

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING VARIOUS SECTIONS OF CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; ADOPTING THE 2018 INTERNATIONAL FIRE CODE; ADOPTING APPENDIX D TO THE 2018 INTERNATIONAL FIRE CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Killeen, Texas is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

**WHEREAS** the City of Killeen desires to provide for the protection and welfare of the citizens of and visitors to the City of Killeen;

**WHEREAS** the City of Killeen desires to provide the most current life safety codes as standards for compliance;

**WHEREAS** the City of Killeen seeks to provide for the protection of the life and property located within its jurisdictional boundaries;

**WHEREAS** the City of Killeen seeks to exercise its lawful authority to enact all reasonable legislation for the promotion of public welfare including the preservation of health safety and convenience, **NOW THEREFORE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS:**

**SECTION I.** That Chapter 11, Article III and Article V of the City of Killeen Code of Ordinances are hereby amended to read as follows:

**Chapter 11 – FIRE PREVENTION AND PROTECTION**

**ARTICLE III – FIRE PREVENTION CODE**

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Sec. 11-61. - Adopted.

There is hereby adopted by the city for the purpose of prescribing regulations consistent with nationally recognized practices for the reasonable protection of life and property from the hazards of fire and explosion within the city, that certain code known as the International Fire Code, 2018 edition, together with Appendices B [Fire-Flow Requirements For Building], D [Fire Apparatus Access Roads], E [Hazard Categories], F [Hazard Ranking], G [Cryogenic Fluids - Weight and Volume Equivalents] thereto, save and except such portions as are hereinafter deleted, modified or amended. Such code shall be controlling within the limits of the city and shall become a part of this Code.

Sec. 11-62. - Amendments.

The fire prevention code adopted by this article is hereby amended and changed in the following respects:

- (1) Section 202 of the International Fire Code, 2018 Edition, is amended by adding the definition to read as follows:

" *Standby personnel* is qualified fire service personnel, approved by the fire chief. When utilized, the number required shall be as directed by the fire chief. Charges for utilization shall be as normally calculated by the jurisdiction."

- (2) Section 307.1 of the International Fire Code 2018 Edition, is amended to read as follows:

"A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and in accordance with this section. Burning shall be commenced and completed between 7:00 a.m. and 6:00 p.m. The fire department shall be notified before the fire is kindled and when the fire is exhausted or extinguished."

- (3) Section 307.2 of the International Fire Code, 2018 Edition, is amended to read as follows:

"307.2 *Permit required* . A permit shall be obtained from the code official in accordance with section 105.6 prior to kindling a fire for recognized land development or silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. A permit shall likewise be obtained prior to kindling a fire for land clearing, farming, or agricultural purposes, which shall be permitted only on tracts zoned and used A (agricultural) or A-R1 (agricultural single-family residential). Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled."

- (4) Section 307.4 of the International Fire Code, 2018 Edition, is amended to read as follows:

" 307.4 *Location* . The location for open burning shall not be less than 300 feet (91440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91440 mm) of any structure."

- (5) Section 503.1.1 of the International Fire Code, 2018 Edition, is amended by deleting the exceptions.
- (6) Section 503.2.1 of the International Fire Code, 2018 Edition, is amended to read as follows:
- " *503.2.1 Dimensions* . Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6,096 mm), except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 14 feet 0 inches (4,752 mm)."
- (7) Section 503.2.3 of the International Fire Code, 2018 Edition, is deleted in its entirety.
- (8) Section 507.5.1 of the International Fire Code, 2018 Edition, is amended to read as follows:
- " *507.5.1 Where required*. Fire hydrants and mains shall be provided where required by local ordinance."
- (9) Section 913 of the International Fire Code, 2018 Edition, is amended to read as follows:
- " *913 Fire pump system supervision*. The fire-pump system shall be supervised for 'loss of power,' 'phase reversal' and 'pump running' conditions by the supervisory signal on distinct circuits."
- (10) Section 5601.1.3 of the International Fire Code, 2018 Edition, is amended to read as follows:
- " *5601.1.3 Fireworks*. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.
- Exceptions:*
1. Storage and handling of fireworks as permitted in section 5604.
  2. Manufacture, assembly and testing of fireworks as permitted in section 5605.
  3. The use of fireworks for display as permitted by local ordinances."
- (11) Section 5608 of the International Fire Code, 2018 Edition, is amended by deleting sections 5608.2 through 5608.10 and amending section 5608.1 to read as follows:
- " *5608.1 General*. The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions shall comply with local ordinances and NFPA 1123 or NFPA 1126."

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ARTICLE V. - FIRE HYDRANTS AND FIRE LANES

Sec. 11-111. - Authority.

The location of fire hydrants and fire lanes shall be determined by the chief of the fire department or his designated representative, in conformity with the provisions of this article.

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Sec. 11-114. - Fire lanes—Location.

No building used for any purpose other than single-family or two-family dwellings shall be constructed so that any part of the perimeter of the structure is greater than one hundred fifty (150) feet from a public street or highway unless the owner constructs and maintains a fire lane having a minimum width of twenty (20) feet and a minimum height throughout of no less than fourteen (14) feet and terminating within one hundred fifty (150) feet from the farthest point of such structure.

Sec. 11-115. - Same—Restrictions.

- (a) Required fire lanes when not connected at both ends to a public street shall terminate in a turnaround having a minimum radius of fifty (50) feet or approved hammerheads as seen in the International Fire Code, 2018 edition Appendix D figure D103.1.
- (b) All required fire lanes shall be all-weather surfaced. For the purposes of this article, "all-weather surface" means asphalt or concrete.
- (c) Fire lanes shall be installed prior to the issuance of the certificate of occupancy.
- (d) All required fire lanes shall be approved by the fire marshal.
- (e) All required fire lanes shall not be used as loading zones.
- (f) There shall be no parking in any fire lane at any time.

**SECTION II.** That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION III.** That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

**SECTION IV.** That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION V.** That this ordinance shall be effective on January 1, 2019.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 27th day of November, 2018, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

**APPROVED**

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Jose L. Segarra, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

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Lucy C. Aldrich, CITY SECRETARY

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Kathryn H. Davis, CITY ATTORNEY