Chapter 9 - FIRE PREVENTION

Footnotes:  
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ARTICLE I. - IN GENERAL

Sec. 9-1. - International Fire Code—Adopted.

There is hereby adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain code known as the International Fire Code, 2015 Edition, including Appendix F, published by the International Code Council, save and except such portions as are deleted, modified, or amended by this article, of which a copy is on file with the city secretary and the Victoria Fire Department, and the International Fire Code, 2015 Edition, including Appendix F, H, I is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling within the limits of this city.

(Ord. No. 2011-23, § 1, 8-2-11; Ord. No. 2015-33, § 1(Att.), 12-8-15, 3-15, 21)

Sec. 9-2. - Same—Definitions.

(a) Whenever the words "fire code official" are used in the International Fire Code they shall be held to mean the Fire Marshal of the City of Victoria.

(b) Whenever the words "chief of the fire department" are used in the International Fire Code, they shall be held to mean the Chief of the Victoria Fire Department or that Chief's authorized representative.

(Ord. No. 2011-23, § 1, 8-2-11; Ord. No. 2015-33, § 1(Att.), 12-8-15, 3-15, 21)

Sec. 9-3. - Deletions to published code.

The following sections of the International Fire Code are hereby deleted:

Section 105.6.5 Aerosol Carnivals products and

Section 105.6.3 Aviation facilities

Section 105.6.4 Carbon dioxide systems used in beverage dispensing applications

Section 105.6.6 Cellulose nitrate film.
Section 105.6.7 Combustible dust-producing operations.

Section 105.6.8 Combustible fibers.

Section 105.6.9 Compressed gasses.

Section 105.6.10 Covered and open mall buildings.

Section 105.6.11 Cryogenic fluids.

Section 105.6.12 Dry cleaning.

Section 105.6.13 Exhibits and trade shows.

Section 105.6.14 Fire hydrants and valves.

Section 105.6.15 Flammable and combustible liquids.

Section 105.6.16 Floor finishing.

Section 105.6.17 Fruit and crop ripening.

Section 105.6.18 Fumigation and insecticidal fogging.

Section 105.6.19 Hazardous materials.

Section 105.6.20 HPM facilities.

Section 105.6.21 High-piled storage.

Section 105.6.22 Industrial ovens.

Section 105.6.23 Lumber yards and woodworking plants.

Section 105.6.24 LP-gas.

Section 105.6.25 Magnesium.

Section 105.6.26 Miscellaneous combustible storage.

Section 105.6.27 Motor fuel-dispensing facilities.

Section 105.6.28 Organic coatings: fire hydrants.

Section 105.6.29 Pyroxylin: Tire-rebuilding plastics: plants.

Section 105.6.30 Refrigeration: Wood: equipment: products.

Section 105.6.31 Sleep repair: Permit garages and motor fuel-dispensing facilities: Valuations.

Section 105.6.32 Rooftop heliports: Qualifications.

Section 105.6.33 Spraying Group or dipping.

Section 105.6.34 Waste Group handling: Condition 2.

Section 105.6.35 Wood Group products.

Section 5601.1.3 Fireworks Exception Items.
Sec. 9-4. - Amendments to the Fire Code.

The following sections of the International Fire Code are hereby amended as hereinafter indicated:

1. **Section 105.1 Title 61** These regulations shall be known as the Fire Code of the City of Victoria, hereinafter referred to include as "Exception: This floor cleaning appliances code."

2. **Section 105.6.34** to include "Exception: Places Creation of Worship agency. The Victoria Fire Marshal's Office is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code."

3. **Section 105.25 Hot Work Operations.** An operational permit is required for hot work including, but not limited to:
   1. Public exhibitions and demonstrations where hot work is conducted.
   2. Use of portable hot work equipment inside a structure.
      
      **Exception:** Work that is conducted under a construction permit.
   3. Fixed-site hot work equipment, such as welding booths.
   4. Hot work conducted within a wildfire risk area.
   5. Application of roof coverings with the use of an open-flame device.
      
      **Exception:** Work that is conducted under a construction permit.
   6. Where approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision.

   **Section 105.36** to include "Exception: Houses of Worship"

   **Section 105.38 Outdoor Assembly Event.** An operation permit is required to conduct an outdoor assembly event where planned attendance exceeds 1,000 persons.

   **Exceptions:**
   1. Parades
2. An athletic event in facilities designed for athletic events.

3. An event wholly contained on property specifically designed or suited for the event and which holds a certificate of occupancy for such use including adequate parking.

Section 105.5.39 to read "An operational permit is required to operate a bar, nightclub, drinking establishment, or similar business, regardless of its status with the Texas Alcoholic Beverage Commission.

Section 111.1.1 to read "The duties of the board of appeals may be delegated to the City of Victoria Board of Adjustments and Appeals."

Section 109.34 Violation Penalties is amended to read: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or a permit or certificate used under the provisions of this code shall be guilty of a Class C Misdemeanor and subjected to the penalties as defined in Section 1-8 of the Code of Ordinances of the City of Victoria.

Each day the transmission of a false or nuisance alarm is that a violation of continues this code. Due Facilities notice transmitting has more than two nuisance alarms within a 12 month period served shall be subject to deemed a $100 separate fee for each subsequent nuisance alarm. Individuals causing a false alarm shall be subject to the Violation penalties listed above, and/or any provisions listed in the Texas Penal Code offense.

Section 113.2 Issuance to read: "A stop work order shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent or to the person doing the work. If no one is present at the time of issuance, a stop work order shall be posted on the front entrance of the structure, or on the fire protection system where work shall stop. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume."

Section 26.114.5 Ambulatory Care of Facility Service. Such notice shall be deemed properly served where a copy thereof is served in accordance with one of the following methods. Buildings

1. A copy is delivered to the owner personally.

2. A copy is sent by certified or portions registered mail to provide the medical owner at the last known address with return receipt requested.

3. A copy is posted on or near the front door of the structure.

4. A copy is delivered in any other manner as prescribed by local law.

Section 307.1.1 Prohibited open burning. Open burning that is offensive or objectionable because of smoke
emissions or when atmospheric conditions or local circumstances make such fires hazardous.

**Exception**: (No change)

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**Section 307.2 Permit Required**. A permit shall be obtained from the fire code official in accordance with section 105.5 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, psychiatric, or control of disease or pests, or similar open care burning, or similar open care burning, or similar open care burning. Application for such approval shall only be presented by and permits issued to the owner of the land which the fire is to be kindled.

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**Section 307.4 Location**. The location for open burning shall not be less than 24-hour basis feet to 91440 persons rendered structure incapable of self-preservation not owned by the services applicant, provided and not less than 100 feet (30480 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15240 mm) of any structure. This group may include (No change)

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**Section 308.1.6.3 Sky Lanterns**. A person shall not release or cause to be released an unmanned free-floating device containing an open flame or other heat source, such as, but not limited to, the following: dialysis centers, sedation, dentistry, sky surgery centers, colonic centers, psychiatric centers, lantern.

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**Section 308.2 Permits required**. Permits shall be obtained from the fire code official in accordance with Section 105.5 prior to engaging in the following activities involving open flame, fire and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.

2. Use of open flame, fire or burning in connection with Group A or E occupancies.

**Exception (1)**. A permit is not required for the use of candles or incense in a house of worship.

**Exception (2)**. A permit is not required in occupancies in occupancies protected by an automatic sprinkler system.

3. Use or operation of torches or other devices, machines or processes liable to start or cause fire in a or on wildfire risk areas.

4. Preparation of flaming foods or beverages in places of assembly and drinking or dining establishments.

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**Section 311.5 Placards**. Any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards may be marked as required by Sections 311.5.1 through 311.5.5.

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**Section 319.4.1 Fire protection for cooking equipment**. Cooking equipment shall be protected by automatic fire extinguishing systems in accordance with Section 904.13. Existing mobile food preparation vehicles shall comply with
Section 505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches high with a minimum stroke width of 1 inch. Where required by the fire code official, address 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, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 609.3.3: Records. Records for inspections shall state the individual and company performing the inspection, a description of the inspection and when the inspection took place. Records for cleaning shall state the individual and company performing the cleaning and when the cleaning took place. Such records shall be completed after each inspection or cleaning and maintained. Inspection and cleaning reports shall be submitted to the fire code official using an approved method.

Section 903.2.7 Group M, Item An 4: An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group M occupancy fire area.

Exception: Buildings with up to four dwelling units.

Section 903.2.9.4 Group S-1 upholstered furniture and mattresses. An automatic sprinkler system shall be provided throughout a Group S-1 fire area where the area used for the display, storage or sale of upholstered furniture and/or mattresses exceeds 5,000 square feet (464 m²).

Exception (1): Self-service storage facilities not greater than one story above grade plane where all storage spaces can be accessed directly from the exterior.

Exception (2): Self-service storage facilities with fire areas not larger than 6,000 square feet.

Section 903.4.2 Alarms. An approved audible visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of an automatic sprinkler system shall actuate the building fire alarm system. Where a fire alarm system is not installed, an interior audible visual device shall be located inside the protected occupancy in an approved location. It is not the intent of this section to imply the audible/visual device(s) must comply with NFPA 72 or the Americans with Disabilities Act when the only requirement for audible visual devices is caused by this section.

Section 904.2.2 Commercial hood and duct systems. Each required new and existing commercial kitchen exhaust hood and duct system required by Section 606 to have a Type I hood shall be protected with an approved automatic fire-extinguishing system in accordance with this code.
The following requirements must be met by an applicant in order to obtain a permit approval of the fire code official for a fireworks display. The applicant shall furnish food preparation, permission where from approved, the listed property LP-gas owner commercial use for restaurants, mobile food preparation qualified vehicles, pyrotechnic technician in who will employ a sufficient amount of fire department staff to enforce Code, the fire International Mechanical for Code, public NFPA safety 58 during and the display Texas Railroad Commission Rules.

Exceptions:

1. The fire chief may approve the placement of aboveground or below ground containers for single family residential, multi-family residential or commercial occupancies on a case-by-case base provided the container and appurtenances are listed and installed in accordance with that listing and issues such as zoning and fire exposures are addressed adequately.

Appendices B, C and D are amended to provide that the provisions of said appendices are not mandatory, but may...
Sec. 9-5. - Arson and false fire alarm; reward for conviction.

(a) The mayor is hereby authorized to offer a standing reward of two hundred fifty dollars ($250.00), payable to any person furnishing information leading to the arrest and conviction of one or more persons guilty of arson in connection with any one fire, and when information is given by more than one person leading to the arrest and final conviction of any person guilty of arson, then the reward of two hundred fifty dollars ($250.00) will be prorated.

(b) No officer in the employ of the city, county or state, whose duty it is to detect violations of the law or make arrests in connection therewith, shall be entitled to any reward for information leading to the arrest or conviction of any person guilty of arson.

(c) The city does hereby offer a reward of one hundred dollars ($100.00) to be paid to any person furnishing information leading to the arrest and conviction of any person giving a false fire alarm, that is, giving an alarm of fire when there is no fire, falsely and maliciously, by any means whatsoever in the city, or making any attempt to commit such criminal act.

Sec. 9-6. - Opening, adjusting re hydrants.

No person other than an employee of the city or a duly authorized independent contractor of the city shall open, adjust or attempt to repair any fire hydrant within the city limits.

Exception: Utility and fire sprinkler contractors conducting flow tests, required inspections and tests.

Secs. 9-7, 9-8. - Reserved.

Sec. 9-9. - Additions to published code.

The following sections of the International Fire Code are hereby added:

1. Section 102.1.1 Reconstruction and remodel. A building that is being altered, remodeled or reconstructed where the cost of construction is equal to or greater than 50% of the assessed value of the structure, as determined by the Victoria County Appraisal District and invokes the Architect and Engineer Act, shall comply with Chapters 9 and 10 of this code.

2. Section 102.7.3 Alternative editions of referenced codes and standards. The fire code official is authorized to utilize more current editions of the referenced codes and standards.

   (2) Section 103.1.1 Enforcement of adopted codes shall be added to read: The City of Victoria hereby establishes a fire prevention division as described in Section 103 of the International Fire Code, 2015 edition. This division shall be referred to as the Fire Marshal’s Office. The Fire Marshal’s Office is charged with enforcement of the International Fire Code, as amended, as well as other ordinances and laws over which the Fire Marshal’s Office has responsibility. The Fire Marshal’s Office has the authority to enforce any life safety provision of the current adopted Building Code, Fuel Gas Code, Mechanical Code, Electrical Code, or Existing Building Code. Any interpretation of the
Building, Mechanical, Electrical, or Existing Building Codes are the sole responsibility of the Authority Having Jurisdiction over the code in question. Corrective notices, citations, or other corrective actions as allowed by law may be issued for violations of the reference codes.

Section 105.4 Revocation Item 8. The permittee failed to comply with applicable local and state rules, laws, and regulations.

Section 105.5.53 Day Cares. An operation permit is required for the operation of a child day care in a commercial or residential building.

Exception: Child day cares located in public or private school buildings.

Section 105.6.25 Electronic access control systems. Construction permits are required for the installation or modification of an electronic access control system, as specified in Chapter 10. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the electronic access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Section 105.6.27 Fuel-dispensing devices. A construction permit is required for the installation, modification or removal of a fuel dispensing device. Maintenance in accordance with this code does not consider a modification and does not require a permit.

Section 112.5 False or Nuisance Alarms. The transmission of a false or nuisance alarm is a violation of this code. Facilities transmitting more than two nuisance alarms within a 12-month period shall be subject to a $100.00 fee for each subsequent nuisance alarm. Individuals causing a false alarm shall be subject to the Violation penalties listed above, and/or any provisions listed in the Texas Penal Code.

Reserved.

Section 311.3.1 Securing and removing burned structure after fire is added to read: Whenever any structure in the City of Victoria is damaged or destroyed by fire, the owner thereof or the person in charge of or in control of the property shall secure the property to prevent unauthorized entry within ten (10) days after the fire, and shall remove from the premises all refuse, debris, charred lumber, destroyed or damaged portions of the structure and any materials damaged or destroyed by fire within ten (10) days after receipt of notice from the Fire Marshal's Office. It is a defense to prosecution under this section for failure to remove refuse, debris, charred lumber, damaged portions of the structure or any materials damaged or destroyed by fire that there is a need to preserve the scene for further investigation or evaluation.

Section 319.10.3.1 Fuel gas control valves. A shut off valve to the fuel gas system shall be located on the exterior of the mobile food preparation vehicle and between 3 feet and 6 feet above the ground. Shut off valves shall be clearly marked, unobstructed, and easily operated.

Section 503.2.5 Exception. The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where the building is equipped with an approved automatic sprinkler system installed in accordance with Section...
Section 503.3.1 Striping. Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six (6) inches in width to show the boundaries of the fire apparatus access road. The works "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four (4) inch white letters at 25 feet intervals on the red border markings along both sides of the fire apparatus access roads.

Section 901.6.6.2 Reports: Inspection, test and maintenance records shall be submitted to the fire code official using an approved method.

Section 907.5.2.4 Security Gates: Fire alarm systems within gated facilities shall be connected in such a manner that the powered and/or motorized security gate(s) at the main entrance open(s) upon fire alarm activation.

Section 912.2.3 Hydrant distance: An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

Section 1103.5.6 Monitoring. Existing automatic sprinkler systems shall be monitored in accordance with Section 903.4.1.

Section 1103.11.2 Existing spray commercial booths cooking and operations rooms. Existing commercial cooking operations producing grease laden vapors shall be protected by a Type I hood and an approved automatic fire extinguishing system in accordance with Section 2404.606.2. Automatic fire extinguishing systems shall be installed within 12 months of the adoption of this code.

Section 1103.11.4 Fire Protection. Existing new commercial and kitchen spray operations rooms shall be protected by an approved automatic fire extinguishing system in accordance with Section 2404.606.2. Automatic fire extinguishing
Section 3104 Reserved.

Section 5704.2.14.1 (7) Tanks shall not be dismantled or disassembled on site. Underground storage tanks for flammable or combustible products shall not be dismantled or disassembled on site. Underground storage tanks for flammable or combustible products shall be removed from the site prior to dismantling or disassembling and disposed of in accordance with Section 5704.2.14.2.

Section 6103.2.1.8 Jewelry repair, dental labs and similar occupancies. Where natural gas is not available, portable LP-gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 40-pound (18.0 kg) water capacity. Each container shall be separated from other containers by a distance of not less than 20 feet.

Secs. 9-10—9-19. - Reserved.

ARTICLE II. - RESERVED

Secs. 9-20—9-57. - Reserved.