



**Kerrville Fire Marshal**  
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## **Section 1**

### **General Information**

#### ***International Fire Code***

Kerrville City Ordinance No. 2007– 50 adopted and amended the *International Fire Code*, 2006 edition. Chapter 45 of the 2006 *IFC* also references specific standards which shall be considered part of the requirements of the code. Copies of the *International Fire Code*, 2006 edition shall be available in the Department of Development Services and the City Clerk's office.

#### **Amendments to the *International Fire Code*, 2006 edition.**

### **ARTICLE I. - IN GENERAL**

#### **Sec. 50-6. – International Fire Code**

- a. *Adoption.* The *International Fire Code*, 2006 edition ("IFC"), including appendices "B" through "G," with amendments as set out in subsection 50-6(b) is adopted. Copies of the "IFC" shall be available in the department of development services and the city clerk's office.
- b. *Amendments to the International Fire Code.* The international fire code is amended as follows:
  1. Section 103 is amended with respect to the following terms:

All references to the "Department of fire Prevention" within the *IFC* shall refer to the Fire Marshal's Office of the Kerrville Fire Department.

All references to the "Fire Code Official" shall refer to the Fire Chief or designee.
  2. Section 105.6.27 is amended in its entirety to provide as follows:

*105.6.27 LP-Gas.* An operational permit from the city is required for:
    - a. Storage and use of LP-Gas
    - b. Operation of cargo tanker that transport LP-Gas.
3. *Section 105.6.30 Outdoor burning.* The following provisions are applicable to open burning within the city:
  - a. *Adoption of Texas Administrative Code Regarding Outdoor Burning.*

The city hereby adopts the outdoor burning rules as outlined in the *Texas Administrative Code*, Title 30, Part I, Chapter 111, Subchapter B, and as may be amended. If a conflict occurs between the *Texas Administrative Code* and this section, the most stringent provision shall prevail.
  - b. *Outdoor burning prohibited.* Outdoor burning of any kind is prohibited, except where such burning is authorized pursuant to an exception as specified below or, by a permit issued by the city. This prohibition includes the burning of household trash, furniture, electrical insulation, treated and untreated lumber, plastic, non-wood construction/demolition materials, heavy oils, asphaltic materials, chemical wastes, natural or synthetic rubbers, garbage in any form or municipal solid waste, including grass, leaves and branch trimmings.
  - c. *Outdoor disposal or deposits of ignitable material prohibited.* The outdoor disposal or disposition of any material capable of igniting spontaneously, with the exception of solid fossil fuels, is prohibited.
  - d. *Exceptions.* Outdoor burning may be authorized under the following exceptions and where applicable, pursuant to a permit issued by the city:

- i. *Fire training.* Outdoor burning shall be authorized for training fire-fighting personnel. Facilities dedicated solely for fire-fighting training shall provide an annual written notification of intent to the fire marshal and the Texas Commission on environmental quality (“TCEQ”), and shall provide each with a telephone or electronic facsimile notice at least 24 hours in advance of any scheduled training session. No more than one such notification is required for multiple training sessions scheduled within any one-week period, provided the initial notice includes the specific dates and times of all sessions.
- ii. *Outdoor fires for noncommercial food preparation.* Outdoor fires are allowed for cooking, provided such fire is built and maintained in a pit that fully contains the fire, or a fireproof container such as a barbeque pit or chimenea, made of brick, stone, metal or other fireproof material in such a manner as to prevent any fire from escaping. Outdoor fires for noncommercial food preparation do not require a burn permit. This exception does not permit or authorize the burning of waste or other matters not being prepared for consumption.
- iii. *Fires used for recreation and ceremony.* Outdoor burning may be authorized for fires used solely for recreational or ceremonial purposes pursuant to the issuance of a city permit.
- iv. *Disposal fires.* The city may authorize outdoor burning for the following purposes and pursuant to a city-issued permit:
  - A. Diseased animal carcass where burning is the most effective means of controlling the spread of disease.
  - B. On-site burning of trees, brush, and other plant growth for right-of-way maintenance, land clearing operations, and maintenance along water canals when a practical alternative to burning does not exist and when materials are generated only from that property. Sensitive receptors (neighboring properties, persons, animals) must not be negatively affected by the burn. For a single project entailing multiple days of burning, an initial notice delineating the scope of the burn is sufficient if the scope does not constitute circumvention of the rule for a continual burning situation.
  - C. Crop residual burning for agriculture maintenance purposes where no practical alternative exist. Structures containing sensitive receptors must not be negatively affected by the burn.
  - D. Brush trees and other plant growth causing a detrimental public health and safety condition may be burned by a local government at a site it owns upon receiving approval from the fire marshal. Such a burn shall only be authorized where there is no practical alternative, and it may be done no more frequently than once every two months. Such burning is prohibited at the municipal solid waste landfill.
- v. *Prescribed burn.* The city may authorize outdoor burning for prescribed burning for forest, range, and wildland/wildlife management purposes pursuant to the issuance of a city permit. Such burning is prohibited where the fire marshal determines that the burning will have an adverse effect on any building or structure. In addition, the fire marshal may revoke the authority to burn at any time if the burning causes nuisance conditions, is not conducted in accordance with the specified conditions, violates any provision of an applicable permit, or causes a violation of any air quality standard.
- vi. *Hydrocarbon burning.* The city may authorize outdoor burning for hydrocarbon burning from pipeline breaks and oil spills only upon proper notification to TCEQ and after the fire marshal has determined that the burning is necessary to protect the public health, safety, and welfare. Sampling and monitoring may be required to determine and evaluate environmental impacts.
- vii. *Other necessary burning.* If not otherwise authorized by this Section, outdoor burning may be authorized by city permit if there is no practical alternative and if the burning will not cause or contribute to a nuisance, traffic hazard or to a violation of any federal or state primary or secondary ambient air standard. The fire marshal may specify procedures or methods to control or abate emissions from outdoor burning authorized pursuant to this rule. The fire marshal may revoke the authority to burn at any time if the burning causes nuisance conditions, is not conducted in accordance with the

- specified conditions, violates any provision of an applicable permit, or causes a violation of any air quality standard.
- e. *Revocation of permit or authority to burn.* The fire marshal is authorized to revoke any person's or entity's right to conduct an outdoor burn, and to pursue any legal recourse against the person or entity, if the fire marshal determines that federal or state law, this Section, or a permit was violated.
  - f. Requirements and procedures for obtaining outdoor burning permit.
    - i. Application for a "Permit to Burn" shall be made to the fire marshal in writing by the owner, operator, or other person in control of the property upon which the burning is to occur. The application shall be on a form provided by the fire marshal's office.
    - ii. The permit shall be effective for the specific time period indicated on the permit.
    - iii. The permit is effective only if the burn is conducted in strict compliance with and under the conditions specified in the permit.
    - iv. Applicant shall obtain final approval to burn from the fire marshal's office immediately prior to the start of burning, and at the beginning of each day upon which burning is to take place, to ensure that weather conditions are and will remain conducive to the type of burning authorized by the permit.
    - v. The fire marshal may void a permit in any instance where the fire marshal determines, in his sole discretion, that conditions have changed to the extent that the burn is no longer safe and poses a risk to the public health, safety, and welfare.
  - g. *Fee for permit.* The fees for all permits under this Section shall be as established by the city council.
  - h. *General requirements for burning.* Outdoor burning which is otherwise authorized shall also be subject to the following requirements:
    - i. Burning is permitted only when wind direction and other meteorological conditions are such that smoke and other pollutants will not present a hazard to any public road, landing strip, navigable water, or have a negative effect on any building, structure, or sensitive receptor.
    - ii. If at any time the burning causes or may tend to cause smoke to blow onto or across a street, road, highway, it is the responsibility of the person initiating the burn to post flag-persons on affected roads.
    - iii. Fires shall be maintained at least 300 feet from any neighboring structure or sensitive receptors, unless prior written approval is obtained from the adjacent occupant with possessory control and such approval is submitted to the fire marshal prior to the burn.
    - iv. Burning shall be conducted in compliance with the following meteorological and timing considerations:
      - A. The burning shall commence no earlier than 9:00 a.m. Burning shall be completed on the same day not later than one hour before sunset, and shall be monitored by a responsible party at all times during the active burn phase when the fire is progressing. In cases where residual fires and/or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time.
      - B. In cases where fires will occur over more than one day pursuant to a permit, the permittee or designee shall contact the fire marshal's office each day of continued burning prior to the fire being lit, to determine whether and under what conditions burning will be allowed on that day.
      - C. Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour or greater than 12 miles per hour during the burn period.
      - D. Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions.
      - E. The permittee or designee shall be present at all times when a burn is active. Such person shall have a water hose connected to a reliable water supply or have other appropriate fire extinguishing equipment (bulldozer, water tankers) readily available for use.

- F. In order to allow time for the extinguishments of a fire, no new material shall be added to the burning pile after 3:00 p.m.
  - G. Any residual fires and/or smoldering objects that continue to emit smoke shall be extinguished each day at the end of the burn.
  - H. Only brush/vegetation generated and gathered from the burn site area shall be permitted. There shall be no importation of brush from any other properties for the purpose of burning.
    - i. *Responsibility for consequences of outdoor burning.* The authority to conduct outdoor burning under this Section does not exempt or excuse any person responsible from the consequences, damages, or injuries resulting from the burning, and does not exempt or excuse anyone from complying with all other applicable laws or ordinances, regulations and orders of governmental entities having jurisdiction, even though the burning is otherwise conducted in compliance with this Section. Further, each permittee assumes all liability and responsibility for all damages to all persons or property caused by burning hereunder.
4. Section 108.1 is amended in its entirety to provide as follows:
- 108.1 Appeals.* Appeals of orders, decisions, or determinations made by the Fire Marshal in interpreting or applying the IFC shall be to the Building Board Of Adjustments And Appeals ("Board") for the City, with an appeal from this Board to City Council. If the Board does not convene to hear an appeal within the (10) business days after the City's receipt of the written appeal, the application for appeal shall be submitted to City Council for final action. The Board may obtain the assistance of persons who are qualified by experience and training on a particular subject under consideration. The Board may adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with duplicate copy delivered to the Fire Marshal.
5. Section 307.4 is deleted
6. Section 308 is amended to add the following new section:
- 308.1.1 Commercial barbeques.* A permit from the city shall be required to install or utilize a barbeque pit for commercial purposes.
7. Section 503.3 is amended in its entirety to provide as follows:
- 503.3 Marking.* Where the fire marshal requires approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and replaced or repaired when necessary to provide adequate visibility.
- Whenever any provision regarding the regulation of fire lanes contained in the IFC is in conflict with the provisions of this subsection, the provisions of this subsection shall govern.
- The owner, manager, or person in charge of any new or existing building or property for which fire lanes have been approved or required by the fire marshal shall mark and maintain said fire lanes as follows:
- a. Fire lanes shall not be located immediately adjacent to a structure if other possible locations exist that are not immediately adjacent but close enough to give sufficient access to at least three sides of the structure. The minimum corner radius on the turns shall be 25 feet on the inside and 50 feet on the outside.
  - b. All curbs and curb ends shall be painted red with white lettering four inches high and at least one half-inch stroke, stating "No Parking - Fire Lane." Wording may not be spaced more than 25 feet apart. Fire lanes shall be marked on both sides of access roads so as to assure a minimum of 24-foot clear width in the middle of said access roads.
  - c. In areas where fire lanes are required but no continuous curb is available, one of the following methods shall be used, in conjunction with curb markings where possible, to indicate that the fire lane is continuous.
    - i. Signs shall be not less than 12 inches wide by 18 inches tall. Signs shall read "Fire Lane - No Parking" and shall have a white, reflective background with red lettering not less than

two inches tall and with three-eighths-inch stroke. Signs shall be installed conspicuously along the edge of the fire lane, spaced no greater than 25 feet apart, and their height shall equal six feet to the bottom of the sign.

- ii. From the point the fire lane begins to the point the fire lane ends, including behind all parking spaces which adjoin a fire lane, there shall be painted one continuous red stripe having a minimum width of at least six inches. Fire lanes shall be stenciled every 25 feet apart "No Parking Fire Lane" with white lettering four inches high and at least one half-inch stroke. Fire lanes shall be so marked on both sides of the lane.

**8.** Section 506 is amended in its entirety to provide as follows:

*506.1 Key boxes required.* The following structures and properties shall be equipped with a key lock security system box at or near their main entrance or at such other location as the fire marshal may require:

- a. Structures that are either equipped with, or required to be equipped with, fire sprinkler systems or fire systems or fire detection alarm systems that report to an alarm monitoring center;
- b. Multifamily residential structures that have restricted access through locked doors or gates and that have a common area or corridor for access to the living units;
- c. Buildings, regardless of use or occupancy that contain six or more occupancies within the same structure that have restricted common entryways and exit ways into the common area of the building;
- d. Properties having mechanical gates that control vehicular and pedestrian access to commercial property or to private streets in subdivisions, apartment complexes, condominiums, or other residential developments which contain more than two residential units; or
- e. Commercial properties with parking garages or secured parking and storage unit areas that will restrict access for emergency services.

*506.2 New construction.* All newly constructed structures subject to this Section shall have the key lock box installed and operational prior to the issuance of an occupancy permit. Any existing structure subject to the key lock box requirement that does not have a key lock box installed and operational shall have the same installed as soon as practicable, but in no event later than 30 days after the effective date of these regulations.

*506.3 Type of key lock box required.* The fire marshal shall designate the type of key lock box system to be implemented within the city and shall have the authority to require all structures and/or property to use the designated system.

*506.4 Access to buildings.* The owner or operator of a structure and/or property required to have a key lock box shall at all times keep the required keys in the lock box that will allow for access to the structure or property. Required keys shall not include keys to individual living units.

*506.5 Exceptions to application.* The following structures and properties are excepted from the key lock requirements of this Section:

- a. Single-family residential dwellings; and
- b. Any building or property that has a 24 hour, seven days a week guard or attendant service.

**9.** Section 508.5.1 is amended in its entirety to provide as follows:

*508.5.1 Fire protection water supplies; where required.* Where a portion of the facility or building hereafter constructed or moved into or within the city is more than 500 feet from a hydrant, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided.

**10.** Section 906.1 is amended by deleting the exception.

**11.** Section 2201 is amended to add the following new section:

*2201.7 Responsibility for cleanup.* A person, firm or corporation responsible for any unauthorized discharge shall institute and complete all actions necessary to remedy the



effects of such unauthorized discharge, whether sudden or gradual. When deemed necessary by the fire marshal to minimize damage or to protect public health, safety or welfare, the city may initiate cleanup. Costs associated with such cleanup shall be borne by the owner, operator, or any other person responsible for the unauthorized discharge. Costs incurred by the city for the cleanup shall be reimbursed to the city by he person, firm or corporation within ten days after written demand.

**12.** Section 2204 is amended to add the following new section:

*204.3.8 Additional fire protection devices.* Additional fire protection shall be provided where required by the fire marshal. Additional fire protection considerations may include such items as fixed suppression systems, automatic fire detection, manual fire alarm stations, and/or transmission of alarms to offsite locations.

**13.** Section 3307 is amended to add the following new section:

3307.16 Blasting permits.

**a.** *General requirements for blasting permits.* An operational permit shall be required prior to the commencement of blasting operations. During review of the application for such permit, when in the opinion of the fire marshal there is a substantial danger to life, health or property in the immediate area exposed to the blasting for which a permit is being requested, the said request shall be denied. The fire marshal shall seek the review and approval of those city departments which may be affected by such activities. When in the opinion of the fire marshal such departments have a valid objection to the issuance of a permit, no permit shall be approved until such objection has been resolved to the satisfaction of the fire marshal.

**b.** *Insurance requirements.* Any applicant for a blasting permit shall meet insurance requirements as designated by the city. Minimum insurance limits for blasting are established as follows:

Workers' Compensation – as required by law

Comprehensive General Liability –

\$1,000,000.000 per occurrence

\$2,000,000.000 annual aggregate

Automobile Liability –

\$10,000.00 each occurrence

\$250,000.00 medical

Each insurance policy shall name the city as an additional insured on the certificate of insurance. The policies shall include a waiver of subrogation in favor of the city. The certificate of insurance shall provide that the city shall be provided at least 30 days prior written notice of cancellation or modification of coverage.

**c.** *General requirements for blasting permit.*

**i.** *A blaster shall:*

**a.** Be at least 21 years of age;

**b.** Not have been convicted of a felony offense or two misdemeanors involving intoxication within two years preceeding the date of the application for permit;

**c.** Have general knowledge of federal, state, and local laws and regulations pertaining to explosive materials; and

**d.** Have no record of criminal charges or convictions relating to blasting activities from a federal, state, county, or municipal court.

**d.** *Blast monitor required.* A blast monitor, such as a seismic blast recording machine, shall be required during all blasting operations for which a permit is issued by the city. A monitoring technician not employed by a blasting operator shall be used whenever a blast monitor is required. Monitoring technicians shall be trained in the proper placement of monitor sensors and proper function of the instrument to be used. All monitoring reports shall carry the seal of a State of Texas Professional Engineer and

shall be retained by the permit holder. These reports shall be made available to the city upon request.

EXCEPTION: When, in the opinion of the city engineer, the damage to structures or buildings due to blasting operations is unlikely, (a) the requirements for the need for a monitor may be waived, or (b) the city may allow a trained blasting operator (rather than an independent technician) to operate the monitor and maintain records of reading which shall be available to the city upon request.

- e. *Wire specifications.* Blasting trunk wire of 18 gauge minimum shall be used while conducting blasting operations.
- f. *Blasting machine specification.* Approved blasting machines shall be used. All other equipment is prohibited.
- g. *Detonating cord use must be approved.* Detonating cord may be used only when approved on the blasting permit. Unauthorized use of detonating cord shall result in the revocation of the blasting permit and shall be considered a violation of this Section.
- h. *Additional conditions.* The fire marshal or city engineer may establish or require other conditions for approval of a permit application if those conditions are necessary, in the judgment of the fire marshal or city engineer, to adequately protect public health, safety, and welfare. Such conditions may include: reduction of allowable particle velocities; additional monitoring requirements; modifications to permissible hours of operation; changes in type and amount of explosives used; and requirement that blasting plans be approved by a professional engineer.
- i. *Blasting on weekends, holidays or evenings.* Blasting between the hours of 5:00 p.m. and 8:00 a.m., on weekends, or holidays is prohibited unless specifically authorized by the permit.
- j. *Pre-blast notification required.* All blasting operations shall be preceded by written notification to the owners and/or occupiers of all affected premises, which shall be determined and made part of the permit by the fire marshal. A test blast may be required by the fire marshal.

14. Section 3308 is amended to add the following new section:

*3308.1.1 Prohibition of sale or shooting of fireworks inside city limits; exception.* It shall be unlawful for any person to sell, use, shoot, discharge, explode, ignite, possess, or display any fireworks within the city, except as provided in this Section. Public fireworks displays are permissible provided that all state and local laws are met and a permit is issued. The applicant shall meet the insurance requirements specified below as a prerequisite to obtaining a permit. Insurance requirements for a public fireworks display shall include commercial general liability insurance. All insurance shall name the city as an additional insured and the insurance certificates shall provide that the city shall be provided 30 days' prior written notice of cancellation or modification of coverage. Insurance shall include a waiver of subrogation in favor of the city. The insurance provided by the supplier/operator also shall name the sponsor as an additional insured.

Aggregate: \$3,000,000.000 combined single limit.

Bodily injury/property damage per occurrence: \$1,000,000.00 combined single limit.

Personal injury: \$500,000.00.

Medical: \$5,000.00.

No such permit shall be granted to any applicant more than twice during any calendar year, and any fireworks display there under shall be concluded not later than 10:00 p.m. on the date specified.

As used in this Section, the term "fireworks" shall be given its usual and ordinary meaning and shall include the following: firecrackers, Roman candles, sparklers, torpedoes, buzz bombs, skyrockets, atomic wings, aerial flash salutes, and trailblazers.

15. Section 3404.2.9.5.1 is amended in its entirety to provide as follows:

*3404.2.9.5.1 Location where above-ground tanks are prohibited.* Storage of Class I and Class II liquids in above-ground tanks is prohibited within the downtown fire district as that district is defined in [Section 50-3](#) of the City's Code of Ordinances, except for temporary use or construction projects as approved by the fire marshal.

16. Section 3801.2 is amended in its entirety to provide as follows:

*3801.2 Permits.* No person shall install or maintain any LP-Gas container or operate any tanked vehicle, which is used for the transportation of LP-Gas, without a permit. Permits shall be required as set forth in Section 105. When a single container or the aggregate of interconnected containers is over 2,000 gallons water capacity, the installer shall submit plans to the fire marshal. A permit shall not be required for the installation or maintenance of portable containers of less than 120 gallons water capacity as long as the same are used only in connection with a bona fide travel trailer which, at all times, is capable of being pulled or driven upon the streets or highways. Any mobile home, travel trailer, or trailer of any kind, which is located in one place and has had the wheels or tires removed, is not a bona fide travel trailer, to meet this exception. A permit shall not be granted in the event that natural gas is available as a fuel supply.

17. Section 3801 is amended to add the following new section:

*3801.4 Propane, Butane, LP-Gas.* It shall be unlawful to use Propane, Butane, or other LP-Gas products in the city where natural gas is available. It shall be unlawful to install above-ground storage tanks, exceeding a capacity of 25 gallons, for Propane, Butane or other LP-Gas product in any zoning district allowed for residential uses, such as single-family, duplex, multifamily, or mobile homes. The maximum tank size shall be 1000 water gallons size container in a residential zone or in total aggregate of 1000 water gallons in a residential zone. In industry, the tank size shall be determined by the demand of quantity needed to operate appliances and equipment.

18. Section 3802.1 is amended to add the following terms and definitions:

- a. *Liquefied petroleum gas products* - Propane, butane, or any other liquefied petroleum gas product used for heating or other utility purpose.
- b. *Storage tanks* - Any container designed and utilized on-site for the use and storage of liquefied petroleum gas products, with a storage capacity of more than 25 gallons.
- c. *NFPA* – National Fire Protection Association.
- d. *ASME* – American Society of Mechanical Engineers.

19. Section 3803 is amended to add the following new sections:

*Section 3803.1.1 Signage.* When underground Propane, Butane, or other LP-Gas product is installed on a property, an all-weather sign stating "Underground LP-Gas On Premises" shall be attached to the outside of the electrical disconnect box.

*Section 3803.4 General design and construction guidelines.*

- a. All underground LP-Gas systems shall be designed and installed in accordance with the provisions *NFPA 58: Standard for Storage and Handling of Liquefied Petroleum Gases*, *NFPA 54: National Fuel Gas Code*, Texas Railroad Commissions Rules, and all applicable state, county, and local codes and regulations covering these installations.
- b. All underground LP-Gas storage tanks shall be completely covered except for the housing of the dome cover.
- c. All underground LP-Gas storage tanks shall comply with ASME.
- d. All LP-Gas storage tanks shall require a permit from the city prior to installation and use.

*Section 3803.5 existing and replacement regulations.*

- a. Any existing aboveground LP-Gas storage tanks existing in residentially zoned districts, or in the fire district, as of the approval of the IFC, are allowed to remain; however, upon the replacement of such a tank, the LP-Gas storage tank shall be placed underground.



- b. All commercially zoned districts, except the fire district, are exempt from the underground LP-Gas storage tank requirement; however, commercially zoned are not exempt from other provisions of this section, including the use of natural gas where available.

20. Figure D103.1 is amended to add the following:

*Dead-end fire apparatus access road turnaround.* Any street 150 feet long or longer shall have a hammerhead or cul-de-sac at its end, which dimensions shall be no smaller than the dimensions set out in Figure D103.1.

Dead-end turnarounds shall only be permitted where it is a round cul-de-sac with a 100-foot diameter or a 150-foot hammerhead.

NOTE: See *IFC* Appendix D, Figure D103.1, Diagram No. 4 amended from 60-foot distance from edge of hammerhead to middle of intersection, to 75-foot distance from edge of hammerhead to middle of intersection.