

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, ADOPTING THE UNIFORM FIRE CODE, 1973 EDITION AND SUCH OTHER REVISED EDITIONS AS ADOPTED BY THE WESTERN FIRE CHIEFS ASSOCIATION AND THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, PROVIDING THE MAINTENANCE OF BUILDINGS AND PREMISES TO SAFEGUARD LIFE, HEALTH, PROPERTY AND PUBLIC WELFARE BY REGULATING THE STORAGE, USE AND HANDLING OF DANGEROUS AND HAZARDOUS MATERIALS, SUBSTANCES AND PROCESSES AND BY REGULATING THE MAINTENANCE OF ADEQUATE EGRESS FACILITIES; PROVIDING FOR ISSUANCE OF PERMITS THEREFORE; PROVIDING DUTIES FOR THE FIRE MARSHALL OF THE CITY OF ADDISON; ESTABLISHING LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE TANKS IS TO BE PROHIBITED; ESTABLISHING LIMITS IN WHICH BULK STORAGE OF LIQUIFIED PETROLEUM GAS IS TO BE RESTRICTED; ESTABLISHING OF LIMITS OF DISTRICT IN WHICH STORAGE OF EXPLOSIVE AND BLASTING AGENTS IS TO BE PROHIBITED; AMENDING SAID UNIFORM FIRE CODE, 1973 EDITION TO PROVIDE THE BOARD OF APPEALS BE THE CITY COUNCIL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; REPEALING CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. There is hereby adopted by the City of Addison, Texas, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Uniform Fire Code recommended by the Western Fire Chiefs Association and the International Conference of Building Officials being particularly the 1973 Edition thereof and the whole thereof, save and accept such portions and hereinafter deleted, modified or amended and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Addison, Texas.

SECTION 2. The Uniform Fire Code shall be enforced by the Fire Marshall of the City of Addison which has heretofore been established. The Chief of the Fire Department may detail such members of the Fire Department as Inspectors as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the City Council the employment of Technical Inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be opened to members and nonmembers of the Fire Department, and appointments made after examination shall be for an indefinite term with removal only for cause.

SECTION 3. Wherever the word "jurisdiction" is used in the Uniform Code it shall be held to mean the City of Addison.

Wherever the term "Corporation Council" is used in the Uniform Fire Code, it shall be held to mean the attorney for the City of Addison.

Wherever the term "misdemeanor" is used in the Uniform Fire Code, it shall be held to mean a Class C misdemeanor as defined by the Texas Penal Code.

SECTION 4. The limits referred to in Section 15.201 of the Uniform Fire Code in which storage of flammable or combustible liquids in outside above ground tanks is prohibited, are hereby established as follows: Local Retail District, Commercial District and Residential District as defined by the Planning and Zoning Ordinance of the City of Addison.

The limits referred to in Section 15.601 of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows: Local Retail District, Commercial District and Residential District as defined by the City of Addison's Planning and Zoning Ordinance.

SECTION 5. The limits referred to in Section 20.105(a) of the Uniform Fire Code, in which bulk storage of liquified petroleum gas is restricted, are hereby established as follows: Residential District, Local Retail District, and Commercial District as defined by the Planning and Zoning Ordinance of the City of Addison.

SECTION 6. Limits referred to in Section 11.106(b) of the Uniform Fire Code in which storage of explosive and blasting

agents is prohibited, are hereby established as follows:
Residential District, Local Retail District, Commercial District,
Industrial I and Industrial II Districts as defined by the
Planning and Zoning Ordinance of the City of Addison.

SECTION 7. The Uniform Fire Code is amended and
changed in the following respects: Sec. 1.215 shall be
amended as to read as follows:

In order to determine the suitability of alternate
materials and type of construction and to provide
for reasonable interpretations of the provisions of
this Code, there shall be and hereby is created a
Board of Appeals consisting of at least three (3)
members of the City Council. The Fire Chief shall
be the ex-officio member and shall act as Secretary
of the Board. The Board of Appeals shall adopt
reasonable rules and regulations for conducting its
investigations and shall render all decisions and
findings in writing to the Fire Chief with a duplicate
copy to the Appealant.

SECTION 8. Whenever the Chief shall disapprove an
application or refuse to grant a permit applied for, or
when it is claimed that the provisions of this Code do not
apply or that the true intent and meaning of this Code have
been misconstrued or wrongfully interpreted, the Appealant
may appeal from the decision of the Chief to the Board of
Appeals within thirty (30) days from the date of the decision
appealed.

SECTION 9. The Chief of the Fire Department shall
determine and specify, after giving affective parties an
opportunity to be heard, any new materials, processes or
occupancies, which shall require permits, in addition to
those now enumerated in said Code. The Chief shall post

such list in a conspicuous place in his office and distribute copies thereof to interested persons.

SECTION 10. Any person who shall violate any of the provisions of this Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, shall severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, subject to a fine, upon conviction in Municipal Court in any sum not to exceed Two Hundred Dollars (\$200.00) and each and every day of continuance thereof shall constitute a distinct and separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 11. In the event any section, paragraph, subdivision, clause, phrase or provision of this Ordinance or of the Uniform Fire Code, 1973 Edition or any revision thereof adopted therein shall be adjudged invalid or held unconstitutional, the same shall not effect the validity of this Ordinance or of the Uniform Fire Code, 1973 Edition or any revision thereof, as a whole or any part or revision other than the part so decided to be invalid or unconstitutional.

SECTION 12. All Ordinances heretofore passed and approved by the City Council that are in conflict with this Ordinance are hereby repealed except the Ordinance

establishing the position of Fire Marshall and prescribing his duties therein and such Ordinance shall remain in full force and effect.

SECTION 13. The fact that the City of Addison's present Fire Code does not adequately and sufficiently provide minimum standards to safeguard life, health, property and public welfare creates an urgency and an emergency and in the preservation of public health, safety and welfare, requires that this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

Duly passed by the City Council of the City of Addison, Texas on this the 10th day of August, 1975.

APPROVED:

Jerry Redding

ATTESTED:

Joyce L Stevens
City Secretary

APPROVED AS TO FORM:

Robert L. McCall
Attorney