivision Ordinance in those areas where the width of the dedicated right-of-way will not allow compliance with such requirements.

§ 150.23 CONCRETE WORK.

Concrete work done in connection with new construction shall be in conformance with the following requirements:

(A) Concrete flatwork placed within a street right-of-way, including but not limited to sidewalks, driveways, curbs, and gutters, shall be bedded with at least two inches of clean washed sand.

(B) Concrete curbs and gutters within a street right-of-way which are removed to allow access to a lot shall be saw-cut at all construction joints or otherwise cut so as to produce a clean, even joint.

(C) Expansion joints shall be installed at the property line of concrete driveways and at all joints between new and existing construction.

(D) Sidewalk ramps for handicap access shall be located at each intersection of a sidewalk and street.

(E) The area between the curb and sidewalk shall be excavated or filled to provide a uniform grade comparable to the adjacent street grade and shall be located so that ground level at the right-of-way line is no more than two feet, nor less than three inches, above or below the adjacent curb grade.

§ 150.24 CONSTRUCTION DEBRIS.

All construction sites must be kept clean. Trash and debris associated with any construction may not be allowed to migrate to other lots, properties, or rights-of-way. Each new construction site or lot must have a solid-sided trash container of at least eight feet square and four feet high. The trash in the container must be removed and properly disposed of without allowing the container to be overfilled. All trash or debris that drifts or spills onto the site, other lots, properties, or rights-of-way must be picked up and securely placed in the trash container or otherwise properly disposed of on a daily basis.

§ 150.25 WATER CUTOFF VALVES.

A water cutoff valve must be installed adjacent to the water meter box on the customer's side of the meter. This valve must be in a separate box that is at least six inches in diameter. The box must have a metal lid that is located level with or about the finished grade. The valve must be uncovered and accessible upon completion of the water service being connected. If the valve box is located

in a paved or other drive area, the box and lid must be of a type approved for such an area. The valve box in nondrive areas must be equal to or exceed PVC SDR-35.

§ 150.26 SEWER LINE CLEANOUTS.

A sewer line cleanout must be installed at the property line or at the point of connection to the public sewer system whichever is closer to the building served by the line. This cleanout must be equal in size to the sewer line it is servicing; however, a six-inch cleanout is the maximum required unless otherwise required by the plumbing code. This cleanout is in addition to the cleanouts required by the plumbing code; but if this cleanout is within five feet of a cleanout required by the plumbing code, then only the cleanout required by the plumbing code is needed. This cleanout must be level with or above the finished grade. If the cleanout is located in a paved area or other driving area it must be constructed to withstand such use, otherwise it must be of the same material as the sewer line or heavier. The lid must be a screw on type and approved for such use.

§ 150.27 WATER LINES UNDER SIDEWALKS.

Water lines must be continuous, without connections or joint and sleeved, under sidewalks for residential construction.

§ 150.28 SIDEWALKS.

Sidewalks may be continuous without joints; however, where joints are utilized, the sidewalk joint must be made with the use of #3 rebar dowels 12 inches in length spaced a minimum of 24 inches on center.

§ 150.29 FILLING TRENCHES.

Whenever a trench is dug that will be under the sidewalk, driveway, or any other concrete, if the trench is made with anything other than a trencher that digs a trench wider than six inches, the trench must be backfilled with wetted sand or the fill dirt must be compacted by mechanical means. Fill dirt may not contain rocks or stones larger than 1/2 inch in diameter.

§ 150.30 PORTABLE TOILETS.

Each construction site or lot must have a properly maintained portable toilet. Two adjacent construction sites or lots under common ownership and concurrent construction may share a portable toilet. All portable toilets must remain on the construction site throughout the construction process and must not be placed in the street, on a utility easement or in a right-of-way. Portable toilets must be periodically serviced to prevent unclean conditions and regularly monitored to

ensure proper functioning and location. The portable toilet must be removed within two working days after construction is complete.

ADMINISTRATION AND ENFORCEMENT

§§ 150.35–150.39 RESERVED.

§ 150.40 APPEALS.

(A) General. The Board of Adjustment created under the charter shall sit ex-officio as the Board of Appeals under the City Construction Code or any element thereof. This section shall govern appeals taken from actions of an administrative official pursuant to the City Construction Code, or any element thereof.

(B) Basis. Appeals may be made to the Board of Adjustment by an aggrieved person:

(1) Where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this chapter; or

(2) To authorize in specific cases such variances from the terms of this chapter or the City Construction Code as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter or the City Construction Code will result in unnecessary hardship, and so that the spirit of this chapter and the City Construction Code shall be observed and substantial justice done.

(C) Procedure.

(1) A written application for appeal to the Board of Adjustment must be taken within 15 days after the decision from which an appeal is taken has been rendered. The application shall be filed with the City Secretary, specifying the grounds therefor, and shall be accompanied by payment of fee as prescribed in § 150.41.

(2) The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

(D) Hearing.

(1) The Board shall hold a public hearing on all appeals made to it. At the public hearing any interested party may appear in person, by agent, or by attorney. The burden of proof shall be on the applicant to establish the necessary facts to warrant favorable action by the board on any appeal. Any interpretation or variance granted or authorized by the Board under the provisions of this chapter shall authorize the issuance of a building permit in accordance with the interpretation or variance, provided that all other requirements of this chapter are met.

(2) Notice of such public hearing shall be given by publishing the same in the official newspaper of the city at least one time, not less than 15 days prior to the date set for the hearing, stating the time and place of such hearing.

(E) Stay. An appeal stays all proceedings in furtherance of the action that is appealed, unless the official from whom the appeal is taken certifies in writing to the Board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by restraining order granted by the Board or a court of record on application, after notice to the official, if due cause is shown.

(F) Decision of Board.

(1) The Board shall decide the appeal within 45 days from the date of its filing with the City Secretary.

(2) In exercising its powers, the Board may, in conformity with the provisions of the statutes of the State of Texas, as existing or hereafter amended, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from, make such order, requirement, decision, or determination as ought to be made, and have all the powers of the officer from whom the appeal is taken. The Board shall have the power to impose reasonable conditions to be complied with by the applicant.

(3) The concurring vote of three-fourths of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variance in the chapter.

(G) Rehearings.

(1) No appeal to the Board for the same or related matter shall be allowed to be brought by the same applicant prior to the expiration of six months from a previous ruling by the Board on any appeal to such body.

(2) If other property in the immediate vicinity has, within the six-month period in subsection (1), above, been changed or acted on by the board or City Council so as to alter the facts and conditions on which the previous Board action was based, such change of circumstances shall permit the rehearing of an appeal by the Board prior to the expiration of the six-month period.

(3) Any alterations in facts or conditions shall in no way have any force on law to compel the Board, after a rehearing, to grant a subsequent appeal. Such subsequent appeal shall be considered entirely on its merits and on the peculiar and specific conditions related to the property on which the appeal is brought.

(H) Appeal of Board's Decision.

(1) Any person or persons, jointly or severally aggrieved by any decision of the Board, or any taxpayer or any officer or board of the municipality may present to a court of jurisdiction a petition,

duly verified, setting forth that such decision is illegal, in whole or on part, specifying the grounds of illegality.

(2) The petition shall be presented to the court within ten days after the filing of the decision in the office of the Board and not thereafter.

§ 150.41 FEES.

(A) Establishment. The City Council shall establish by resolution a schedule of fees to be paid in connection with applications under this chapter. The schedule of fees shall be filed with this chapter in the office of the City Secretary and may be amended only by action of the City Council.

(B) Administration.

(1) All applicable fees shall be paid at the time of submission of an application under this chapter and are nonrefundable.

(2) No action shall be taken with respect to any application requiring payment of a fee under this chapter until such fee has been paid in full.

(3) A receipt for all fees paid under this chapter shall be furnished to the person paying, and such fees shall be turned over to the City Treasurer.

(C) Reinspection Fees. Notwithstanding the provisions of subsection (B)(1) above, reinspection fees shall be billed to the permit holder by the Building Official and paid directly to the Building Official.

(D) Conflicting Fee Schedules. In event of conflict between the City Construction Code, or any part thereof, and the fee schedule set forth in this chapter, this chapter shall be construed to prevail, and the City Construction Code, or such parts as are in conflict with the permit schedule set forth in this chapter, to the extent of said conflict, shall be considered as not having been enacted.

§ 150.99 PENALTY.

Any person convicted of violating any of the provisions of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be fined in an amount not to exceed the following:

(A) \$2,000.00 for violations of the International Plumbing Code and International Fire Code; ~~or~~

(B) \$500.00 for violations of all other codes in this chapter.

Each day that a violation occurs constitutes a separate offense.

In addition, any alleged violation of this Chapter shall be subject to civil enforcement and penalty not to exceed \$1,000.00 per each day the violation occurred and \$5,000 a day for a violation of an ordinance relating to point source effluent limitations or the discharge of a pollutant, other than from a non-point source, into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the City.