

ORDINANCE NO. 2014-010

AN ORDINANCE AMENDING TITLE XV (LAND USAGE) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES AND SUPPLEMENTING THE STANDARDS OF THE FIRE CODE AS ADOPTED BY THE CITY IN ITS BUILDING REGULATIONS, AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, A SAVINGS AND SEVERABILITY CLAUSE, AN EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Wimberley, Texas (the “City”) seeks to provide for the health, safety and welfare of its citizens; and

WHEREAS, the City Council of the City of Wimberley (“City Council”) is aware of the present or potential inability of sources of its public water supply to provide fire flows sufficient to meet the standards contained in the International Fire Code; and

WHEREAS, the City Council desires to adopt reasonable standards to allow for the present development within the City while preserving the opportunity to fully meet the standards of the International Fire Code in the future.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, HAYS COUNTY, TEXAS

Section 1. Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. Amendment. Title XV (Land Usage), Chapter 151 (Building Regulations; Construction), Section 151.80 (International Building Code; International Residential Code; Augmenting Codes) Subsection (B) (Adoption of International Fire Code), of the City of Wimberley Code of Ordinances is hereby amended to read as follows:

“(B) *Adoption of International Fire Code.* That a certain document, 3 copies of which are on file in the office of the Mayor of the Village of Wimberley, being marked and designated as the International Fire Code, 2003 edition, as it may be amended from time to time, as published by the International Code Council, is hereby adopted as the Fire Code of the village, in the State of Texas regulating and governing the safeguarding of life and property from fire 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 premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said International Fire Code on file in the office of the village, as it may be amended from time to time, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this section, including as follows:

508.3.1 Inadequate water supplies:

- 508.3.1.1 Where the existing water supply system cannot reasonably be made to provide a fire flow in accordance with a nationally recognized standard, a fire sprinkler system installed in accordance with Sections 903.3 through 903.5 of this Code shall reduce the required fire flow to that of the fire sprinkler demand plus 250 gpm.
- 508.3.1.2 Where the existing water supply system cannot reasonably be made to provide a fire flow required by section 508.3.1.1 herein, a water supply compliant with NFPA 1142 shall be permitted.
- 508.3.1.3 The developer shall provide documentation that the system cannot reasonably be made to provide the required flow.
- 508.3.1.4 Reasonableness shall be determined by the Building Code Board of Review as established in Section 150.01 of this Code.
- 508.3.1.5 All existing fire hydrants in the area will be painted black; however, the bonnets will be painted to correspond to the tested pressure.
- 508.3.1.6 All water supply infrastructure extended to the area (new construction) will be designed and installed to the requirements of NFPA 24. Underground piping shall be sized assuming future attachment of fire hydrants.
- 508.3.1.7 All new connections to the water supply provided (NFPA 1142) shall be a flush valve or dry hydrant type connection.”

Section 3. Except as expressly amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

Section 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

Section 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public

notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Tex. Loc. Gov't. Code.

PASSED AND APPROVED this 1st day of May, 2014, by a vote of 5 (Ayes) to 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY, TEXAS

Bob Flocke

Bob Flocke, Mayor

ATTEST:

Cara McPartland
Cara McPartland, City Secretary

APPROVED AS TO FORM:

Catherine A. Inge
City Attorney

