

ORANGE COUNTY EMERGENCY SERVICES DISTRICT NO.1

ORDER NO. 03-19-2019-I

AN ORDER ADOPTING THE ORANGE COUNTY EMERGENCY SERVICES DISTRICT NO.1 FIRE CODE BY ADOPTING THE **2015 INTERNATIONAL FIRE CODE** AND CERTAIN AMENDMENTS THERETO; PROVIDING FOR FEES TO BE PAYABLE FOR PERMITS, APPROVALS, AND INSPECTIONS; REQUIRING A PERMIT OR APPROVAL FOR CERTAIN HAZARDOUS USES AND ACTIVITIES; PROVIDING FOR CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS; PROVIDING FOR ADMINISTRATION OF THE FIRE CODE AND AUTHORIZING THE FIRE CHIEF AND FIRE CHIEF'S DESIGNEES TO ADMINISTER AND ENFORCE THE CODE; AUTHORIZING ENTRY ONTO PROPERTY TO CONDUCT INSPECTIONS; AUTHORIZING STOP WORK ORDERS FOR WORK PERFORMED IN VIOLATION OF THE FIRE CODE; PROVIDING FOR APPOINTMENT OF AN APPELLATE BODY AND FOR APPEALS FROM DECISIONS OF THE FIRE CHIEF; PROVIDING FOR SEVERABILITY, CONFLICTS, AND EFFECTIVE DATE

WHEREAS, the Board of Emergency Services Commissioners ("Commissioners") of Orange County Emergency Services District No.1 ("District") are authorized, pursuant to Texas Health & Safety Code 775.036, and other applicable law, to adopt, amend, and enforce a Fire Code; and,

WHEREAS, the District has not previously adopted a Fire Code and amendments thereto; and,

WHEREAS, the Commissioners of the District desire and deem it appropriate to enact an order establishing the District's Fire Code and to provide for the Fire Code's enforcement to protect the health and safety of the District's residents and property owners and to prevent fires and medical emergencies;

It is, therefore, ORDAINED, RESOLVED AND ORDERED by the Board of Emergency Services Commissioners of Orange County Emergency Services District No.1 that;

The District hereby adopts the Fire Code of Orange County Emergency Services District No.1, as established, in its entirety to read as follows:

Section 1. Adoption of Fire Code.

- (a) Except within the corporate limits of any municipality located in the territory of the District that has adopted a fire code the following are adopted as the Fire Code of Orange County Emergency Services District No.1 in the State of Texas, regulating and governing the safeguarding of life and property from fire, medical, and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and provided below, providing for the issuance of permits and collection of fees therefore, and each of

all of the regulations, provisions, penalties. The conditions and terms of the Fire Code on file in the office of the Orange County Emergency Services District N. 1 are referred to, adopted and made a part hereof, as if fully set out in this Order, with the additions, insertions, deletions, and changes, if any prescribed in Section 2 of this Order.

(1) The **2015 International Fire Code** (the “IFC”), and appendices B,C,D,E,F,G,H,I,J,K and L, promulgated by the International Code Council, Inc.

(2) The 2015 International Building Code (the “IBC”) Chapters 3, 7, 8, 9 and 10, promulgated by the International Code Council, Inc., but only as necessary to interpret and enforce the Fire Code of the District.

(b) The remaining provisions of the Order, together with all provisions incorporated in this Order by reference constitute the Fire Code of the District (“Fire Code”). Pursuant to Texas Health and Safety Code Section 775.036, and other applicable law, and the District intends that this Order and the Fire Code do not conflict with any code adopted by the City of Vidor. To the extent of any conflict between this Order and the Fire Code and any fire code adopted by the City of Vidor, the fire code of the City of Vidor will prevail within its territorial limits and this Order and the Fire Code will prevail in any area of the District not within the territorial limits of the City of Vidor.

(c) This Order will, to the extent reasonable, be construed in a manner consistent with the IFC. If there is a conflict between this Order and the IFC, this Order prevails.

Section 2. Administration.

(a) The District’s Fire Chief is authorized to enforce this Order and the District’s Fire Code, to take all actions required or authorized in provisions incorporated in this Order by references, and to conduct all inspections, review all plans, and accept all applications for permits or approvals authorized or required by the terms of this Order.

(b) The Fire Chief shall submit monthly activity reports to the District, covering inspection, review, and enforcement activities conducted during the prior month. The Fire Chief shall keep an accurate account of all fees, fines, and other funds collected and received pursuant to this Order, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.

(c) The Fire Chief shall maintain any approved plans, specifications, and other reports required by this Order in the central offices of the District for a period of not less than five years following the date such document was submitted to the District or prepared by

the District, or as otherwise required by any statute law, rule, or regulation of the State of Texas or the District, as applicable.

- (d) The Fire Chief may provide for inspection and other activities necessary to carry out the intent of this Order or the Fire Code, including hiring employees, retaining contractors, or entering into any necessary agreements with any individual or entity to implement and enforce the Fire Code adopted and amended herein.
- (e) The Fire Chief is authorized to designate other assistants or agents to administer and enforce this Order and the Fire Code as required by this section and to take any action that the Fire Chief is authorized to take by this Order or the Fire Code.

Section 3. Right of Entry.

- (a) In addition to those rights and authority authorized under the 2015 IFC (Section 104.3), whenever necessary to make an inspection to enforce any of the provisions of this Order or the Fire Code for the prevention of fires and medical emergencies, or whenever the Fire Chief has reasonable cause to believe that there exists in any building or upon any premises any condition in violation of this Order or the Fire Code, the Fire Chief may enter such building or premises at all reasonable times to inspect same or to perform any duty imposed on the Fire Chief by the Fire Code; provided that if such building or premises is occupied, the Fire Chief shall first present proper credentials and request entry; and except during construction of the improvement to be inspected, if such building or premises are unoccupied, the Fire Chief shall make reasonable effort to locate the owner or other person(s) having charge or control of the building or premises and request entry. If such entry is refused, the Fire Chief shall recourse to every remedy provided by law to secure entry.
- (b) No owner or occupant or any other person having authority to control access to any building or premises shall fail or neglect, after request for entry is made to promptly permit entry therein by the Fire Chief for the purpose of inspection and examination pursuant to the Fire Code. The Fire Chief may take any action, at law or in equity, available under the Fire Code to enforce this section and any other applicable section as set forth herein or otherwise allowed under any applicable statute, law, rule, ordinance, or regulation.

Section 4. Stop Work Orders.

In addition to any rights, remedies or authority provided under this Order and the Fire Code, whenever any work or construction is being done contrary to the provisions of this Order and the Fire Code or without any permit or approval by the Fire Code, the Fire Chief may order the work

or construction stopped by written notice served on any person(s) engaged in performing or causing such work to be performed. Whenever work or construction is stopped in accordance with this Order and the Fire Code, a written notice to stop work issued by the District shall be posted on the property in a manner reasonably visible to any person that may perform any work on the property. All persons shall cease all work or construction on the property until authorized to proceed by the Fire Chief. Any person that fails to comply with a notice to stop work, or removes any notice to stop work from any property without permission of the Fire Chief is guilty of a Class C misdemeanor, as defined in 12.23, TEXAS PENAL CODE, or subject to civil penalties as provided for in this Order and Fire Code is specifically waived and plainly dispensed with as provided for in 6.02, Texas PENAL CODE, or other applicable law.

Section 5. Identification of District, Commissioners, and Appellate Body.

- (a) Whenever the terms “jurisdiction”, “authority having jurisdiction”, “department”, or “bureau of fire prevention”, or other such terms are used in the IFC, that term is reference to the District, as appropriate. All regulatory authority established by the provisions of the IFC incorporated in this Order is established for the District.

- (b) Any reference in the provisions of the IFC incorporated in this Order to the “executive body”, “governing body”, or other such terms, or a reference to “Commissioners” in this Order is a reference to the Board of Emergency Services Commissioners of the District.

- (c) Any reference in the provision of the IFC incorporated in this Order to the “board of appeals” or other appellate body established by the IFC is reference to the Board of Appeals of the District as established in this Order in Section 6, below.

Section 6. Board of Appeals.

Section 108 of the IFC is hereby deleted and the following provisions submitted in its place:

- (a) The Commissioners shall appoint by resolution three residents or owners of businesses in the territory of the District to serve as members of the Board of Appeals, to hear and decide appeals of orders, decisions, or determinations made by the Fire Chief relative to the application and interpretation of this Order and the Fire Code and/or decide the complaint of any person allegedly aggrieved by a decision of the Fire Chief regarding any request for a permit or approval, any decision to stop work, or stop use, and any decision to abate, repair, modify, rehabilitate, demolish, or remove an unsafe structure or premises. All members of the Board of Appeals must be present for a quorum. Any Commissioner may serve as a member of the Board of Appeals. Members of the Board of Appeals serve and hold office at the Commissioner’s pleasure, and such members may not be employees of the District.

- (b) The Board of Appeals shall hear the timely appeal of any decision of the Fire Chief. A request to appeal such a decision shall be submitted in writing addressed to the President of the District and delivered to the District's central administrative offices not more than thirty days after the date of the decision or action that is subject of the appeal. A request to appeal shall include the appellant's mailing address, and telephone number, and the address of the property subject to the appeal for the purpose of receiving notice of a hearing on the appeal. A request of appeal does not stay the decision or action from which the appeal is taken.

- (c) If the Commissioners have not appointed a Board of Appeals, the Commissioners shall appoint an appellate panel to serve as the Board of Appeals and hear an appeal at its next regularly scheduled meeting held not less than five days and not later than 21 days following the meeting of the Commissioners at which the Board of Appeals is appointed to hear the appeal. If no meeting of the Commissioners occurs during the period of time after the request for appeal is submitted as required by this subsection, the President of the Commissioners shall appoint an appeal panel to serve as the Board of Appeals and hear the appeal and shall schedule the appeal hearing. The appointment of the Board of Appeals under this subsection may include alternate appointments in the event that one or more of the appointees are unable to serve at the place and time scheduled for the appeal hearing.

- (d) Except as otherwise provided, the Commissioners, or the President of the Board of Emergency Services Commissioners, as applicable, shall serve written notice of the date, time, and place of the appeal hearing on the appellant not less than 10 days prior to the date of the hearing.

- (e) An appellant may present evidence in support of the appeal and cross-examine opposing witnesses. The Fire Chief may present evidence in support of such decision or action and cross-examine witnesses. The Board of Appeals shall make all determinations regarding the admissibility of evidence and credibility of witnesses and may make reasonable rulings regarding the conduct of the hearing and the manner that evidence is presented. The Board of Appeals may be assisted by legal counsel for the District in making evidentiary rulings and determining reasonable procedures for conduct of the hearing.

- (f) The Board of Appeals may affirm, reverse, or modify the decision from which an appeal is taken. The decision of the majority of the Board of Appeals is the decision of the Board of Appeals. The Board of Appeals may reverse a decision only if, in the opinion of the majority: (a) the decision appealed is manifestly unjust; or (b) special circumstances

make strict application of the rule that is the basis of the original decision impractical and the reversal of the decision is in conformity with the intent and purpose of this Order and the Fire Code; and such reversal would not result in a greater threat of danger to the life or safety. A request to appeal shall be based on a claim that the intent of this Order, the Fire Code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this Order or the Fire Code do not fully apply, or an equivalent method or protection of protection or safety is proposed. The Board of Appeals has no authority to waive the requirements of this Order or the Fire Code.

- (g) If the Fire Chief determines in a written order served on the owner of property that a structure constitutes an imminent threat to the life or safety of any persons, the Fire Chief may require the demolition or removal of such structure no later than ten days following the date notice of the order is served on the owner of the affected property. The owner may request an emergency appeal of the order in writing delivered to the central administration office of the District at any time prior to the expiration of such ten-day period. In such event, the President of the Commissioners may appoint an appellate panel to serve on a Board of Appeals and schedule a hearing of such appeal as soon as practicable and serve notice of the time, date, and place of the hearing on the owner not less than two days prior to the date of the hearing.

Section 7. Permits and Fees.

The fees applicable for permits, approvals, and inspections shall be established from time to time by the Commissioners by resolution therefore. The District may require an owner or agent who applies to the District for any permits, approvals, or inspections to pay any additional costs related to any review of said permits, approvals, or inspections by third parties or otherwise.

Section 8. Penalties.

- (a) A violation of any provision of this Order or the Fire Code is a Class C misdemeanor punishable by a fine of \$500.00 as set forth in 12.23, TEXAS PENAL CODE. A separate violation occurs each day that a violation of this Order or Fire Code continues. A culpable mental state for any criminal offenses set forth in this Order and the Fire Code is specifically waived and plainly dispensed with as provided for in 6.02 TEXAS PENAL CODE. Or other applicable law.
- (b) In addition to the criminal enforcement provisions of this section, the District may bring a civil action for the enforcement of this Order or the Fire Code in any court of competent jurisdiction to enjoin any violation of this Order or Fire Code or to impose a civil penalty in an amount of \$500.00 per day that a violation of this Order or the Fire Code continues. A separate violation occurs each day that a violation of this Order or the Fire Code continues.

Section 9. Amendments to the International Fire Code.

The following sections are hereby amended as follows:

- (1) **Section 101.1 Title.** These regulations shall be known as the Fire Code of Orange County Emergency Services District No. 1, hereinafter referred to as “this code”.
- (2) **Section 104.1. Enforcement.** The Fire Chief, or a designee, is hereby authorized to issue noticed of violations of and enforce this code.
- (3) **Section 104.7.2 Plan review.** This fire code official is authorized to require the owner or agent to provide, without charge to the jurisdiction and at the sole cost and expense of the owner or agent, a third-party review for permits, approvals, inspections, or plans submitted to the District for approval. Any third-party review required by the District shall be conducted by an individual or entity of the Fire Code Official’s choice.
- (4) **Section 105.3.3 Occupancy prohibited before permit approval.** The building or structure shall not be occupied prior to the Fire Code Official issuing a permit that indicates that applicable provisions of this code have been met for any new structure or change in an existing occupancy or use of the occupancy.
- (5) **Section 108 Board of Appeals.** This section is deleted in its entirety, and Section 6 above is substituted in its place.
- (6) **Section 109.4 Violation penalties.** This section is deleted in its entirety, and Section 8 above is substituted in its place.
- (7) **Section 111.4. Failure to comply.** This section is deleted in its entirety, and section 4 above is substituted in its place.
- (8) **Section 307.2.1 Authorization.** All outdoor burning shall be done in accordance with Texas Outdoor Burning Rule, Title 30 Texas Administrative Code (30 TAC) Sections 111.201-111.221. If a conflict should arise between this code and the Texas Outdoor Burning Rule, Title 30 Texas Administrative Code (30 TAC) Sections 111.201-111.221, then the more stringent rule shall apply. Open burning within the District as described above that is to be intended for residential maintenance and is to be natural vegetation from the specific site. The burning of domestic waste is specifically

excluded from this code in the unincorporated areas of Orange County Emergency Services District No. 1.

- (9) **Section 308.1.4 Open-flame cooking devices.** Charcoal burners and other flame-cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction. Such cooking devices shall not be stored on combustible balconies.

This provision does not apply to one-and-two family dwellings.

- (10) **Section 311.2.2 Fire Protection.** Fire alarm, sprinkler, and standpipe systems shall be maintained in an operable condition at all times. Any impairment or malfunction of the fire alarm, sprinkler, or standpipe system shall be reported immediately to the District.

- (11) **Section 403.1.1 Public Safety Plan.** The Fire Code Official is authorized to require an approved public safety plan where the Fire Code Official determines that an indoor or outdoor gathering of persons may have an adverse impact on public safety. An adverse impact may be caused by diminished access to buildings, structures, fire hydrants, fire apparatus access roads or an event which adversely affects delivery of public safety at any kind.

- (12) **Section 503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 25 feet, face-of-curb, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

Widths less than 25 feet may be approved by the Fire Chief in special circumstances, provided that a reduced width fire apparatus access road has markings and signage as required by **Section D103.6.1** related to roads 25 to 31 feet in width.

- (13) **Section 503.6 Security gates.** The installation of security gates across a fire apparatus road must 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, key box, or similar access device. The security gates and emergency operation shall be maintained at all times. A single gate serving two-way traffic shall be at least 25 feet in clear open width. When two gates are installed and each only serves one direction

of travel, they shall be at least 15 feet in clear open width each. This provision pertains and applies to new and existing gates. 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.

- (14) **Section 505.1 Address identification.** New 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, Address numbers shall be a minimum of 6 inches high with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building is located more than 150 feet from the public street or road, the address number shall be posted at the street entrance by a monument, pole, or other sign or means.
- (15) **Section 506.1.1 Locks.** An approved Knox Box padlock shall be installed on gates or similar barriers when required by the Fire Code Official.
- (16) **Section 506.3 Document vaults.** Where a building or occupancy contains an occupancy or business that is required to maintain Safety Data Sheets (SDS). A lock box or key box document vault shall be installed in an accessible location approved by the Fire Code Official. The document vault shall contain copies of the Safety Data Sheets (SDS) that are required to be on file within the building or occupancy as well as a floor plan or written description that indicates the location of the general area where these materials will be found within the building or occupancy.
- The Fire Code Official may authorize the Safety Data Sheets (SDS) information to be stored on a thumb-drive or similar electronic data storage device and placed inside the Knox Box key box, but such device must be protected from any elements that may enter the key box.
- (17) **Section 506.4 Security Caps.** When a building is protected by an automatic sprinkler system or standpipe system and the fire department connection is exposed to undue vandalism the Fire Code Official shall require that a Fire Department Connection Security Cap(s) be installed. The Fire Department Connection Security Cap(s) shall be of a type approved by the Fire Code Official.

- (18) **Section 507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more 300 feet (91.5m) 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 hydrant and mains be provided where required by the Fire Code Official.

For Group R-3 and Group U occupancies, the distance requirement shall be 500 feet (153m).

- (19) **Section 507.5.1.1 Hydrant for any fire department connection.** Buildings equipped with any fire department connections system installed in accordance with Section 903 and Section 905 shall have a fire hydrant within 100 feet (30.48m) of the fire department connection. The distance may exceed 100 feet (30.48m) where approved by the Fire Code Official.

- (20) **Section 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.

- (21) **Section 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 an 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-resistant-rated assembly. Fire pump and automatic sprinkler riser rooms shall be provided with a door(s) and an unobstructed passageway large enough to allow removal of the largest piece of equipment.

- (22) **Section 903.2.8 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area, including the attic, except those classified as Group R-3.

- (23) **Section 903.3.1.3 NFPA 13D sprinkler systems.** This section is deleted from this code as it related to 1 and 2 family dwellings.
- (24) **Section 903.2.8.5 Townhomes.** An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in townhomes. In the event of a common attic for the townhomes, an automatic sprinkler system shall be installed.
- (25) **Section 906.1 Where required.** Portable fire extinguishers shall be installed in the following locations.
1. In all new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.
 2. Within 30 feet (9144mm) of commercial cooking equipment.
 3. In areas where flammable or combustible liquids are stored, used or dispensed.
 4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3315.1.
 5. Where required by the sections indicated in Table 906.1.
 6. Special-hazard areas, including but not limited to, laboratories, computer rooms and generator rooms, where required by the Fire Code Official.
- (26) **Section 1009.1 Accessible means of egress required.** Accessible means of egress shall comply with both this section and the *Architectural Barrier Act of the Texas Civil Statutes (Texas Accessibility Standards or TAS)*. The Fire Code Official may require the owner, applicant, or agent to provide a technical report from a qualified person certifying TAS compliance. Accessible space 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.
- (27) **Section 2305.5 Fire Extinguishers.** Approved portable fire extinguishers complying with Section 906 with a minimum rating of 4-A:40-B:C shall be provided and located such that an extinguisher is not more than 75 feet (22860mm) from pumps, dispensers or storage tank fill-pipe openings.
- (28) **Section 5706.2.7 Portable Fire Extinguishers.** Portable fire extinguishers with a minimum rating of 4-A:40-B:C and complying with Section 906 shall be provided where required by the Fire Code Official.

- (29) **Section B105.1 One-and two-family dwelling, 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 and flow duration for dwellings having a fire-flow calculation in excess of 3,600 square feet shall not be less than the flow specified in Table B105.1(2).

The Fire Code Official may approve a reduction in required fire-flow when the building is equipped with an approved automatic fire sprinkler system. The Fire Code Official may determine the amount of fire-flow reduction permitted.

- (30) **Section B105.2 Building other than one- and two-family dwelling, Group R-3 and R-4 building and townhouses.** The minimum fire-flow and flow duration requirements for building 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).

The Fire Code Official may approve a reduction in required fire-flow of not less than 1500 GPM when a building is equipped with an approved automatic fire sprinkler system.

- (31) **Section C103.1 Hydrant Spacing.** Where required by Section 507.5.1, a minimum of one (1) hydrant shall be provided within 300 feet of all portions of exterior walls (first floor), and a second hydrant provided within 500 feet of all portions of exterior walls (first floor). This measurement is taken around the perimeter of the building and down the access road to the hydrant (MEASUREMENT NOT TAKEN AS S RADIUS).

The Fire Code Official may accept a deficiency of up to 10 percent where existing fire hydrants provided all or a portion of the required fire hydrant service.

Regardless of the average spacing, fire hydrant shall be located such that all points on streets and access roads adjacent to a building are within the distance listed in Table C105.1.

- (32) **Section C105.2 Installation.** Fire hydrants must be installed with the center of the 4.5" NST steamer opening at least 18 inches above finished grade. The 4.5" NST opening must face the driveway or street and must be totally unobstructed to the street. Fire hydrant design shall two-2.5" NST outlets, one-4.5" NST outlet. Set back

from the face of the hydrant to back of the curb be in accordance with local Standard except

Except that on private property, set back shall be three to six feet to avoid vehicular damage, unless specifically approved by the Fire Chief.

- (33) **Section D103.3 Turning radius.** Fire apparatus access roadways shall be designed with an appropriate 25 foot inside turning and a 50 foot outside turning radius at turns to accommodate any operational fire department apparatus.

A radius of less than 25 feet inside or 50 feet outside may be approved by the Fire Code Official in special circumstances.

- (34) **Section D 103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with Section 503.6.
- (35) **Section D103.6 Markings and signs.** Where required by the Fire Code Official, fire apparatus access roads shall be marked as follows:

Where curb and guttering exists, all curbs of fire apparatus access roads shall be painted red and be conspicuously and legibly marked with the warning **FIRE LANE-TOW AWAY ZONE** in white letters at least three inches tall, at intervals not exceeding 35 feet. Where no curb and guttering exists, fire apparatus access roads shall be marked with permanent **FIRE LANE-TOW AWAY ZONE** signs at intervals not exceeding 50 feet. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a reflective background. Signs shall be posted on one side or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.



- (36) **D103.6.1 Roads 25 to 31 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 25 to 31 feet wide.

- (37) **D103.6.1 Roads more than 31 feet and less than 36 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on one side of the fire apparatus access roads more than 31 feet wide and less than 36 feet in width.
- (38) **Section L101.2 Required Location.** In new buildings, fill stations shall be required when any of the following conditions occur:
1. Any new building 5 or more stories in height.
 2. Any new building with 2 or more floors below grade.
 3. Any new building 500,000 square feet or more in size.

Section 10. References to Other Codes.

The District shall not have a building official or separate code regulating the construction of buildings, including but not limited to separate building code, mechanical code, plumbing code, or electrical code, except as expressly incorporated by the terms of this Order or the Fire Code and necessary for the proper interpretation or enforcement of this Order and the Fire Code. Only parts of other International Codes that relate to fire safety are incorporated in this Order and the Fire Code. Any provision in the IFC or other provision incorporated in this Order or the Fire Code by reference that refers to any act to be referred to or conducted by a building official shall be disregarded as though such referenced to or conducted by a building official shall be disregarded as though such reference were deleted and all other parts of the affected sentence, section, article, or chapter remained in force and effective. Any reference in the IFC (or other provision incorporated in this Order or the Fire Code) to compliance in a manner provided in a building code, electrical code, plumbing code, or mechanical code shall be disregarded except to the extent that the provision of such other code is incorporated in this Order or the Fire Code by reference and to allow for the proper interpretation and enforcement of this Order and the Fire Code. The disregard of the manner of compliance does not otherwise affect the requirement to comply with other applicable codes [provided however that if a provision refers to compliance with the term of any such other code that is not incorporated in this Order or the Fire Code by reference, as opposed to compliance in a manner provided in the other code, the requirement of compliance shall be disregarded altogether]. If the disregard of any reference results in unusual syntax or sentence structure of the remainder of the affected provision, a reasonable interpretation shall be given to the remainder, in light of the intent and purpose of this Order and the Fire Code and the authority of the District.

Section 11. Conflicts.

All orders that are in conflict with the provisions of this Order or the Fire Code are hereby repealed, except as necessary to continue with any suit, proceeding, or enforcement of violations of the previous Fire Code of the District currently pending at the time of the adoption of this Order, and such orders shall remain in full force and effect during the pendency of any such suit, proceeding, or enforcement action by the District or as otherwise terminated by applicable law,

nor shall any equitable or legal right or remedy of the District of any kind be lost, impaired, or affected by this Order. All other orders of Orange County Emergency Services District No.1 not in conflict with the provisions of this Order and the Fire Code remain in full force and effect.

Section 12. Severability.

Should any portion or part of this Order and the Fire Code be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.

Section 13. Maintenance of Order and Previous Orders.

A copy of this Order and the Fire Code and any necessary previous necessary for the continued enforcement of the Fire Code of the District shall be maintained at the central administrative offices of the District for inspection and use by interested persons. The District shall inform any person inquiring where copies of the 2015 International Fire Code or other applicable International Fire Code may be purchased from the publisher thereof.

Section 14. Notice/Notification.

The Fire Chief shall provide notice or publication of this Order and the Fire Code as required by applicable law, if any, and maintain proof thereof in the records of the District.

Section 15. Effective date.

This order will become effective upon its passage by the Commissioners of the District.

PASSED AND APPROVED THIS 16 DAY OF April, 2019.

ORANGE COUNTY EMERGENCY SERVICES
DISTRICT NO.1

By: Wyatt Boyett

Wyatt Boyett, President

ATTEST:

Rose Luce

Rose Luce, Secretary