

**WORK SESSION AGENDA OF THE CITY COUNCIL OF HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
FIRST FLOOR CONFERENCE ROOM
TUESDAY, DECEMBER 13, 2016 – 5:15 P.M.**

I. Call to Order

II. Informational Items

-) **Discussion and Update of Hurst History Video**
-) **Discussion and Update of Citizen Survey**
-) **Discussion and Update of Hurst 101 Schedule**
-) **Discussion and Update of Redevelopment Study**

III. Discussion of Agenda Item(s) 12 and 13

Conduct a public hearing to consider SUP-16-08 Virtuoso Tattoo, a Special Use Permit to operate a tattoo studio for Lot 2, Block 3A, North East Mall Addition, being 3.83 acres located at 963 Melbourne Road

Consider Ordinance 2349 to consider SUP-16-08 Virtuoso Tattoo, a Special Use Permit to operate a tattoo studio for Lot 2, Block 3A, North East Mall Addition, being 3.83 acres located at 963 Melbourne Road

Michelle Lazo

IV. Discussion of Agenda Item(s) 14

Consider authorizing the city manager to enter into a Professional Facilitation Agreement with The Management Connection

Rita Frick

V. Discussion of Agenda Item(s) 15

Consider authorizing the city manager to enter into a contract with McClendon Construction Co., Inc., for West Pipeline Road, Phase 2, from Precinct Line Road to Lorean Branch Bridge

Greg Dickens

VI. Discussion of Agenda Item(s) 16

Consider authorizing the city manager to enter into an engineering services contract with Espey Consultants, Inc. dba RPS, for design of the Valley View Branch Sanitary Sewer Interceptor Replacement from State Highway 10 to Redbud Drive

Greg Dickens

VII. Discussion of Agenda Item(s) 17

Consider authorizing the city manager to enter into a purchase agreement with Security Pro USA and Red the Uniform Tailor for enhanced body armor kits

Mark Schwobel

VIII. Discussion of Agenda Item(s) 18

Consider authorizing the city manager to enter into a purchase agreement with Watchguard for the purchase of 61 Body Worn Cameras and supporting equipment

Billy Keadle

IX. Discussion of Agenda Item(s) 19

Consider authorizing the city manager to enter into a contract for water and waste water utility rate analysis and design including a multi-year financial plan

Clayton Fulton

X. Discussion of Agenda Item(s) 20

Consider authorizing the city manager to enter into the fitness equipment lease, with Marathon Fitness, for the Hurst Recreation Center and Senior Activity Center

Allan Heindel

XI. Adjournment

Posted by: _____

This the 9th day of December 2016, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (817) 788-7041 or FAX (817) 788-7054, or call TDD 1-800-RELAY-TX (1-800-735-2989) for information or assistance.

**REGULAR MEETING AGENDA OF THE CITY COUNCIL OF HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
TUESDAY, DECEMBER 13, 2016**

AGENDA:

5:15 p.m. - Work Session (City Hall, First Floor Conference Room)

6:30 p.m. - City Council Meeting (City Hall, Council Chamber)

CALL TO ORDER

INVOCATION (Councilmember David Booe)

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Presentation by WS365 NRH Water Safety Co-Founder and Co-Chairman Vanessa Copeland regarding their drowning prevention program

CONSENT AGENDA

2. Consider approval of the minutes for the November 8, 2016 City Council meetings
3. Consider Ordinance 2343, second reading, to provide City of Hurst Texas Municipal Retirement System (TMRS) service retirees with a COLA
4. Consider Ordinance 2344, second reading, concerning changes to school speed limit zone times in the City of Hurst
5. Consider Ordinance 2345, second reading, accepting the conveyance of a remnant parcel of land described as Lot 1, Block 7, Oakwood Park East Addition, from the Scott R. Davidson Estate, and authorizing the conveyance of subject tract to Jacqi Powell, the owner of the contiguous property known as Lot 2, Block 7, Oakwood Park East
6. Consider Ordinance 2346, second reading, to consider Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A and B, Block 11, Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court
7. Consider Ordinance 2347, second reading, amending Chapter 5 and Chapter 8 of the Hurst Code of Ordinances, pertaining to Building and Fire regulations adopting the 2015 International Codes and the 2014 National Electrical Code

8. Consider Ordinance 2348, second reading, clarifying when inspection of rental units are required
9. Consider authorizing the city manager to enter into a purchase agreement with GT Distributors and Precision Delta Corporation to purchase ammunition for the police department
10. Consider authorizing the city manager to proceed with the Hurst Community Park Ball Field Lighting Project
11. Consider authorizing the city manager to enter into an annual contract, with TruGreen, for chemical applications throughout the City, with an option to renew for three additional twelve month periods

PUBLIC HEARING(S) AND RELATED ITEM(S)

12. Conduct a public hearing to consider SUP-16-08 Virtuoso Tattoo, a Special Use Permit to operate a tattoo studio for Lot 2, Block 3A, North East Mall Addition, being 3.83 acres located at 963 Melbourne Road
13. Consider Ordinance 2349 to consider SUP-16-08 Virtuoso Tattoo, a Special Use Permit to operate a tattoo studio for Lot 2, Block 3A, North East Mall Addition, being 3.83 acres located at 963 Melbourne Road

ACTION ITEM(S)

14. Consider authorizing the city manager to enter into a Professional Facilitation Agreement with The Management Connection
15. Consider authorizing the city manager to enter into a contract with McClendon Construction Co., Inc., for West Pipeline Road, Phase 2, from Precinct Line Road to Lorean Branch Bridge
16. Consider authorizing the city manager to enter into an engineering services contract with Espey Consultants, Inc., dba RPS, for design of the Valley View Branch Sanitary Sewer Interceptor Replacement from State Highway 10 to Redbud Drive
17. Consider authorizing the city manager to enter into a purchase agreement with Security Pro USA and Red the Uniform Tailor for enhanced body armor kits
18. Consider authorizing the city manager to enter into a purchase agreement with Watchguard for the purchase of 61 Body Worn Cameras and supporting equipment

19. Consider authorizing the city manager to enter into a contract for water and waste water utility rate analysis and design including a multi-year financial plan
20. Consider authorizing the city manager to enter into the fitness equipment lease, with Marathon Fitness, for the Hurst Recreation Center and Senior Activity Center

OTHER BUSINESS

21. Review of the following advisory board meeting minutes:
 - Library Board
 - Parks and Recreation Board
 - Hurst Senior Citizens Advisory Board
22. Review of upcoming calendar items
23. City Council Reports

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED

EXECUTIVE SESSION in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, Section 551.074, Personnel - (Evaluation of City Council Appointees) and to reconvene in Open Session at the conclusion of the Executive Session

24. Consider and take any and all action ensuing from Executive Session

ADJOURNMENT

Posted by: _____

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City Council Staff Report

SUBJECT: Presentation by WS365 NRH Water Safety Co-Founder and Co-Chairman Vanessa Copeland regarding a drowning prevention program

Supporting Documents:

Meeting Date: 12/13/2016
Department: City Secretary
Reviewed by: Rita Frick
City Manager Review:

Background/Analysis:

WS365 NRH Water Safety Co-Founder and Co-Chairman Vanessa Copeland will provide a presentation regarding a drowning prevention program.

Funding and Sources:

There is no fiscal impact.

Recommendation:

There is no staff recommendation.

**Minutes
Hurst City Council
Work Session
Tuesday, November 8, 2016**

On the 8th day of November 2016, at 5:20 p.m., the City Council of the City of Hurst, Texas, convened in Work Session at Hurst City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Larry Kitchens	)	Mayor Pro Tem
Bill McLendon	)	Councilmembers
Henry Wilson)	
Nancy Welton)	
David Booe)	
Trasa Cobern)	
Clay Caruthers	)	City Manager
John Boyle	)	City Attorney
Allan Heindel	)	Deputy City Manager
Rita Frick	)	City Secretary
Greg Dickens	)	Executive Director of Public Works
Clayton Fulton	)	Executive Director of Fiscal Service
Steve Bowden	)	Executive Director of Development
Matia Messemmer	)	Executive Director of Human Resources
Malaika Farmer Marion	)	Executive Director of Administrative Services
Michelle Lazo	)	Managing Director of Development
Stephen Moore	)	Police Chief
Duane Hengst	)	City Engineer
Vince King	)	Building Official
Sunny Patel	)	Director of Information Technology
Kyle Gordan	)	Managing Director Community Services

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

I. Call to Order – The meeting was called to order at 5:20 p.m.

II. Informational Items

-) **Update and Discussion of Justice Center facility repairs** - City Manager Clay Caruthers briefed Councilmembers on the HVAC failure to the electrical room at the Justice Center and advised of emergency purchases necessary to repair the damage.
-) **Update and Discussion on hiring of Hurst Conference Center Chef** - City Manager Clay Caruthers briefed Councilmembers on the employment offer to the new Chef for the Hurst Conference Center.
-) **Update and Discussion on Morash Development Agreement** - City Manager Clay Caruthers briefed Councilmembers on an offer by Mr. Morash's attorney for a land

swap instead of the \$460,000 cash owed and now due per the agreement with the City. Mr. Caurthers explained he advised the City Attorney staff believes the current agreement is the best option for the City.

-) **Update and Discussion of 2017 Townhall Forum format** - City Manager Clay Caruthers advised Councilmembers the date for the Townhall Forum, February 27, 2017, will be published in the next magazine. Councilmembers discussed leaving the name Townhall Forum, but possibly discussing a new format at a later date.
-) **Update and Discussion of Traffic Uniform Safety Standards** - Director of Public Works Greg Dickens provided Councilmembers a revised proposed Ordinance 2344, Agenda Item 7, concerning changes to school speed limit zones times and explained additional school zone times are included. City Manager Caruthers briefed Councilmembers on citizen concerns including speed, curves and a school zone on Harrison Lane. Mr. Caruthers stated the concerns have been addressed to the best of staff's ability and citizens have the ability to take concerns to the Traffic Safety Commission. In response to Councilmembers' questions, Mr. Dickens stated staff tries to put in a couple of school flashers each year. City Manager Caruthers also noted the fire department will survey Redbud to see if the street parking presents a problem for public safety.

Also under public information, City Manager Caruthers reviewed plans to close the Recreation Center for gymnasium floor repairs the week of Thanksgiving.

III. Discussion of Agenda Item(s) 13 and 14

Conduct a Public Hearing to consider Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A and B, Block 11, Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court.

Consider Ordinance 2346, first reading, to consider Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A & B, Block 11 Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court.

Managing Director of Development Michelle Lazo briefed Councilmembers on the public hearing and proposed ordinance to consider Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A & B, Block 11 Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court. Ms. Lazo reviewed the current zoning lot size and noted the development could be built with this zoning, but it will be a nicer development with one less lot. She stated the homes will be valued between \$450,000 and \$500,000 with a minimum of 2,500 square feet. She stated the developer is requesting small side lots and the development is comparable to the Grayson Villas development. Also reviewed were the retention pond, walking trails and open access areas. Councilmembers discussed the current zoning and the new zoning, which is more to the City's benefit.

IV. Discussion of Agenda Item(s) 15

Consider Ordinance 2347, first reading, amending Chapter 5 and Chapter 8 of the Hurst Code of Ordinances, pertaining to Building and Fire regulations adopting the 2015

International Codes and the 2014 National Electrical Code.

Building Official Vince King briefed Councilmembers on the proposed Ordinance amending Chapter 5 and Chapter 8 of the Hurst Code of Ordinances, pertaining to Building and Fire regulations adopting the 2015 International Codes and the 2014 National Electrical Code. He explained the adoption process and stated staff and City Attorney Cathy Cunningham spent approximately 200 hours of staff time to make sure the codes meet the needs of the citizens.

V. Discussion of Agenda Item(s) 16

Consider Ordinance 2348, first reading, clarifying when inspection of rental units are required.

Building Official Vince King briefed Councilmembers on the proposed Ordinance clarifying when inspections of rental units are required, and noted the clarification includes when a change of occupancy has occurred at a rental unit.

VI. Discussion of Agenda Item(s) 17

Consider authorizing the city manager to enter into a contract with A & M Construction & Utilities, Inc., for the Renovation and Repainting of the Tarrant County College Elevated Storage Tank (TCC EST).

Executive Director of Public Works Greg Dickens briefed Councilmembers on a contract with A & M Construction & Utilities, Inc., for the Renovation and Repainting of the Tarrant County College Elevated Storage Tank (TCC EST) and noted the tank will be fully contained to help with any drift.

VII. Discussion of Agenda Item(s) 18

Consider authorizing the City Manager to proceed with the Chisholm Park Improvements Project Phase II.

Deputy City Manager Allan Heindel briefed Councilmembers on the Chisholm Park Improvements Project Phase II, which includes repairs to the pond retaining wall and improvements to two of the parks' pavilions.

VIII. Discussion of Agenda Item(s) 19

Consider authorizing the city manager to purchase equipment required to re-align soccer fields at the Hurst Athletic Complex.

Deputy City Manager Allan Heindel briefed Councilmembers on the request to purchase equipment required to re-align soccer fields at the Hurst Athletic Complex noting the project is to meet the new U.S. Soccer New Player Development Program, which requires the fields to be smaller

IX. Discussion of Agenda Item(s) 20

Consider authorizing the city manager to enter into contracts to migrate the City's email system.

Director of Information Technology Sunny Patel briefed Councilmembers on the contracts to migrate the City's email system noting staff is recommending Microsoft Exchange for the new email system, the Retain product from GWAVA and the cloud based spam filtering system from Cisco, to provide archiving, records retention, and spam/virus filtering capabilities. Discussed were security features, timeline and the migration process.

X. Adjournment - The work session adjourned at 6:22 p.m.

APPROVED this the 13th day of December 2016.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Richard Ward, Mayor

**City of Hurst
City Council Minutes
Tuesday, November 8, 2016**

On the 8th day of November 2016, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Larry Kitchens	)	Mayor Pro Tem
Bill McLendon	)	Councilmembers
Henry Wilson)	
Nancy Welton)	
David Booe)	
Trasa Cobern)	
Clay Caruthers	)	City Manager
John Boyle	)	City Attorney
Allan Heindel	)	Deputy City Manager
Rita Frick	)	City Secretary
Greg Dickens	)	Executive Director of Public Works
Clayton Fulton	)	Executive Director of Fiscal Service
Steve Bowden	)	Executive Director of Development
Matia Messemer	)	Executive Director of Human Resources
Malaika Farmer Marion	)	Executive Director of Administrative Services
Michelle Lazo	)	Managing Director of Development
Stephen Moore	)	Police Chief
Duane Hengst	)	City Engineer
Vince King	)	Building Official
Sunny Patel	)	Director of Information Technology
Kyle Gordan	)	Managing Director Community Services
Richard Clark	)	Senior Building Inspector
Carol Gilstrap	)	Building Inspector
Jeff O'Dell	)	Building Inspector
Dennis Diederich	)	Senior Building Inspector
Sandra Volkart	)	Permit Technician
Virginia Villabos	)	Permit Technician

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Councilmember Kitchens gave the Invocation.

The Pledge of Allegiance was given.

PRESENTATION(S)

1. Presentation of Proclamation recognizing National Animal Shelter Appreciation Week. Councilmember Trasa Cobern read and presented the Proclamation recognizing National Animal Shelter Appreciation Week to Police Lieutenant Jim Pell, who introduced Animal Control personnel and thanked them for their service. Councilmembers expressed appreciation for the employees and their passion for service.

CONSENT AGENDA

2. Considered approval of the minutes for the October 25, 2016 City Council meetings.
3. Considered Ordinance 2340, second reading, amending the City of Hurst Code of Ordinances, Chapter 10, adding Article VI Junked Vehicles; repealing conflicting ordinances and declaring junked vehicles to be a public nuisance.
4. Considered Ordinance 2341, second reading, amending the City of Hurst Code of Ordinances, Chapter 24, Section 24-21 View and Passage Obstructions, declaring low lying branches and shrubs to be a public nuisance.
5. Considered Ordinance 2342, second reading, amending the City of Hurst Code of Ordinances, adding Section 10-80.5 "Dead Trees", declaring dead trees to be a public nuisance.
6. Considered Ordinance 2343, first reading, to provide City of Hurst Texas Municipal Retirement System (TMRS) service retirees with a COLA.
7. Considered Ordinance 2344, first reading, concerning changes to school speed limit zone times in the City of Hurst.
8. Considered Ordinance 2345, first reading, accepting the conveyance of a remnant parcel of land described as Lot 1, Block 7, Oakwood Park East Addition, from the Scott R. Davidson Estate, and authorizing the conveyance of subject tract to Jacqi Powell, the owner of the contiguous property known as Lot 2, Block 7, Oakwood Park East.
9. Considered Resolution 1658 supporting a Municipal Setting Designation application to TCEQ for the property at 711 West Hurst Boulevard.
10. Considered Resolution 1659 supporting a Municipal Setting Designation application to TCEQ for the properties in Richland Hills, Texas, at 6700 Baker Boulevard, 6750 Baker Boulevard, 3204 Diana Drive, 6700 Rena Drive, 6724 Rena Drive, and adjacent city rights-of-way on Diana Drive, Rena Drive, Matthews Drive, and Rufe Snow Drive.
11. Considered authorizing the city manager to enter into an agreement with Visual Computer Solutions (VCS) through SHI Government Solutions for time collection and scheduling for all City employees.

12. Considered authorizing the city manager to purchase (3) three vehicles and (2) two tractors from approved vendors.

Councilmember Wilson moved to pass the consent agenda. Motion seconded by

Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton

No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

13. Conducted a Public Hearing to consider Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A and B, Block 11, Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court.

Mayor Ward announced a public hearing to consider Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A and B, Block 11, Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court, and recognized Managing Director of Development Michelle Lazo who reviewed the proposed rezoning application from single family to a single family planned development. Ms. Lazo stated the site is 10.42 acres known as the Noteboom property. She explained the existing home has been removed and the developer is proposing a 30 single family lot development with home values ranging from \$450,000 to \$500,000. Ms. Lazo reviewed the zoning exhibit, the plan for a large retention area, and noted the Oncor easement will be used as open space.

Mayor Ward recognized applicant Mark Howe, 3100 Terrace Brook Court, Colleyville, Texas, who reviewed the proposed development including the entrance and exits, retention/detention pond and layout of the homes. Mr. Howe stated the existing zoning allows an 8,250 square feet lot and he is requesting 10,099 square feet to the smallest lot of 8,255 square feet. He stated they would save as many trees as possible, and have tried to address area resident concerns regarding the drainage. Mr. Howe explained when the final plat is presented, the trail may be moved from the west side to the east side of the pond and wrought iron fencing installed so the neighbors will be able to see the pond and docks. Mr. Howe stated there will be a Homeowners Association and showed examples possible exterior designs.

Mayor Ward recognized Bridgette Tice, 2865 Hurstview, Hurst, Texas, who stated she is a homeowner that will be affected by the development and thanked Mr. Howe for listening to the homeowners and bringing forward some of the issues discussed at the Planning and Zoning Commission meeting. She thanked Mr. Howe for being open to their concerns and requested the Council listen to the homeowners.

There being no one else to speak, Mayor Ward closed the public hearing.

Councilmember Wilson noted that even though the applicant is showing the proposed layout of the homes, the item tonight is only approval of zoning. He explained the layout could change, and there will be another public hearing when it comes forward as a site plan. Councilmember Wilson also noted that the proposed zoning actually provides Council with more control, which is beneficial to the neighbors. In response to Councilmembers' questions, Mr. Howe stated builders have not been selected, the Homeowners Association will maintain open areas and the pond, and he has tried to address all of the concerns presented by the neighbors at the Planning and Zoning Commission.

14. Considered Ordinance 2346, first reading, to consider Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A & B, Block 11 Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court.

Councilmember McLendon moved to approve Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A & B, Block 11, Wintergreen Acres and Tract 4B, John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court and Ordinance 2346. Motion seconded by Councilmember Welton.

In response to Mayor Ward's question, Mr. Howe showed a concept picture of the entrance and stated a decision has not been made regarding a gated community. Councilmember Wilson stated the site plan approval is the Council's controlling document.

Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton

No: None

ORDINANCE(S)

15. Considered Ordinance 2347, first reading, amending Chapter 5 and Chapter 8 of the Hurst Code of Ordinances, pertaining to Building and Fire regulations adopting the 2015 International Codes and the 2014 National Electrical Code.

Mayor Ward recognized Building Official Vince King who noted the adoption of various International Codes is mandated by the state and the adoption of others, is a matter of convenience and consistency for those who will be working with the codes, such as contractors, homeowners or inspectors. Mr. King reviewed the mission statement for the Building Inspection Department and introduced Building Inspection staff Jeff O'Dell, Dennis Diederich, Sandra Volkert, Virginia Villalobos, Richard Clark and Carol Gilstrap. Mr. King expressed his appreciation for his staff and the work they do, and how the codes provide guidance for the inspectors. He stated the codes presented this evening, were a collaborative effort with Fire Department staff Brent Craft and Cameron Flynn, who spent hours with the Building Department staff in preparing the ordinance. Mr. King explained staff had approximately 200 hours of time reviewing the proposed codes. He stated the proposed ordinance will adopt ten codes this evening, with one new code added this year, the Swimming Pool and Spa Code.

In response to Councilmembers questions, Mr. King stated the codes are available on line. Councilmembers expressed their appreciation for staff and the work they perform for the community.

Councilmember Wilson moved to approve Ordinance 2347 adopting the 2015 International Building Code (IBC), 2015 International Fire Code (IFC), 2015 International Residential Code (IRC), 2015 International Energy Conservation Code (IECC), 2015 International Plumbing Code (IPC), 2015 International Fuel Gas Code (IFGC), 2015 International Mechanical Code (IPMC), 2015 Swimming Pool and Spa Code (ISPSC), the 2014 National Electrical Code (NEC) with local amendments as presented. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton

No: None

16. Considered Ordinance 2348, first reading, clarifying when inspection of rental units are required.

Building Official Vince King reviewed the proposed amendments to the rental registration ordinance clarifying when an inspection of rental units is required.

Councilmember Cobern moved to approve Ordinance 2348 concerning when rental property inspections are required. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton

No: None

ACTION ITEM(S)

17. Considered authorizing the city manager to enter into a contract with A & M Construction & Utilities, Inc., for the Renovation and Repainting of the Tarrant County College Elevated Storage Tank (TCC EST).

Mayor Ward recognized Executive Director of Public Works Greg Dickens who reviewed the proposed project for renovation and repainting of the Tarrant County College Elevated Storage Tank. He stated staff is recommending A & M Construction & Utilities, Inc., the low bidder. Mr. Dickens stated the company does have previous experience working in the City of Hurst and is being recommended by Deltatek, Inc., who is providing engineering services for the project. He stated funds are budgeted to cover the cost and the recommended contingency of \$40,360.00, for a total of \$656,750.00.

Councilmember Kitchens moved to authorize the city manager to enter into a contract with A&M Construction & Utilities, Inc., for the renovation and repainting of the Tarrant County College Elevated Storage Tank (TCC EST), in the amount of \$616,390.00, with a contingency of \$40,360.00, for a total of \$656,750.00. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

18. Considered authorizing the city manager to proceed with the Chisholm Park Improvements Project Phase II.

Mayor Ward recognized Managing Director of Community Services Kyle Gordan who provided a recap of the Chisholm Park Improvements Project Phase I, and stated the proposed two items for the Phase II project including the retaining wall along the pond, and major structural repairs to the Longhorn and Bluebonnet pavilions. He reviewed the timeline for the project and funding sources. In response to Councilmembers' questions, City Manager Clay Caruthers and staff explained how the Cypress Trees roots would help stabilize the bank, in some areas of the pond, and maintain a natural feel to the area. Mr. Gordon stated the remaining structures were inspected and did not appear to need renovation at this time.

Councilmember McLendon moved to authorize the city manager to proceed with the Chisholm Park Improvements Project, Phase II, for an amount not to exceed \$115,000, with funding from the Half Cent Sales Tax Fund. Motion seconded by Councilmember Welton.

In response to Councilmembers' questions, Mr. Gordon stated other structures were checked and were not suffering the same issues. Staff explained how the Cypress tree roots help stabilize the bank.

Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

19. Considered authorizing the city manager to purchase equipment required to re-align soccer fields at the Hurst Athletic Complex.

Mayor Ward recognized Managing Director of Community Services Kyle Gordan who reviewed the athletic field re-alignment and explained the partnership with The Hurst United Soccer Association (HUSA) and the New Player Development Program, which requires field dimensions to be changed to decrease the size of fields. Mr. Gordan explained the most efficient manner to address this need is using portable goals, players' benches, and on-site improvements, such as retaining walls and handrails. Mr. Gordan reviewed the timeline for the project and funding sources. Councilmember Booe noted that one reason the association changed to smaller fields, is to give the smaller kids more touches and have more interest in the game. Councilmember Wilson also noted when the field is smaller it helps develop skills.

Councilmember Booe moved to authorize the city manager to proceed with the Hurst Athletic Complex Field realignment, for an amount not to exceed \$50,000, with funding from the Half Cent Sales Tax Fund. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

20. Considered authorizing the city manager to enter into contracts to migrate the City's email system.

Mayor Ward recognized Director of Information and Technology Sunny Patel who reviewed the proposed email migration plan from the existing GroupWise system purchased in the 1990's to Microsoft Office Mail (Exchange). He explained that over the years, the Novell Corporation (GroupWise) has lost its dominance in the networking and email market to Microsoft, was recently sold to Microfocus and is no longer being supported. Mr. Patel stated the proposal, along with the move to Exchange, will also include archiving, records retention, attorney holds, email security and spam/virus filtering. He stated the Retain product from GWANA and the cloud based spam filtering system from Cisco offers the best solutions. He stated staff plans to migrate 90 days of email to Exchange and the total estimated cost for the project is \$98,000, which includes a 10 percent contingency.

In response to Councilmembers' questions, Mr. Patel stated the current agreement runs June to June, so the proposal includes a partial year. He stated there is the ability to add additional users, but the more users, the more cost.

Councilmember Kitchens moved to authorize the city manager to enter into contracts to migrate the City's email system, for an amount not to exceed \$98,000. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

OTHER BUSINESS

21. Councilmembers reviewed the following advisory board meeting minutes:
-) Library Board Minutes
 -) Hurst Senior Citizens Advisory Board
 -) Parks and Recreation Board
22. Review of upcoming calendar items – In response to Councilmember Wilson's request, staff stated they will include the John Butler Senior Banquet on the Council's calendar. City Manager Clay Caruthers reviewed the following calendar items:
-) Tuesday, November 22, 2016, regular City Council meeting canceled
 -) Wednesday, November 23, 2016, City offices close at noon
 -) Thursday, November 24, 2016, City offices closed
 -) Friday, November 25, 2016, City offices closed
 -) Tuesday, November 29, 2016, 5:00 p.m. to 9:00 p.m., Christmas Tree Lighting, Hurst Conference Center

Mr. Caruthers also noted that the Recreation Center will be closed to the public on November 21, 22 and 23, to resurface the gymnasium floor. He stated the center plans to reopen to the public on Saturday, November 29, 2016. Councilmember Cobern noted the

Taps and Tunes Veteran Event on Friday, November 8, 2016, at the Hurst Conference Center.

23. City Council Reports – Mayor Ward thanked Councilmember Wilson for his hospitality, as the Mayor presented a Proclamation for the Shady Oaks Baptist Church Birthday celebration.

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED – Mayor Ward recognized Dana Carpenter who expressed his concern regarding the water utility deposit for a new business. Mayor Ward explained that due to the Open Meetings Act, the Council could not enter into discussion, and stated staff will contact him to discuss the concern.

EXECUTIVE SESSION in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, Section 551.074, Personnel - (Evaluation of City Council Appointees) and to reconvene in Open Session at the conclusion of the Executive Session

Mayor Ward recessed the meeting at 8:09 p.m. to Executive Session in compliance with the provisions of the Texas Open Meetings Law, authorized by Government code, Section 551.074, Personnel - (Evaluation of City Council Appointees) and reconvened Open Session at 9:30 p.m.

24. Considered and take any and all action ensuing from Executive Session.

Councilmember Kitchens moved to approve the extension of the current contract with City Attorney Boyle and Lowry L.L.P., and approve the 2016 – 2017 tax collection contract and both have no fee increase. Motion seconded by Councilmember Wilson. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

Councilmember Kitchens moved to approve the extension of the current contract for Municipal Court Judge Lacy Britten for 2016-2017, with no increase in fees; and to appoint Terri Roberts Pearce as an additional association judge for the municipal court; and not renew the contract for Judge Whiteley, but continue to honor his appointment through May 2018 and continuing to pay his insurance through that period. Motion seconded by Councilmember Wilson. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

Councilmember Kitchens moved to approve the city manager's employment contract, which was approved in March 2016 to roll into a new contract period of October 1, 2016 to September 30, 2017, with three adjustments: First, receive, as per the contract agreement, a salary adjustment of three percent for 2016-2017, the same percentage amount offered to other City employees. Recommend the city manager's deferred

compensation be increased from \$10,000 to 12,000 for 2016-2017 in recognition of his excellent performance since being appointed city manager. Third, change language in Section 5.B in city manager's employment contract from "The employer will pay for the employee's portion of the Texas Municipal Retirement System (TMRS) contributions" to read as follows "The employer will provide a base wage adjustment in an amount equivalent to the Employee's portion of the Texas Municipal Retirement System (TMRS) contributions." This change would ensure the employee pay appropriate amount of federal taxes related to the benefit being offered. If approved, the change will be made through a memorandum signed by Mayor Ward in accordance with Section 2.D of the agreement. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

APPROVED this the 13th day of December 2016.

ATTEST:

Rita L. Frick, City Secretary

APPROVED:

Richard Ward, Mayor

City Council Report

SUBJECT: Consider Ordinance 2343 to provide City of Hurst Texas Municipal Retirement System (TMRS) service retirees with a COLA	
Supporting Documents:	
Ordinance 2343	Meeting Date: 12/13/2016 Department: Human Resources Reviewed by: Matia Messemer City Manager Review:
Background/Analysis:	
<p>TMRS allows cities to calculate Cost of Living Adjustments (COLAs) for current retirees on an annual basis or on an ad hoc basis. In previous years, the City of Hurst has opted for the ad hoc calculation. This can be calculated at 30%, 50% or 70% of the change in the Consumer Price Index (CPI) for All Urban Consumers, from the year prior to retirement to the current year. Calculating on an ad hoc basis reduces the potential liability for future funding of the TMRS benefit and, therefore, reduces the TMRS rate paid by the City to fund the two to one match for City employees and retirees.</p>	
Funding and Sources:	
<p>Funding for the retiree COLA has been factored into the contribution rate paid, based on a percentage of payroll for FY 2017, as provided by TMRS and effective January 1, 2017. The City contribution rate is budgeted in all funds which support employee costs.</p>	
Recommendation:	
<p>Consider Ordinance 2343 to provide City of Hurst TMRS service retirees with a COLA.</p>	

ORDINANCE 2343

AN ORDINANCE PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM (HEREINAFTER REFERRED TO AS "THE SYSTEM") FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY OF HURST, AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Section 1. THAT regarding an Increase in Retirement Annuities:

- (a) On the terms and conditions set out in Section 854.203 of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS Act"), the City hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the System to retired employees and to beneficiaries of deceased employees of the City under current service annuities and prior service annuities arising from service by such employees to the City. An annuity increased under this section replaces any annuity or increased annuity previously granted to the same person.
- (b) The amount of the annuity increase under this section is computed as the sum of the prior service and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by 30% of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of the increase under this Section.
- (c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion, and in the same manner that the original annuity was reduced.
- (d) If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereunder.
- (e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of the City and of its account in the Benefit Accumulation Fund of the System.

Section 2. THAT, subject to approval by the Board of Trustees of the System, this ordinance shall be and become effective on the 1st day of January 2017.

AND IT IS SO ORDERED.

Passed on the first reading on the 8th day of November 2016 by a vote of 6 to 0.

Approved on the second reading on the 13th day of December 2016 by a vote of ___ to ___.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Richard Ward, Mayor

Approved as to form and legality:

City Attorney

City Council Report

SUBJECT: Consider Ordinance 2344 concerning changes to school speed limit zone times in the City of Hurst	
Supporting Documents:	
Ordinance 2344	Meeting Date: 12/13/2016 Department: Public Works Reviewed by: Greg Dickens City Manager Review:
Background/Analysis:	
<p>The Birdville Independent School District and the Hurst-Euless-Bedford Independent School District have changed the start times for the schools this year. These changes will affect some of the existing start and end times for the 20 mile per hour speed limits in the school zones. The Police and Public Works Departments have worked together and incorporated these changes in proposed Ordinance 2344.</p>	
Funding and Sources:	
There is no fiscal impact.	
Recommendation:	
Staff recommends that City Council approve Ordinance 2344 concerning changes to school speed limit zone times in the City of Hurst.	

ORDINANCE 2344

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, AMENDING THE CITY OF HURST CODE OF ORDINANCES, CHAPTER 24, ARTICLE IV – SPEED, BY REPEALING AND REPLACING SECTION 24-86 – SCHOOL ZONE, IN ITS ENTIRETY AND ADDING A NEW SECTION 24-86; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the independent school districts with schools in the city limits of the City of Hurst have changed their school start times; and

WHEREAS, it has been determined by the City Council of the City of Hurst, Texas that it is in the best interest of the health, safety and general welfare of the citizens of the City of Hurst to change the time periods for some of the established reduced speed school zones in the City; and

WHEREAS, Chapter 545, Paragraph 545.356, of the Texas Transportation Code, provides that whenever the governing body of a City may, pursuant to the provisions of said code, determine and declare a reasonable and safe prima facie speed limit on said street or streets by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Section 1. **THAT,** the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2 **THAT,** the City of Hurst Code of Ordinances is hereby amended, by repealing Section 24-86, School zone, in its entirety and adding a new Section 24-86, to read as follows:

“ Sec. 24-86. – School zone.

The maximum prima facie reasonable and prudent speed limit on the following parts of street within the city is hereby established as follows:

	<u>Location</u>	<u>Speed Limit</u>	<u>Hours</u>
(1)	Harrison Lane between Cheryl Avenue and Pipeline Road	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days

(2)	Bellaire Drive between Greenway Drive and Pecan Street	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(3)	Brown Trail between 215 feet South of Redbud Drive and 210 feet north of Pecan Street	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(4)	Cavender Drive between Airport Freeway and Fieldwood Terrace	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(5)	Airport Freeway eastbound frontage road between a point 150 feet west of Elizabeth Street and a point 200 feet east of Cavender Drive	25 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(6)	Hurstview Drive between Summerdale Drive and a point 200 feet south of Springhill Drive	20 mph	7:30 a.m. to 8:30 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(7)	Precinct Line Road between Redbud Drive and 190 feet north of Briarwood Lane	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(8)	Prestondale Drive between Regency Drive and Springhill Drive	20 mph	7:30 a.m. to 8:30 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(9)	Redbud Drive between Holly Hill Court and Oakwood Avenue	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(10)	Billie Ruth Lane between Oakwood Avenue and 200 feet north of Willow Street	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(11)	Brown Trail between south city limits and Louella Drive	20 mph	8:00 a.m. to 9:00 a.m. 3:00 p.m. to 4:30 p.m. on school days
(12)	Pleasantview Drive between Brown Trail and 300 feet west of Renee Drive	20 mph	8:00 a.m. to 9:00 a.m. 3:00 p.m. to 4:30 p.m. on school days
(13)	Hurstview Drive between a point 250 feet north of the intersection of Hurstview Drive	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m.

	with Fieldwood Terrace and a point 250 feet south of the intersection of Fieldwood Terrace and Hurstview Drive		on school days
(14)	Precinct Line Road between a point 110 feet north of the intersection of Precinct Line Road with Donna Drive and a point 225 feet south of the intersection of Precinct Line Road and Bedford Court West	20 mph	7:00 a.m. to 8:15 a.m. 2:30 p.m. to 4:00 p.m. on school days
(15)	Pipeline Road from 420 feet east of the centerline of the four-way intersection of Harrison Lane to 420 feet west of the centerline of the intersection of Harrison Lane.	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(16)	On any street adjacent to elementary school property	20 mph	7:00 a.m. to 8:15 a.m. 11:00 a.m. to 12:30 p.m. 2:30 p.m. to 4:00 p.m. on school days
(17)	On any street adjacent to non-elementary school property	20 mph	7:00 a.m. to 8:15 a.m. 2:30 p.m. to 4:00 p.m. on school days

Section 3. **THAT**, all provisions of the ordinances of the City of Hurst in conflict with the provisions of this ordinance are, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Hurst not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. **THAT**, 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 of provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the code of Ordinances as a whole.

Section 5. **THAT**, any person, firm, or corporation violating any provision of this ordinance shall be fined an amount in accordance with Chapter 1, Section 1.5 of the Hurst Code of Ordinances.

Section 6. **THAT**, the fact that the present ordinances and regulations of the City of Hurst, Texas are inadequate to properly safeguard the health, safety, morals, peace, and general welfare of the inhabitants of the City of Hurst, Texas, creates an

emergency for the immediate preservation of the public business, property, health, safety, and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

AND IT IS SO ORDERED.

Passed on the first reading on the 8th day of November 2016 by a vote of 6 to 0.

Approved on the second reading on the ____ day of December 2016 by a vote of ____ to ____.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Richard Ward, Mayor

Approved as to form and legality:

City Attorney

City Council Report

<p>SUBJECT: Consider Ordinance 2345, accepting the conveyance of a remnant parcel of land described as Lot 1, Block 7, Oakwood Park East Addition, from the Scott R. Davidson Estate, and authorizing the conveyance of subject tract to Jacqi Powell, the owner of the contiguous property known as Lot 2, Block 7, Oakwood Park East</p>	
<p>Supporting Documents:</p>	
<p>Ordinance 2345</p>	<p>Meeting Date: 12/13/2016</p> <p>Department: Development</p> <p>Reviewed by: Steve Bowden</p> <p>City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>In 2012, Tarrant County purchased a portion of Lot 7, Block 1, Oakwood Park East for the NTE Expressway Project. The home was removed and the remainder portion was left to the estate of original owner Scott R. Davidson. The remnant lot is not large enough to be developed as a single-family lot and has no value to the estate.</p> <p>In June 2016, the Scott R. Davidson Estate deeded the remnant lot to the City of Hurst, by Quit Claim deed, without consent of the City. The City has no use for the property. Jacqi Powell is the owner of the contiguous property Lot 2, Block 7 Oakwood Park East and has agreed to accept the remnant and extend the fence for her private yard.</p>	
<p>Funding and Sources:</p>	
<p>There is no fiscal impact.</p>	
<p>Recommendation:</p>	
<p>Staff recommends that the City Council accept the conveyance of remnant Lot 7, Block 1, Oakwood Park East, and convey the remnant to the contiguous property owner Jacqi Powell.</p>	

ORDINANCE 2345

AN ORDINANCE OF THE CITY OF HURST, TEXAS ACCEPTING THE CONVEYANCE OF A REMNANT PARCEL OF LAND DESCRIBED AS LOT 1, BLOCK 7 OAKWOOD PARK EAST ADDITION IN THE CITY OF HURST, TEXAS (SUBJECT TRACT) FROM THE SCOTT R. DAVIDSON ESTATE, SHOWN IN THE EXHIBIT 'A' ATTACHED HERETO AND AUTHORIZING THE CONVEYANCE OF SUBJECT TRACT TO JACQI POWELL, OWNER OF THE CONTIGUOUS PROPERTY

WHEREAS, the Owner of the subject tract, the Scott R. Davidson Trust, a portion of Lot 1, Block 7, Oakwood Park East Addition, as shown and described in Exhibit "A" does hereby desire to convey its right, title and interest to said tract to the City of Hurst, Texas, and has executed a quitclaim deed conveying said subject tract to the City of Hurst, Texas, Exhibit 'B'; and

WHEREAS, the City of the City of Hurst, Texas desires to convey its interest in subject tract to the contiguous property owner Jacqi Powell pursuant to a quit claim deed Exhibit 'C' attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Section 1. THAT all matters stated in the caption and preamble are hereby found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. THAT the City of Hurst does hereby accept the conveyance of the subject tract described in Exhibit 'A' from the Scott R. Davidson tract and the quit claim deed attached hereto as Exhibit 'B'.

Section 3. THAT the Mayor is hereby authorized and directed to execute a quit claim deed conveying all of the City's right title and interest to the contiguous property owner Jacqi Powell attached hereto as Exhibit 'C'.

Section 4. THAT the terms and provisions of this ordinance are deemed severable and if the validity of any section, subsection, word, sentence or phrase shall be held invalid it shall not affect the remaining portion of the ordinance.

AND IT IS SO ORDAINED.

PASSED on the first reading on the 8th day of November 2016 by a vote of 6 to 0.

APPROVED on the second reading on the ____day of _____ 2016 by a vote of ____to____.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Richard Ward, Mayor

Approved as to form and legality:

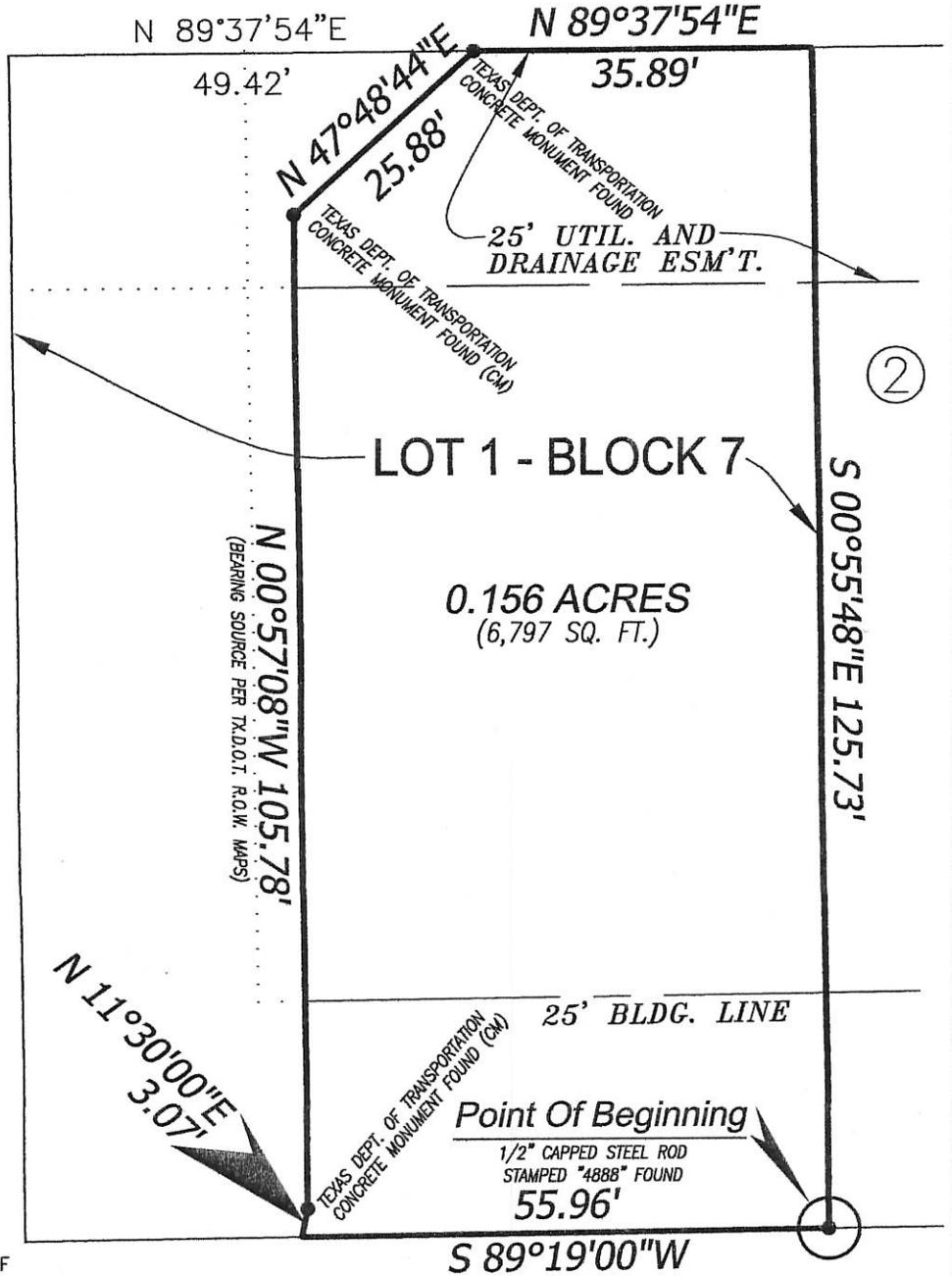
City Attorney

EXHIBIT "A"

"THIS SURVEY PLAT IS ACCOMPANIED BY A FIELD NOTE DESCRIPTION WHICH IS MADE A PART OF THIS DOCUMENT"

STATE HIGHWAY NO. 121

NORWOOD DRIVE



SCALE - 1" = 20'

NOTES

- 1) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR ABSTRACT OF THE PROPERTY.
- 2) NO IMPROVEMENTS SHOWN.

(CM) - REPRESENTS CONTROL MONUMENT

SUNNYVALE TERRACE

SKETCH SHOWING A REMAINDER PORTION OF
LOT 1, BLOCK 7, OAKWOOD PARK EAST ADDITION
 TO THE CITY OF HURST, TARRANT COUNTY, TEXAS ACCORDING TO THE PLAT
 RECORDED IN VOLUME 388-24, PAGE 48, PLAT RECORDS, TARRANT COUNTY,
 TEXAS.

I hereby certify that this plat is an accurate representation of an actual survey made on the ground this date under my supervision of the above described tract and the boundary lines, corners and dimensions shown are as indicated and that this survey conforms with the Professional and Technical Standards of the Texas Board of Professional Land Surveying Practices Act revised in May of 2015.

[Signature]
 John W. Morgan, R.P.L.S. No. 5488

PAGE 1 OF 2

Scale 1" = 20'

LEGEND

- FOUND STEEL ROD
- SET CAPPED STEEL ROD
- ⊕ CROSS CUT IN CONCRETE
- ⊙ FOUND STEEL PIPE
- FOUND BOIS D'ARC STAKE



COORDINATE FILE: 16-050

Moak Surveyors, Inc.

LICENSED STATE AND REGISTERED
 PROFESSIONAL LAND SURVEYORS

Texas • New Mexico • Arizona • Nevada
 LICENSE NO. 10008600

1105 Cheek Sparger Road, Colleyville, Texas 76034
 Metro 817-268-2211 • Fax 817-282-0401

www.moaksurveyors.com

Date 09-16-16 Job # 16-050

FIELD NOTE DESCRIPTION

ALL that certain tract or parcel of land situated in the W.W. WALLACE SURVEY, ABSTRACT NO. 1607, in the City of Hurst, Tarrant County, Texas and being a portion of Lot 1, Block 7, OAKWOOD PARK EAST ADDITION to the City of Hurst, Tarrant County, Texas according to the plat recorded in Volume 388-24, Page 48, Plat Records, Tarrant County, Texas, also being that same tract as described in Deed to the City of Hurst as recorded in Instrument No. D216130245, Deed Records, Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch capped steel rod stamped "4888" found for the southeast corner of said Lot 1, also being in the northerly right-of-way line of Sunnyvale Terrace (a 50 foot right-of-way);

THENCE South 89 degrees 19 minutes 00 seconds West with said right-of-way line, 55.96 feet to the easterly right-of-way line of Norwood Drive (a variable width right-of-way);

THENCE North 11 degrees 30 minutes 00 seconds East with said easterly right-of-way line of Norwood Drive, 3.07 feet to a Texas Department of Transportation Concrete Monument found (CM);

THENCE North 00 degrees 57 minutes 08 seconds West continuing with said right-of-way line, 105.78 feet to a Texas Department of Transportation Concrete Monument found (CM);

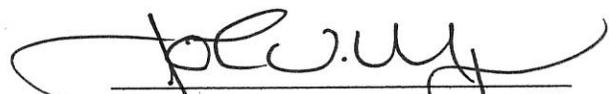
THENCE North 47 degrees 48 minutes 44 seconds East continuing with said easterly right-of-way line, 25.88 feet to a Texas Department of Transportation Concrete Monument found in the southerly right-of-way line of State Highway No. 121;

THENCE North 89 degrees 37 minutes 54 seconds East with said southerly right-of-way line, 35.89 feet to the northeast corner of said Lot 1;

THENCE South 00 degrees 55 minutes 48 seconds East departing said right-of-way line and with the easterly boundary line of said Lot 1, 125.73 feet to the PLACE OF BEGINNING and containing 0.156 acres of land, (6,797 square feet) more or less as surveyed by Moak Surveyors, Inc. in the month of September, 2016.

FIELD NOTE DESCRIPTION FOR A REMAINDER PORTION OF
LOT 1, BLOCK 7, OAKWOOD PARK EAST ADDITION
TO THE CITY OF HURST, TARRANT COUNTY, TEXAS ACCORDING TO THE PLAT
RECORDED IN VOLUME 388-24, PAGE 48, PLAT RECORDS, TARRANT COUNTY,
TEXAS.

I hereby certify that this plat is an accurate representation of an actual survey made on the ground this date under my supervision of the above described tract and the boundary lines, corners and dimensions shown are as indicated and that this survey conforms with the Professional and Technical Standards of the Texas Board of Professional Land Surveying Practices Act revised in May of 2015.


John W. Morgan, R.P.L.S. No. 5488



Moak Surveyors, Inc.
LICENSED STATE AND REGISTERED
PROFESSIONAL LAND SURVEYORS
Texas · New Mexico · Arizona · Nevada
LICENSE NO. 10008600
1105 Cheek Sparger Road, Colleyville, Texas 76034
Metro 817-268-2211 · Fax 817-282-0401
www.moaksurveyors.com

Date	09-16-16	Job #	16-050
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EXHIBIT 'B'

QUITCLAIM DEED

STATE OF TEXAS § **KNOW ALL PERSONS BY THESE**
COUNTY OF TARRANT § **PRESENTS**
CITY OF HURST §

That, the Scott R. Davidson Estate hereinafter referred to as Grantor, for and in consideration of the sum of \$1.00 to Grantor in hand paid by the City of Hurst, Texas, a municipal corporation organized under the laws of the State of Texas, hereinafter Grantee, the receipt of which is hereby acknowledged, has this day quitclaimed unto Grantee all of its right, title and interest in the following described land (the "Property"), to-wit:

All that certain parcel of land, lying and being situation in the County of Tarrant, State of Texas, more particularly described as a portion of Lot 1, Block 7 Oakwood Park East addition to the City of Hurst, Tarrant County, Texas.

TO HAVE AN TO HOLD the Property together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, forever.

SIGNED AND EXECUTED this the _____ day of _____, 2016.

GRANTOR:

GRANTEE:
CITY OF HURST, TEXAS

By: _____
Scott R. Davidson Estate

By: _____
Its: _____

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, _____, on this day personally appeared authorized representation of the Scott R. Davidson Estate, known to me or proved to me on the oath of _____ or through _____ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the
State of Texas

My Commission Expires:

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, _____, on this day personally appeared, known to me or proved to me on the oath of _____ or through _____ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of the City of Hurst, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the
State of Texas

My Commission Expires:

Exhibit 'C'

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TARRANT

§

§

QUITCLAIM DEED

WHEREAS, the City of Hurst, Texas, a home rule municipality created and operating pursuant to the laws of the State of Texas (hereinafter the "City"), pursuant to its Ordinance No. _____ vacated and abandoned certain public; and

WHEREAS, the property is further described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, Ordinance _____ authorizes the City Manager to execute a Quitclaim Deed on behalf of the City.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City quitclaims to Jacqi Powell and (hereinafter "Grantee").

Executed this _____ day of _____, 2016.

CITY OF HURST, TEXAS

By: _____
Clay Caruthers, City Manager

ATTEST:

By: _____
Rita Frick, City Secretary

APPROVED AS TO FORM:

By: _____
John F. Boyle, Jr., City Attorney

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, _____, on this day personally appeared CLAY CARUTHERS, City Manager for the City of Hurst, known to me or proved to me on the oath of _____ or through _____ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal)

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the
State of Texas

My Commission Expires:

City Council Report

<p>SUBJECT: Z-16-04 Sandstone Cove, a zoning change from R-1 to R1-PD with a concept plan for Lot A and B, Block 11, Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court</p>	
<p>Supporting Documents:</p>	
<p>Ordinance 2346</p>	<p>Meeting Date: 12/13/2016 Department: Development Reviewed by: Steve Bowden City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>An application has been made by Howe Investment Company LLC, for a zoning change from R-1 (Single-Family) to R1-PD (Single-Family Planned Development) with a concept plan for Lot A and B, Block 11, Wintergreen Acres and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court.</p> <p>The applicant is proposing a 30 single family lot development with lot widths of 65 feet and side yards of five (5) feet. The requested lot coverage is 55%, with the minimum dwelling unit size of 2,500. The proposed homes values will range from \$450,000-500,000.</p> <p>The proposed development will install a public street to connect Heneretta and Taylor Court. The developer will remove two of the existing ponds and enhance the larger pond for retention and open space. The open space will have a walking path along the east side of the property. This space will also serve as a buffer for the existing homeowners on Hurstview Drive.</p> <p>There is a large 100 ft. ONCOR easement that runs along the west side of the property. This area will also be used as open space and one lot is proposed with access to Taylor Drive.</p> <p>If the zoning change is approved, a detailed site plan, and plat will be submitted at a later date, and another public hearing will be held.</p>	

Funding and Sources:

There is no fiscal impact.

Recommendation:

The Planning and Zoning Commission met on Monday, October 17, 2016 and voted 5-1 to recommend approval of Z-16-04 Sandstone Cove.

ORDINANCE 2346

AN ORDINANCE ADOPTING A ZONING CHANGE FROM R1 to R1-PD WITH A CONCEPT PLAN FOR LOT A AND B, BLOCK 11, WINTERGREEN ACRES ADDITION, AND TRACT 4B JOHN DUNCAN SURVEY, BEING 10.42 ACRES LOCATED AT 600 HENERETTA AND 600 TAYLOR COURT. Z-16-04

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and,

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Hurst at least 15 days before such hearing; and,

WHEREAS, notices were posted on the subject land as provided by the Zoning Ordinance; and,

WHEREAS, public hearings to change the site plan on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the site plan change; and,

WHEREAS, the City Council is of the opinion that the site plan change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Hurst.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Section 1. THAT the Comprehensive Zoning Ordinance of the City of Hurst is hereby amended by adopting a zoning change from R1 to R1-PD with a concept plan with Exhibit "A" on Lot A and B, Block 11, Wintergreen Acres Addition and Tract 4B John H. Duncan Survey, being 10.42 acres located at 600 Heneretta and 600 Taylor Court.

AND IT IS SO ORDERED.

Passed on the first reading on the 8th day of November 2016 by a vote of 6 to 0.

Approved on the second reading on the 13th day of December 2016 by a vote of ___ to ___.

ATTEST:

CITY OF HURST

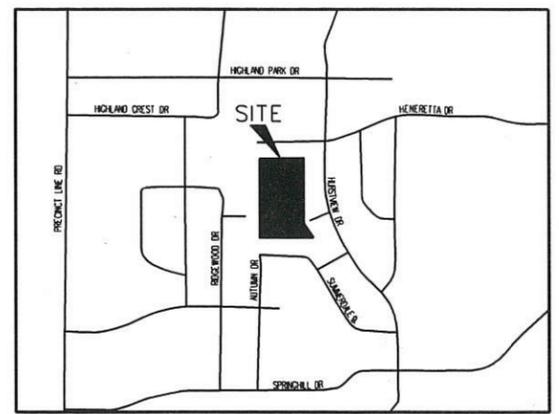
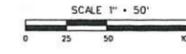
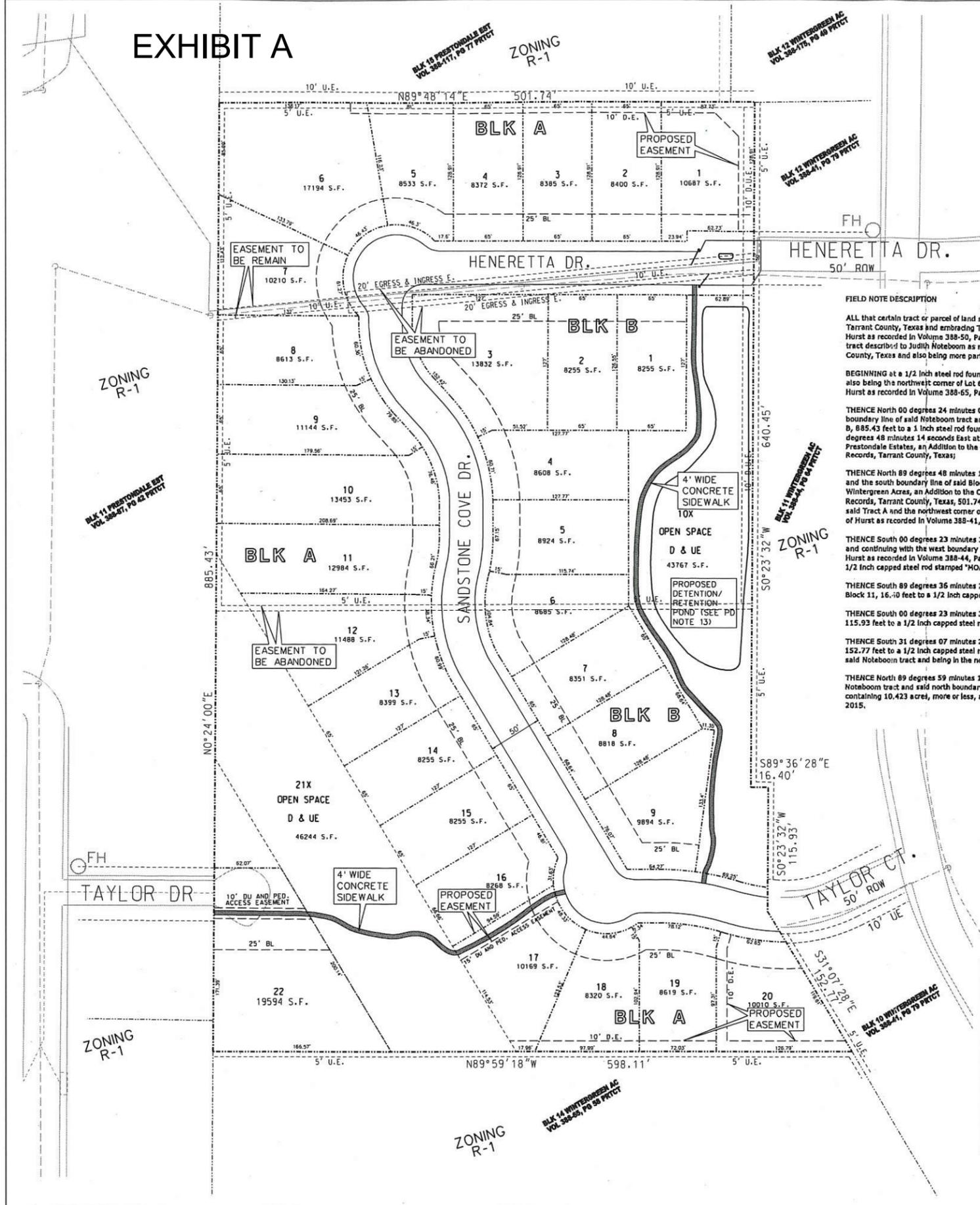
Rita Frick, City Secretary

Richard Ward, Mayor

Approved as to form and legality:

City Attorney

EXHIBIT A



FIELD NOTE DESCRIPTION

ALL that certain tract or parcel of land situated in the JOHN DUNCAN SURVEY, Abstract No. 399, Tarrant County, Texas and embracing Tracts A and B, Wintergreen Acres, an Addition to the City of Hurst as recorded in Volume 388-50, Page 96, Plat Records, Tarrant County, Texas and that same tract described to Judith Noteboom as recorded in Instrument D13112920, Deed Records, Tarrant County, Texas and also being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod found at the southwest corner of said Noteboom tract, said corner also being the northwest corner of Lot 6, Block 14, Wintergreen Acres, an Addition to the City of Hurst as recorded in Volume 388-65, Page 58, Plat Records, Tarrant County, Texas;

THENCE North 00 degrees 24 minutes 00 seconds East (base bearing per deed call) with the west boundary line of said Noteboom tract and continuing with the west boundary line of said Tracts A and B, 885.43 feet to a 1 inch steel rod found at the northwest corner of said Tract A and being North 89 degrees 48 minutes 14 seconds East at 9.05 feet from the southwest corner of Lot 3R, Block 15, Prestondale Estates, an Addition to the City of Hurst as recorded in Volume 388-117, Page 77, Plat Records, Tarrant County, Texas;

THENCE North 89 degrees 48 minutes 14 seconds East with the north boundary line of said Tract A and the south boundary line of said Block 15 and the south boundary line of Lot 2, Block 12, Wintergreen Acres, an Addition to the City of Hurst as recorded in Volume 388-175, Page 49, Plat Records, Tarrant County, Texas, 501.74 feet to a 1/2 inch steel rod found at the northeast corner of said Tract A and the northwest corner of Lot 1R, Block 12, Wintergreen Acres, an Addition to the City of Hurst as recorded in Volume 388-41, Page 79, Plat Records, Tarrant County, Texas;

THENCE South 00 degrees 23 minutes 32 seconds West with the west boundary line of said Lot 1R and continuing with the west boundary line of Block 11, Wintergreen Acres, an Addition to the City of Hurst as recorded in Volume 388-44, Page 64, Plat Records, Tarrant County, Texas, 640.45 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" set;

THENCE South 89 degrees 36 minutes 28 seconds East continuing with said west boundary line of Block 11, 16.10 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" set;

THENCE South 00 degrees 23 minutes 32 seconds West continuing with said west boundary line, 115.93 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" set;

THENCE South 31 degrees 07 minutes 28 seconds East continuing with said west boundary line, 152.77 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" set at the southeast corner of said Noteboom tract and being in the north boundary line of said Block 14, Wintergreen Acres;

THENCE North 89 degrees 59 minutes 18 seconds West with the south boundary line of said Noteboom tract and said north boundary line of Block 14, 598.11 feet to the place of beginning and containing 10.423 acres, more or less, as surveyed by Hoak Surveyors, Inc. in the month of January, 2015.

AREA CALCULATIONS
AREA OF DEVELOPMENT = 10.423 ACRES
NUMBER OF UNITS = 30

ITEM	R-1	PROPOSED R-1 PD
MIN LOT AREA	8,250 SF	8,250 SF
MIN FRONT YARD	25 FT	25 FT
MIN REAR YARD	25 FT	20 FT
MIN LOT WIDTH	75 FT	65 FT
MIN LOT DEPTH	NONE STATED	110 FT
MIN SIDE YARD	10 FT & 6 FT	5' SIDE YARDS
DWELLING SIZE	1,250 SF	2,500 SF
MAX COVERAGE	40%	55%
OPEN SPACE	0	90011 S.F. (19.8%)
DENSITY	-	2.9 UNITS/AC

- ### PLANNED DEVELOPMENT RESTRICTIONS
- Dwellings to be 2,500 s.f. minimum.
 - 100% masonry front elevations where the brick extends to the foundation. Sides and rear shall be 85% minimum masonry. Standards apply to all stories of house.
 - Roof pitch shall be 10:12 for front facing gables and 8:12 on side facing gables and adjusted per Architectural Committee approval.
 - All perimeter fencing shall be as shown on the plan. HOA shall be responsible for maintenance of walls within landscape and dedicated walkways.
 - Sidewalks shall be constructed by the home builder and/or the developer and shall be installed per this plan and be four feet in width.
 - Each lot shall have a full area irrigation sprinkler system with freeze and rain detectors.
 - Each owner will own a portion of all common areas (walls/landscaping/private drive) and will be members of the home owners association and will provide maintenance and liability coverage for common areas and sidewalks within.
 - Each lot shall be landscaped by the builder as follows (minimum):
3 trees (3" caliper)
 - Street lights to be decorative and shall be selected from the Onkor Decorative Street Lighting Brochure.
 - There shall be one masonry mailbox per residence.
 - There will be the option to gate the community.
 - Streets shall be concrete and shall be 31" b-b w/ laid-down curb.
 - Retention/detention pond to be an amenity and supplemental water supply shall be provided. Pond to be aerated and maintained by HOA.

DRAINAGE EASEMENTS

The Drainage Easements shown on the plot are dedicated to the public for storm water runoff control. The City of Hurst will not be responsible for the maintenance or erosion control of the open channel area within the drainage easement which is left in the natural state. Those drainage easements covering areas to be left in a natural state will be the property owner's responsibility to keep unobstructed and maintained, including erosion control.

Property owners shall keep these natural drainage ways on their property mowed, clean, and free of debris, silt, or other substances which would result in poor drainage or unsanitary conditions. The open channel areas left in the natural state are occasionally subject to storm water overflow and bank erosion that cannot be predetermined. The City of Hurst shall not be liable for any damages resulting from the occurrences of this overflow and erosion.

Maintenance and replacement of proposed inlets and storm drains in rear and side yards of Lots 1, 16, and 17, Block A, and the detention pond on this property are the responsibility of the property owners, not the City. The City has the right to enter any public drainage easement area for inspection purposes to confirm the drainage systems are being maintained. The City can require the property owners to repair the drainage systems when they do not function as proposed.

The City of Hurst will be responsible for maintenance and operation of all structural improvements which are installed in drainage easement areas once the improvements are accepted by the City. No construction, modifications, or fencing will be allowed in the drainage easement without the written approval of the City of Hurst's Executive Director of Public Works.

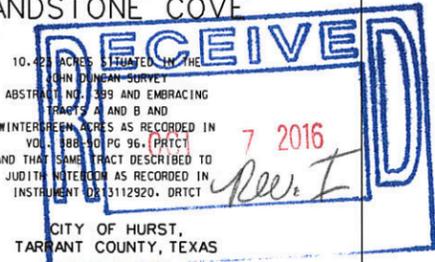
ZONING EXHIBIT AND CONCEPT PLAN FOR

SANDSTONE COVE

OWNER:
JUDITH NOTEBOOM
2877 HURSTVIEW DRIVE
HURST, TEXAS 76054

DEVELOPER:
HOWE INVESTMENT COMPANY, LLC
6617 PRECINCT LINE ROAD, #200
NORTH RICHLAND HILLS, TEXAS 76182

ENGINEER:
HAMILTON DUFFY, PC
8241 MID-CITIES BLVD.
NORTH RICHLAND HILLS, TEXAS
76182-4712
(817) 268-0408
FAX (817) 284-8408
TEXAS REGISTERED
ENGINEERING FIRM
NUMBER F-5260



DATE OF PREPARATION 9-22-16
REVISED 10-6-16

City Council Report

SUBJECT: Consider adopting Ordinance 2347 amending Chapter 5 and Chapter 8 of the Hurst Code of Ordinances, pertaining to Building and Fire Regulations adopting the 2015 International Codes and the 2014 National Electrical Code

Supporting Documents:

Ordinance 2347

Meeting Date: 12/13/2016

Department: Building Inspection / Multi-Family

Reviewed by: Greg Dickens

City Manager Review:

Background/Analysis:

The State of Texas has mandated that all cities having a population of 5,000 or more adopt the most current editions of the International Residential Code (IRC) and the International Energy Conservation Code (IECC). In 2002, the City adopted the remaining International Codes to avoid the potential for conflict with the then Adopted Uniform Codes. The City also adopted the 2002 edition of the National Electrical Code with local amendments. This year, the State of Texas adopted the 2014 National Electrical Code to coincide with the new state electrical licenses law. Therefore, it is proposed to adopt the 2014 NEC as well. Additionally, staff is taking this opportunity to adopt the 2015 International Property Maintenance Code (IPMC), with amendments, to better regulate existing buildings within the City of Hurst. This code is also used to regulate the Rental Registration Ordinance and the multi-family housing in Hurst. The adoption of the International Fire Code (IFC) and the International Building Code (IBC) will provide continuity for contractors that work on both commercial and residential projects. Every effort is being made to keep our code amendments consistent with the City of Euless and the City of Bedford's code adoptions.

The adoption of some of the International Codes is mandated by the state and the adoption of the others is a matter of convenience and consistency for those who will be working with the codes, as contractors, homeowners or inspectors. The proposed amendments to these codes are either previously approved existing amendments that have been carried over and identified by two asterisks (**), or are new amendments identified by three asterisks (***) recommended by the North Central Texas Council of Governments, as part of an ongoing effort to provide consistency among neighboring jurisdictions, or are new amendments that staff feels will be in the best interest of the citizens of Hurst. The permit fees are reviewed from time to time by the city manager, as previously directed by Council, and there are no changes anticipated at this time.

Funding and Sources:

There is no fiscal impact.

Recommendation:

Staff recommends approval of Ordinance 2347 adopting the 2015 International Building Code (IBC), 2015 International Fire Code (IFC), 2015 International Residential Code (IRC), 2015 International Energy Conservation Code (IECC), 2015 International Plumbing Code (IPC), 2015 International Fuel Gas Code (IFGC), 2015 International Mechanical Code (IMC), 2015 International Property Maintenance Code (IPMC), 2015 Swimming Pool and Spa Code (ISPSC), the 2014 National Electrical Code (NEC) with local amendments as presented.

ORDINANCE 2347

AN ORDINANCE AMENDING THE HURST CODE OF ORDINANCES BY AMENDING CHAPTER 5 OF THE HURST CODE OF ORDINANCES, BUILDING REGULATIONS. ADOPTING THE 2015 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL SWIMMING POOL AND SPA CODE AND THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE INCLUDING AMENDMENTS AND DELETIONS TO EACH CODE; AND AMENDING CHAPTER 8 FIRE PROTECTION AND PREVENTION OF THE HURST CODE OF ORDINANCES; PROVIDING FOR ARSON REWARD AND ADOPTING THE INTERNATIONAL FIRE CODE INCLUDING AMENDMENTS AND DELETIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Codes, Appeals and Advisory Board of the City of Hurst has reviewed the proposed adoptions and amendments and has recommended to the City Council that they be adopted; and

WHEREAS, the City Council finds that the adoption of the International Model Codes along with local amendments and deletions is in the best interest of the citizens of Hurst.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

SECTION 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference.

SECTION 2: That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article I "In General" by deleting the current Chapter 5, Article I and replacing it to read as follows:

ARTICLE I. IN GENERAL

Sec. 5-1. Codes, Appeals and Advisory board.

(a) **Membership, qualifications, terms.** There is hereby created a seven-member board to be known as a Codes, Appeals and Advisory Board which shall be composed of two (2) members holding certificates of registration as an electrical contractor or master electrician, two (2) persons holding licenses as plumbing contractors or master plumbers, two (2) persons with building construction experience and one (1) member of the general public. Three (3) members shall have terms expiring in even numbered years and four (4)

shall have terms expiring in odd numbered years. Terms shall be for two (2) years except for initial appointments. Members may be reappointed after expiration of the terms. Members shall be appointed by the governing body and shall elect a chairman from their membership who shall have the same voting rights as any other member. There shall be two (2) alternate lay members who shall have the right to vote in the absence of regular members. Alternate members shall have terms of one (1) year. Four (4) members of the Codes, Appeals and Advisory Board shall constitute a quorum for the transaction of business. Any action at any meeting shall require the affirmative vote of at least four (4) members.

(b) Appeals. Any person may appeal an interpretation of the electrical, building, residential, energy, mechanical, plumbing, fuel gas, property maintenance or fire codes or the disapproval or refusal of any permit authorized by any of such codes by filing a written notice of appeal with the official who made the interpretation or who refused or disapproved a permit. Such notice of appeal must be filed within ten (10) days of the decision being appealed. The board shall hear such appeal within thirty (30) days of the filing of the notice of appeal. Both the official whose decision is being appealed and the party appealing the decision shall be notified of the date and time of such hearing at least seventy-two (72) hours before such hearing. Said notice to the building official and appealing party may be by mail, telephone or facsimile; however, the meeting will meet the requirements of state law and the Open Meetings Act insofar as public notice. The board shall decide such matter within fourteen (14) calendar days of such hearing. The board is authorized to exercise those powers granted to the board of appeals for the particular code relevant to the matter being appealed.

The Code appeals and advisory board shall also have jurisdiction to hear appeals concerning the designation by the police chief of a multi-family dwelling community as a required participant in the mandatory crime reduction program. The process shall be as set out in the sections in this chapter, Article XI, Mandatory Multi-family Dwelling Crime Reduction Program.

The Codes, Appeals and Advisory Board is designated to hear those appeals as set forth in Article XII Housing Code.

(c) Amendments. The board shall review all proposed code amendments to the building, residential, plumbing, fuel gas, mechanical, energy, pools and spas, fire, electrical and property maintenance codes prior to their consideration by the City Council.

Sec. 5-2 thru 5-4. Reserved.

Sec. 5-5. Fencing of swimming pools.

(a) Fence required. Every owner, lessee, tenant, licensee or other person in possession of land within the corporate limits of the city upon which is situated a swimming pool shall at all times maintain a fence, wall or barrier that completely surrounds the swimming pool. The fence, wall or barrier shall be not less than four (4) feet in height with no openings, holes or gaps large enough for a sphere four (4) inches in diameter to pass through. A single-family, duplex or accessory building may be used as a part of such

enclosure, provided that all outside entrances into the swimming pool area or court are equipped with gates as described in this section.

(b) Gates. All gates opening directly into a swimming pool enclosure shall be equipped with self-closing and self-latching devices designed to keep, and capable of keeping, such gate securely closed at all times when not in actual use. The gate handle must be at least 42” inches above grade. Self-closing and self-latching devices are not required on doors, which provide access into buildings.

(c) New installations. A person who, on or after March 31, 1989, obtains a permit to install a swimming pool, is responsible for assuring compliance with the revisions [provisions] of this section.

(d) Contractor’s responsibility. Before the pool is filled with water, the swim contractor is responsible for:

- (1) Ensuring that the fence/enclosure is complete.
- (2) Ensuring that all required gate latches and self-closers are in place and operating.
- (3) A final inspection shall be obtained from the city inspection office prior to the actual use of the swimming pool.

(e) Existing installations. All gates into swimming pool enclosures, which lawfully existed prior to March 31, 1989, shall be made to fully comply with the self-closing and self-latching provisions of subsection (b) of this section before January 31, 1991.

(f) See: 2015 International Pool and Spa Code adopted later in this code. (See Article VI, Sec. 5-276)

Sec. 5-6. Erection and construction of fences; permit.

(a) Permit required. It shall be unlawful for any person to erect or construct any fence or wall in the city without first obtaining a permit.

(b) Notification of inspection required. It shall be the responsibility of the person erecting a fence within the city limits to establish the property corners of the fence and, after the property corners are established, to notify the city inspection department and request inspection to conform with this section.

(c) **Re-Inspection fees.** Re-Inspection fees for permits as set forth in this section shall be as set from time to time by the city manager.

(d) **Permit fees.** Permit fees shall be as set from time to time by the city manager.

Sec. 5-7. Swimming pools--Insanitary; closing order.

(a) Upon inspection and determination by either the county health department or the city's health officer or their designee that any swimming pool within the corporate limits of the city is insanitary, the city through its inspection office shall order that the same be closed and same be made sanitary or completely drained within five (5) days thereof and that the owner or manager of the premises be ordered to enforce such closing order prohibiting the use of the swimming pool. A sign shall be placed in a prominent position adjacent to the pool noting that the same has been closed by order of the city due to insanitary conditions and the same shall remain until conditions are corrected or the pool is drained.

(b) It shall be unlawful for any person to use a pool, which has been closed; it shall likewise be unlawful for any person to remove or deface the sign referred to in subsection (a).

(c) If the pool is a part of the required recreation area for a multi-family property, the owner of the property must reopen the pool in a sanitary condition and approved by the county health department, within 15 day of the date the pool was ordered closed or provide other recreational facilities approved by the city inspector.

Sec. 5-8. *Same--When draining is required.**

(a) A swimming pool closed under the provisions of section 5-7 shall be drained unless owner corrects the insanitary condition within five calendar (5) days of such closing. Such pool shall likewise be drained if the owner or manager of the premises fails to enforce the closing order prohibiting the use of the swimming pool.

(b) It shall be unlawful to fail to drain the swimming pool within twenty-four (24) hours after the same is ordered drained by the city.

(c) Should the city have to drain said pool or have said pool drained the owner will be responsible to reimburse the city for the cost thereof.

Sec. 5-9. Delete this section and replace with Reserved. (Note: This is no longer a requirement.)

~~**Structures adjacent to unlined drainage channels.**~~

~~(a) No fence, retaining wall, driveway or other structure shall be constructed within any drainage channel easement unless the channel slope has been improved with concrete lining.~~

~~(b) Notwithstanding the provisions of this section, fences may be located in such easements adjacent to unlined channels on lots platted prior to June 1, 1994. If such fences are placed closer than three (3) feet from the top of the bank of such channel, payment of seven hundred fifty dollars (\$750.00) shall be made to the city to reimburse the cost to replace such fence at the time it is removed to line the channel.~~

~~(c) Property owners shall be responsible for maintenance of the easement area between the fence and the channel.~~

Sec. 5-10. ** Registration of contractors. Any person or firm that does or causes any work to be done within the city must first register as a contractor with the appropriate department or division of the city. A registration application form must be filled out and the appropriate fee must be paid at the time of registration.

Exception:

- (1) Persons or firms doing work or causing work to be done that does not require a permit or licenses by other sections of this code.
- (2) When the work being done is being performed by a charitable or not for profit organization and said organization is not being compensated for doing the work.
- (3) A homeowner is performing work on his or her own home that is their homestead.

Sec. 5-11. **Cellulose insulation fiberboard. Notwithstanding anything within the International Building Codes to the contrary, no cellulose insulating exterior sheathing shall be used within the corporate limits of the city unless it is treated with a fire retardant chemical and certified to be self-extinguishing upon ignition. Fiberboard sheathing, when applied, shall not be used for the purpose of under coursing for any roof assembly.

Sec. 5-12 Fees. Fees for permits, licenses, registration of contractors and tradesmen shall be set by the city manager from time to time after review and recommendation by the Codes, Appeals and Advisory board and city council.

Sec. 5-13 thru 5-25 Reserved.

SECTION 3: That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article II “International Building Code” by deleting Chapter 5, Article II “International Building Code and Moving Buildings” and replacing it with Chapter 5, Article II “International Building Code and International Residential Code and Moving Buildings” Division 1 “International Building Code” and Division II “International Residential Code” and by leaving intact Division 3 “Moving Buildings” to read as follows:

**ARTICLE II. INTERNATIONAL BUILDING CODE AND INTERNATIONAL
RESIDENTIAL CODE AND MOVING BUILDINGS**

DIVISION 1. BUILDING CODE

Sec. 5-26. International Building Code-Adopted. The International Building Code, 2015 Edition and appendices chapters E, F, G, I and J as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Section 5-27 and administered and enforced by the office of the Building Official is hereby adopted by reference and designated as the Building Code of the City as though such code were copied at length in this article.

Sec. 5-27. Same-Deletions and Amendments. The building code adopted in this article is hereby amended and changed in the following respects:

(1)Section 101.1, change to read as follows:**

101.1 Title. These regulations shall be known as the Building Code of the City of Hurst, hereafter referred to as “this code.”

(2)Section 101.4; change to read as follows:**

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

(3)*Section 101.2, ~~exception No. 2101.4.7~~; change to read as follows:**

~~2.~~ Existing buildings undergoing repair, alterations or additions and/or change of occupancy shall be permitted to comply with the International Existing Building Code only with prior approval of the Building Official. ~~Otherwise see Chapter 34.~~

(4)Section 101.4.8; add section to read:**

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(5)*** *Section 103 and 103.1 amend to insert the Department Name*

SECTION 103

DEPARTMENT OF BUILDING SAFETY BUILDING INSPECTIONS DEPARTMENT

103.1 Creation of enforcement agency. ~~The Department of Building Safety~~ City of Hurst Building Inspections Department is hereby created and the official in charge thereof shall be known as the Building Official and is the Authority Having Jurisdiction, AHJ, to interpret and enforce this code.

(6)****Section 105.1; Add second paragraph to read as follows:** All contractors performing work that requires a permit by this code, with the exception of a homeowner performing work on their own home that is homesteaded in their name, shall register as a contractor, provide current and correct identification and proof of liability insurance as required with an annual registration fee established by the City Manager and reviewed by the City Council unless exempted by State law.

(7)***Section 105.2 Work exempt from permit; under sub-title entitled "Building" delete items 1, 2, 4 and 6 and re-number as follows:*

Building:

- ~~1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m2).~~
- ~~2. Fences not over 7 feet (1829 mm) high.~~
3. 1. (Unchanged)
- ~~4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.~~
5. 2. (Unchanged)
- ~~6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.~~
7. 3. (Unchanged)
8. 4. (Unchanged)
9. 5. (Unchanged)

~~10.~~ 6. (Unchanged)

~~11.~~ 7. (Unchanged)

~~12.~~ 8. (Unchanged)

~~13.~~ 9. (Unchanged)

(8)Section 105.3 , add #8.**

8. Have project approved as needed by the City Engineer, Planning and Community Development and Fire Department prior to submitting a permit application to the Building Inspection Department for review

(9)Section 109; add Section 109.7 to read as follows:**

109.7 Re-inspection Fee. A fee set by the City Manager and reviewed by the city council from time to time may be charged when:

1. The inspection called for is not ready when the inspector arrives;
2. No building address or permit card is clearly posted;
3. City approved plans are not on the job site available to the inspector;
4. The building is locked or work otherwise not available for inspection when called;
5. The job site is red-tagged twice for the same item;
6. The original red tag has been removed from the job site.
7. Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

(10)Section 109; add Section 109.8, 109.8.1, 109.8.2 and 109.9 to read as follows:**

109.8 Work without a permit.

109.8.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

109.8.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code or the city fee schedule as applicable. The payment of

such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law.

109.9 Unauthorized cover up fee. Any work concealed without first obtaining the required inspection in violation of Section 110 shall be assessed a fee as established by the city fee schedule.

(11) **Section 110.3.5; Lath, gypsum board and gypsum panel product inspection. Delete exception

~~**Exception :** *Gypsum board and gypsum panel products that are not part of a fire resistance rated assembly or a shear assembly.*~~

(12) Section 111.1; Change to read as follows:**

111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof or change of owner, tenant or occupant shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of, nor waiver of, nor a defense to a violation of the provisions of this code or other ordinances of the jurisdiction.

(13) Section 114 Violations” amend section 114.3 to read as follows:

~~114.3 Prosecution of violation: If the notice of violation is not complied with promptly,~~The building official of the City of Hurst is authorized to request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 114.2 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

(14)Section 202; change by adding or changing the following definitions:**

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less than 24-hour basis to individuals who are rendered incapable of self-preservation by the services provided. This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

ASSISTED LIVING FACILITIES. A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

ATRIUM. An opening connecting ~~two~~ three or more stories... *{Balance remains unchanged}*

CODE OFFICIAL. The officer or other designated authority, charged with the administration and enforcement of this code, or a duly appointed authorized representative.

GRANTING A PERMIT. For the purpose of complying with State Law, Granting a Permit shall mean: The Building Inspection Department has reviewed and approved the permit application and plans for issuance with or without plan reviewed comments and notified the applicant or their agent the permit is available to issue.

High-Rise Building. A building having any floor used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of Fire Department vehicle access.

REPAIR GARAGE. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

SPECIAL INSPECTOR. A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and approved by the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

(15)Section 303.1.3; add a sentence to read as follows:**

303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy. Except when applying the assembly requirements of Chapter 10 and 11.

(16)Section 304.1; add the following to the list of occupancies:**

Fire stations

Police stations with detention facilities for 5 or less

(17)Section 307.1.1; add the following sentence to Exception 4:**

4. Cleaning establishments... *{Text unchanged}* ...with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also IFC Chapter 21, Dry Cleaning Plant provisions.

(18) ****Section 403.1, Exception 3; change to read as follows:**

3. The open air portion of a building [*remainder unchanged*]

(19) ****Section 403.3, Exception; delete item 2.**

(20) *****Section 403.3.2; change to read as follows:**

[F] **403.3.2 Water supply to required fire pumps.** In buildings that are more than ~~420~~ 120 feet (36.5 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

(21) ****Section 404.5; delete Exception.**

(22) ****Section 406.3.5.1 Carport separation; add sentence to read as follows:**

A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048 mm).

(23) ****Section 507.2.2; add a sentence to read as follows:**

507.2.2 Open Space Limits. Such open space shall be either on the same lot or dedicated for public use and shall be accessed from a street or approved fire lane. In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway meeting fire department access from the street or approved fire lane shall be provided.

(24) ****Section 712.1.9, change item 4 to read as follows:**

4. Is not open to a corridor in Group I and ~~R~~ H occupancies. (31)
*****Section 901.8.1; add section to read as follows:**

[F] **Section 901.8.1 Riser Access.** All risers supplying multiple occupancies shall be located in a separate individual room to include an exterior door with direct access.

Exception: Buildings containing a single occupancy shall have an exterior door located within 10 feet (3048 mm) of the riser or an approved distance as determined by the code official.

ALL riser access doors shall be labeled with 6” (six inch) letters “Riser Room”. A key box shall be provided at this door, as required by Section 506.1 of the International Fire Code.

See Section 901.4.6.1 of the International Fire Code for additional riser room requirements.

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed when foreign material is present, and also hydrostatically tested for all FDC’s on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

*(25)**Section 901.6.1; add Section 901.6.1.1 to read as follows:*

[F] 901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC’s as required by the fire code official.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as “Fifth Year” for Type of ITM, and the note on the back of the tag shall read “5 Year Standpipe Test” at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with

regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (fire code official) shall be followed

7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
9. Contact the fire code official for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the fire code official.

(26) ****Section 903.1.1; change to read as follows:**

[F] **903.1.1 Alternative protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted ~~instead of~~ in addition to automatic sprinkler protection where recognized by the applicable standard ~~and, or as~~ approved by the ~~fire~~ code official.

(27) ****Section 903.2; add the following:**

[F] **903.2 Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

(28) *****Section 903.2; delete exception.**

(29) ****Section 903.2.9; add subsection 903.2.9.3 to read as follows:**

[F] **903.2.9.3 Self-service storage facility.** An automatic sprinkler system shall be installed throughout all self-service storage facilities.

(30) Section 903.2.11; change subsection 903.2.11.3 and add subsections 903.2.11.7 and 903.2.11.8, and 903.2.11.9, as follows:

[F] 903.2.11.3 Buildings 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more, other than penthouses in compliance with Section 1510 of the International Building Code,~~ located 35 feet (10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

~~1. Open parking structures in compliance with Section 406.5 of the International Building Code, having no other occupancies above the subject garage.~~

~~2. Occupancies in Group F-2.~~

[F] 903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 of the IFC to determine if those provisions apply.

[F] 903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

[F] 903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the International Building Code.

(31) ****Section 903.3.1.1.1; change to read as follows:**

[F] 903.3.1.1.1 Exempt locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such . . . because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.

3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
- ~~4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
- ~~4. Fire service access Elevator machine rooms, and machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.~~
5. {Delete.}

(32) ****Section 903.3.1.2.3; add subsection to read as follows:**

[F] Section 903.3.1.2.3 Attics and Attached Garages. Sprinkler protection is required in attic spaces of such buildings two or more stories in height, in accordance with NFPA 13 and or NFPA 13R requirements, and attached garages.

(33) ****Section 903.3.1.3; change to read as follows:**

[F] 903.3.1.3 NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4 Condition 1 and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(34) *****Section 903.3.1.4; add subsections to read as follows:**

[F] 903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

[F] 903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

[F] 903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled

pipe.

903.3.1.4.3 Protection Against Freezing; add to read as follows:

[F] 903.3.1.4.3 Protection Against Freezing. New and existing fire sprinkler systems, including risers, shall be an approved design to protect against freezing or be in a conditioned space in order to maintain a temperature above 40 degrees Fahrenheit (four degrees Celsius). Areas or rooms containing risers shall be monitored for temperature conditions by the fire alarm panel and send a supervisory signal upon alarm. Heaters shall be hard wired with a maintenance disconnect in a location to be determined by the code official.

(35)**Section 903.3.5; add a second paragraph to read as follows:

[F] Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every water-based fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

(36)**Section 903.4; add a second paragraph after the exceptions to read as follows:

[F] Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(37) **Section 903.4.2; add second paragraph to read as follows:

[F] The alarm device required on the exterior of the building shall be a weatherproof horn and strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

(38)**Section 905.2; change to read as follows:

[F] 905.2 Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high and low alarm.

(39) **Section 905.3; add subsection 905.3.9 and exception to read as follows:

[F] 905.3.9 Buildings exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire

department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.

(40) *Section 905.4, change Item 1., 3., and 5. and add Item 7. to read as follows:**

[F] 1. In every required ~~interior~~ exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.

2. {No change.}

3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

Exception: Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~ exit stairway hose connection by a{No change to rest.}

4. {No change.}

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way a hose connection shall be located to serve the roof or at the highest landing of an ~~interior~~ exit stairway with stair access to the roof provided in accordance with Section 1011.12.

6. {No change.}

7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

(41)Section 905.9;** add a second paragraph after the exceptions to read as follows:

[F] Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(42)Section 907.1;** add Section 907.1.4 to read as follows:

[F] 907.1.4 Design standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

(43) ****Section 907.2.1; change to read as follows:**

[F] 907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies ~~where the~~ having an occupant load ~~due to the assembly occupancy is of~~ 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the International Building Code shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

(44) ****Section 907.2.3; change to read as follows:**

[F] 907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice and alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. {No change.}

1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

{No change to remainder of exceptions.}

(45) ****Section 907.2.11; Add second paragraph to add 907.2.10.4 text to remain in the Hurst City Code as follows**

Smoke alarms. (a) Every dwelling unit within a multi-family dwelling, every guest room in a hotel used for sleeping purposes and every rented dwelling unit in any other residential property shall, be provided with smoke alarms conforming to nationally recognized standards. Such smoke alarms shall be required in every dwelling unit in every type of residential property before any certificate of occupancy is granted or renewed. No building permit for alterations

requiring the expenditure of more than one thousand dollars (\$1,000.00) shall be granted without the installation of smoke alarms.

(b) The number of smoke alarms, and the manner and location of installation shall be set forth in the International Building Code or International Residential Code except that on rental property such alarms shall not be only battery-powered, but shall be wired directly into the power supply of the dwelling unit.

(c) Smoke alarms shall be maintained in operating condition. Multi-family rental property shall be inspected annually by the fire department and/or building inspection department to determine whether smoke alarms are present and operating. If the fire department and/or building inspection department is refused access to any rental dwelling unit upon reasonable notice, and for purposes of this section ten (10) calendar days shall be considered reasonable notice, the apartment owner will be deemed guilty of a misdemeanor and, upon conviction thereof, fined not less than twenty-five (\$25.00) or more than five hundred (\$500.00) per dwelling unit. If a smoke alarm required for a rental unit is inoperable, the rental unit owner or occupant will be deemed guilty of a misdemeanor and, upon conviction thereof, fined not less than twenty-five (\$25.00) or more than five hundred (\$500.00) per dwelling unit. Furthermore, should the owner or manager fail to come into compliance within thirty (30) days of re-inspection, the certificate of occupancy of that multi-family office will be automatically revoked, and the utility company serving such office shall be required to discontinue service thereto. Such certificate of occupancy and service shall not be restored until all smoke alarms comply with this section.

(d) In the event that the smoke alarm is inoperable due to the absence of electricity of the dwelling unit, a battery-powered smoke alarm shall be temporarily installed until electrical power to the dwelling unit is restored.

(e) Persons removing, disabling or possessing a smoke alarm with the battery removed or possessing a disabled smoke alarm shall be subject to immediate issuance of citation, with no warning period. It shall be an affirmative defense that the person provided written notification to the landlord or apartment manager of the defective smoke alarm.

(46) *Section 907.2.13, Exception 3; change to read as follows:***

[F] 3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.

(47) *Section 907.4.2; add Section 907.4.2.7 to read as follows:***

[F] 907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

(48)Section 907.6.1; add Section 907.6.1.1 to read as follows**

[F] 907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(49)*Section 907.6.3; delete all four Exceptions.**

(50) *Section 907.6.6; – add sentence at end of paragraph to read as follows:**

[F] See 907.6.3 for the required information transmitted to the supervising station.

(51) *Section 909.22; add to read as follows:**

[F] 909.22 Stairway or ramp pressurization alternative. Where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and the stair pressurization alternative is chosen for compliance with Building Code requirements for a smokeproof enclosure, interior exit stairways or ramps shall be pressurized to a minimum of 0.10 inches of water (25 Pa) and a maximum of 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect. Such systems shall comply with Section 909, including the installation of a separate fire-fighter’s smoke control panel as per Section 909.16, and a Smoke Control Permit shall be required from the Fire Department as per Section 105.7.

[F] 909.22.1 Ventilating equipment. The activation of ventilating equipment for the stair or ramp pressurization system shall be by smoke detectors installed at each floor level at an approved location at the entrance to the smokeproof enclosure. When the closing device for the stairway or ramp shaft and vestibule doors is activated by smoke detection or power failure, mechanical equipment shall activate and operate at the required performance levels. Smoke detectors shall be installed in accordance with Section 907.3.

[F] 909.22.1.1 Ventilation systems. Smokeproof enclosure ventilation systems shall be independent of other building ventilation systems. The equipment, control wiring, power wiring and ductwork shall comply with one of the following:

1. Equipment, control wiring, power wiring and ductwork shall be located exterior to the building and directly connected to the smokeproof enclosure or connected to the smokeproof enclosure by ductwork enclosed by not less than 2-hour fire

barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

2. Equipment, control wiring, power wiring and ductwork shall be located within the smokeproof enclosure with intake or exhaust directly from and to the outside or through ductwork enclosed by not less than 2-hour barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
3. Equipment, control wiring, power wiring and ductwork shall be located within the building if separated from the remainder of the building, including other mechanical equipment, by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

Exceptions:

1. Control wiring and power wiring utilizing a 2-hour rated cable or cable system.
2. Where encased with not less than 2 inches (51 mm) of concrete.
3. Control wiring and power wiring protected by a listed electrical circuit protective systems with a fire-resistance rating of not less than 2 hours.

[F] 909.22.1.2 Standby power. Mechanical vestibule and stairway and ramp shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 2702 of the Building Code.

[F] 909.22.1.3 Acceptance and testing. Before the mechanical equipment is approved, the system shall be tested in the presence of the fire code official to confirm that the system is operating in compliance with these requirements.

(52) *Section 910.2; change Exception 2. and 3.to read as follows:**

[F] 2. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.

[F] 3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m*S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited

(53) *Section 910.2; add subsections 910.2.3 with exceptions to read as follows:**

[F] 910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

(54) **Section 910.3; add subsections 910.3.4, 910.3.4.1, 910.3.4.2 to read as follows:

[F] 910.3.4 Vent operation. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

[F] 910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only system per 910.2

[F] 910.3.4.2 Nonsprinklered buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents.

(55) **Section 910.4.3.1; change to read as follows:

[F] 910.4.3.1 Makeup air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be ~~manual or~~ automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

(56) **Section 910.4.4; change to read as follows:

[F] 910.4.4 Activation. The mechanical smoke removal system shall be activated by ~~manual controls only~~ automatically by the automatic sprinkler system or by an approved

fire detection system. Individual manual controls shall also be provided.

Exception: Manual only systems per Section 910.2.

(57) **Section 912.2; add Section 912.2.3 to read as follows:

[F] 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.

(58) **Section 913.2.1; add second paragraph and exception to read as follows:

[F] When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1 of the International Fire Code.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire* code official. Access keys shall be provided in the key box as required by Section 506.1.

(59) **Section 1006.2.2.6 Add a new Section 1006.2.2.6 as follows:

1006.2.2.6 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

(60)Section 1009.1; add the following Exception 4:**

Exceptions:

{previous exceptions unchanged}

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009.

(61)Section 1010.1.9.4 Bolt Locks; amend exceptions 3 and 4 as follows:**

Exceptions:

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy. *{Remainder unchanged}*

4. Where a pair of doors serves a Group A, B, F, M or S occupancy
{*Remainder unchanged*}

(62) *Section 1015.8 Window Openings. REVISE text as follows:**

1. Operable windows where the top of the sill of the opening is located more than ~~75 feet~~ 55 feet (16 764 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.

(63) **Section 1020.1 Construction; add exception 6 to read as follows:

6. In group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector shall activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors shall be connected to an approved automatic fire alarm system where such system is provided.

(64)Section 1029.1.1.1 Delete this section. Spaces under grandstands and bleachers;**

(65)*Section 1101.2 Design. Change Section 1101.2 by adding the following sentence::**

Also, buildings and facilities shall be designed and constructed in accordance with the Elimination of Architectural Barriers Act (currently Texas Government Code Chapter 469 and 2016 Texas Administrative Code Chapter 68) adopted and incorporated by reference as if set forth in their entirety.

(66) *Section 1203.1; amend to read as follows:**

*****1203.1 General.** Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with the *International Mechanical Code*.

Where the air infiltration rate in a *dwelling unit* is ~~less than~~ 5 air changes or less per hour when tested with a blower door {*remainder of text unchanged*} . . .

(67) **Table 1505.1; delete footnote c and replace footnote b with the following:

b. Non-classified roof coverings shall be permitted on buildings of U occupancies having not more than 120 sq. ft. of protected roof area. When exceeding 120 sq. ft. of

protected roof area, buildings of U occupancies may use non-rated non-combustible roof coverings.

e. [delete]

(68)Section 1505.7; delete the section**

(69) **Section 1510.1; add a sentence to read as follows:

1510.1 General. Materials and methods of applications used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15. All individual replacement shingles or shakes shall be in compliance with the rating required by Table 1505.1.

{text of exception unchanged}

(70)*Section 1704.2, Special inspections and tests is amended to read as follows:**

1704.2 Special inspections and tests. Where application is made to the Building Official for construction as specified in Section 105, the owner or the owner's authorized agent, or the registered design professional in responsible charge, other than the contractor, shall employ one or more approved agencies to provide special inspections and tests during construction on the types of work listed under Section 1705 and identify the approved agencies to the Building Official. The special inspector shall not be employed by the contractor. These special inspections and tests are in addition to the inspections identified by the Building Official that are identified in Section 110.

(71) *Section 1704.2.1, Special inspector qualifications, is amended to read as follows:**

1704.2.1 Special inspector qualifications. Prior to the start of construction and or upon request, the approved agencies shall provide written documentation to the registered design professional in responsible charge and the building official demonstrating the competence and relevant experience or training of the special inspectors who will perform the special inspections and tests during construction. [Remainder unchanged]

(72) *Section 1704.2.4, Report requirement, is amended to read as follows:**

1704.2.4 Report requirement. Approved agencies shall keep records of special inspections and tests. The approved agency shall submit reports of special inspections and tests to the Building Official upon request, and to the registered design professional in responsible charge. Individual inspection reports ~~{Reports}~~ shall indicate that work inspected or tested was or was not completed in conformance to approved construction documents. [Remainder unchanged]

(73)*Section 1704.2.5.1, Fabricator approval, is amended to read as follows:**

1704.2.5.1 Fabricator approval. Special inspections during fabrications required by Section 1704 are not required where the work is done on the premises of a fabricator registered and approved to perform such work without special inspection. Approval shall be based upon review of the fabricator's written procedural and quality control manuals and periodic auditing of fabrication practices by an approved agency, or a fabricator that is enrolled in a nationally accepted inspections program. At completion of fabrication, the acceptable or approved fabricator shall submit a certificate of compliance to the owner or the owner's authorized agent or the registered design professional in responsible charge, for submittal to the building official as specified in Section 1704.5 stating that the work was performed in accordance with the approved construction documents. The certificate of compliance shall also be made available to the Building Official upon request.

(74) **Section 2901.1; add a sentence to read as follows:

[P] 2901.1 Scope. *{existing text to remain}* The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

(75) **Section 2902.1; add a second paragraph to read as follows:

In other than E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official.

(76) **Table 2902.1; add footnote f to read as follows:

f. Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining and/or drinking establishments.

(77) **Section 2902.1.3; add new Section 2902.1.3 to read as follows:

2902.1.3 Additional fixtures for food preparation facilities. In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

2902.1.3.1 Hand washing lavatory. At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

2902.1.3.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and

similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the City of Hurst's health department.

(78) *Section 3002.1 Hoistway Enclosure Protection. add exceptions to read as follows:**

Exceptions:

1. Elevators wholly located within atriums complying with Section 404 shall not require hoistway enclosure protection.

2. Elevators in open or enclosed parking garages that serve only the parking garage, and complying with Sections 406.5 and 406.6, respectively, shall not require hoistway enclosure protection.

(79) *Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces.**

~~Delete text as follows: Elevator machine rooms, control rooms, control spaces and machinery spaces outside of but attached to a hoistway that have openings into the hoistway shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.~~

Revise text to read:

Elevator machine rooms, control rooms, control spaces and machinery spaces shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.

[Remainder unchanged]

(80) *Section 3005.7 add a Section 3005.7 as follows:**

3005.7 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.

3005.7.1 Automatic sprinkler system. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.7.2.1.

3005.7.2.1 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoist-ways.

3005.7.2.2 Sprinkler system monitoring. The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

3005.7.3 Water protection. An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

3005.7.4 Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

(81) ****Section 3005.8 add Section 3005.8 as follows:*

3005.8 Storage. Storage shall not be allowed within the elevator machine room, control room, machinery spaces and or control spaces. Approved signage must be displayed at each entry to the above listed locations stating: "No Storage Allowed."

(82) *****Section 3006.2, Hoistway opening protection required. Revise text as follows:**

5. The building is a high rise and the elevator hoistway is more than ~~75 feet (22 860 mm)~~ 55 feet (16 764 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway.

(83) ****Section 3109.1; change to read as follows:**

3109.1 General. Swimming pools shall comply with the requirements of sections 3109.2 through 3109.5 and other applicable sections of this code and complying with applicable state laws.

Section 5-28 through 5-45 Reserved

DIVISION II. RESIDENTIAL CODE

Sec 5-46. International Residential Code – Adopted. The International Residential Code, 2015 Edition and Appendices G, H and J as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Sec.5-47, administered and enforced by the office of the building official is hereby adopted by reference and designated as the Residential Code of the City as though such code were copied at length in this article.

Sec 5-47. Same – Deletions and Amendments. The following sections, paragraphs, and sentences of the *International Residential Code, 2015 Edition and Appendices* are hereby amended as follows:

The residential code adopted in this article is hereby amended and changed in the following respects:

(1) ****Section R101.1, insert jurisdiction name as follows :**

R1.1.1 Title. These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Hurst, and shall be cited as such and will be referred to herein as « this code. »

(2) ****Section R102.4; change to read as follows:**

R102.4 Referenced codes and standards. The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

(3) ***** Section R103 and 103.1 amend to insert the Department Name**

SECTION R103

DEPARTMENT OF BUILDING SAFETY **BUILDING INSPECTIONS DEPARTMENT**

R103.1 Creation of a code enforcement agency. The Department of Building Safety City of Hurst Building Inspections Department is hereby created and the official in charge thereof shall be known as the Building Official.

(4) ****Section R104.10.1 Flood Hazard areas; delete this section.**

(5) ****Section R105.2, items #1, 2 & 3; change as follows:**

1. One-story detached accessory structures, provided the floor area does not exceed ~~200~~ 120 square feet (~~18.58~~ 11.15 m²) or 11 feet in height or on a permanent foundation.
2. Fences not over ~~6 feet~~ 36 inches (~~1829 mm~~ 914mm) high.
3. Retaining walls that are not over ~~4 feet~~ 1 foot (~~1219~~ 304 mm) in height...*{remainder unchanged.}*...
- ~~5. Sidewalks and driveways.~~

(6) ****Section R105.3.1.1& R106.1.4; delete these sections.**

(7)*Section R108 Fees; add a sentence to R108.2 and R108.6 as follows:**

R108.2 Schedule of permit fees. {bulk of sentence unchanged}... The fees for all such work shall be set by the City Manager and reviewed by City Council from time to time.

R108.6 Work commencing before permit issuance. {bulk of sentence unchanged}...a fee established by the applicable governing authority that shall be in addition to the required permit fees and may also be subject to municipal court action.

(8)Section R109.1.3; change to read as follows:**

R109.1.3 Floodplain inspections. For construction permitted in areas prone to flooding as established by Table R301.2(1), upon . . . *{bulk of section unchanged}* . . . construction, documentation, prepared and sealed by a registered *design professional*, of the elevation of the lowest floor, including *basement*, required in Section R322, shall be submitted upon request by the building official.}.

(9) **Section R110 (R110.1 through R110.5); delete the section.

(10) Amend Section 113.3 to read as follows:

113.3 Prosecution of violation: ~~If the notice of violation is not complied with in the time prescribed by such notice,~~The building official of the City of Hurst is authorized to request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 113.2 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

(11) **Section R202; change by adding or changing the following definitions:

CODE OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative.

TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

(12) ****Table R301.2(1); fill in as follows:**

GROUND SNOW LOAD	WIND SPEED ^{ed} (mph)	SEISMIC DESIGN CATEGORY ^{gh}
5 lb/ft	115 (3-sec-gust)/76 fastest mile	A

SUBJECT TO DAMAGE FROM			
Weathering ^a	Frost line depth ^b	Termite ^c	Decay ^d
moderate	6"	very heavy	

WINTER DESIGN TEMP ^{fe}	ICE SHIELD UNDER-LAYMENT REQUIRED ^{ih}	FLOOD HAZARDS ^{hg}	AIR FREEZING INDEX ⁱⁱ	MEAN ANNUAL TEMP ^{kj}
22°F	No	local code	150	64.9°F

(13) ****Section R302.1; add exception #6 to read as follows:**

Exceptions:

[1-5 Unchanged]

6. Open non-combustible carport structures may be constructed when also approved within adopted ordinances.

(14) ****Section R302.3; add Exception #3 to read as follows:**

Exceptions:

1. {existing text unchanged}

2. {existing text unchanged}

3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

(15) *****Section R302.5.1; change to read as follows:**

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 inches (35 mm) thick, or 20-minute fire-rated doors ~~equipped with a self-closing device.~~

(16) ****Section R303.3, Exception; amend to read as follows:**

Exception: {existing text unchanged} Exhaust air from the space shall be exhausted out to the outdoors unless the space contains only a water closet, a lavatory, or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(17)***Section R311.9; add to read as follows:

R311.9 Under stair protection. Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch (15.8 mm) fire-rated gypsum board or one-hour fire-resistive construction.

(18) Section R313 Automatic Fire Sprinkler Systems. Delete R313.1 and 313.2 in their entirety and replace with R313 as show below, said requirement to remain in Hurst Code of Ordinances as it has been:

One- and two-family dwellings with 10,000 square feet (3 048 000 mm) or more shall be equipped with automatic fire sprinklers. This requirement applied to initial construction and renovations to one- and two-family dwellings.

(19) ***Section R315.2.2 Alterations, repairs and additions. Amend to read as follows:

Exceptions:

2. Installation, alteration or repairs of electrically powered {remaining text unchanged}

(20) **Section R322 Flood Resistant Construction. Delete Section

(21) **Section R401.2, amended by adding a new paragraph following the existing paragraph to read as follows.

Section R401.2. Requirements. {existing text unchanged} ...

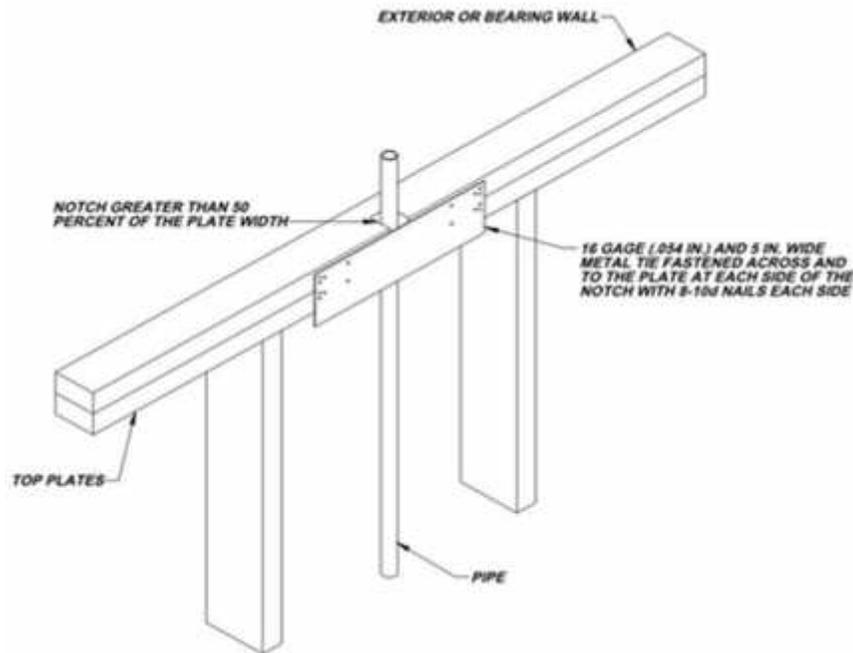
Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.

(22) **Section R602.6.1; amend the following:

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and ~~1½ inches (38) mm~~ 5 inches (127 mm) wideshall be fastened across and to the plate at each side of the opening with not

less than eight 10d (0.148 inch diameter) nails having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1. {remainder unchanged}

(23) ****Figure R602.6.1; delete the figure and insert the following figure:**



(24) ****Section R703.8.4.1; add a second paragraph to read as follows:**

In stud framed exterior walls, all ties shall be anchored to studs as follows:

1. When studs are 16 in (407 mm) o.c., stud ties shall be spaced no further apart than 24 in (737 mm) vertically starting approximately 12 in (381 mm) from the foundation; or
2. When studs are 24 in (610 mm) o.c., stud ties shall be spaced no further apart than 16 in (483 mm) vertically starting approximately 8 in (254 mm) from the foundation.

(25) ****Section R902.1; Amend and add exception #5 to read as follows:**

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed ~~in areas designated by law as requiring their use or when the edge of the roof is less than 3 feet from a lot line.~~ {remainder unchanged}

Exceptions:

1. {text unchanged}
2. {text unchanged}
3. {text unchanged}
4. {text unchanged}

5. Non-classified roof coverings shall be permitted on one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet or as approved by the code official.

(26) * Chapter 11 [RE] – Energy Efficiency is deleted in its entirety and replaced with the following:**

N1101.1 Scope. This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

N1101.2 Compliance. Compliance shall be demonstrated by meeting the requirements of the residential provisions of 2015 International Energy Conservation Code.

(27) **Section M1305.1.3; change to read as follows:

M1305.1.3 Appliances in attics. Attics containing appliances shall be provided . . . {bulk of paragraph unchanged} . . . sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger and large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.

Exceptions:

1. The passageway and level service space are not required where the appliance can be serviced and removed through the required opening.
2. Where the passageway is unobstructed... {remaining text unchanged}

(28) ****Section M1411.3; change to read as follows:**

M1411.3 Condensate disposal. Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to ~~an approved place of disposal~~ a sanitary sewer through a trap, by means of a direct or indirect drain. {remaining text unchanged}

(29) ****Section M1411.3.1, Items 3 and 4; add text to read as follows:**

M1411.3.1 Auxiliary and secondary drain systems. {bulk of paragraph unchanged}

1. {text unchanged}
2. {text unchanged}
3. An auxiliary drain pan... {bulk of text unchanged}... with Item 1 of this section. A water level detection device may be installed only with prior approval of the building official.
4. A water level detection device... {bulk of text unchanged}... overflow rim of such pan. A water level detection device may be installed only with prior approval of the building official.

(30) ****Section M1411.3.1.1; add text to read as follows:**

M1411.3.1.1 Water-level monitoring devices. On down-flow units ...{bulk of text unchanged}... installed in the drain line. A water level detection device may be installed only with prior approval of the building official.

(31) ****M1503.4 Makeup Air Required Amend and add exception as follows:**

M1503.4 Makeup air required. Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Exception: Where all appliances in the house are of sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m³/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m³/s) shall be provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 600 cubic feet per minute.

(32) ****Section M2005.2; change to read as follows:**

M2005.2 Prohibited locations. Fuel-fired water heaters shall not be installed in a room

used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that combustion air will not be taken from the living space. Access to such enclosure may be from the bedroom or bathroom when through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the International Energy Conservation Code and equipped with an approved self-closing device. Installation of direct-vent water heaters within an enclosure is not required

(33) ****Section G2408.3 (305.5); delete.**

(34) ****Section G2415.2.1 (404.2.1); add a second paragraph to read as follows:**

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING: 1/2 to 5 psi gas pressure - Do Not Remove"

(35) ****Section G2415.2.2 (404.2.2); add an exception to read as follows:**

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EDH).

(36) ****Section G2415.12 (404.12); change to read as follows:**

G2415.12 (404.12) Minimum burial depth. Underground piping systems shall be installed a minimum depth of ~~12 inches (305 mm)~~ 18 inches (457 mm) below grade ~~except as provided for in Section G2415.12.1.~~

(37) ****Section G2417.1 (406.1); change to read as follows:**

G2417.1 (406.1) General. Prior to acceptance and initial operation, all *piping* installations shall be inspected and *pressure tested* to determine that the materials, design, fabrication, and installation practices comply with the requirements of this *code*. The permit holder shall make the applicable tests prescribed in Sections 2417.1.1 through 2417.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the building official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

(38) ****Section G2417.4; change to read as follows:**

G2417.4 (406.4) Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. ~~Mechanical gauges used to~~

~~measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure.~~

(39) **Section G2417.4.1; change to read as follows:

G2417.4.1 (406.4.1) Test pressure. ~~The test pressure to be used shall be no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.~~

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing

(40) **Section G2417.4.2; change to read as follows:

G2417.4.2 (406.4.2) Test duration. ~~The test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for ~~be not~~ less than ~~40~~ fifteen (15) minutes. For welded *piping*, and for *piping* carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for less than thirty (30) minutes.~~

(41) **Section G2420.1 (406.1); add Section G2420.1.4 to read as follows:

G2420.1.4 Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

(42) ****Section G2420.5.1 (409.5.1); add text to read as follows:**

G2420.5.1 (409.5.1) Located within the same room. The shutoff valve ...*{bulk of paragraph unchanged}*... in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

(43) ****Section G2421.1 (410.1); add text and Exception to read as follows:**

G2421.1 (410.1) Pressure regulators. A line pressure regulator shall be ... *{bulk of paragraph unchanged}*... approved for outdoor installation. Access to regulators shall comply with the requirements for access to appliances as specified in Section M1305.

Exception: A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

(44) ****Section G2422.1.2.3 (411.1.3.3); delete Exception 1 and Exception 4.**

(45) ****Section G2445.2 (621.2); add Exception to read as follows:**

G2445.2 (621.2) Prohibited use. One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

Exception: Existing approved unvented room heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Building Official unless an unsafe condition is determined to exist as described in International Fuel Gas Code Section 108.7 of the Fuel Gas Code.

(46) ****Section G2448.1.1 (624.1.1); change to read as follows:**

G2448.1.1 (624.1.1) Installation requirements. The requirements for water heaters relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with this code.

(47) ***** Section P2801.6.1; change to read as follows:**

Section P2801.6.1 Pan size and drain. The pan shall be not less than 1 ½ inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than ¾ inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table 605.4.

Multiple pan drains may terminate to a single discharge piping system when approved by the administrative authority and permitted by the manufacture's installation instructions and installed with those instructions.

(48) ****Section P2801.7; add Exception to read as follows:**

Exceptions:

1. Elevation of the ignition source {remainder of sentence unchanged}.
2. Electric Water Heater.

(49) ***** Section P2804.6.1; change to read as follows:**

Section P2804.6.1 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap ~~located in the same room as the water heater.~~
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

Exception: Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufacture's installation instructions and installed with those instructions.

5. Discharge ~~to the floor,~~ to an indirect waste receptor or to the outdoors.

[remainder unchanged]

(50) ****Section P2902.5.3; change to read as follows:**

P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(51) *****Section P3003.9; Subsection P3003.9.2 change to read as follows:**

P3003.9.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in

color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.

~~Exception: A primer is not required where both of the following conditions apply:~~

- ~~1. The solvent cement used is third party certified as conforming to ASTM D 2564~~
- ~~2. The solvent cement is used only for joining PVC drain, waste, and vent pipe and fittings in not pressure applications in sizes up to and including 4 inches (102mm) in diameter.~~

(52) ~~Section P3111; delete.~~**

(53) ~~Section P3112.2; delete and replace with the following:~~**

P3112.2 Installation. Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six (6) inches (152 mm) above the flood level rim of the fixtures served. Drainage fittings shall be used on all parts of the vent below the floor level and a minimum slope of one-quarter (1/4) inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drain-board shall be a one (1) piece fitting or an assembly of a forty-five (45) degree (0.79 radius), a ninety (90) degree (1.6 radius) and a forty-five (45) degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this Code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

(54) ~~*Chapters 34 through 43; delete. Replace with the electrical code as adopted.~~**

Sections 5-48 thru 5-60 Reserved

DIVISION 3. MOVING BUILDINGS

Sections 5-61 thru 5-68 Unchanged

Sections 5-69 thru 5-100 Reserved

SECTION 4: That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article III “Plumbing Code” by deleting the current Chapter 5, Article III “Plumbing Code” and replacing Chapter 5, Article III “Plumbing Code and International Fuel Gas Code” to read as follows:

ARTICLE III. PLUMBING CODE AND INTERNATIONAL FUEL GAS CODE

DIVISION 1. PLUMBING CODE

Sec 5-101. International Plumbing Code – Adopted. The International Plumbing Code, 2015 Edition and Appendices ~~Chapters~~ B, C, D and E as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Sec. 5-102 and administered and enforced by the office of the Building Official is hereby adopted by reference and designated as the Plumbing Code of the City as though such code were copied at length in this article.

Sec 5-102. Same – Deletions and Amendments. The plumbing code adopted in this article is hereby amended and changed in the following respects:

(1) ****Table of Contents, Chapter 7, Section 714; change to read as follows:**

Section 714 Engineered ~~Computerized~~ Drainage Design 69

(2) ****Section 101.1, change to read as follows:**

101.1 Title. These regulations shall be known as the Plumbing Code of the City of Hurst, hereafter referred to as “this code.”

(3) ****Section 102.8; change to read as follows:**

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and

standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 or the National Electrical Code (NEC) shall mean the Electrical Code as adopted.

(4) **Sections 106.6.2 and 106.6.3; change to read as follows:

106.6.2 Fee schedule. The fees for all plumbing work shall be set by the City Manager and reviewed by City Council from time to time.

106.6.3 Fee Refunds. The code official shall establish a policy for authorizing the refunding of fees as follows. {Delete balance of section }

(5)*Amend Section 108.2; 108.3, 108.4, and 108.5; amend to read as follows:**

108.2. Notice of violation. The code official ~~shall~~ is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of plumbing work in violation of the provisions of this code, or in violation of a detail statement or the *approved* construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

108.3 Prosecution of violation. ~~If the notice of violation is not complied with promptly,~~ The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 108.2 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations ~~[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ Each day that a violation continues ~~after due notice has been served~~ shall be deemed a separate offense.

108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice 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 performing the work. The notice shall state the conditions under which work is authorized to resume. ~~Where an emergency exists,~~ The code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform by the code official to remove a violation or unsafe condition, shall be liable ~~as set forth above in Section 108.4 to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

(6) *****Section 109; Delete entire section and insert the following:**

SECTION 109
MEANS OF APPEAL

109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

(7) ****Section 305.4.1; change to read as follows:**

- (1) **305.4.1 Sewer depth.** ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection.~~ Building sewers shall be a minimum of 12 inches (304 mm) below grade.

(8) ****Section 305.7; change to read as follows:**

305.7 Protection of components of plumbing system. Components of a plumbing system installed within 3 feet of the edge of alleyways, driveways, parking garages or other locations in a manner in which they could be exposed to damage shall be recessed into the wall or otherwise protected in an approved manner.

(9) ****Section 314.2.1; change to read as follows:**

314.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. ... {text unchanged} ... Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

(10) ****Section 409.2; change to read as follows:**

409.2 Water connection. The water supply to a commercial dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608. (Remainder of section unchanged)

(11) ****Section 412.4; change to read as follows:**

412.4 Required location for floor drains ~~Public laundries and central washing facilities.~~
Floor drains shall be installed in the following areas.

1. In public coin-operated laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.
2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the code official may accept floor sinks.
3. Public restrooms.

(12) ****Section 419.3; change to read as follows:**

419.3 Surrounding material. Wall and floor space to a point 2 feet (610 mm) in front of a urinal lip and 4 feet (1219 mm) above the floor and at least 2 feet (610 mm) to each side of the urinal shall be waterproofed with a smooth, readily cleanable, hard, nonabsorbent material.

(13) *****Section 502.3; change to read as follows:**

502.3 Appliances in attics. Attics containing a water heater shall be provided . . . {bulk of paragraph unchanged} . . . side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the water heater. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.

2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15 250 mm) in length.

(14) ****Section 502.6; add Section 502.6 and 502.6.1 to read as follows:**

502.6 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

502.6.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided.

(15) ****Section 504.6; change to read as follows:**

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap. ~~located in the same room as the water heater.~~
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

Exception: Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufacture's installation instructions and installed with those instructions

5. Discharge ~~to the floor,~~ to an indirect waste receptor or to the outdoors.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.

8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Terminate not more than 6 inches above and not less than two times the discharge pipe diameter above the floor or flood level rim of the waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.

(16) *Section 504.7.1; change to read as follows:**

Section 504.7.1 Pan size and drain ~~to read as follows:~~ The pan shall be not less than 1 ½ inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than ¾ inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table 605.4. Multiple pan drains may terminate to a single discharge piping system when approved by the administrative authority and permitted by the manufacture's installation instructions and installed with those instructions.

(17) **Section 604.4; add Section 604.4.1 to read as follows:

604.4.1 State maximum flow rate. Where the State mandated maximum flow rate is more restrictive than those of this section, the State flow rate shall take precedence.

(18) **Section 606.1; delete items #4 and #5.

(19) **Section 606.2; change to read as follows:

606.2 Location of shutoff valves. Shutoff valves shall be installed in the following locations:

1. On the fixture supply to each plumbing fixture other than bathtubs and showers in one- and two family residential occupancies, and other than in individual sleeping units that are provided with unit shutoff valves in hotels, motels, boarding houses and similar occupancies.
2. ~~On the water supply pipe to each sillcock.~~
3. On the water supply pipe to each appliance or mechanical equipment.

(20) **Section 608.1; change to read as follows:

608.1 General. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from non-potable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to applicable local regulations Table 608.1, ~~except~~ and as specifically stated in Sections 608.2 through 608.16.10.

(21) **Section 608.16.5; change to read as follows:

608.16.5 Connections to lawn irrigation systems.

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(22) **Section 608.17; change to read as follows:

608.17 Protection of individual water supplies. An individual water supply shall be located and constructed and maintained so as to be safeguarded against contamination in accordance with applicable local regulations. Installation shall be in accordance with Sections 608.17.1 through 608.17.8.

(23) **Section 610.1; add exception to read as follows:

610.1 General. New or repaired potable water systems shall be purged of deleterious matter and disinfected prior to utilization. The method to be followed shall be that prescribed by the health authority or water purveyor having jurisdiction or, in the absence of a prescribed method, the procedure described in either AWWA C651 or AWWA C652, or as described in this section. This requirement shall apply to “on-site” or “in-plant” fabrication of a system or to a modular portion of a system.

1. The pipe system shall be flushed with clean, potable water until dirty water does not appear at the points of outlet.
2. The system or part thereof shall be filled with a water/chlorine solution containing at least 50 parts per million (50 mg/L) of chlorine, and the system or part thereof shall be valved off and allowed to stand for 24 hours; or the system or part thereof shall be filled with a water/chlorine solution containing at least 200 parts per million (200 mg/L) of chlorine and allowed to stand for 3 hours.
3. Following the required standing time, the system shall be flushed with clean potable water until the chlorine is purged from the system.

4. The procedure shall be repeated where shown by a bacteriological examination that contamination remains present in the system.

Exception: With prior approval, the Code Official may wave this requirement when deemed un-necessary.

(24) Section 703.6; Delete

*(25) ***Section 704.5; added to read as follows:*

704.5 Single stack fittings. Single stack fittings with internal baffle, PVC schedule 40 or cast iron single stack shall be designed by a registered engineer and comply to a national recognized standard.

*(26) ***Section 705.11.2; change to read as follows:*

705.11.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.

~~Exception: A primer is not required where both of the following conditions apply:~~

- ~~1. The solvent cement used is third party certified as conforming to ASTM D 2564~~
- ~~2. The solvent cement is used only for joining PVC drain, waste, and vent pipe and fittings in not pressure applications in sizes up to and including 4 inches (102mm) in diameter.~~

*(27) **Section 712.5; add Section 712.5 to read as follows:*

712.5 Dual Pump System. All sumps shall be automatically discharged and, when in any “public use” occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

*(28) **Section 714, 714.1; change to read as follows:*

SECTION 714

ENGINEERED COMPUTERIZED DRAINAGE DESIGN

714.1 Design of drainage system. The sizing, design and layout of the drainage system

shall be ~~permitted to be~~ designed by a registered engineer using approved computer design methods.

(29) ****Section 804.2; added to read as follows:*

804.2 Special waste pipe, fittings, and components. Pipes, fittings, and components receiving or intended to receive the discharge of any fixture into which acid or corrosive chemicals are placed shall be constructed of CPVC, high silicone iron, PP, PVDF, chemical resistant glass, or glazed ceramic materials.

(30) ***Section 903.1; change to read as follows:*

903.1 Roof extension. Open vent pipes that extend through a roof shall terminate not less than six (6) inches (152 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

(31) ***Section 917 Single stack vent system. Delete entire section.*

(32) ***Section 1002.10; delete.*

(33) ***Section 1003; replace Table 1003.3.4.1 to read as follows:*

All food establishments having a food disposal or discharge of more than fifty (50) gallons per minute shall discharge into an oil & grease interceptor. Establishments with a discharge of fifty (50) gallons per minute or less shall discharge into ~~at least a~~ minimum 100-pound size grease trap. An approved-type grease interceptor or grease trap complying with the provisions of this subsection shall be installed in the waste line leading from sinks, drains, and other fixtures or equipment in establishments such as restaurants, cafes, lunch counters, cafeterias, bars and clubs, hotels, hospitals, sanitariums, factory or school kitchens, or other establishments where grease may be introduced into the drainage or sewage system in quantities that can affect line stoppage or hinder sewage treatment or private sewage disposal when grease interceptors are required. A grease trap is not required for individual dwelling units or for any private living quarters.

Grease Interceptors

Concrete -Shall be composed of one part Portland cement and five parts aggregate.
 -Reinforcement bars deformed number four bars on 18-inch centers.

Alternate to Other than concrete interceptors as approved by the code official.
concrete

Manholes -Cast iron frame with 20-inch cover.

Vents -Four-inch sanitary vent may be reduced to two inches if interceptor is

connected to a properly vented sewer or waste line within 25 feet.
-Relief vents shall be two inches between compartments and to atmosphere above roof, and inside building.

- Capacity -The figures below are approximates:
100 cubic feet holding 750 gallons *retention* capacity minimum.
- Clean out -Should be two-way located as near as possible to the interceptor on outflow line above seal.
- Test port -See city detail.

(34) **Section 1101.8; change to read as follows:

1101.8 Cleanouts required. Cleanouts or manholes shall be installed in the ~~building~~ storm drainage system and shall comply with the provisions of this code for sanitary drainage pipe cleanouts.

~~Exception: Subsurface drainage system~~

(35) **Section 1106.1; change to read as follows:

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour ~~the 100-year hourly rainfall rate indicated in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~

(36) **Section 1108.3; change to read as follows:

1108.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106 ~~based on the rainfall rate for which the primary system is sized in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~ Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

(37) **Section 1109; delete this section...

(38) **Section 1202.1; delete Exception 2.

Sections 5-103 thru 5-110 Reserved.

DIVISION 2. INTERNATIONAL FUEL GAS CODE

Sec 5-111. International Fuel Gas Code – Adopted. The International Fuel Gas Code, 2015 Edition and Appendices ~~Chapters~~ A, B and C as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Sec. 5-112, administered and enforced by the office of the Building Official is hereby adopted by reference and designated as a part of the Plumbing Code of the City as though such code were copied at length in this article.

Sec 5-112. Same – Deletions and Amendments.

The Fuel Gas Code adopted in this article is hereby amended and changed in the following respects:

(1) *Section 101.1 Amend as follows:***

101.1 Title. These regulations shall be known as the Fuel Gas Code of the City of Hurst, Texas, hereinafter referred to as “this code.”

(2) *Section 101.2 change to read as follows:***

101.2 Scope. This code shall apply to the installation of fuel-gas piping systems, fuel gas appliances, gaseous hydrogen systems and related accessories in accordance with Section 101.2.1 through 101.2.5 in accordance and to the extent there is no conflict with State law.

(3) *Section 102.2; add an exception to read as follows:***

Exception: Existing dwelling units shall comply with Section 621.2.

(4) *Section 102.8; change to read as follows:***

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 of the International Fuel Gas Code and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted

(5) *Sections 106.6.2 and 106.6.3; change to read as follows:***

106.6.2 Fee schedule. The fees for all plumbing work shall be as set by the City

Manager and reviewed by City Council from time to time.

106.6.3 Fee Refunds. The code official shall establish a policy for authorizing the refunding of fees.

(6) **Amend section 108.2, 108.3, 108.4 and 108.5 as set forth below:**

108.2. Notice of violation. The code official ~~shall~~ is authorized to serve a notice of violation or order to the person responsible for the erection, installation, *alteration*, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the *approved construction documents* thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

108.3 Prosecution of violation. ~~If the notice of violation is not complied with promptly,~~ The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 108.2 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

108.4 Violation penalties. Any person who shall violate a provision of this code, shall fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations ~~[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

108.5 Stop work orders. Upon notice from the code official that work is being performed contrary to the provisions of this code or in an dangerous or unsafe manner, such work shall immediately cease. Such notice 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 performing the work. The notice shall state the conditions under which work is authorized to resume. ~~Where an emergency exists,~~ The code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform by the code official to remove a violation or unsafe condition, shall be liable as set forth above in Section 108.4. to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

(7)Section 109; Delete entire section and insert the following:**

**SECTION 109
MEANS OF APPEAL**

109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

(8)Section 306.3; change to read as follows:**

[M] 306.3 Appliances in attics. Attics containing appliances shall be provided . . . {bulk of paragraph unchanged} . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), ~~and~~ or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.
2. Where the passageway is not less than . . . {bulk of section to read the same}.

(9) **Section 306.5; change to read as follows:

[M] 306.5 Equipment and appliances on roofs or elevated structures. Where equipment requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, ~~an~~ a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 8 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . {bulk of section to read the same}. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). . . {bulk of section to read the same}.

(10) **Section 306.5.1; change to read as follows:

[M] **306.5.1 Sloped roofs.** Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which *access* is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

(11)**Add Section 306.7 to read as follows:

306.7 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

(12)**Section 401.5; add a second paragraph to read as follows:

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING
1/2 to 5 psi gas pressure
Do Not Remove"

(13)**Section 402.3; add an exception to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EHD).

(14)**Section 404.12; change to read as follows:

404.12 Minimum burial depth. Underground piping systems shall be installed at a minimum depth of ~~±~~ 18 inches (458 mm) top of pipe below grade, ~~except as provided for in Section 404.9.1.~~

(15) ** Section 406.1; change to read as follows:

406.1 General. Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 406.1.1 through 406.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

(16)*Section 406.4; change to read as follows:**

406.4 Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. ~~Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure~~

(17)*Section 406.4.1; change to read as follows:**

406.4.1 Test pressure. ~~The test pressure to be used shall be no less than 1 1/2 times the proposed maximum working pressure, but no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge; irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.~~

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

(18)Section 406.4.2; change to read as follows:**

406.4.2 Test duration. Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than thirty (30) minutes. (Delete remainder of section.)

(19)Add Section 409.1.4 to read as follows:**

409.1.4 Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

(20)Section 410.1; add a second paragraph and exception to read as follows:**

Access to regulators shall comply with the requirements for access to appliances as specified in Section 306.

Exception: A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

(21)Section 621.2; change to read as follows:**

621.2 Prohibited use. One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

Exception: Existing approved unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

Sections 5-113 thru 5-135. Reserved.

SECTION 5: That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article IV “Mechanical Code” by deleting the current Chapter 5, Article IV “Mechanical Code” and replacing Chapter 5, Article IV “Mechanical Code and International Energy Conservation Code” to read as follows:

ARTICLE IV. MECHANICAL CODE AND INTERNATIONAL ENERGY

CONSERVATION CODE

DIVISION 1. MECHANICAL CODE

Sec 5-136. International Mechanical Code – Adopted. The International Mechanical Code, 2015 Edition, as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Sec. 5-137, administered and enforced by the office of the building official is hereby adopted by reference and designated as the Mechanical Code of the City as though such code were copied at length in this article.

Sec 5-137. Same – Deletions and Amendments.

The mechanical code adopted in this article is here by amended and changed in the following respects :

(1) **Section 101.1, change to read as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Hurst, hereafter referred to as “this code.”

(2) **Section 102.8; change to read as follows:

102.8 Referenced Codes and Standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 or the *National Electrical Code* (NEC) shall mean the Electrical Code as adopted.

(3) **Sections 106.5.2 and 106.5.3; change to read as follows:

106.5.2 Fee schedule. The fees for all mechanical work shall be set by the City Manager and reviewed by City Council from time to time.

106.5.3 Fee Refunds. The code official shall establish a policy for authorize authorizing the refunding of fees.

(4)*Amend Section 108.2; 108.3, 108.4, and 108.5 to read as follows:**

108.2. Notice of violation. The code official ~~shall~~ is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of mechanical work in violation of the provisions of this code, or in violation of a detail statement or the *approved construction documents* thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

108.3 Prosecution of violation. ~~If the notice of violation is not complied with promptly,~~ The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 108.2 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations ~~[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ Each day that a violation continues after ~~due notice has been served~~ shall be deemed a separate offense.

108.5 Stop work orders. Upon notice from the code official, that mechanical work is being is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice ~~shall~~ may be in writing and ~~shall~~ be given to the owner of the property, or to the owner's authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. ~~Where an emergency exists,~~ The code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform by the code official to remove a violation or unsafe condition, shall be liable as set forth above in Section 108.4 ~~to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

(5)Section 109; Delete entire section and insert the following:**

**SECTION 109
MEANS OF APPEAL**

109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

(6) **Section 306.3; change to read as follows:

306.3 Appliances in Attics. Attics containing appliances shall be provided . . . {bulk of paragraph unchanged} . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb. (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... {remainder of section unchanged}

(7) **Section 306.5; change to read as follows:

306.5 Equipment and Appliances on Roofs or Elevated Structures. Where equipment requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, ~~an~~ a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 8 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . {bulk of section to read the same} . . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... {bulk of section to read the same}.

(8) **Section 306.5.1; change to read as follows:

306.5.1 Sloped Roofs. Where appliances, equipment, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units

horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code.

(9) **Section 306; add Section 306.6 to read as follows:

306.6 Water Heaters Above Ground or Floor. When the mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A maximum 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and the water heater installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

(10) **Section 307.2.3; amend item 2 to read as follows:

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

(11) **Section 403.2.1; add an item 5 to read as follows:

5. Toilet rooms within private dwellings that contain only a water closet, lavatory, or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(12) **Section 501.3; add an exception to read as follows:

501.3 Exhaust Discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from

which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.

Exceptions:

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.
2. Commercial cooking recirculating systems.
3. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.
4. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

(13) **Section 607.5.1; change to read as follows:

607.5.1 Fire Walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 706.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1 - 510.9 IMC.

Sections 5-138 Unchanged

Sections 5-139 thru 5-145 Reserved

DIVISION 2. ENERGY CODE

Sec 5-146. International Energy Conservation Code – Adopted. The International Energy Conservation Code, 2015 Edition as published by the International Code Council, Inc., a copy of which is on file in office of the City Secretary, as amended by Sec. 5-147, administered and enforced by the office of the Building Official is hereby adopted by reference and designated as the Energy Code of the City as though such code were copied at length in this article.

Sec 5-147. Same – Deletions and Amendments. The energy code adopted in this article is hereby amended and changed in the following respects:

(1)***Section C101.1 and R101.1. Change to read as follows:

[the City of Hurst]

(2) **Section C102/R102; add Section C102.1.2 and R102.1.2 to read as follows:

C102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

R102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4 and R403.3.3 respectively.

(3)***Add sections C108.5, C108.6 and C108.7 and R108.5, R108.6 and R108.7 to read as follows:

C108.5. Notice of violation. The code official is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of any work regulated by this code that is in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

C108.6 Prosecution of violation. The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 108.5 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

C108.7 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair any work regulated by this code in violation of the approved construction documents or

directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations. Each day that a violation continues shall be deemed a separate offense.

R108.5. Notice of violation. The code official is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of any work regulated by this code that is in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

R108.6 Prosecution of violation. The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 108.5 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

R108.7 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair any work regulated by this code in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations. Each day that a violation continues shall be deemed a separate offense.

(4)*Section C109 and R109; Delete entire sections and insert the following:**

SECTION C109
MEANS OF APPEAL

C109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

SECTION R109
MEANS OF APPEAL

R109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

(5) Section C202 and R202; add the following definition:

*****PROJECTION FACTOR.** The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device.

Section R202; add the following definition:

*****DYNAMIC GLAZING.** Any fenestration product that has the fully reversible ability to change its performance properties, including *U*-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

(6)*Section C202; add the following definitions:**

RE-ROOFING. When a commercial flat roofed building, built prior to the adoption of the IECC, is re-roofed, roof deck insulation shall be installed with an R value of not less than R-19.

SHELL BUILDINGS. New buildings (shell buildings) designed to be heated or air conditioned in the future shall meet the code requirements for envelope design at the time of construction.

(7)Amend Table R402.1.2:**

**** Table R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT;** Amend by changing the WOOD FRAME WALL R-VALUE for CLIMATE ZONE 3 to read as follows:

~~20 or 13+5^h~~ 13

(8) ** Amend Table R402.1.4

Table R402.1.4 EQUIVALENT U-FACTORS; Amend by changing the FRAME WALL U-FACTOR for CLIMATE ZONE 3 to read as follows:

~~0.060~~ 0.082

(9)C402.2.2 Roof assembly. Add paragraph at end of subsection to read as follows:**
Suspended or drop in ceilings shall not be considered as part of the building envelope.

Insulation installed on top of the ceiling grid shall not be considered to meet envelope requirements. Pre-existing buildings may retain the insulation installed in this manner. Pre-existing buildings where 50% or more of the insulation is removed for remodeling, or any other reason, shall then meet the current code requirements.

(10) *Section R402.3.2 Glazed fenestration SHGC; amend by adding a paragraph and table following the exception to read as follows:**

Where vertical fenestration is shaded by an overhang, eave, or permanently attached shading device, the SHGC required in Table R402.1.2 shall be reduced by using the multipliers in Table R402.3.2 SHGC Multipliers for Permanent Projections.

Table R402.3.2 SHGC Multipliers for Permanent Projections ^a

<i>Projection Factor</i>	<i>SHGC Multiplier (all Other Orientation)</i>	<i>SHGC Multiplier (North Oriented)</i>
<i>0 - 0.10</i>	<i>1.00</i>	<i>1.00</i>
<i>>0.10 – 0.20</i>	<i>0.91</i>	<i>0.95</i>
<i>>0.20 – 0.30</i>	<i>0.82</i>	<i>0.91</i>
<i>>0.30 – 0.40</i>	<i>0.74</i>	<i>0.87</i>
<i>>0.40 – 0.50</i>	<i>0.67</i>	<i>0.84</i>
<i>>0.50 – 0.60</i>	<i>0.61</i>	<i>0.81</i>
<i>>0.60 – 0.70</i>	<i>0.56</i>	<i>0.78</i>
<i>>0.70 – 0.80</i>	<i>0.51</i>	<i>0.76</i>
<i>>0.80 – 0.90</i>	<i>0.47</i>	<i>0.75</i>
<i>>0.90 – 1.00</i>	<i>0.44</i>	<i>0.73</i>

^a *North oriented means within 45 degrees of true north.*

(11) **Section R402.4.1.2 Testing; modify the first paragraph to read as follows:

R402.4.1.2 Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour in ~~Climate Zones 1 and 2, and 3 air changes per hour in~~ Climate Zones 3 through 8. *{Remainder of text unchanged}*

(12) *R402.4.1.2 Testing; Add a last paragraph to read as follows:**

Mandatory testing shall only be performed by individuals that are certified to perform air infiltration testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

(13) * R403.3.3 Duct Testing (Mandatory) Add a last paragraph to read as follows:**

Mandatory testing shall only be performed by individuals that are certified to perform duct testing leakage testing certified by national or state organizations as approved by the

building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

(14) **Section C402.2.7/R402.2; Add Section C402.2.7 and R402.2.14 to read as follows:

Section C402.2.7/R402.2.14 Insulation installed in walls. To insure that insulation remains in place, insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the building official.

(15) *Section R405.6.2; add the following sentence to the end of paragraph:**

Acceptable performance software simulation tools may include, but are not limited to, REM Rate™, Energy Gauge and IC3. Other performance software programs accredited by RESNET BESTEST and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.

(16) *TABLE R406.4 MAXIMUM ENERGY RATING INDEX; amend to read as follows:**

TABLE R406.4¹
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	65

¹ This table is effective until August 31, 2019.

TABLE R406.4²
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	63

² The table is effective from September 1, 2019 to August 31, 2022.

TABLE R406.4³
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	59

³ This table is effective on or after September 1, 2022.

Sections 5-148 thru 5-155 Reserved

SECTION 6: That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article V “Electrical Code” by deleting said section where shown below for Chapter 5, Article V “Electrical Code” and replacing said deleted sections and retaining sections as shown below for Chapter 5, Article V “Electrical Code” to read as follows:

ARTICLE V. ELECTRICAL CODE

DIVISION 1. GENERAL

Sec 5-156 Unchanged.

(1)*Section 5-157 Definitions; add a definition to read as follows:**

CODE OFFICIAL. The officer or other designated authority, charged with the administration and enforcement of this code, or a duly appointed authorized representative.

Section 5-158 thru Sec 5-160 Unchanged.

(2)*Section 5-161. General standards; code adopted. Change (b) to read:**

(b) NFPA 70, The National Electric Code, 2014 Edition, as published by the National Fire Protection Association, a copy of which is on file in the office of the City Secretary, as amended by section 5-168, is hereby adopted by reference and designated as the electrical code of the city as though such code were copied at length in this article.

Sec 5-162 thru Sec 5-166 Unchanged.

Sec 5-167. Reserved.

Sec. 5-168. Amendments, deletions and changes to the electrical code.

(3) *Add 90.4.1 to read as follows:**

90.4.1. Notice of violation. The code official is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of any work regulated by this code that is in violation of the provisions of this code, or in violation of the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code or the

directive of the code official. Such order may direct the discontinuance of the illegal action or condition and the abatement of the violation.

90.4.2 Prosecution of violation. The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Neither the City nor the Code Official, shall not be required to provide notice as set forth in 90.4.1 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

90.4.3 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair any work regulated by this code in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations. Each day that a violation continues shall be deemed a separate offense.

(4)*Article 100; add the following to definitions:**

Engineering Supervision. Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations.

(5) *Article 100; amend the following definitions:**

Intersystem Bonding Termination. A device that provides a means for connecting intersystem bonding conductors for communication systems and other systems ~~such as metallic gas piping systems~~ to the grounding electrode system. Bonding conductors for other systems shall not be larger than 6 AWG.

(6)*Article 110.2; change the following to read as follows:**

110.2 Approval. The conductors and equipment required or permitted by this *Code* shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency approved by the AHJ.

Exception: Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field evaluation by a NRTL or qualified third party inspection agency approved by the AHJ.

~~Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.~~

Informational Note No. 1: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of *Approved, Identified, Labeled, and Listed*.

Informational Note No. 2: Manufacturer's self-certification of equipment may not necessarily comply with US product safety standards as certified by a Nationally Recognized Testing Lab.

Informational Note No. 3: NFPA 790 and 791 provide an example of an approved method for qualifying a third party inspection agency.

(7) *Article 210.52(G) (1) Garages: delete the following**

(1) Garages. In each attached garage and in each detached garage with electric power. ~~The branch circuit supplying this receptacle(s) shall not supply outlets outside of the garage.~~ At least one receptacle outlet shall be installed for each car space.

(8) **Article 230.71(A); add the following exception:

Exception: Multi-occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

(9) *Article 240.91; delete the Article.**

(10) **Article 300.11; add the following exception:

Exception: Ceiling grid support wires may be used for structural supports when the associated wiring is located in that area, not more than two raceways or cables supported per wire, with a maximum nominal metric designation 16 (trade size 1/2").

(11) **Article 310.15(B) (7); change to read as follows:

(7) This Article shall not be used in conjunction with 220.82.

(12)*Article 500.8 (A) (3) changed to read as follows:**

500.8 Equipment.

Articles 500 through 504 require equipment construction and installation that ensure safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to installation and maintenance.

Informational Note No. 2: Since there is no consistent relationship between explosion properties and ignition temperature, the two are independent requirements.

Informational Note No. 3: Low ambient conditions require special consideration. Explosionproof or dust-ignitionproof equipment may not be suitable for use at temperatures lower than -25°C (-13°F) unless they are identified for low-temperature service. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified as Class I, Division 1 at normal ambient temperature.

(A) Suitability. Suitability of identified equipment shall be determined by one of the following:

- (1) Equipment listing or labeling
- (2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation
- (3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or ~~an owner's engineering judgment~~, an engineering judgment signed and sealed by a qualified ~~Registered~~ licensed Professional Engineer in the State of Texas.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information.

(13) *Article 505.7 (A) changed to read as follows:**

505.7 Special Precaution.

Article 505 requires equipment construction and installation that ensures safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: Low ambient conditions require special consideration. Electrical equipment depending on the protection techniques described by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified Class I, Zones 0, 1, or 2 at normal ambient temperature.

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed by a qualified ~~persons~~ ~~Registered~~ licensed Professional Engineer in the State of Texas.

(14) *Article 517.30 Essential Electrical Systems for Hospitals; create a new (H) and add the following language:**

(G) Coordination. Overcurrent protective devices serving the equipment branch of the essential electrical system shall be coordinated for the period of time that a fault's duration extends beyond 0.1 second.

Exception No. 1: Between transformer primary and secondary overcurrent protective devices, where only one overcurrent protective device or set of overcurrent protective devices exists on the transformer secondary.

Exception No. 2: Between overcurrent protective devices of the same size (ampere rating) in series.

Informational Note: The terms coordination and coordinated as used in this section do not cover the full range of overcurrent conditions.

(H) Selective Coordination. Overcurrent protective devices serving the life safety, and critical branches of the essential electrical system shall be selectively coordinated with all supply-side overcurrent protective devices.

Exception No. 1: Between transformer primary and secondary overcurrent protective devices, where only one overcurrent protective device or set of overcurrent protective devices exists on the transformer secondary.

Exception No. 2: Between overcurrent protective devices of the same size (ampere rating) in series.

Informational Note: The terms coordination and coordinated as used in this section do not cover the full range of overcurrent conditions.

(15) *Article 680.25(A) changed to read as follows:**

680.25 Feeders.

These provisions shall apply to any feeder on the supply side of panelboards supplying branch circuits for pool equipment covered in Part II of this article and on the load side of the service equipment or the source of a separately derived system.

(A) Wiring Methods.

(1) Feeders. Feeders shall be installed in rigid metal conduit, intermediate metal conduit.
The following wiring methods shall be permitted if not subject to physical damage:

- (1) Liquidtight flexible nonmetallic conduit
- (2) Rigid polyvinyl chloride conduit
- (3) Reinforced thermosetting resin conduit
- (4) Electrical metallic tubing where installed on or in a building
- (5) Electrical nonmetallic tubing where installed within a building
- (6) Type MC Cable where installed within a building and if not subject to corrosive environment
- (7) Nonmetallic-sheathed cable
- (8) Type SE cable

~~**Exception:** A feeder within a one-family dwelling or two-family dwelling unit between remote panelboard and service equipment shall be permitted to run in flexible metal conduit or an approved cable assembly that includes an insulated equipment grounding conductor~~

Sec. 5-169 thru 5-173 Unchanged.

Sec. 5-174 thru 5-185. Reserved.

DIVISION 2. ELECTRICAL INSPECTOR*

Sec. 5-186 Unchanged.

Sec. 5-187 Reserved.

Sec. 5-188 thru 5-195 Unchanged.

Sec. 5-196 thru 5-205. Reserved.

DIVISION 3. RESERVED

Sec. 5-206 thru 5-225. Reserved.

DIVISION 4. REGISTRATION OF ELECTRICIANS; CERTIFICATE

Sec. 5-226. thru 5-240. Unchanged.

Sec. 5-241 thru 5-250. Reserved.

DIVISION 5. WORK PERMITS

Sec. 5-251 thru 5-260 Unchanged.

Sec. 5-261 thru 5-275. Reserved.

SECTION 7: That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article VI “Reserved” by deleting the current Chapter 5, Article VI “Reserved” replacing said deleted sections and retaining sections as shown below for Chapter 5, Article VI “International Pool and Spa Code” to read as follows:

ARTICLE VI. INTERNATIONAL POOL AND SPA CODE

DIVISION 1. GENERAL

*****Sec. 5-276. International Pool and Spa Code– Adopted.** The International Pool and Spa Code, 2015 Edition as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Sec. 5-277, administered and enforced by the office of the building official is hereby adopted by reference and designated as the Pool and Spa Code of the City as though such code were copied at length in this article.

*****Sec. 5-277. Same – Deletions and Amendments.**

(1)*101.1 Title. Add City of Hurst as NAME OF JURISDICTION.**

(2)*PART 2- ADMINISTRATION AND ENFORCEMENT Change DEPARTMENT OF BUILDING SAFTY TO Building Inspection Department, here and through out.**

(3)*105.3.1 Add new section as follows :**

105.3.1 Pools in Flood Hazard Areas. Pools requesting to be located in flood hazard areas will submit a Flood Development Permit, provided by the city, along with the construction documents.

(4)*105.6 Fees ; change subsection 105.6.2 change to read as follows :**

105.6.2 Fee Schedule. The fees for all swimming pool or spa work shall be set by the City Manager and reviewed by City Council from time to time.

(5) *107.2 Change 107.2 to read as follows:**

107.2. Notice of violation. The code official ~~shall~~ is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the *approved* construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(6) *107.2 Change 107.3 to read as follows:**

107.3 Prosecution of violation. ~~If the notice of violation is not complied with promptly,~~
The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful pool or spa in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 107.2 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

(7) *107.2 Change 107.4 to read as follows:**

107.4 Violation penalties. Any person who shall violate a provision of this code, shall fail to comply with any of the requirements thereof or erect, install, alter or repair a pool or spa in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations ~~[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ Each day that a violation continues ~~after due notice has been served~~ shall be deemed a separate offense.

(8) *107.2 Change 107.5 to read as follows:**

107.5 Stop work orders. Upon notice from the code official that work is being performed contrary to the provisions of this code or in an dangerous or unsafe manner, such work shall immediately cease. Such notice 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 performing the work. The notice shall state the conditions under which work is authorized to resume. ~~Where an emergency exists,~~ The code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform by the code official to remove a violation or unsafe condition, shall be liable as set forth above in Section 107.4. ~~to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

(9)*Section 108; Delete entire section and insert the following:**

SECTION 108
MEANS OF APPEAL

108.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

Sec. 5-278 thru Sec. 5-293. Reserved.

Section 8: That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article VII "Substandard Buildings" by deleting Chapter 5, Article VII, "Substandard Buildings" replacing said deleted sections and retaining sections as shown with Chapter 5, Article VII "Substandard Buildings and International Property Maintenance Code" Division 1 "Substandard Buildings" and Division II "International Property Maintenance Code" to read as follows:

**ARTICLE VII. SUBSTANDARD BUILDINGS AND INTERNATIONAL
PROPERTY MAINTENANCE CODE**

DIVISION 1. SUBSTANDARD BUILDINGS

Sec. 5-294 thru 5-301 Unchanged.

***DIVISION 2. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec 5-302. International Property Maintenance Code – Adopted. The International Property Maintenance Code, 2015 Edition as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Sec. 5-303, administered and enforced by the office of the building official is hereby adopted by reference and designated as the Property Maintenance Code of the City as though such code were copied at length in this article.

Sec 5-303. Same – Deletions and Amendments. The property maintenance code adopted in this article is hereby amended and changed in the following respects:

(1)*Section 101.1 Change to read as follows:**

Section 101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Hurst, hereinafter referred to as “this code.”

(2)*Section 103.5 change to read as follows:**

Section 103.5 Fees. The fees for activities and services performed by this department in carrying out its responsibilities under this code shall be set by the city manager from time to time.

(3) *Section 106.3 change to read as follows:**

106.3 Prosecution of violation. Any person failing to comply with any provisions of this code or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor as determined by the Municipal Court. This code governs fire, safety, zoning or public health and sanitation and such violations are subject to a fine not to exceed two thousand dollars (\$2,000.00). Each day a violation continues shall be a separate offense.

The code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or other order or direction made pursuant thereto.

(4) *Section 106.6 Add to read as follows:**

106.6 Corrective Action by City of Hurst. Any corrective action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(5)*Section 111; Delete entire section and insert the following:**

**SECTION 111
MEANS OF APPEAL**

111.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

(6)Section 304.14 Insert dates.**

Section 304.14 Insect screen. During the period from 1 January to 31 December, every door, ...the remainder unchanged.

(7)Section 602.3 Insert dates.**

Section 602.3 Heat supply. Every owner ..., to furnish heat to the occupants thereof shall supply heat during the period from 1 November to 30 April to maintain a temperature of not less than 68° F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

(8)*Section 602.4 Insert dates.**

Section 602.4 Occupiable work space. Indoor occupiable work space shall be supplied with heat during the period from 1 November to 30 April to maintain a temperature of not less than 65° F (18°C) during the period the space is occupied.

(9) **Section 704.2.2; add second paragraph to exception 1.

Section 704.2.2 Interconnection. Exception:

This exception does not apply to the minimum housing requirements for properties subject to the Rental Registration Program.

(10)Section 704.2.3; add second paragraph to exception 1.**

Section 704.2.3 Power Source. Exception:

This exception does not apply to the minimum housing requirements for properties subject to the Rental Registraton Program.

(11)Section 705, add Sections 705, 705.1, 705.2 and 705.3 to read as follows:**

SECTION 705
CARBON MONOXIDE ALARMS

Section 705.1 Carbon monoxide alarms. For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate

vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages.

Section 705.2 Where required in existing dwellings. Where there is a change of tenant in a rental unit or work requiring a permit occurs in existing dwellings that have attached garages or in existing dwellings within which fuel-fired appliances exist, carbon monoxide alarms shall be provided in accordance with section 705.1

Section 705.3 Alarm requirements. Single station carbon monoxide alarms shall be listed as complying with U 2034 and shall be installed in accordance with this code and the manufacturer's installation instructions.

Sec. 5-304 thru 5-320. Reserved.

ARTICLE VIII. VACANT COMMERCIAL BUILDINGS

Unchanged by this ordinance.

ARTICLE IX. HISTORIC LANDMARK PRESERVATION

Unchanged by this ordinance.

ARTICLE X. RENTAL REGISTRATION

Unchanged by this ordinance.

ARTICLE XI. MANDATORY MULTI-FAMILY DWELLING CRIME REDUCTION PROGRAM

Unchanged by this ordinance.

ARTICLE XII. HOUSING CODE

Unchanged by this ordinance

Section 5-659 – 5-672. Reserved.

Section 9 That the City of Hurst Code of Ordinances be amended by revising Chapter 8, Article I “In General” by deleting Chapter 8, Article I, “In General” replacing said deleted sections and retaining sections as shown with Chapter 8, Article II “Fire Prevention Code” to read as follows:

Chapter 8 - FIRE PREVENTION AND PROTECTION

ARTICLE I. - IN GENERAL

Amend section 8-1 to read as follows:

Sec. 8-1. - Arson reward.

(a) The City Council may offer a reward payable to the persons who shall be responsible for the arrest or conviction of any person committing in the city the crime of arson as the same is now defined by the penal code of the state.

(b) Whenever the mayor shall be informed that any fire occurring in the city was of an incendiary origin, he shall call for a report on the same by the city fire marshal, and if the marshal shall report that such fire was caused by the commission of the crime of arson, the mayor is hereby authorized to offer a reward of up to five hundred dollars (\$500.00) and a higher reward may be offered upon the consent of the City Council. Upon information being given by any person who shall cause the arrest or conviction of such person guilty of a specific crime of arson for which the reward shall be offered and after the final conviction of such person, the person or persons giving such information shall be entitled to receive the reward or a portion of the reward.

Amend section 8-2 by deleting the current 8-2 and replacing it with the following, which has remained in the Hurst City Code and the substantive portions of subsection (a) through (c) have remained unchanged prior to any state preemption, and Section 8-2 to reads as follows:

:

Sec. 8-2 Smoke Alarms:

Smoke alarms. (a) Every dwelling unit within a multi-family dwelling, every guest room in a hotel used for sleeping purposes and every rented dwelling unit in any other residential property shall, be provided with smoke alarms conforming to nationally recognized standards. Such smoke alarms shall be required in every dwelling unit in every type of residential property before any certificate of occupancy is granted or renewed. No building permit for alterations requiring the expenditure of more than one thousand dollars (\$1,000.00) shall be granted without the installation of smoke alarms.

(b) The number of smoke alarms, and the manner and location of installation shall be set forth in the International Building Code or International Residential Code except that on rental property such alarms shall not be only battery-powered, but shall be wired directly into the power supply of the dwelling unit.

(c) Smoke alarms shall be maintained in operating condition. Multi-family rental property shall be inspected annually by the fire department and/or building inspection department to determine whether smoke alarms are present and operating. If the fire department and/or building inspection department is refused access to any rental dwelling unit upon reasonable notice, and for purposes of this section, ten (10) calendar days shall be considered reasonable notice, the apartment owner will be deemed guilty of a misdemeanor and, upon conviction thereof, fined not less than twenty-five (\$25.00) or more than five hundred (\$500.00) per dwelling

unit If a smoke alarm required for a rental unit is inoperable, the rental unit owner or occupant will be deemed guilty of a misdemeanor and, upon conviction thereof, fined not less than twenty-five (\$25.00) or more than five hundred (\$500.00) per dwelling unit. Furthermore, should the owner or manager fail to come into compliance within thirty (30) days of re-inspection, the certificate of occupancy of that multi-family office will be automatically revoked, and the utility company serving such office shall be required to discontinue service thereto. Such certificate of occupancy and service shall not be restored until all smoke alarms comply with this section.

(d) In the event that the smoke alarm is inoperable due to the absence of electricity of the dwelling unit, a battery-powered smoke alarm shall be temporarily installed until electrical power to the dwelling unit is restored.

(e) Persons removing, disabling or possessing a smoke alarm with the battery removed or possessing a disabled smoke alarm shall be subject to immediate issuance of citation, with no warning period. It shall be an affirmative defense that the person provided written notification to the landlord or apartment manager of the defective smoke alarm.

Section 8-3 through 8-15.

ARTICLE II. - FIRE PREVENTION CODE

Sec. 8-16. - Adoption of International Fire Code.

The City of Hurst hereby adopts the 2015 Edition of the International Fire Code, including Appendix Chapters A, B, C, D, E, F, G, H, I, K, and L published by the International Code Council, Inc., save and except such portions as are deleted or amended by this article, and the same are hereby adopted and incorporated as fully as if set out at length herein. One (1) copy of the 2015 Edition of the International Fire Code is now filed in the office of the city secretary. From the date on which this article shall take effect, the provisions thereof shall be controlling within the limits of the City of Hurst and its extraterritorial jurisdiction.

Sec. 8-17. - Deletions and amendments.

The following sections of the 20015 Edition of the International Fire Code, as adopted in section 8-17, are hereby amended as follows:

- (1) **101.1 Title.** These regulations shall be known as the Fire Code of the City of Hurst, hereinafter referred to as “this code.”
- (2) **Section 102.1** Change section 102.1 by changing subsection 3 and leaving the rest of section 102.1 unchanged.
3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code or city ordinance.

- (3) **105.3.3** Change 105.3.3 as follows:
Occupancy Prohibited before Approval. The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.
- (4) **105.7.19** Add 105.7.19 to read as follows:
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 access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.
- (5) **109.3.1** Change 109.3.1 to reads as follows:
Service A notice of violation issued pursuant to this code may be served upon the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or the violation, either by personal service, regular mail, certified mail, alternate delivery services including but not limited to overnight delivery services, by leaving it with some person of responsibility upon the premises, by posting the notice upon the structure or visibly upon the premises or by any other method designated by the fire code official as a means of providing notice.
- (6) **109.3.3.** Change 109.3.3 to read as follows:
Prosecution of violations. The fire code official is authorized to request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Neither the City nor the Code Official, shall be required to provide notice as set forth in 109.3 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.
- (7) **109.4** Change 109.4 to read as follows:
Violation penalties. Any person, firm, or corporation who violates a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than Two Thousand Dollars (\$2,000.00) or by imprisonment not exceeding twenty (20) days or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (8) **111.4 Failure to comply.** Change section 111.4 to read as follows:

Any person, firm, or corporation who shall continue any work after having been served with a stop work order, except such work as that person, firm, or corporation is directed to perform to remove a violation or unsafe condition, shall be liable for a fine not to exceed Two Thousand Dollars (\$2,000.00).

(9) **Section 202**, change by adding or changing the following definitions:

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided. This group may include but not be limited to the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

ATRIUM. An opening connecting three or more stories other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505 of the International Building Code.

CITY shall mean the City of Hurst, Texas.

CODE OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this Code or a duly authorized representative.

DEFEND IN PLACE. A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

FIRE MARSHAL. The Fire Marshal is the designated authority charged by the Fire Chief with the duties of administration and enforcement of the code, or a duly authorized representative.

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the *fire code official*, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, or *detonation*, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

HIGH-PILED COMBUSTIBLE STORAGE: add a second paragraph to read as follows:

Any building classified as a group S Occupancy or Speculative Building exceeding 6,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

HIGH-RISE BUILDING. A building having any floors used for human occupancy located more than 55 feet (16,764 mm) or three stories above the lowest level of fire department vehicle access.

REPAIR GARAGE. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

STANDBY PERSONNEL. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

UPGRADED OR REPLACED FIRE ALARM SYSTEM. A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware

(10) **307.1.1 Prohibited Open Burning.** Change 307.1.1 to read as follows:

Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Exception: Prescribed burning for the purpose of reducing the impact of wild land fire when authorized by the fire code official.

(11) **307.2 Permit Required.** Change 307.2 to read as follows:

A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, a bonfire or any open burning. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality (TCEQ) guidelines and/or restrictions.
2. State, County, or Local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.

(12) **307.3 Extinguishment Authority.** Change 307.3 to read as follows:

The fire code official is authorized to order the extinguishment of any fire by the owner or person responsible, regardless of whether or not a permit was obtained, when in the opinion of the fire code official the fire creates or adds to a hazardous or potentially hazardous situation. The fire code official is further authorized to take all necessary steps to extinguish any such fire upon the failure of the owner or person responsible to do so.

(13) **307.4 Location.** Change 307.4 to read as follows:

The location for open burning shall not be less than 300 feet (91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91 440 mm) of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet from a structure
2. The minimum required distance from a structure shall be 25 feet where the pile size is feet or less in diameter and 2 feet or less in height.

(14) **307.4.3:** Change 307.4.3 Exception: to Exceptions: to read as follows:

Exceptions:

1. Portable outdoor fireplaces used at one- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system.

(15) **307.4.4** Add 307.4.4 to read as follows

Permanent Outdoor Firepit.

Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the all adopted Codes and city ordinances.

(16) Add 307.4.5 to read as follows:

307.4.5 Trench Burns. -

Trench Burns are prohibited within the City Limits of Hurst. It shall be an affirmative defense that the trench burn is allowed by the Code Official.

(17) **307.5** Change 307.5 to read as follows

Attendance.

Open burning, trench burns, bonfires, *recreational fires*, and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum of 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

(18) **308.1.4** Change 308.1.4 to read as follows:

Open-flame Cooking Devices Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 lbs (5 containers).
2. Where buildings, balconies and decks are protected by an approved *automatic sprinkler system*, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs (2 containers).
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 ½ pounds [nominal 1 pound (0.454 kg) LP-gas capacity.]

(19) **308.1.6.2** Change 308.1.6.2 Exceptions number 3 to read as follows

Exceptions:

3. Torches or flame-producing devices in accordance with Section 308.1.3.

(20) **308.1.6.3** Change 308.1.6.3 to read as follows

Sky Lantern. 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 a sky lantern.

(21) **311.5** Change 311.5 to read as follows

Placards. The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, which shall be marked as required by Section 311.5.1 through 311.5.5.

(22) **403.5** Change 403.5 to read as follows

Group E Occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.5.1 through 403.5.3.

(23) **404.2.2** Change 404.2.2 to read as follows

Fire Safety Plans.

4.10 Fire extinguishing system controls.

(28) **405.4** Change 405.4 to read as follows

Time. The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

(29) **501.4** Change 501.4 to read as follows

Timing of Installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

(30) **503.1.1** Add a sentence to 503.1.1 to read as follows

Buildings and Facilities

[Add following sentence] Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway around the external walls of the structure.

(31) **503.2.1** Change 503.2.1 to read as follows

Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security

gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267 mm).

Exception: Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and *approved* signs are installed and maintained indicating the established vertical clearance when approved.

(32) **503.2.2** Change 503.2.2 to read as follows

Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

(33) **503.2.3** Change 503.2.3 to read as follows

Surface. Fire apparatus access roads shall be designed and maintained to support imposed loads of 80,000 Lbs for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

(34) **503.3** Change 503.3 to read as follows

Marking. Striping, signs, or other markings, as approved by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads and prohibit the obstruction thereof. Said approved notices or markings shall include the words NO PARKING-FIRE LANE and shall follow the requirements set out below. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” shall appear in four inch (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) Signs – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high. Signs shall be painted on a white background with letters and borders in red, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

(35) **503.4** Change 503.4 to read as follows

Obstruction of Fire Apparatus Access Roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum

widths and clearances established in Section 503.2.1 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

(36) **505.1 Change 505.1 to read as follows**

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 (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). 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, buildings do not immediately front a street, or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background on border. Address identification shall be maintained and visible.

Exception: R-3 Single Family occupancies shall have approved numerals of a minimum 3 ½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

(37) **507.4 Change 507.4 to read as follows**

Water Supply Test Date and Information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*. Design drawings are required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a digital and hard copies of the waterflow test report, or either digital or hard copies, as approved by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

(38) **507.5.4 Change 507.5.4 to read as follows:**

Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

(39) **509.1.2** Change 509.1.2 to read as follows

Sign Requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as approved by the *fire code official*. The letters shall be of a color that contrasts with the background.

(40) **603.3.2.1** Change 603.3.2.1 to read as follows

Quantity Limits.

Exception: The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356 L) in accordance with all requirements of Chapter 57.

(41) **603.3.2.2** Change 603.3.2.2 to read as follows

Restricted Use and Connection. Tanks installed in accordance with Section 603.3.2 shall be used only to supply fuel oil to fuel-burning ~~or generator~~ equipment installed in accordance with Section 603.3.2.4. Connections between tanks and equipment supplied by such tanks shall be made using closed piping systems.

(42) **604.1.1** Change 604.1.1 to read as follows

Stationary Generators. Stationary emergency and standby power generators required by this code shall be *listed* in accordance with UL 2200.

(43) **604.1.2** Change 604.1.2 to read as follows

Installation. Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

(44) **604.1.9** Add 604.1.9 to read as follows

Critical Operations Power Systems (COPS). For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

(45) **604.2** Change 604.2 to read as follows

Where Required. Emergency and standby power systems shall be provided where required by Sections 604.2.1 through 604.2.24 or elsewhere identified in this code or any other referenced code.

(46) **604.2.4** Change 604.2.4 to read as follows

Emergency Voice/Alarm Communications Systems. Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

Covered and Open Malls, Section 907.2.20 and 914.2.3
Group A Occupancies, Sections 907.2.1 and 907.5.2.2.4.
Special Amusement Buildings, Section 907.2.12.3
High-rise Buildings, Section 907.2.13
Atriums, Section 907.2.14
Deep Underground Buildings, Section 907.2.19

(47) **604.2.12** Change 604.2.12 to read as follows

Means of Egress Illumination. Emergency power shall be provided for *means of egress* illumination in accordance with Sections 1008.3 and 1104.5.1. (90 minutes)

(48) **604.2.13** Change 604.2.13 to read as follows

Membrane Structures. Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6.1. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the *International Building Code*. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4.

(49) **604.2.15 Smoke Control Systems.** Change 604.2.15 to read as follows

Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11:

Covered Mall Building, *International Building Code*, Section 402.7
Atriums, *International Building Code*, Section 404.7
Underground Buildings, *International Building Code*, Section 405.8
Group I-3, *International Building Code*, Section 408.4.2
Stages, *International Building Code*, Section 410.3.7.2
Special Amusement Buildings (as applicable to Group A's), *International Building Code*, Section 411.1
Smoke Protected Seating, Section 1029.6.2.1

(50) **604.2.17** Add 604.2.17 to read as follows

Covered and Open Mall Buildings. Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.3.

(51) **604.2.18** Add 604.2.18 to read as follows

Airport Traffic Control Towers. A standby power system shall be provided in airport traffic control towers more than 65 ft. in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

(52) **604.2.19** Add 604.2.19 to read as follows

Smokeproof Enclosures and Stair Pressurization Alternative. Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.6.2.

(53) **604.2.20** Add 604.2.20 to read as follows:

Elevator Pressurization. Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

(54) **604.2.21** Add 604.2.21 to read as follows:

Elimination of Smoke Dampers in Shaft Penetrations. Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

(55) **604.2.22** Add 604.2.22 to read as follows

Common Exhaust Systems for Clothes Dryers. Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code*, Section 504.10, Item 7.

(56) **604.2.23** Add 604.2.23 to read as follows:

Hydrogen Cutoff Rooms. Standby power shall be provided for mechanical ventilation and gas detection systems of Hydrogen Cutoff Rooms in accordance with the *International Building Code*, Section 421.8.

(57) **604.2.24** Add 604.2.24 to read as follows:

Means of Egress Illumination in Existing Buildings. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

(58) **604.8 Energy Time Duration.** Add 604.8 to read as follows:

Unless a time limit is specified by the fire code official, in this chapter or elsewhere in this code, or in any other referenced code or standard, the emergency and standby

power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.

(57) **609.2 Where Required.** Change 609.2 to read as follows

A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors, including but not limited to cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, or any form of roofed enclosure, as required by the fire code official.

Exceptions:

1. Tents, as provided for in Chapter 31.
2. {No change to existing Exception.}

Additionally, fuel gas and power provided for such cooking appliances shall be interlocked with the extinguishing system, as required by Section 904.12.2. Fuel gas containers and piping/hose shall be properly maintained in good working order and in accordance with all applicable regulations.

(58) **704.1** Change 704.1 to read as follows

Enclosure. Interior vertical shafts including, but not limited to, *stairways*, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 11. New floor openings in existing buildings shall comply with the *International Building Code*.

(59) **807.3 Combustible Decorative Materials.** Change 807.3 to read as follows

In occupancies in Groups A, E, I, and R-1, and dormitories in Group R-2, curtains, draperies, fabric hangings and other similar combustible decorative materials suspended from walls or ceilings shall comply with Section 807.4 and shall not exceed 10 percent of the specific wall or ceiling area to which they are attached.

(60) **807.5.2.2** Change 807.5.2.2 to read as follows

Flammable material in Corridors. Flammable materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(61) **807.5.2.3** Change 807.5.2.3 to read as follows

Flammable materials in Classrooms. Flammable materials (which may include, but is not limited to, artwork and teaching materials) shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached.

Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

(62) **Section 901.4.6.1 Add 901.4.6.1** to read as follows

Riser Access: All risers supplying multiple occupancies shall be located in a separate individual room to include an exterior door with direct access.

Exception: Buildings containing a single occupancy shall have an exterior door located within 10 feet (10') of the riser or an approved distance as determined by the code official.

ALL riser access doors shall be labeled with 6" (six inch) letters "Riser Room."
A key box shall be provided at this door, as required by Section 506.1.

(63) **901.6.1.1** Add 901.6.1.1 to read as follows

Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

10. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed when foreign material is present, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

11. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. The tester shall confirm that there are no open hose valves prior to introducing water into a dry standpipe and verify that check valves function properly and that there are no closed control valves on the system. There is no required pressure criteria at the outlet.

12. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.

13. If the FDC is not already provided with approved caps, the owner, agent, contractor or person in charge of construction or maintenance shall install such caps for all FDC's as required by the *fire code official*.
14. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
15. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags (currently at 28 TAC 34.700 and more specifically at 28 TAC 721 for Yellow Tags and 28 TAC 34.722 for Red Tags) or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.
16. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the Texas Statutes and Texas Administrative Code and NFPA 25.
17. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
18. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.

(64) **901.6.3** Add 901.6.3 to read as follows

False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

(65) **901.7** Change 901.7 to read as follows

Systems Out of Service. Where a required *fire protection system* is out of service or in the event of an excessive number of false or unnecessary activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service.

It shall be presumed that the number of activations is excessive when activations occur for a false or unnecessary alarm four or more times in a 12 month period.

Where utilized, fire watches shall be provided with not less than one *approved* means for notification of the department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

(66) **901.8.2** Change 901.8.2 to read as follows

Removal of Occupant-use Hose Lines. The *fire code official* is authorized to permit the removal of occupant-use hose lines and hose valves where all of the following conditions exist:

1. The hose line(s) would not be utilized by trained personnel or the fire department.
2. If the occupant-use hose lines are removed, but the hose valves are required to remain as per the fire code official, such [NOTE – such what? Such use hose lines?] shall be compatible with local fire department fittings.

(67) **903.1.1** Change 903.1.1 to read as follows

Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as *approved* by the *fire code official*.

(68) **903.2** Change 903.2 to read as follows

Where Required. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

(69) **903.2.9.3** Add 903.2.9.2 to read as follows:

Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

(70) 903.2.11.3 Buildings – 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings be installed throughout buildings that have one or more stories, other than penthouses in compliance with Section 1510 of the *International Building Code*, located 35 feet (10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions: Open parking structures in compliance with Section 406.5 of the *International Building Code*, *having no other occupancies above the subject garage*.

(71) **903.2.11.7** Add 903.2.11.7 to read as follows:

903.2.11.7 High-piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

(72) **903.2.11.8** Add 903.2.11.8 to read as follows:

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

(73) **903.2.11.9** Add 903.2.11.9 to read as follows:

Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the *International Building Code*.

(74) **903.3.1.1.1** Change 903.3.1.1.1 to read as follows

Exempt Locations. When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely *because* it is damp, of fire-resistance-rated construction or contains electrical equipment.

1 Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.

2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.

3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

4. Elevator machine rooms, ~~and~~ machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

(75) **Section 903.3.1.2.3** Change 903.3.1.2.3 to read as follows

Attics and Attached Garages. Sprinkler protection is required in attic spaces of such buildings two or more stories in height, in accordance with NFPA 13 and or NFPA 13R requirements, and attached garages.

(76) **903.3.1.3** Change 903.3.1.3 to read as follows

NFPA 13D Sprinkler Systems. *Automatic sprinkler systems* installed in one- and two-family *dwelling*s; Group R-3; Group R-4 Condition 1 and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(77) **903.3.1.4** Add 903.3.1.4 to read as follows

Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

(78) **903.3.1.4.1** Add 903.3.1.4.1 to read as follows

Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

(79) **903.3.1.4.2** Add **903.3.1.4.2** to read as follows

Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

(80) **903.3.1.4.3** Add **903.3.1.4.3**

Protection Against Freezing. New and existing fire sprinkler systems, including risers, shall be an approved design to protect against freezing or be in a conditioned space in order to maintain a temperature above 40 degrees Fahrenheit (four degrees Celsius). Areas or rooms containing risers shall be monitored for temperature conditions by the fire alarm panel and send a supervisory signal upon alarm. Heaters shall be hard wired with a maintenance disconnect in a location to be determined by the code official.

(81) **Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every water-based fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

(82) **Section 903.4; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(83) **Section 903.4.2; add second paragraph to read as follows:**

The alarm device required on the exterior of the building shall be a weatherproof horn and strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

(84) **905.2** Change 905.2 to read as follows

Installation Standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high and low alarm.

(85) **905.3.9** Add 905.3.9 to read as follows

Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.

(86) **Section 905.4**, change Item 1, 3, and 5, and add Item 7 to read as follows:

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.
2. {No change.}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

Exception: Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a 30 foot hose stream from a nozzle attached to 100 feet of hose, a hose connection shall not be required at the horizontal exit.

- 4.. {No change.}
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located to serve the roof or at the highest landing of an ~~interior~~ exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

(87) **Section 905.9;** add a second paragraph after the exceptions to read as follows:

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(88) **907.1.4** Add 907.1.4 to read as follows

Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

(89) **907.2.1** Change 907.2.1 to read as follows

Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

(90) **907.2.3** Change 907.2.3 to read as follows

Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice and alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. {No change.}
 - 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.) {No

change to remainder of exceptions. }

(91) **Section 907.2.13, Exception 3; change to read as follows:**

3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

(92) **907.4.2.7** Add 907.4.2.7 to read as follows:

Type. Manual alarm initiating devices shall be an approved double action type.

(93) **907.6.1.1** Add 907.6.1.1 to read as follows:

Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(94) **Section 907.6.3;** delete all four Exceptions.

(95) **Section 907.6.6;** – add sentence at end of paragraph to read as follows:

See 907.6.3 for the required information transmitted to the supervising station.

(96) **909.22** Add 909.22 to read as follows

Stairway or Ramp Pressurization Alternative. Where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and the stair pressurization alternative is chosen for compliance with Building Code requirements for a smokeproof enclosure, interior exit stairways or ramps shall be pressurized to a minimum of 0.10 inches of water (25 Pa) and a maximum of 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect. Such systems shall comply with Section 909, including the installation of a separate fire-fighter's smoke control panel as per Section 909.16, and a Smoke Control Permit shall be required from the fire department as per Section 105.7.

(97) **909.22.1** Add 909.22.1 to read as follows:

Ventilating equipment. The activation of ventilating equipment for the stair or ramp pressurization system shall be by smoke detectors installed at each floor level

at an approved location at the entrance to the smokeproof enclosure. When the closing device for the stairway or ramp shaft and vestibule doors is activated by smoke detection or power failure, the mechanical equipment shall activate and operate at the required performance levels. Smoke detectors shall be installed in accordance with Section 907.3.

(98) **909.22.1.1** Add 909.22.1.1 to read as follows:

Ventilation Systems. Smokeproof enclosure ventilation systems shall be independent of other building ventilation systems. The equipment, control wiring, power wiring and ductwork shall comply with one of the following:

1. Equipment, control wiring, power wiring and ductwork shall be located exterior to the building and directly connected to the smokeproof enclosure or connected to the smokeproof enclosure by ductwork enclosed by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
2. Equipment, control wiring, power wiring and ductwork shall be located within the smokeproof enclosure with intake or exhaust directly from and to the outside or through ductwork enclosed by not less than 2-hour barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
3. Equipment, control wiring, power wiring and ductwork shall be located within the building if separated from the remainder of the building, including other mechanical equipment, by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

Exceptions:

1. Control wiring and power wiring utilizing a 2-hour rated cable or cable system.
2. Where encased with not less than 2 inches (51 mm) of concrete.
3. Control wiring and power wiring protected by a listed electrical circuit protective system with a fire-resistance rating of not less than 2 hours.

(99) **909.21.1.2** Add 909.22.1.2 to read as follows

Standby Power. Mechanical vestibule and stairway and ramp shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 2702 of the Building Code.

(100) **909.22.1.3** Add 909.22.1.3 to read as follows

Acceptance and Testing. Before the mechanical equipment is approved, the system shall be tested in the presence of the code official to confirm that the system is operating in compliance with these requirements.

(101) **Section 910.2; change Exception 2. and 3.to read as follows:**

2. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.

3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m*S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

(102) **910.2.3** Add 910.2.3 to read as follows:

Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

(103) **910.3.4** Add 910.3.4 to read as follows:

Vent Operation. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

(104) **910.3.4.1** Add 910.3.4.1 to read as follows:

Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically.

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only systems per Section 910.2.

(105) **910.3.4.2** Add 910.3.4.2 to read as follows:

Nonsprinklered Buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents.

(106) **910.4.3.1** Change 910.4.3.1 to read as follows

Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

(107) **910.4.4** Change 910.4.4 to read as follows

Activation. The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by an approved fire detection system. Individual manual controls shall also be provided.

Exception: Manual only systems per Section 910.2.

(108) **912.2.3** Add 912.2.3 to read as follows:

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.

(109) **Section 913.2.1;** add second paragraph and exception to read as follows:

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *code official*. Access keys shall be provided in the key box as required by Section 506.1.

(110) **914.3.1.2** Change 914.3.1.2 to read as follows

Water Supply to required Fire Pumps. In buildings that are more than 120 feet (128 m) in *building height*, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: {No change to exception.}

(111) **1006.2.2.6** Add 1006.2.2.6 to read as follows:

Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the Electrical Code as adopted.

(112) **Section 1009.1;** add the following **Exception 4:**

Exceptions:

{previous exceptions unchanged}

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009.

(113) Section 1010.1.9.4 Bolt Locks; change Exceptions 3 and 4 to read as follows:

Exceptions:

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf. The inactive leaf shall not contain doorknobs, panic bars, or similar operating hardware.
4. Where a pair of doors serves a Group A, B, F, M or S occupancy, manually operated edge- or surface mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress requirements and the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. The inactive leaf shall not contain doorknobs, panic bars, or similar operating hardware.
5. {To remain unchanged}

(114) Section 1015.8 Window Openings; change number 1 to read as follows:

1. Operable windows where the top of the sill of the opening is located more than 55 (16 764 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.

(115) Section 1020.1 Construction; add Exception 6 to read as follows:

6. In group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector shall activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors shall be connected to an approved automatic fire alarm system where such system is provided.

(116) Section 1029.1.1.1; delete this section. Spaces under Grandstands and Bleachers:

(Reason: Unenforceable.)

(117) 1031.2 Change 1031.2 to read as follows

Reliability. Required *exit accesses*, *exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.

(118) **Section 1103.3; add sentence to end of paragraph as follows:**

Provide emergency signage as required by Section 607.3.

(119) **1103.5.1** Change 1103.5.1 to read as follows

Spray Booths and Rooms. Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

(120) **1103.7.8** Add 1103.7.8 to read as follows:

Fire Alarm System Design Standards. Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

Exception: Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

(121) **1103.7.8.1** Add 1103.7.8.1 to read as follows:

Communication requirements. Refer to Section 907.6.6 for applicable requirements.

(122) **2304.1** Change 2304.1 to read as follows

Supervision of Dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be the following:

1. Conducted by a qualified attendant; and/or,
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2304.3.

At any time the qualified attendant of item Number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2304.3.

(123) **Section 2401.2; delete this section out of IFC**

(124) **Table 3206.2, footnote j;**

j. Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of 50 (m • s) 1/2 or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

(125) **Section 3310.1;** add sentence to end of paragraph to read as follows:

When fire apparatus access roads are required to be installed for any structure or development, they shall be approved prior to the time at which construction has progressed beyond completion of the foundation of any structure.

(126) **5601.1.3** Change 5601.1.3 to read as follows

Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions:

1. Only when approved for fireworks displays, storage, and handling of fireworks as allowed in Section 5604 and 5608.
2. The use of fireworks for approved fireworks displays as allowed in Section 5608.

(127) **5703.6** Change 5703.6 to read as follows

Piping Systems. Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with Sections 5703.6.1 through 5703.6.11. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(128) **5704.2.9.5** Add 5704.2.9.5 to read as follows:

Above-ground Tanks Inside of Buildings. Above-ground tanks inside of buildings shall comply with Section 5704.2.9.5.1 through 5704.2.9.5.3.

(129) **5704.2.9.5.3** Add 5704.2.9.5.3 to read as follows:

Combustible Liquid Storage Tanks Inside of Buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;

2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;
3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1; and
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an *approved* closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

(130) **5704.2.11.4** Change 5704.2.11.4 to read as follows

Leak Prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(131) **5704.2.11.4.2** Change 5704.2.11.4.2 to read as follows

Leak Detection. Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

(132) **5704.2.11.4.3** Add 5704.2.11.4.3 to read as follows:

Observation Wells. Approved sampling tubes of a minimum 4 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

(133) **6103.2.1.8** Add 6103.2.1.8 to read as follows:

Jewelry Repair, Dental Labs and Similar Occupancies. Where natural gas service 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 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

(134) **6104.2** Change 6104.2 Exception by adding a second exception to read as follows

Maximum Capacity within Established Limits.

Exceptions:

1. *{existing text unchanged}*
2. Except as permitted in Sections 308 and 6104.3.2, LP-gas containers are not permitted in residential areas.

(135) **6104.3.2** Change 6104.3.2 to read as follows

Spas, Pool Heaters, and Other Listed Devices. Where natural gas service is not available, an LP-gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 6104.3 for location of containers.

Exception: Lots where LP-gas can be off-loaded wholly on the property where the tank is located may install up to 500 gallon above ground or 1,000 gallon underground approved containers.

(136) **6107.4** Change 6107.4 to read as follows

Protecting Containers from Vehicles. Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312.

(137) **6109.13** Change 6109.13 to read as follows

Protection of Containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

(138) **Table B105.2; change footnote a. to read as follows:**

- a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

(139) **Section L101;** add to read as follows:

Firefighter air replenishment systems (FARS) shall be provided for in accordance with Appendix L. Installation, determination, and requirements shall be set forth at the discretion of the Fire Chief.

SECTION 10. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Hurst, Texas, shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding not guilty or nolo contendere, or dismissal.

SECTION 11. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 12. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 13. The fact that the present ordinances and regulations of the City of Hurst, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the public creates an emergency which requires that this ordinance become effective from and after the date of its passage, and it is accordingly so ordained.

SECTION 14. This ordinance shall be in full force and effect after its passage and it is so ordained.

AND IT IS SO ORDERED.

PASSED on the first reading on the 8th day of November 2016 by a vote of 6 to 0.

APPROVED on the second reading on the _____ day of _____ 2016 by a vote of _____ to _____.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Richard Ward, Mayor

APPROVED AS TO FORM:

City Attorney

City Council Report

<p>SUBJECT: Consider Ordinance 2348 concerning when rental property inspections are required</p>	
<p>Supporting Documents:</p>	
<p>Ordinance 2348</p>	<p>Meeting Date: 12/13/2016 Department: Building Inspections / Multi-Family Reviewed by: Greg Dickens City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>The existing rental registration Ordinance 2047 was approved by Council in 2008. The City attorney recommended certain language be modified or added in Section 5-394-Inspection to clarify when an inspection of rental units is required. Ordinance 2348 reflects all of the revisions and replaces all of Article X – Rental Registration.</p> <p>On June 27, 2016, the Code Appeals and Advisory Board reviewed and approved the proposed changes and recommended forwarding to City Council.</p>	
<p>Funding and Sources:</p>	
<p>There is no fiscal impact.</p>	
<p>Recommendation:</p>	
<p>Staff recommends Council approve Ordinance 2348 concerning when rental property inspections are required.</p>	

ORDINANCE 2348

AN ORDINANCE OF THE CITY COUNCIL OF CITY OF HURST, TEXAS, AMENDING THE HURST CODE OF ORDINANCES BY AMENDING CHAPTER 5 – BUILDING REGULATIONS, BY REPEALING ARTICLE X - RENTAL REGISTRATION, IN ITS ENTIRETY AND ADDING A NEW ARTICLE X –RENTAL REGISTRATION; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council has determined it is in the best interests, health, and safety of the citizens of the City of Hurst that revisions to the Code of Ordinances be made concerning rental registration in the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, THAT:

Section 1: Code of Ordinances for the City of Hurst, Texas is hereby amended by amending and replacing Article X-Rental Registration, which shall read as follows:

“ARTICLE X - RENTAL REGISTRATION

Sec. 5-391.-Definitions.

The following words, terms and phrases, when used in this Article shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

Building Official means the building official for the City of Hurst, Texas, or his/her designee.

Owner means the person claiming, or in whom is invested, the ownership, dominion, or title of real property including but not limited to: holder of fee-simple title; holder of life-estate, holder of leasehold estate for an interim term of five (5) years or more; a buyer under contract for deed; a mortgagee, receiver, executor or trustee in control of real property; but not including the holder of a leasehold estate or a tenancy for initial term of less than five (5) years.

Person means an individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint interest; or any other legal or community entity.

Property manager means a person whom for compensation has control of the day-to-day operations of the rental unit or units or the person in a partnership or corporation, or any other legal entity who has managing control of the rental unit(s).

Rent means the offering, holding out or actual leasing of a rental unit to an occupant other than the owner and generally involves the payment of a rental amount although other forms of consideration may be involved or no consideration at all may be involved.

Rental unit means a single family dwelling unit, duplex unit, triplex, quadruplex, mobile home, town house dwelling unit, or a portion thereof that is rented or offered for rent as a residence.

Tenant means any person who rents or leases a rental unit for living or dwelling purposes with the consent of the owner or property manager.

Sec. 5-392.- Rental Registration.

- (a) Each owner of a rental unit within the city shall register each such rental unit with the building official before June 1, 2008; and shall renew such registration annually on the date prescribed by the Building Official.
- (b) Each new owner of a rental unit within the City shall make application for registration with the Building Official within ten (10) days after the date of acquiring ownership.
- (c) Application for rental registration shall be made upon a form provided by the City for such purpose, and shall include at least the following information:
 - (1) Owners' name, address, work and home telephone number, drivers license number, or identification card number and state of issuance of the owner;
 - (2) If the owner does not live in Hurst, or in Tarrant County, Dallas County or Denton County, then in addition to the information in (1) above, the same information shall be provided for a local contact that has the authority to represent the owner in all matters relating to maintenance of the rental unit or units;
 - (3) If owner is a partnership, the name of all partners, the principal business address of the person in charge of the property, and telephone number of each partner;
 - (4) If owner is a corporation, the person registering must state whether it is organized under the laws of this state or is a foreign corporation, and must show the mailing address, business location, telephone number, name of the main individual in charge of the property of such corporation, if any, and the names of all officers and directors or trustees of such corporation, and, if a foreign corporation, the place of incorporation and the agent for service;
 - (5) Name, address, and telephone number of the property manager;

- (6) Street address of the rental unit;
 - (7) Total square feet of living area and number of bedrooms;
 - (8) Name, drivers license number or identification number and state of issuance for each adult (18 years of age or older) tenant;
 - (9) Number of persons occupying the rental unit;
 - (10) Whether there has been a change of occupancy or an additional tenant of the rental unit since the date of last registration; and
 - (11) Signed by the owner or owner's agent, designated in writing.
- (d) A fee, set and reviewed annually by the city manager, shall be charged for the registration and/or of each rental unit.
 - (e) The Building Official shall within thirty (30) calendar days after receipt of the registration application, either issue a certificate of registration or notify the owner that the application does not comply with the requirements of this ordinance.
 - (f) A certificate of registration shall be valid for a period of twelve (12) calendar months following issuance thereof, provided however the initial certificate of registration for a rental unit shall not expire until the date of renewal of registration established by the Building Official.
 - (g). It is an offense for an owner to fail to register or fail to renew the registration of a rental unit within the City, and each and every day that the owner continues to fail to register or renew the registration of the owner's rental units within the City shall constitute a separate offense.
 - (h) It shall be unlawful for any person to file a false registration application with the Building Official.

Sec. 5-393. - Initial Rental Registration.

- (a) Recognizing that the initial implementation of this article may be difficult because of the number of rental units and the inspection of rental units, the Building Official, shall by administrative order, divide the City into three (3) or more geographical areas and establish annual registration dates for rental units located within each geographical area. A copy of the geographical designation shall be on file in the Office of the Building Official.

- (b) A registered owner of a rental unit with the City, or the owner's agent, shall renew the registration of each rental unit on or before the date prescribed by the Building Official.
- (c) The Building Official shall send each registered owner of a rental unit within the City a renewal notice for registration accompanied by a registration application to be completed and returned to the Building Official. It is the responsibility of the owner to update their contact information with the City (address, phone number, et cetera,) should it change during the year.
- (d) A registered owner of a rental property or the owner's agent shall, upon receipt of the renewal notice, complete and return a completed registration application for each rental unit within thirty (30) days after receipt of the renewal notice. If an owner does not receive a renewal notice, it is the owner's responsibility to renew the registration for each rental unit within the City. It is an offense for an owner to fail to file a completed annual registration application for each rental unit on or before the dates specified on the renewal notice.

Sec. 5-394. - Inspections.

- (a) ~~An owner shall permit~~ The Building Official, or his/her designee, shall to inspect a rental unit ~~at the time of initial registration for the purposes of to determine~~ ing compliance with minimum housing standards, ordinances, Section 5-302 International Property Code, City Code, and applicable state and local laws:
 - (1) at the time of initial registration of a rental unit;
 - (2) and if when a change of occupancy has occurred at a rental unit; or
 - (3) at any other time deemed necessary by when the Building Official has good reason to believe that the unit fails to comply to maintain compliance with the minimum housing standards described in the International Property Maintenance Code as adopted in Section 5-302 of the City Code.
- (b) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed \$2,000 for each offense.

Sec. 5-395. - Appeals.

If an owner or a person legally authorized to represent the owner, wishes to appeal a decision or inspection requirement they may do so by filing a notice of appeal with the Building Official to the City Code of Appeals and Advisory Board within ten (10) business days of the decision being appealed and paying an application fee of one hundred dollars (\$100.00) for the first item appealed and twenty five dollars (\$25.00) for each additional and related item appealed. The Building Official shall notify the Appeals

Board and the Board shall hear such appeal within thirty (30) calendar days of the filing of the notice of appeal. Both the official whose decision is being appealed and the party appealing the decision shall be notified of the date and time of such hearing at least seventy-two (72) hours before such hearing. Such notice may be by mail, telephone or facsimile. The board shall decide such matter within fourteen (14) calendar days of such hearing. The Board is authorized to exercise those powers granted to the Board of Appeals for the particular code relevant to the matter being appealed. Should the Board find in favor of the applicant for any or all of the appealed violations, the Board is authorized to refund to the applicant the twenty five dollars (\$25.00) per violation; however the Board is not authorized to refund the one hundred dollar (\$100.00) application fee.

Sec. 5-396. - Building Official, Powers and Duties.

- (a) The Building Official is hereby designated as the administrator of this article.
- (b) In addition to the powers and duties otherwise prescribed for the Building Official, as administrator of this article, he is required to:
 - (1) Administer and enforce all provisions of this article;
 - (2) Keep records of all licenses issued;
 - (3) Adopt rules and regulations, not inconsistent with the provisions of this article, with respect to the form and content of application for licenses, the investigation of applicants, and other matters incidental or appropriate to his powers and duties as may be necessary for the proper administration and enforcement of the provisions of this article.”

Section 2:

THAT, all provisions of the ordinances of the City of Hurst in conflict with the provisions of this ordinance are, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Hurst not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3:

THAT, 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 of provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the code of Ordinances as a whole.

Section 4:

THAT, any person, firm, or corporation violating any provision of this ordinance shall be fined an amount in accordance with Chapter 1, Section 1.5 of the Hurst Code of Ordinances.

Section 5:

THAT this ordinance shall take effect immediately after its passage on second reading.

AND IT SO ORDERED.

Passed on the first reading on the 8th day of November by a vote of 6 to 0.

Approved on the second reading on the ____ day of _____ by a vote of ____ to ____.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Richard Ward, Mayor

Approved as to form and legality:

City Attorney

City Council Staff Report

SUBJECT: Consider authorizing the city manager to enter into a purchase agreement with GT Distributors and Precision Delta Corporation to purchase ammunition for the Police Department	
Supporting Documents:	
TxSmartBuy Quote	Meeting Date: 12/13/2016 Department: Police Reviewed by: Steve Niekamp City Manager Review:
Background/Analysis:	
<p>The Police Department provides recurring firearms training for all sworn peace officers for the City of Hurst, which includes police, fire arson investigators, and City marshals. All sworn officers are mandated by the Texas Commission on Law Enforcement (TCOLE) to demonstrate annual firearms proficiency, which requires training and duty ammunition for this testing process, as well as attend multiple weapons training sessions throughout the year. All approved duty ammunition is replaced annually based on manufacturer recommendations. In addition, officers who are members of the regional tactical team receive additional firearms training. In order to maintain an appropriate supply for training and duty use, an annual one time purchase is needed at a cost of \$34,892.76.</p>	
Funding and Sources:	
<p>Funds have been approved in the Half Cent Sales Tax Anti-Crime Fund for fiscal year 2016-2017, and TxSmartBuy state cooperative purchasing contracts will be used.</p>	
Recommendation:	
<p>Staff recommends the City Council authorize the city manager to enter into a purchase agreement with GT Distributors and Precision Delta Corporation, to purchase ammunition, for a total amount not to exceed \$34,892.76.</p>	

My Wish List - TxSmartBuy

Item

[Qty. Break At 5: XM193 Federal Premium: Ammo, Training, Federal Cartridge 5.56 X 45mm, 55 Gr, FMJ](#)

Shipping Address

Delivery days: 180

Price

\$157.46

Qty

83

UOM

CASE

Subtotal

\$13,069.18

Commodity Code: 68004140247

Item Detail: XM193 Federal Premium: Ammunition, Training, Federal Cartridge 5.56 X 45mm, 55 Gr, Full Metal Jacket Boat Tail, Muzzle Velocity Min. 3200 Fps, Muzzle Energy Min. 1280 Ftlb, 500 Rds/Cs.

Contractor: GT Distributors Inc

Contract: 680-A1

Min. Order Quantity: 1

Item

[Qty. Break At 10: T223F Federal Premium: Ammo Duty, Federal Cartridge 223. Rem \(5.56X45mm\), 55 Gr.](#)

Shipping Address

Delivery days: 180

Price

\$312.56

Qty

11

UOM

CASE

Subtotal

\$3,438.16

Commodity Code: 68004930936

Item Detail: T223F Federal Premium: Ammunition Duty, Federal Cartridge 223. Rem (5.56X45mm), 55 Gr. Ballistic Tip. Tru Rifle - Tactical Rifle Urban. 20 Ct Box/500 Rounds Per Case.

Contractor: GT Distributors Inc

Contract: 680-A1

Min. Order Quantity: 1

Item

Qty. Break At 15: Q4170: Ammo, Training, Winchester 45 Auto, 230 Grain, FMJ, Approx. 835 Fps Muzzl

Shipping Address

Delivery days: 180

Price

\$133.50

Qty

101

UOM

CASE

Subtotal

\$13,483.50

Commodity Code: 68004180573

Item Detail: Q4170: Ammunition, Training, Winchester 45 Auto, 230 Grain, Full Metal Jacket, Approx. 835 Fps Muzzle

Velocity, 360 Ftlbs Muzzle Energy, 500 Rounds/Cs.

Contractor: Precision Delta Corp

Contract: 680-A1

Min. Order Quantity: 1

Item

Qty. Break At 5: P45HST2 Federal Premium: Ammo Duty, Federal Cartridge 45 Auto, 230 Gr HST. HP. P

Shipping Address

Delivery days: 180

Price

\$407.90

Qty

7

UOM

CASE

Subtotal

\$2,855.30

Commodity Code: 68004930399

Item Detail: P45HST2: Federal Premium: Ammunition Duty, Federal Cartridge 45 Auto, 230 Gr HST. Hollow Point Premium

Pistol. 50 Ct. Box/1000 Rounds Per Case.

Contractor: GT Distributors Inc

Contract: 680-A1

Min. Order Quantity: 1

Item

Qty. Break At 4: GM308M Federal Premium: Cartridges, Ammo, (7.62 NATO) 168 Grain Hollow Pointmatch

Shipping Address

Delivery days: 180

Price
\$189.32
Qty
4
UOM
CASE
Subtotal
\$757.28

Commodity Code: 68004140429

Item Detail: GM308M: Federal Premium: Cartridges, Ammunition, (7.62 NATO) 168 Grain Hollow Pointmatch, Muzzle Velocity Min. 2600 Fps, Muzzle Energy Min. 2500 Ftlb. Cases May Not Be Broken. 200 Rds/Cs

Contractor: GT Distributors Inc

Contract: 680-A1

Min. Order Quantity: 1

Item

[Qty. Break At 5: AE9DP Federal Premium: Ammo, Training, Federal Cartridge 9mm, Luger \(9X19mm\),115](#)

Shipping Address

Delivery days: 180

Price
\$204.53
Qty
5
UOM
CASE
Subtotal
\$1,022.65

Commodity Code: 68004200066

Item Detail: AE9DP Federal Premium: Ammunition, Training, Federal Cartridge 9mm, Luger (9X19mm), 115 Grain, Full Metal Jacket. American Eagle Centerfire Pistol. 50 Ct Box/1000 Rounds Per Case.

Contractor: GT Distributors Inc

Contract: 680-A1

Min. Order Quantity: 1

Item

[Qty. Break At 75: AE40R1 Federal Premium: Ammo, Training, Federal Cartridge 40 S&W 180 Gr FMJ Amer](#)

Shipping Address

Delivery days: 180

Price
\$266.69
Qty
1
UOM
CASE

Subtotal
\$266.69

Commodity Code: 68004200728

Item Detail: AE40R1 Federal Premium: Ammunition, Training, Federal Cartridge 40 S&W 180 Gr Full Metal Jacket,
American Eagle Centerfire Pistol. 50 Ct Box/1000 Rounds Per Case.

Contractor: GT Distributors Inc

Contract: 680-A1

Min. Order Quantity: 1

Order Total: **\$34,892.76**

City Council Staff Report

SUBJECT: Consider approval of the Hurst Community Park Ball Field Lighting Project

Supporting Documents:

Meeting Date: 12/13/2016
Department: Community Services
Reviewed by: Allan Heindel
City Manager Review:

Background/Analysis:

Hurst Community Park opened in September of 1997 with a state of the art sports lighting system for the baseball and soccer complexes. At the baseball complex, the lighting system for the four baseball fields has performed well over the past nineteen years. However, over the past few years, the fixture that holds the lamp had to be periodically changed out because of degradation caused by weather and UV damage. Unfortunately, in 2015, the manufacturer of the fixture stopped producing the unit, making replacements impossible.

Based on the pending problem with the existing units, the City specified an alternative fixture and lamp as an equal replacement. Cost figures were gathered, and it is estimated that the complete replacement of the fixtures would cost approximately \$50,000 per field, or \$200,000 for the baseball complex.

In order to address this issue in a more cost effective manner, staff investigated the possibility of replacing the units on a single field, retaining the old units that are good, and using them on the other three fields as replacement units over the next several years. It is estimated that this solution would delay the additional expenditures for three to five years. All applicable lighting standards for baseball illumination would still be met.

The labor and equipment for this project can be purchased through City approved contractors. The City has received quotes from various vendors and City approved contractors totaling approximately \$45,500. An approximate 10% contingency (\$4,500) is requested for unforeseen electrical repairs that may be necessary.

The Parks and Recreation Advisory Board reviewed the plans for the Hurst Community Park Ball Field Lighting Project during the November 17, 2016 meeting and recommended Council proceed with the project.

Funding and Sources:

Funding, in the amount of \$50,000, has been identified within the Half Cent Sales Tax Fund FY 2017 PAYGO Project, HCP Ball Field Lighting Project.

Recommendation:

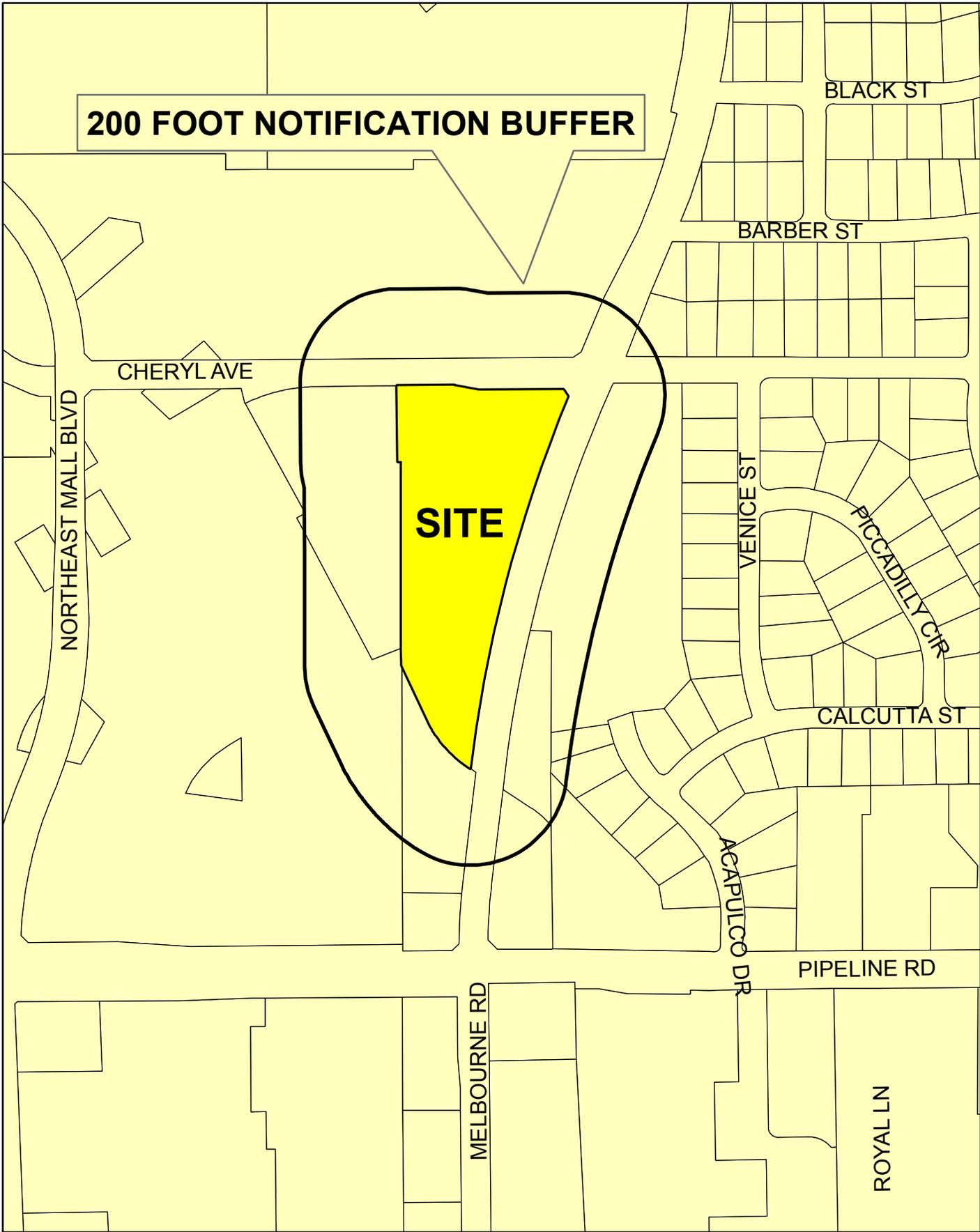
It is recommended that the City Council authorize the city manager to proceed with the Hurst Community Park Ball Field Lighting Project, for an amount not to exceed \$50,000, with funding from the Half Cent Sales Tax Fund.

City Council Staff Report

<p>SUBJECT: Consider entering into an Agreement, with TruGreen, for chemical applications for park and municipal facilities</p>	
<p>Supporting Documents:</p>	
	<p>Meeting Date: 12/13/2016 Department: Community Services Reviewed by: Allan Heindel City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>The City has had continued success with annual maintenance contracts for mowing and irrigation. The contracting of time, equipment, and chemical application of all City facilities allows the City to utilize a professional contractor that possesses the necessary experience and equipment for these services. In addition, it alleviates the City from costly, labor-intensive work, while allowing a private contractor to supply this particular service in a more efficient manner and on an as needed basis. At this time, we do not have an agreement for chemical applications for parks and municipal sites.</p> <p>The City of Bedford has a contract with TruGreen for services, including chemical and fertilizer applications throughout the City. The City of Hurst has a current interlocal agreement with the City of Bedford and would like to use the existing chemical application pricing for services, including chemical and fertilization treatments for parks and municipal sites.</p>	
<p>Funding and Sources:</p>	
<p>The Parks Department will utilize this contract for services depending upon the number and types of applications required for the various sites. Based on past trends, the service will cost approximately \$30,000, and funds are available in the FY 2016-17 operating budget.</p>	
<p>Recommendation:</p>	
<p>It is recommended that the City Council authorize the city manager to enter into an annual contract, with TruGreen, for chemical applications throughout the City, with an option to renew for three additional twelve month periods.</p>	

City Council Staff Report

<p>SUBJECT: SUP-16-08 Virtuoso Tattoo, a Special Use Permit to operate a tattoo studio on Lot 2, Block 3A, North East Mall Addition, being 3.83 acres located at 963 Melbourne Road</p>	
<p>Supporting Documents:</p>	
<p>Area map Legal notice Ownership Data Site plan - Exhibit A Business lay-out – Exhibit B Front Elevation – Exhibit C</p>	<p>Meeting Date: 12/13/2016 Department: Development Reviewed by: Steve Bowden City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>An application has been made by Mitchell DeSouza owner/operator of Virtuoso Tattoo Gallery for a Special Use Permit to operate a tattoo studio on Lot 2, Block 3A, North East Mall Addition, being 3.83 acres located at 963 Melbourne Road.</p> <p>Mr. DeSouza has owned and operated Virtuoso Tattoo Gallery at 121 W. Pipeline Road for over 4 years. The owner would like to remain in Hurst and feels a great sense of community and has a large client base in the HEB area.</p> <p>The landlord at his current location does not maintain the property and is not interested in helping tenants with any repairs.</p> <p>A tattoo studio requires a Special Use Permit prior to opening. The lease space is 1,312 square feet and all building signage will meet the City ordinance.</p>	
<p>Funding and Sources:</p>	
<p>There is no fiscal impact.</p>	
<p>Recommendation:</p>	
<p>The Planning and Zoning Commission met on Monday, November 14, 2016, and voted 4-0 to recommend approval of SUP-16-08 Virtuoso Tattoo.</p>	



<p>CASE NO: SUP-16-08 Virtuoso Tattoo</p>	<p>LEGAL DESCRIPTION: LOT 2 BLOCK 3A NORTH EAST MALL ADDITION</p>	<p>AGENDA DATE: 12/13/2016</p>
<p>REQUESTED ACTION: SPECIAL USE PERMIT</p>	<p>LOCATION: 963 MELBOURNE ROAD</p>	



SUP-16-08

LEGAL NOTICE

A PUBLIC HEARING WILL BE HELD BY THE HURST CITY COUNCIL ON TUESDAY, DECEMBER 13, 2016 AT 6:30 P.M. AT HURST CITY HALL, 1505 PRECINCT LINE ROAD TO CONSIDER A SPECIAL USE PERMIT ON LOT 2 BLOCK 3A NORTH EAST MALL ADDITION, BEING 3.83 ACRES LOCATED AT 963 MELBOURNE ROAD.

VIRTUOSO TATTOO
Lot 2 Block 3A
NORTH EAST MALL ADDITION
963 MELBOURNE ROAD



SUP-16-08

**APPLICATION FOR SITE PLAN
OWNERSHIP DATA**

TO THE PLANNING and ZONING COMMISSION:

The following described real property is under application for approval of a special use permit.

Virtuoso Tattoo
Lot 2, Block 3A
Northeast Mall Addition
963 Melbourne Rd.

The following is a list of the property owners, legal description of their property, and mailing address of the owners of the property within 200 feet of the above-described property, which is under application for a special use permit:

Applicant:

PROPERTY OWNER	LEGAL DESCRIPTION	ADDRESS
EQYINVEST MELBOURNE OWNER LLC	BLK 4 LOT T NORTH EAST MALL ADDITION	280 PARK FL 36 WEST AVE NEW YORK, NY 10017
BHAAJ TX1 LLC	BLK 2 LOT 2 MELBOURNE ADDITION	11630 PENICK WAY FRISCO, TX 75033
MELVIN SIMON & ASSOC INC	BLK 1 LOT I NORTH EAST MALL ADDITION	225 W WASHINGTON ST INDIANAPOLIS, IN 46204
EQYINVEST MELBOURNE OWNER LLC	BLK 4 LOT JR NORTH EAST MALL ADDITION	280 PARK FL 36 WEST AVE NEW YORK , NY 10017
FORREST HILLS LLC	BLK 3A LOT 2 NORTH EAST MALL ADDITION	3309 FAIRMONT DR NASHVILLE, TN 37203
EQYINVEST MELBOURNE OWNER LLC	BLK 1 LOT 7 CONTINENTAL ADDITION	280 PARK FL 36 WEST AVE NEW YORK, NY 10017
HURST, CITY OF	BLK 1 LOT 6 CONTINENTAL ADDITION	1505 PRECINCT LINE RD HURST, TX 76054
COLLUP, WILLIAM B	BLK 1 LOT 1R CONTINENTAL ADDITION	5265 LAMBETH LN FORT WORTH, TX 76112
PIPELINE LTD	BLK 1 LOT 1 MELBOURNE ADDITION	300 CONCORD PLAZA DR SAN ANTONIO, TX 78216
FORREST HILLS LLC	BLK 3A LOT 1R NORTH EAST MALL ADDITION	3309 FAIRMONT DR NASHVILLE, TN 37203
OCCUPANT	BLK 4 LOT T NORTH EAST MALL ADDITION	900 MELBOURNE RD HURST, TX 76053
OCCUPANT	BLK 2 LOT 2 MELBOURNE ADDITION	805 MELBOURNE RD HURST, TX 76053
OCCUPANT	BLK 1 LOT I NORTH EAST MALL ADDITION	1052 MELBOURNE RD HURST, TX 76053

OCCUPANT	BLK 4 LOT JR NORTH EAST MALL ADDITION	900 MELBOURNE RD HURST, TX 76053
OCCUPANT	BLK 3A LOT 2 NORTH EAST MALL ADDITION	901 MELBOURNE RD HURST, TX 76053
OCCUPANT	BLK 1 LOT 7 CONTINENTAL ADDITION	825 ACAPULCO DR HURST, TX 76053
OCCUPANT	BLK 1 LOT 6 CONTINENTAL ADDITION	821 ACAPULCO DR HURST, TX 76053
OCCUPANT	BLK 1 LOT 1R CONTINENTAL ADDITION	1108 W PIPELINE RD HURST, TX 76053
OCCUPANT	BLK 1 LOT 1 MELBOURNE ADDITION	1120 W PIPELINE RD HURST, TX 76053
OCCUPANT	BLK 3A LOT 1R NORTH EAST MALL ADDITION	1155 W CHERYL AVE HURST, TX 76053

EXHIBIT A

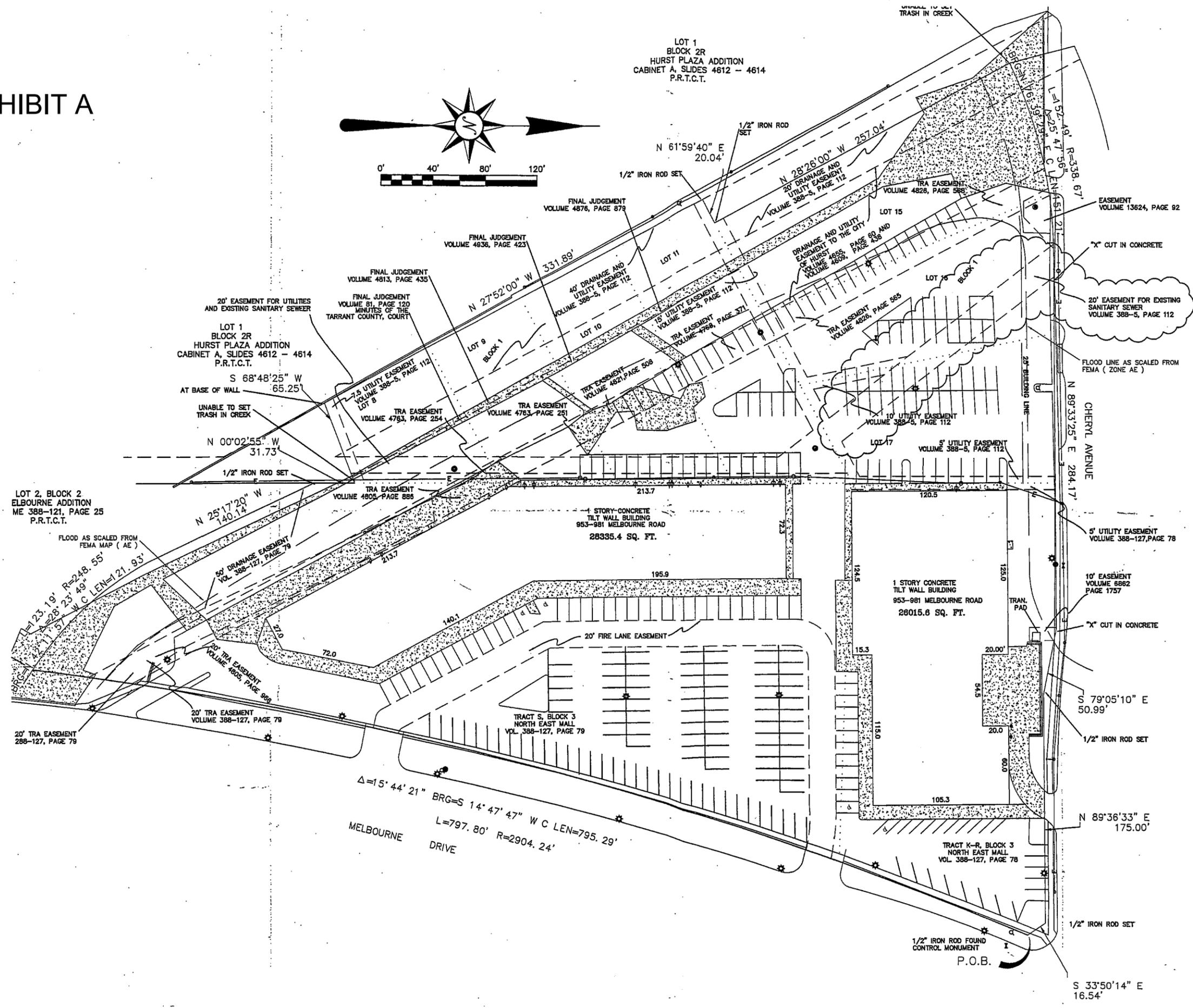
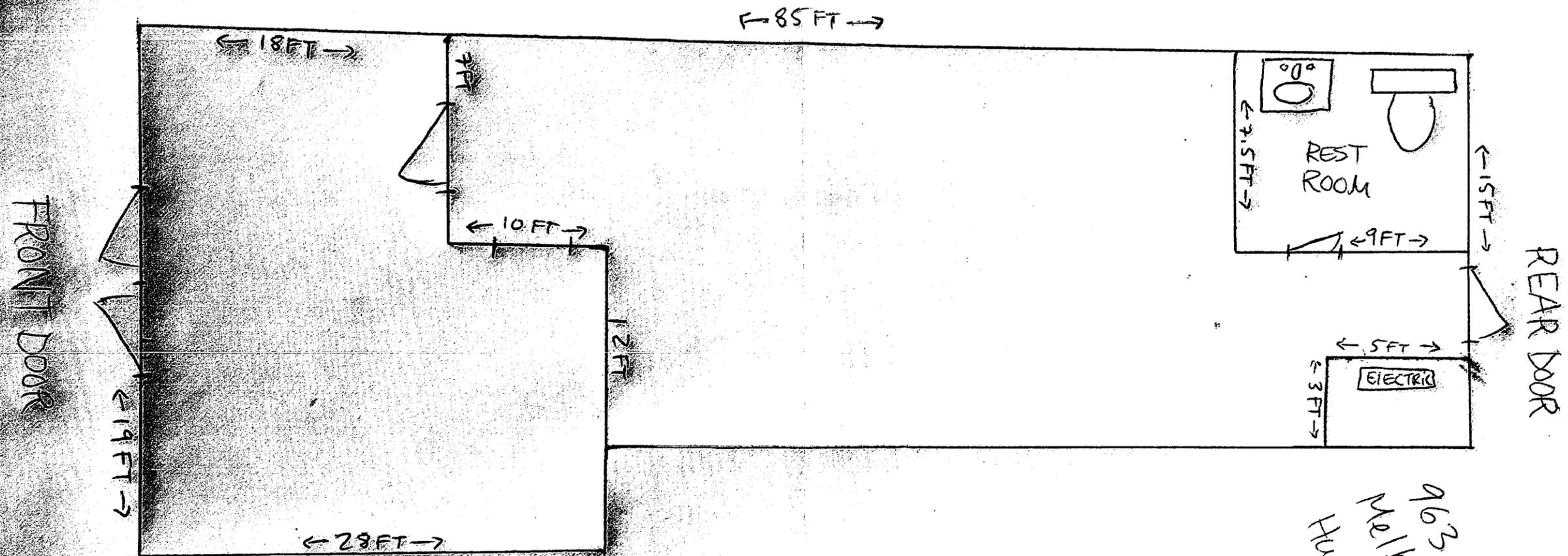


EXHIBIT B



963
Melbourne Rd
Hurst, TX

EXHIBIT C

HAIR ARTISTS

FOR LEASE
817-441-1741

MP
THE MORTGAGE PARTNER

361



2016.11.14 14:50

MP PARTNERS

ORDINANCE 2349

AN ORDINANCE ADOPTING A SPECIAL USE PERMIT FOR LOT 2, BLOCK 3A, NORTH EAST MALL ADDITION, BEING 3.83 ACRES LOCATED AT 963 MELBOURNE ROAD, SP-16-08

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and,

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Hurst at least 15 days before such hearing; and,

WHEREAS, notices were posted on the subject land as provided by the Zoning Ordinance; and,

WHEREAS, public hearings to change the site plan on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the site plan change; and,

WHEREAS, the City Council is of the opinion that the site plan change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Hurst.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Section 1. THAT the Comprehensive Zoning Ordinance of the City of Hurst is hereby amended by adopting a Special Use Permit with Exhibits "A-C" for Lot 2, Block 3A, North East Mall Addition, being 3.83 acres located at 963 Melbourne Road.

AND IT IS SO ORDERED.

Passed on the first reading on the 13th day of December 2016 by a vote of _ to _ .

Approved on the second reading on the 10th day of January 2017 by a vote of _ to _.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Richard Ward, Mayor

Approved as to form and legality:

City Attorney

City Council Report

SUBJECT: Consider authorizing the city manager to enter into a Professional Facilitations Agreement with The Management Connection	
Supporting Documents:	
	Meeting Date: 12/13/2016 Department: Legislative and Judicial Services Reviewed by: Rita Frick City Manager Review:
Background/Analysis:	
<p>The Management Connection has provided Strategic Planning Facilitation Services for the City since the process began in 1999. Facilitation Services include the City Councils' Strategic Planning Process, Customer Service Process, Leadership Development and the Good to Great the Hurst Way implementation. Also, included is funding for special projects and reimbursement for all travel.</p> <p>The City Council authorized a contract in October 2013 with two one-year extensions. The extensions have been met, and staff is requesting to enter into another Professional Facilitation Services Agreement with The Management Connection, in an amount of \$47,000, a 10% contingency for special projects, and reimbursement for all travel with (2) one-year extensions.</p> <p>With the facilitation and leadership provided through The Management Connection, the City continues to build upon the Customer Services and Leadership Development Programs to meet the objectives of the City Council's Strategic Planning Process.</p>	
Funding and Sources:	
Funding is budgeted in the Fiscal Year 2016-2017 budget.	
Recommendation:	
It is recommended that the City Council authorize the city manager to enter into a Professional Facilitation Services Agreement with The Management Connection, in an amount of \$47,000, a 10% contingency, and reimbursement for all travel with (2) one-year extensions.	

City Council Staff Report

<p>SUBJECT: Consider authorizing the city manager to enter into a contract with McClendon Construction Company, Inc., for West Pipeline Road, Phase 2, from Precinct Line Road to Lorean Branch Bridge</p>	
<p>Supporting Documents:</p>	
<p>Location Map Bid Summary Engineer Letter of Recommendation</p>	<p>Meeting Date: 12/13/2016 Department: Public Works Reviewed by: Greg Dickens City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>West Pipeline Road, Phase 2, is the second phase of a four phase improvement project on Pipeline Road and encompasses the roadway between Precinct Line Road and Lorean Branch bridge. The improvements include reinforced concrete pavement with areas of landscaped medians. Street lighting will be installed in the median area. Sidewalks with pedestrian lighting are included in the project, along with replacement of storm drains, water lines, and sanitary sewer lines.</p> <p>Bids were received and opened on November 30, 2016. Four (4) bids were received with McClendon Construction Company, Inc. submitting the lowest bid of \$4,196,469.07. A letter of recommendation, from the consulting engineer, to award the bid to the low bidder is included. A contingency of \$200,000.00 is not included in the bid amount, but is recommended to be approved as part of this action item. The total amount including contingency is \$4,396,469.07.</p>	
<p>Funding and Sources:</p>	
<p>Sufficient funds are available through municipal bond funds, depreciation funds, storm drainage utility funds, and special projects fund. Per the City's interlocal agreement with Tarrant County, concerning Pipeline Road widening, the City will be reimbursed for half the cost of the Phase 2 street improvements, including the sidewalks and street lights, but excluding the pedestrian lights.</p>	
<p>Recommendation:</p>	
<p>City staff recommends City Council authorize the city manager to enter into a contract with McClendon Construction Company, Inc, for the improvements to West Pipeline Road, Phase 2, in the amount of \$4,196,469.07, with a contingency of \$200,000.00, for a total of \$4,396,469.07.</p>	



WEST PIPELINE ROAD, PHASE 2 LOCATION MAP



December 6, 2016

City of Hurst
ATTN: Gregory W. Dickens, P.E.
Executive Director of Public Works
1505 Precinct Line Road
Hurst, TX 76054

**RE: WEST PIPELINE ROAD PHASE 2 –
PRECINCT LINE ROAD TO LOREAN BRANCH BRIDGE
RECOMMENDATION TO AWARD BID
HURST, TEXAS
BHB PROJECT 2011.155.006**

Construction documents were issued on 11/21/16 to be used to solicit public bids. The documents have been distributed via local internet electronic downloads. On November 9, 2016 a pre-bid conference was held at City Hall. It was open to all prospective bidders. Four sealed bids were subsequently received and publicly opened at City Hall on November 30, 2016.

The low bidder was McClendon Construction Company, Inc. McClendon Construction presented a 5% bid bond. McClendon Construction has performed similar work in the past for the City of Hurst. There were no issues that arose on the previous work that would justify disqualifying their bid.

We therefor recommend that the **low bid of \$4,196,469.07 from McClendon Construction** be accepted and a contract for work be authorized by City Council.

Sincerely,
BAIRD, HAMPTON & BROWN, INC.



Kevin B. Miller, P.E.
Senior Associate

City Council Staff Report

<p>SUBJECT: Consider authorizing the city manager to enter into an Engineering Services Contract with Espey Consultants, Inc., dba RPS, for design of the Valley View Branch Sanitary Sewer Interceptor Replacement from State Highway 10 to Redbud Drive</p>	
<p>Supporting Documents:</p>	
<p>Engineering Services Contract</p>	<p>Meeting Date: 12/13/2016 Department: Public Works Reviewed by: Greg Dickens City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>The Valley View Branch outfall wastewater pipe is under capacity along the section from State Highway 10 to Redbud Drive. The existing 15-inch and 18-inch diameter clay pipe needs to be increased in size in order to avoid possible future overflows. The Capital Improvements Program, which was part of the recent 2016 Impact Fee Update Study, shows this section of pipe needs to be enlarged to a 28-inch diameter plastic pipe, in order to adequately handle the amount of existing and future wastewater flow from upstream customers, in the cities of Hurst and Bedford. The current estimated construction cost of the improvements is \$1,352,000.00. Espey Consultants, Inc., dba RPS, has past experience with applying for and receiving approval of Clean Water State Revolving Fund (CWSRF) loans with Green Project Reserve classification, which provides for 15% grant funding through the Texas Water Development Board (TWDB). The CWSRF loans come with a lower interest rate than the open market and, coupled with the 15% grant, should reduce the overall cost to the City for the construction by \$463,600.00.</p> <p>The proposed engineering cost is \$221,874.00, as outlined in the attached engineering services contract. The contract will include preparation, submittal, and support of the CWSRF application, preliminary detailed design, final detailed design, and construction administration, along with all coordination with the TWDB necessary to meet their funding and grant approval requirements. It is possible that 15% of the engineering cost of \$221,874.00 could be reimbursed through the TWDB if the Green Project funding is approved by the TWDB.</p>	

Funding and Sources:

Sufficient funding is available for this engineering services contract from the Impact Fee Fund. The recent update to the Impact Fee Study showed 15% of the cost of this sanitary sewer main can be funded from impact fee funds. The total estimated cost of the project (engineering and construction) is \$1,573,874.00. The 15% that can be utilized from impact fee funds is an amount up to \$236,100.00.

Recommendation:

City staff recommends City Council authorize the city manager to enter into a contract with Espey Consultants, Inc., dba RPS, for design of the Valley View Branch Sanitary Sewer Interceptor Replacement, from State Highway 10 to Redbud Drive, in an amount not to exceed \$221,874.00.

outlined on Exhibit A Engineer Services, Exhibit B Location Map, and Exhibit C Opinion of Probable Construction Costs.

Section 4. PAYMENT FOR SERVICES

- A. Payment for services under Section 3 above will be lump sum, invoiced monthly based on percent complete.
- B. Payments shall also include Direct Non-Labor Expenses which, in general, include expenses for supplies, transportation, equipment, travel, communication, subsistence and lodging away from home, and similar incidentals.

The Direct Non-Labor expenses shall be reimbursable at actual invoice cost plus 10%, except for living and travel expenses when away from the home office on business connected with the Project. All travel outside of the Dallas/Fort Worth Metropolitan Area to be made, which are reimbursable at actual invoice cost, by the Engineer in connection with the Project must first be approved in writing by the Executive Director of Public Works. The contract cost amount in Section 3 above shall include an estimate of the Direct Non-Labor expenses.

- C. Subcontractor cost shall be reimbursed at the actual invoice cost plus 10%. All expected subcontractor's cost shall be included in the contract cost amount shown in Section 3 above.
- D. Engineer shall submit itemized monthly statements for Services, Direct Non-Labor Expenses, and for Subcontractors Costs incurred. City shall make payments in the amount shown by the Engineer's monthly statements and other documentation submitted, and no interest shall ever be due on late payments.
- E. Payments for expenses, costs, and services, in **Preliminary Design**, described in Section 3 above, shall not exceed \$75,520.00.
- F. Payments for expenses, costs, and services, in **Final Design**, described in Section 3 above, shall not exceed \$105,231.00.
- G. Payments for expenses, costs, and services, in **Construction Administration**, described in Section 3 above, shall not exceed \$41,123.00.
- H. Total project payments for direct non-labor expenses, Preliminary and Final Design, and Construction Administration, described in Section 3 above, shall not exceed **\$221,874.00**.
- I. Nothing contained in this contract shall require the City to pay for any work which is unsatisfactory as reasonably determined by the Director or which is not submitted in compliance with the terms of this Contract. City shall not be required to make any

payments to the Engineer when the Engineer is in default under this Contract; nor shall this paragraph constitute a waiver of any right, at law or in equity, which City may have if the Engineer is in default, including the right to bring legal action for damages or for specific performance of this Contract, nor shall it constitute a waiver of any right, at law or in equity, which Engineer may have to bring legal action for payment when Engineer believes it was not under such default and is owed fees under the terms of this agreement.

Section 5. OWNERSHIP OF DOCUMENTS

All information and other data given to, prepared, or assembled by Engineer under this Contract, and other related items shall become the sole property of City and shall be delivered to City, without restriction on future use. Engineer may make copies of any and all documents and items for its files. A set of mylar reproducible plans shall be filed with the City prior to final payment. Engineer shall have no liability for changes made to or use of the drawings, specifications, and other documents by anyone subsequent to the completion of the Project.

City shall require that any such change or other use shall be sealed by the Engineer making that change or use and shall be appropriately marked to reflect what was changed or modified.

Section 6. SERVICES BY CITY

City shall provide the following services under this Contract:

- A. Provide available criteria and information to the Engineer as City's requirements for the Project.
- B. Provide sample drawings to use as guidelines.
- C. Provide all available City of Hurst drawings, maps, and notes relating to existing public facilities within the limits of the Project.

Section 7. COMPLETION SCHEDULE

The services furnished by the Engineer under this Contract will be completed in accordance with the following assuming a Notice to Proceed no later than December 15, 2016:

Preliminary Design shall be completed by July 1, 2017

Final Design shall be completed by December 31, 2017

Construction Administration shall be complete by December 1, 2018.

See Exhibit D Schedule.

For the purposes of this Contract, a month is defined as thirty (30) calendar days and a week as seven (7) calendar days. If any of the following submissions fall on a City non-working day, then the submission shall be due the following City working day.

Section 8. NOTICE TO PROCEED

City shall have complete control of the services to be rendered and no work shall be done under this Contract until the Engineer is instructed in writing to proceed.

Section 9. TERMINATION OF CONTRACT

City may indefinitely suspend further work hereunder or terminate this Contract or any phase of this Contract upon thirty (30) days prior written notice to the Engineer with the understanding that immediately upon the receipt of such notice all work and labor being performed under this Contract shall cease immediately. Before the end of the thirty (30) day period, Engineer shall invoice the City for all work accomplished by him prior to the receipt of such notice. No amount shall be due for lost or anticipated profits. All plans, field surveys, and other data related to the Project shall become property of City upon termination of the Contract and shall be promptly delivered to City in a reasonably organized form without restriction on future use except as stated in Section 5. Should City subsequently contract with a new consultant for continuation of services on the Project, Engineer shall cooperate in providing information.

Section 10. RESPONSIBILITY FOR CLAIMS AND LIABILITIES

Approval by City shall not constitute nor be deemed a release of the responsibility and liability of the Engineer, its employees, associates, agents, and consultants for the accuracy and competency of their designs or other work; nor shall approval be deemed to be an assumption of such responsibility by City for any errors or omissions in the design or other work prepared by the Engineer, its employees, subcontractor, agents and consultants.

Section 11. EQUAL EMPLOYMENT OPPORTUNITY

- A. The Engineer shall not discriminate against any employee or applicant for employment because of race, age, color, religion, sex, ancestry, national origin, or place of birth. The Engineer shall take affirmative action to insure that applicants are employed and that employees are treated during their employment without regard to their race, age, color, religion, sex, ancestry, national origin, or place of birth.
- B. If the Engineer fails to comply with the Federal Laws relating to Equal Employment Opportunity, it is agreed that the City at its option may do either or both of the following:
 - 1) Cancel, terminate, or suspend the contract in whole or in part;
 - 2) Declare the Engineer ineligible for further City Contracts until he is determined to be in compliance.

Section 12. AMENDMENTS

This Contract may be amended or supplemented in any particular only by written instrument and only as approved by resolution of City Council or the City Manager, except for termination under Section 9, Termination of Contract, which may be accomplished by the Executive Director of Public Works or his designated representative as identified in Section 9, Termination of Contract.

Section 13. COMPLIANCE WITH LAWS, CHARTERS, AND ORDINANCES, ETC.

The Engineer, his consultants, agents and employees, and subcontractors shall comply with applicable Federal and State Laws, the Charter and Ordinances of the City of Hurst, and with applicable rules and regulations promulgated by local, state, and national boards, bureaus, and agencies existing and published before date of this agreement.

Section 14. RIGHT OF REVIEW

Engineer agrees that City may review any and all of the work performed by Engineer under this Contract. City if hereby granted the right to audit at City's election, all of the Engineer's records and billings related to the performance of this contract. Engineer agrees to retain such records for a minimum of three (3) years following completion of this contract.

Section 15. CONFLICT OF INTEREST

No officer or employee shall have any financial interest, direct or indirect, in any contract with the City or be financially interested, directly, in the sale to the City of any land, materials, supplies, or services, except on behalf of the City as an officer or employee. Any violation of this section shall constitute malfeasance in office, and any officer or employee guilty thereof shall thereby forfeit his office or position with the City. Any violation of this section with knowledge, expressed or implied, of the person or corporation contracting with the City shall render the Contract involved voidable by the City Manager or the City Council.

Section 16. CONTRACT PERSONAL

This Contract is for personal and professional services; and the Engineer shall not assign this Contract, in whole or in part, without the prior written consent of the City.

Section 17. NOTICES

All notices, communications, and reports required or permitted under this Contract shall be personally delivered or mailed to the respective parties by depositing the same in the United States Mail at the address shown below unless and until either party is otherwise notified in writing by the other party at the following addresses. Mailed notices shall be deemed communicated after five days.

If intended for Hurst, to:

Gregory W. Dickens
Contact Person

Executive Director of Public Works
Title

City of Hurst
1505 Precinct Line Road
Hurst, Texas 76054
(817) 788-7076

If intended for Engineer, to:

Wayne K. Hunter
Contact Person

Branch Manager
Title

Espey Consultants, Inc.
dba RPS
Firm Name

2777 N. Stemmons Fwy., Ste. 1102
Address

Dallas, TX 75207
City, State, Zip Code

(214) 951-0807
Telephone No.

Section 18. INDEPENDENT CONTRACTOR

In performing services under this Contract, Engineer is performing services of the type performed prior to this contract; and Engineer by the execution of this contract does not change the independent status of the Engineer. No term, or provision hereof, or act of Engineer in the performance of this Contract shall be construed as making Engineer the agent, servant, or employee of Hurst.

Section 19. INDEMNITY

Engineer agrees to defend, indemnify, and hold City whole and harmless against claims for damages, costs, and expenses of persons or property that may arise out of, or be occasioned by, or from any negligent act, error or omission of Engineer, or any agent, servant, or employee of Engineer in the execution or performance of this Contract, without regard to whether such persons are under the direction of City agents or employees.

This provision shall not be deemed to apply to liability for damage that is caused by or results from the negligence of the City of Hurst or its employees or other agents.

Section 20. INSURANCE

Engineer agrees to maintain workmen's compensation insurance to cover all of its own personnel engaged in performing services for client under this agreement. Engineer also agrees to maintain professional liability insurance and commercial general liability coverage in the amounts listed below:

Professional Liability Insurance - \$1 Million per claim/aggregate
Commercial General Liability Insurance - \$1 Million per claim/aggregate
Workers Compensation - Statutory

Section 21. VENUE

The obligations of the parties to this Contract are performable in Tarrant County, Texas; and if legal action is necessary to enforce it, exclusive venue shall lie in Tarrant County, Texas.

22. APPLICABLE LAWS

This Contract is made subject to the provisions of the Hurst Code, other City Ordinances, Standards, Hurst Specifications for materials and construction, as amended, and all State and Federal Laws.

Section 23. GOVERNING LAWS

This contract shall be governed by and construed in accordance with the laws and decisions of the State of Texas.

Section 24. LEGAL CONSTRUCTION

In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions thereof; and this Contract shall be considered as if such invalid, illegal or unenforceable provision had never been contained in this Contract.

Section 25. PUBLISHED MATERIAL

Engineer agrees that the City shall review and approve any written material about City projects and/or activities prior to being published by the Engineer.

Section 26. CAPTIONS

The captions to the various clauses of this Contract are for informational purposes only and shall not alter any substance of the terms and conditions of this Contract.

Section 27. SUCCESSORS AND ASSIGNS

This Contract shall be binding upon and insure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and, except as otherwise provided in this Contract, their assigns.

Section 28. ENTIRE AGREEMENT

This Contract (page 1 thru 8, Exhibit A,B, C and D) embodies the complete agreement of the

parties hereto, superseding all oral or written previous and contemporary agreements between the parties and relating to matters in this Contract, and except as otherwise provided herein, cannot be modified without written agreement of the parties to be attached to and made a part of this Contract.

IN WITNESS WHEREOF, the parties hereby have executed this agreement in triplicate originals on this date, the _____ day of _____, 2016.

Espey Consultants, Inc. dba RPS

City of Hurst, Texas

Signature

City Manager

Title

Executive Director of Public Works

**2777 N. Stemmons Fwy., Ste. 1102
Dallas, Texas 75207**

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

ENGINEER SERVICES

I. Scope of Services

The PROJECT consists of a planned replacement of an existing CITY 15-inch diameter wastewater pipeline lying between State Highway 10 and Redbud Drive, a distance of approximately 2,500 linear feet, with a planned 28-inch diameter wastewater pipeline using a combination of trenchless methods for reducing surface impacts coupled with open cut construction methods, when trenchless methods cannot be deployed. The need for the PROJECT was established in the CITY's Wastewater Master Plan. The intent for implementing PROJECT is to initiate design to produce construction plans and specifications to be advertised for bids and for securing support during construction. Additionally, it is intended that access to grant funding and subsidized low interest funding will be pursued parallel to design efforts to afford the CITY the option for reducing CITY costs for the PROJECT.

The Basic Engineering Services to be rendered by ENGINEER are to be performed as required during the following phases of the PROJECT:

- A. PRELIMINARY DESIGN PHASE
- B. FINAL DESIGN PHASE
- C. CONSTRUCTION ADMINISTRATION PHASE

These various services that ENGINEER will perform are more fully described as follows for the Valley View Interceptor Replacement (PROJECT) which will each be completed as independent work products through Phases A through C above:

A. PRELIMINARY DESIGN PHASE

1. Attend preliminary conference with CITY regarding the PROJECT to establish protocols for project execution.
2. Obtain site information available from CITY records for water, wastewater, stormwater, and streets. Information shall include construction plans as available and condition data relevant to PROJECT area.
3. Perform design surveying for the 2,500 linear foot length of PROJECT. Cross-sections will be taken at least every fifty (50) feet. Driveway profiles will be prepared for paving-related impacts. Survey data will be converted to drawing file data for use on PROJECT. Permission to survey will be secured in advance of any crossing of private property.
4. Obtain closed circuit television (CCTV) internal inspection of the PROJECT existing facilities for identification of internal defects and specific locations of connections to the existing pipeline. CCTV results will be coded using current PACP standards.
5. Prepare four geotechnical borings in areas in which trenchless construction are proposed for reducing construction contractor risk for subsurface geology immediately adjacent to existing pipeline.
6. Perform site visit to identify PROJECT features including constraints to construction, surface improvements, evidence of utilities, and areas in which specialized construction

methods will be required.

7. Coordinate with City franchise utilities to identify any potential conflicts within the PROJECT locations.
8. Prepare Preliminary Design Report defining a minimum of two alternatives for renewal of the existing pipeline with proposed design flows and the costs for each alternative with a recommendation.
9. Prepare 30% design plans reflecting the concepts proposed for renewing the existing pipeline based on the recommended plan for renewing the existing pipeline.
10. Update the conceptual opinion of probable construction cost from the preliminary design report with costs reflective of conceptual design.
11. Meet with CITY to jointly review Preliminary Design Report and 30% design construction plans.
12. Prepare final Preliminary Design Report based on CITY comments.
13. Prepare with CITY and obtain CITY approval for the submission of a Texas Water Development Board (TWDB) Project Information Form for Clean Water State Revolving Fund (CWSRF) 2018 funding of PROJECT inclusive of application for Green Project Reserve grant funding.
14. Assist CITY in support at a Pre application Meeting with TWDB management following the TWDB's issuance of a Intended Use Plan for CWSRF 2018.

B. FINAL DESIGN PHASE

1. Prepare 60% construction plan design drawings for PROJECT. Drawings shall include complete plan and profile and additionally a general notes sheet(s), coordinate control sheet(s), proposed traffic control sheet(s), proposed erosion control plan sheet(s), and detail sheet(s) as required.
2. Furnish two copies of construction plans to CITY for review and meet with CITY to obtain CITY review comments.
3. Incorporate CITY review comments into construction plans.
4. Prepare with CITY an application for TWDB CWSRF 2018 loan funding for PROJECT inclusive of applying for grant funding subsidies for CITY consideration in advance of submission.
5. Prepare Categorical Exclusion with the intent of securing approval for waiver of detailed environmental review.
6. Review critical locations where excavation for PROJECT may be impacted by the proximity of underground utilities and secure four Level A utility locations through subsurface utility engineering, incorporating findings into construction plans and specifications. Incorporate Level A utility information for the PROJECT to reduce contractor uncertainties for bidding the project.
7. Coordinate utility companies' review of 60% construction plans for identifying potential conflicts and reducing the conflicts to improve PROJECT constructability.
8. Prepare specifications using CITY standard front end contract documents and format and using TWDB standard forms for CWSRF funded projects. Prepare 90% construction plan design drawings for PROJECT. Drawings shall include complete plan and profile and additionally a general notes sheet(s), coordinate control sheet(s), proposed traffic control sheet(s), proposed erosion control plan sheet(s), and detail sheet(s) as required. Specifications shall be complete through technical specifications to be used for PROJECT. Submit two sets of construction plans and specifications for PROJECT to CITY for obtaining review comments.

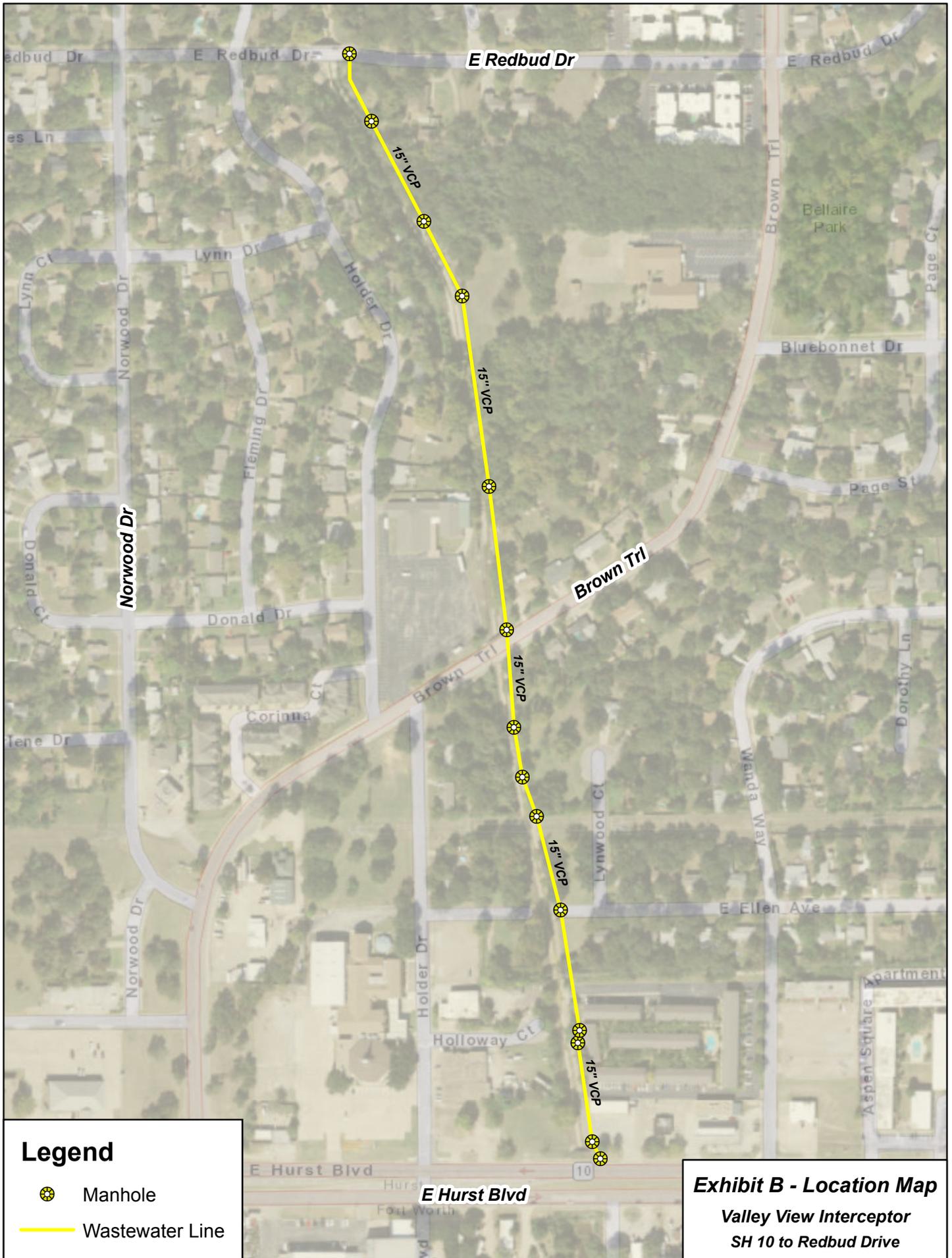
9. Incorporate CITY review comments into construction plans
10. Request formal TWDB review of updated construction plans and specifications from TWDB in order to secure approval to advertise PROJECT for bids, subject to incorporation of TWDB comments and CITY review comments from 100% plan and specification review by CITY.
11. Prepare 100% construction plans and specifications for PROJECT. Drawings and specifications shall be complete and ready for advertisement for bidders and shall be submitted for final CITY final review and setting of proposed bid dates. One complete set of contract documents will be furnished along with one set of construction plans for review and consideration for approval. Prepare detailed cost estimates based on unit prices from the proposal of authorized construction, which shall include summaries of bid items and quantities on the unit price system of bidding, wherever practical. The ENGINEER shall not be required to guarantee the accuracy of these estimates.
12. Develop the final project completed Construction Contract Documents, (Plans, Specifications, etc.) and assist CITY with submittal of such Documents to local, state, and federal agencies for approval as may be applicable.
13. Furnish to the CITY all necessary copies of approved Construction Contract Documents needed for competitive bidding (plans, specifications, notice to bidders, proposals, etc.). Convene one Pre-Bid meeting with potential contractors, TWDB, and CITY to address any questions regarding PROJECT.
14. Assist the CITY in the advertisement of the PROJECT for competitive bids through issuing clarifications to the PROJECT contract documents.
15. Assist the CITY in bid opening providing clarifications as needed for acceptable bids.
16. Assist the CITY in the tabulation of bids for construction of PROJECT, review of contractor suitability as the recommended contractor, and recommend to the CITY as to the proper action on bids received.
17. Prepare a recommendation to the CITY for award of a construction contract.

C. CONSTRUCTION ADMINISTRATION PHASE

1. Attend preliminary conference with CITY, Contractor, and Contractor's supplier representatives regarding the PROJECT to establish protocols for project execution and prepare agenda for meeting and meeting summary and distribute for review.
2. Review Contractor's schedule of values, Contractor's schedule for execution of PROJECT and advise Contractor of any needed changes prior to approving submittal. Review Contractor's submittals for pipe, embedment, traffic control, manholes, and trenchless construction set ups, inclusive of additional miscellaneous requirements to be used on the PROJECT and advise Contractor of any needed changes prior to approving submittals.
3. Coordination of TWDB Requirements for Contractor submittals during construction. Review Contractor's submittals required to comply with TWDB SRF funding and advise Contractor of any deficiencies for ensuring TWDB requirements are met.
4. Performance of Site Visits. Performance of site visits intended to provide a general familiarity with the progress and methods in use by the Contractor on the PROJECT, not intended to supplant the need for daily supervision of the Contractor by CITY forces. It is anticipated this will include up to ten visits to the field.
5. Coordinate up to ten monthly progress meetings with the Contractor and CITY forces to review Contractor progress, identify issues encountered by Contractor and actions items if needed for correction, and to generally address issues that may affect the execution of

the PROJECT. ENGINEER shall prepare agendas for meetings and meeting summaries which will be distributed to all attendees.

6. Conduct weekly wage certifications of Contractor's employees to meet TWDB requirements and provide certification to City for pay estimate submission.
7. Coordinate a final inspection with the Contractor and the CITY to review all completed construction, to identify a punch list of required corrections prior to recommending CITY acceptance of the PROJECT, and to provide the basis for closeout of the PROJECT. Participate in a final inspection with Contractor and CITY to ensure punch list items have been adequately addressed.
8. Collect as-built markups from CITY inspectors and Contractor and prepare corrections to As-Bid plans for PROJECT , inclusive of advertisement phase redesign of elements of the project, to provide a set of record drawings reflecting what has been built for PROJECT.
9. Closeout. Complete electronic files and mylar copies of record drawings for submission of one set of reproducible drawings and one electronic copy of the PROJECT drawings to CITY.



Legend

-  Manhole
-  Wastewater Line

Exhibit B - Location Map
Valley View Interceptor
SH 10 to Redbud Drive

Exhibit C

Opinion of Probable Construction Costs

Proj. 1a	Valley View Interceptor Replacement between State Highway 10 and Redbud Drive				
Item	Description	Quantity	Unit	Unit Price	Total
1	Remove and Replace Standard 4' Diameter Manhole	14	EA	\$5,000	\$70,000
2	28" HDPE Pipe by Pipe Bursting	2,037	LF	\$350	\$712,950
3	28" HDPE Pipe by Open Cut	425	LF	\$250	\$106,250
3	28" HDPE Pipe by Open Cut (Restricted Access)	275	LF	\$475	\$130,625
4	Street Pavement Repair (Residential Street)	300	SY	\$150	\$45,000
5	Barricading and Traffic Control	1	LS	\$10,000	\$10,000
6	Pre & Post Construction CCTV	4,624	LF	\$2.50	\$11,560
7	Erosion Control and SWPPP	1	LS	\$15,000	\$15,000
8	Hydromulch, Sodding, Tree Removal, and Landscape Repair	1	LS	\$25,000	\$25,000
		Subtotal			\$1,126,385
		Contingency (20%)			\$225,277
		Total			\$1,351,662

City Council Staff Report

<p>SUBJECT: Consider the purchase of Enhanced Body Armor, from Security Pro USA and Red the Uniform Tailor, for the Police Department</p>	
<p>Supporting Documents:</p>	
	<p>Meeting Date: 12/13/2016</p> <p>Department: Police Department</p> <p>Reviewed by: Lt. Mark Schwobel</p> <p>City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>Best practices are evolving in the national police response to high-threat, violent events in addition to active shooter scenes. Lethal assaults on police officers are up over 70% this year. As with most equipment and technologies, we have a solid history of deploying tools to the first-responder for emergency use. Area agencies are issuing enhanced, tailored body armor solutions to officers.</p> <p>Staff evaluated several types of enhanced body armor and selected a product from Security Pro USA. The Security Pro USA quote includes the custom active response kits: Level IV plates and carriers, ballistic helmet, first-aid kit, and carry bag. The bundle price for 100 units is \$575 each for a total of \$57,500. Staff also received a quote from Red the Uniform Tailor for the accompanying POLICE Velcro panels and nine O.D Green plate carriers (no plates) for use by Hurst members of the NETCAST regional tactical team – total of \$4,455.00.</p> <p>The purchase total is \$61,955.</p>	
<p>Funding and Sources:</p>	
<p>The purchase total is \$61,955 to be funded from the Traffic Safety Signal Fund.</p>	

Recommendation:

Staff recommends the City Council authorize the city manager to enter into a Purchase Agreement with Security Pro USA and Red the Uniform Tailor for 100 enhanced body armor kits, for \$61,955.

City Council Staff Report

<p>SUBJECT: Consider authorizing the city manager to enter into an Agreement with Watchguard for a purchase of body cameras for the Police Department</p>	
<p>Supporting Documents:</p>	
<p>Watchguard Estimates Watchguard Sole Source Installation Estimate Resolution 1645</p>	<p>Meeting Date: 12/13/2016 Department: Police Reviewed by: Lt. Billy Keadle City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>Body-worn cameras (BWC) help to improve the quality of service provided by the Police Department. Their use promotes perceived legitimacy and sense of procedural justice with the public.</p> <p>The purchase of 61 Watchguard Vista BWC's will equip front line officers and provide equipment backup. The purchase includes a three year warranty on each camera along with storage and equipment installation.</p> <p>The Police Department's current in-car camera system is Watchguard and the BWC's will synchronize with current systems and storage processes.</p> <p>The Police Department was awarded a grant under Section 1701.652 of the Texas Occupations Code and must match 25 percent of the awarded amount.</p>	
<p>Funding and Sources:</p>	
<p>The purchase cost is \$144,230, plus 10 percent contingency for a total of \$158,650. The Body Camera Grant, from the Criminal Justice Division of the Governor's Office, will reimburse the City \$78,400. The remaining \$80,250 is available in the Traffic Signal Safety Fund.</p>	

Recommendation:

Staff recommends the City Council authorize the city manager to enter into a Purchase Agreement with Watchguard, for the purchase of 61 body worn cameras and supporting equipment, in the amount of \$144,230 plus 10% contingency, for a total cost of \$158,650.



4RE/VISTA Price Quote

CUSTOMER: Hurst Police Department

ISSUED: 10/28/2016 11:56 AM

EXPIRATION: 12/30/2016 12:00 AM

**TOTAL PROJECT ESTIMATED AT:
\$116,910.00**

ATTENTION: Billy Keadle

SALES CONTACT: Gavin Wallace

PHONE: 817-788-7180

DIRECT: (214) 785-2611

E-MAIL:

E-MAIL: GWallace@WatchGuardVideo.com

4RE and VISTA Proposal

VISTA HD Cameras and Options

Part Number	Detail	Qty	Direct	Discount	Total Price
VIS-EXT-WIF-001	VISTA HD Wi-Fi Extended Capacity Wearable Camera with 9 hours continuous HD recording. Includes one camera mount, 32 GB of storage, Wi-Fi docking base, cables and 1 year warranty.	25.00	\$1,195.00	\$0.00	\$29,875.00
HDW-ETH-SWT-005	VISTA HD, 4RE, Smart PoE Switch	25.00	\$195.00	\$0.00	\$4,875.00
VIS-CHG-BSE-KIT	VISTA Charging Base Kit, incl. Power and USB Cables	61.00	\$95.00	\$0.00	\$5,795.00
VIS-VTS-DTC-001	VISTA Transfer Station Assy, for 8 Cameras, Ethernet	2.00	\$1,495.00	\$0.00	\$2,990.00
VIS-EXT-WIF-001	VISTA HD WiFi Additional Camera Only	36.00	\$995.00	\$0.00	\$35,820.00

VISTA HD Warranties

Part Number	Detail	Qty	Direct	Discount	Total Price
WAR-VIS-WIF-NOF	Warranty, VISTA WiFi, 3 Year No-Fault	61.00	\$450.00	\$0.00	\$27,450.00

Evidence Library 4 Web Software and Licensing

Part Number	Detail	Qty	Direct	Discount	Total Price
KEY-EL4-DEV-002	Evidence Library 4 Web VISTA Device License Key	61.00	\$150.00	\$0.00	\$9,150.00

415 Century Parkway • Allen, TX • 75013
Toll Free (800) 605-6734 • Main (972) 423-9777 • Fax (972) 423-9778
www.WatchGuardVideo.com



4RE/VISTA Price Quote

Shipping and Handling

Part Number	Detail	Qty	Direct	Discount	Total Price
Freight	Shipping and Handling Charges	1.00	\$955.00	\$0.00	\$955.00
					\$116,910.00

Total Estimated Tax, may vary from State to State \$0.00

Configuration Discounts \$0.00

Additional Quote Discount \$0.00

Total Amount \$116,910.00

NOTE: This is only an estimate for 4RE & VISTA related hardware, software and WG Technical Services. Actual costs related to a turn-key operation requires more detailed discussion and analysis, which will define actual back-office costs and any costs associated with configuration, support and installation. Please contact your sales representative for more details.

To accept this quotation, sign, date and return with Purchase Order: _____ DATE: _____



4RE/VISTA Price Quote

CUSTOMER: Hurst Police Department

ISSUED: 11/16/2016 3:02 PM

EXPIRATION: 12/31/2016 6:00 PM

TOTAL PROJECT ESTIMATED AT:
\$21,825.00

ATTENTION: Mark Madolara

SALES CONTACT: Gavin Wallace

PHONE: 817-788-7180

DIRECT: (214) 785-2611

E-MAIL:

E-MAIL: GWallace@WatchGuardVideo.com

4RE and VISTA Proposal

Server Hardware and Software

Part Number	Detail	Qty	Direct	Discount	Total Price
HDW-4RE-SRV-201	Server, 4RE, 16 HDD, 3U, 16-35 Concurrent Cars, 5CAL, Gen 3	1.00	\$8,850.00	\$0.00	\$8,850.00
HDW-4RE-JBD-012	Storage, JBOD, Nobistor 4RE, 12-bay, 2U, includes SAS Cable Gen 3	1.00	\$2,575.00	\$0.00	\$2,575.00
HDW-4RE-HDD-4TB	Hard Drive, Server, 6TB, 6GB/s 7,200 RPM, 128MB, Enterprise, 4RE	20.00	\$300.00	\$0.00	\$6,000.00

WatchGuard Video Technical Services

Part Number	Detail	Qty	Direct	Discount	Total Price
SVC-4RE-RMT-410	4RE Remote System Setup, Configuration, Testing and Admin Training	1.00	\$750.00	\$0.00	\$750.00
BRK-DV1-MIC-100	Migrate video files to a new storage location / set up DVD robots	1.00	\$1,500.00	\$0.00	\$1,500.00
WAR-SRV-JBD-5YR	Warranty, JBOD, Full Service On Site, 5-Year (Months 37-60)	1.00	\$520.00	\$0.00	\$520.00
WAR-SRV-RCK-5YR	Extended Warranty, Rack Server (WGA00421-105,-205), Full Service On Site, 5-Year (Months 37-60)	1.00	\$1,175.00	\$0.00	\$1,175.00

415 Century Parkway • Allen, TX • 75013
Toll Free (800) 605-6734 • Main (972) 423-9777 • Fax (972) 423-9778
www.WatchGuardVideo.com



4RE/VISTA Price Quote

Shipping and Handling

Part Number	Detail	Qty	Direct	Discount	Total Price
Freight	Shipping and Handling Charges	1.00	\$450.00	\$0.00	\$450.00
					\$21,820.00

Total Estimated Tax, may vary from State to State \$0.00

Configuration Discounts \$0.00

Additional Quote Discount \$0.00

Total Amount \$21,820.00

NOTE: This is only an estimate for 4RE & VISTA related hardware, software and WG Technical Services. Actual costs related to a turn-key operation requires more detailed discussion and analysis, which will define actual back-office costs and any costs associated with configuration, support and installation. Please contact your sales representative for more details.

To accept this quotation, sign, date and return with Purchase Order: _____ DATE: _____

AMERICAN COMMUNICATIONS

QUOTE

DATE: NOVEMBER 2, 2016

2321 Solona Street
Suite B
Haltom City, Texas 76117
Phone 817-831-3865 Fax 817-831-2350
justin@american-comm.com

TO Hurst Police Dept.
Lt. Billy Keadle
817-788-7156

SALESPERSON	JOB	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
Justin	Video upgrade				Quote	

25	Labor	Install Smart PoE switch, and WiFi docking base		\$220.00		\$5,500.00
Total						\$5,500.00

RESOLUTION 1645

**A RESOLUTION OF THE CITY COUNCIL OF HURST, TEXAS,
AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION WITH
THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR
A BODY CAMERA GRANT**

WHEREAS, the City Council of Hurst, Texas finds it in the best interest of the citizens of Hurst to apply a grant, for the Hurst Body Camera Project, to be operated for the 2015-2016 year; and

WHEREAS, the City Council of Hurst, Texas agrees to provide applicable matching funds for the said project, as required by the Office of the Governor, Criminal Justice Division grant application; and

WHEREAS, the City Council of Hurst, Texas agrees that in the event of loss or misuse of the Criminal Justice Division funds, Hurst City Council assures that the funds will be returned to the Criminal Justice Division in full; and

WHEREAS, the City Council of Hurst, Texas designates the City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF HURST, TEXAS:**

Section 1. **THAT** the City Council of Hurst, Texas, approves submission of the grant application, for the Hurst Body Cameras Project, to the Office of the Governor, Criminal Justice Division.

AND IT IS SO RESOLVED.

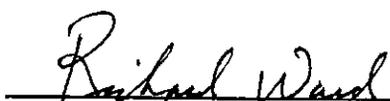
Approved this the 17th day of May by a vote of 6 to 0.

ATTEST:

CITY OF HURST



Rita Frick, City Secretary



Richard Ward, Mayor

Approved as to form and legality:

Grant Number: 3048101



City Attorney

City Council Staff Report

<p>SUBJECT: Consider authorizing the city manager to enter into a contract for water and waste water utility rate analysis and design including a multi-year financial plan</p>	
<p>Supporting Documents:</p>	
<p>Agreement</p>	<p>Meeting Date: 12/13/2016 Department: Fiscal Services Reviewed by: Clayton Fulton City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>During the City Council strategic planning meetings, the need for a utility rate analysis was identified as a priority for FY 17. The Enterprise fund has been under stress from zero growth in utility customers and pressure from wholesale providers' rate increases in recent years. This budgetary concern underscores the need to conduct a rate study.</p> <p>Staff contacted four consultants that are known in their field as possessing the requisite expertise to perform rate studies. The firms ranged in size from sole proprietors up to large firms that proposed partnering with engineering firms to complete their analysis.</p> <p>Costs for the studies ranged from \$14,500 to over \$87,000. The average cost based upon the proposals is just under \$43,000.</p> <p>The proposals included a complete review of our Utility Billing consumption data, rate structure, wholesale rate pressure, fiscal performance, staffing, capital needs, and revenue and expenditure projections. Additionally, the study will include proposed rate structures and an analysis of a proposed automated metering infrastructure system.</p> <p>Total costs for the recommended consultant is \$24,950 for FY 17 and would drop to a proposed rate of \$19,950 for FY 18 should the City elect to continue the service.</p>	

Funding and Sources:

Funding for this project is available in the Enterprise Fund depreciation account.

Recommendation:

It is recommended the City Council authorize the city manager to enter into the contracts for the CityBase.Net Inc. to conduct a water and waste water utility rate analysis and design, including a multi-year financial plan, for an amount not to exceed \$24,950.

PROFESSIONAL SERVICES AGREEMENT

This **PROFESSIONAL SERVICES AGREEMENT** ("Agreement") is made and entered into by and between the **City of Hurst** (the "CITY"), a subdivision of the State of Texas situated in Tarrant County, Texas, acting by and through Clay Caruthers, its duly authorized City Manager, and **CITYBASE.NET, INC.**, ("CONSULTANT" or "LFM"), acting by and through Lewis F. McLain, Jr., its duly authorized president. The CITY and CONSULTANT are individually referred to herein as a party and collectively referred to as parties.

RECITALS:

WHEREAS, CONSULTANT is highly qualified to construct the necessary models and analysis to build a Water & Wastewater Utility Multi Year Financial Plan (W&S MYPF), including a Rate Design Component; and

WHEREAS, this service will allow for analyzing and reporting of Water & Wastewater data to enable the CITY to better understand internal shifts in the Enterprise revenue base; and

WHEREAS, the services and products provided will assist the CITY in recognizing revenue vulnerabilities and to better understand the current and historical data as well as to forecast future Water & Wastewater revenues.

NOW THEREFORE, for mutual and valuable consideration and covenants set forth herein, the parties do hereby agree as follows:

1. SCOPE OF SERVICES.

CONSULTANT hereby agrees to provide the CITY with professional consulting services for the purpose of constructing and maintaining a Water & Wastewater Multi-Year Financial Plan and Rate Design Analysis & Reporting System. Attached hereto and incorporated for all purposes incident to this Agreement is **Exhibit "A,"** Scope of Services, more specifically describing the services to be provided hereunder.

2. TERM.

This Agreement shall be effective as of January 1, 2017 ("Effective Date") and shall have a 9-month term ("Initial Term"), unless terminated earlier in accordance with the provisions of this Agreement. Following expiration of the Initial Term, this Agreement shall automatically renew for one additional year ("Automatic Renewal Term"), unless terminated earlier in accordance with the provisions of this Agreement. Following the Automatic Renewal Term, the CITY shall have the option to renew this Agreement for five additional year under the same terms and conditions. The CITY shall provide Contractor with thirty (30) days prior written notice of its intent not to renew.

3. COMPENSATION.

The CITY shall pay CONSULTANT fees in an amount not to exceed **\$24,950 per year** ("contract amount") for the Initial Term, and **\$24,950 per year, before discounts and other incentives**, for each Renewal Term in accordance with the provisions of this Agreement and the Fee Schedule attached as **Exhibit "B,"** which is incorporated for all purposes herein. The CITY shall not reimburse CONSULTANT for expenses for any item(s) CONSULTANT is required to procure in order to perform its obligations under this Agreement, other than Printing Services, unless the CITY first approves such expenses in writing.

4. TERMINATION.

4.1. Written Notice.

The CITY or CONSULTANT may terminate this Agreement at any time and for any reason by providing the other party with 30 days written notice of termination

4.2 Non-appropriation of Funds.

In the event no funds or insufficient funds are appropriated by the CITY in any fiscal period for any payments due hereunder, CITY will notify CONSULTANT of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the CITY of any kind whatsoever, except as to the portions of the payments herein agreed upon for which funds shall have been appropriated.

4.3 Duties and Obligations of the Parties.

In the event that this Agreement is terminated prior to the Expiration Date, the CITY shall pay CONSULTANT for services actually rendered up to the effective date of termination and CONSULTANT shall continue to provide the CITY with services requested by the CITY and in accordance with this Agreement up to the effective date of termination.

5. DISCLOSURE OF CONFLICTS AND CONFIDENTIAL INFORMATION.

CONSULTANT hereby warrants to the CITY that CONSULTANT has made full disclosure in writing of any existing or potential conflicts of interest related to CONSULTANT's services under this Agreement. In the event that any conflicts of interest arise after the Effective Date of this Agreement, CONSULTANT hereby agrees immediately to make full disclosure to the CITY in writing. CONSULTANT, for itself and its officers, agents and employees, further agrees that it shall treat all information provided to it by the CITY as confidential and shall not disclose any such information to a third party without the prior written approval of the CITY. CONSULTANT shall store and maintain CITY Information in a secure manner and shall not allow unauthorized users to access, modify, delete or otherwise corrupt CITY Information in any way. CONSULTANT shall notify the CITY immediately if the security or integrity of any CITY information has been compromised or is believed to have been compromised.

6. RIGHT TO AUDIT.

CONSULTANT agrees that the CITY shall, until the expiration of three (3) years after final payment under this contract, have access to and the right to examine at reasonable times any directly pertinent books, documents, papers and records of the CONSULTANT involving transactions relating to this Contract at no additional cost to the CITY. CONSULTANT agrees that the CITY shall have access during normal working hours to all necessary CONSULTANT facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this section. The CITY shall give CONSULTANT reasonable advance notice of intended audits.

CONSULTANT further agrees to include in all its subcontractor agreements hereunder a provision to the effect that the subcontractor agrees that the CITY shall, until expiration of three (3) years after final payment of the subcontract, have access to and the right to examine at reasonable times any directly pertinent books, documents, papers and records of such subcontractor involving transactions related to the subcontract, and further that CITY shall have access during normal working hours to all subcontractor facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this paragraph. CITY shall give subcontractor reasonable notice of intended audits.

7. INDEPENDENT CONTRACTOR.

It is expressly understood and agreed that CONSULTANT shall operate as an independent contractor as to all rights and privileges granted herein, and not as agent, representative or employee of the CITY. Subject to and in accordance with the conditions and provisions of this Agreement, CONSULTANT shall have the exclusive right to control the details of its operations and activities and be solely responsible for the acts and omissions of its officers, agents, servants, employees, contractors and subcontractors. CONSULTANT acknowledges that the doctrine of *respondeat superior* shall not apply as between the CITY, its officers, agents, servants and employees, and CONSULTANT, its officers, agents, employees, servants, contractors and subcontractors. CONSULTANT and CITY further agree that nothing herein shall be construed as the creation of a partnership or joint enterprise between CITY and CONSULTANT.

8. LIABILITY AND INDEMNIFICATION.

CONSULTANT SHALL BE LIABLE AND RESPONSIBLE FOR ANY AND ALL PROPERTY LOSS, PROPERTY DAMAGE AND/OR PERSONAL INJURY, INCLUDING DEATH, TO ANY AND ALL PERSONS, OF ANY KIND OR CHARACTER, WHETHER REAL OR ASSERTED, TO THE EXTENT CAUSED BY THE NEGLIGENT ACT(S) OR OMISSION(S), MALFEASANCE OR INTENTIONAL MISCONDUCT OF CONSULTANT, ITS OFFICERS, AGENTS, SERVANTS OR EMPLOYEES.

CONSULTANT COVENANTS AND AGREES TO, AND DOES HEREBY, INDEMNIFY, HOLD HARMLESS AND DEFEND THE CITY, ITS OFFICERS, AGENTS, SERVANTS AND EMPLOYEES, FROM AND AGAINST ANY AND ALL CLAIMS OR LAWSUITS FOR EITHER PROPERTY DAMAGE OR LOSS (INCLUDING ALLEGED DAMAGE OR LOSS TO CONSULTANT'S BUSINESS AND ANY RESULTING LOST PROFITS) AND/OR PERSONAL INJURY, INCLUDING DEATH, TO ANY AND ALL PERSONS, OF ANY KIND OR CHARACTER, WHETHER REAL OR ASSERTED, ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OR OMISSIONS OR MALFEASANCE OF CONSULTANT, ITS OFFICERS, AGENTS, SERVANTS OR EMPLOYEES.

9. ASSIGNMENT AND SUBCONTRACTING.

CONSULTANT shall not assign or subcontract any of its duties, obligations or rights under this Agreement without the prior written consent of the CITY. If the CITY grants consent to an assignment, the assignee shall execute a written agreement with the CITY and the CONSULTANT under which the assignee agrees to be bound by the duties and obligations of CONSULTANT under this Agreement. The CONSULTANT and Assignee shall be jointly liable for all obligations under this Agreement prior to the assignment. If the CITY grants consent to a subcontract, the subcontractor shall execute a written agreement with the CONSULTANT referencing this Agreement under which the subcontractor shall agree to be bound by the duties and obligations of the CONSULTANT under this Agreement as such duties and obligations may apply. The CONSULTANT shall provide the CITY with a fully executed copy of any such subcontract.

10. INSURANCE.

The CONSULTANT shall carry the following insurance coverage with a company that is licensed to do business in Texas or otherwise approved by the CITY:

- Commercial General Liability – Requirements waived
- Automobile Liability Insurance – Requirements waived
- Professional Liability (Errors & Omissions) in the amount of \$1,000,000 per claim and \$1,000,000 aggregate limit, unless waived.

General Insurance Requirements, unless waived

- J All applicable policies shall name the CITY as an additional insured thereon, as its interests may appear. The term CITY shall include its employees, officers, officials, agents, and volunteers in respect to the contracted services.
- J A minimum of Thirty (30) days notice of cancellation or reduction in limits of coverage shall be provided to the CITY. A ten (10) day notice shall be acceptable in the event of non-payment of premium. Notice shall be sent to CITY SECRETARY, with copies to the CITY ATTORNEY at the same address shown in Section 13.
- J The insurers for all policies must be licensed and/or approved to do business in the State of Texas. All insurers must have a minimum rating of A- VII in the current A.M. Best Key Rating Guide, or have reasonably equivalent financial strength and solvency to the satisfaction of Risk Management. If the rating is below that required, written approval of Risk Management is required.
- J Any failure on the part of the CITY to request required insurance documentation shall not constitute a waiver of the insurance requirement.
- J Certificates of Insurance evidencing that the CONSULTANT has obtained all required insurance shall be delivered to the CITY prior to CONSULTANT proceeding with any work pursuant to this Agreement.

11. COMPLIANCE WITH LAWS, ORDINANCES, RULES AND REGULATIONS.

CONSULTANT agrees to comply with all applicable federal, state and local laws, ordinances, rules and regulations. If the CITY notifies CONSULTANT of any violation of such laws, ordinances, rules or regulations, CONSULTANT shall immediately desist from and correct the violation. CONSULTANT acknowledges that certain information regarding the Utility Billing is not public information and cannot be made public information. Disclosure of any information will be to authorized staff only.

12. NON-DISCRIMINATION COVENANT.

CONSULTANT, for itself, its personal representatives, assigns, subcontractors and successors in interest, as part of the consideration herein, agrees that in the performance of CONSULTANT's duties and obligations hereunder, it shall not discriminate in the treatment or employment of any individual or group of individuals on any basis prohibited by law. If any claim arises from an alleged violation of this non-discrimination covenant by CONSULTANT, its personal representatives, assigns, subcontractors or successors in interest, CONSULTANT agrees to assume such liability and to indemnify and defend the CITY and hold the CITY harmless from such claim.

13. NOTICES.

Notices required pursuant to the provisions of this Agreement shall be conclusively determined to have been delivered when (1) hand-delivered to the other party, its agents, employees, servants or representatives, (2) delivered by facsimile with electronic confirmation of the transmission, or (3) received by the other party by United States Mail, registered, return receipt requested, addressed as follows:

To The CITY:
 City of Hurst
 Attn: Clay Caruthers, City Manager
 Address: 1505 Precinct Line Rd
 City: Hurst, TX 76054
 Phone: 817-788-7027
 Email: ccaruthers@hursttx.gov

To CONSULTANT:
 CityBase.Net Inc.
 Attn: Lewis F. McLain, Jr., President
 4906 Morning Glory Way
 McKinney, TX 75070
 214-793-7729
 lfm@citybase.net

14. SOLICITATION OF EMPLOYEES.

Neither the CITY nor CONSULTANT shall, during the term of this agreement and additionally for a period of one year after its termination, solicit for employment or employ, whether as employee or independent contractor, any person who is or has been employed by the other during the term of this agreement, without the prior written consent of the person's employer.

15. GOVERNMENTAL POWERS.

It is understood and agreed that by execution of this Agreement, the CITY does not waive or surrender any of its governmental powers.

16. NO WAIVER.

The failure of the CITY or CONSULTANT to insist upon the performance of any term or provision of this Agreement or to exercise any right granted herein shall not constitute a waiver of the CITY's or CONSULTANT's respective right to insist upon appropriate performance or to assert any such right on any future occasion.

17. GOVERNING LAW / VENUE.

This Agreement shall be construed in accordance with the internal laws of the State of Texas. If any action, whether real or asserted, at law or in equity, is brought on the basis of this Agreement, venue for such action shall lie in state courts located in Tarrant County, Texas.

18. SEVERABILITY.

If any provision of this Agreement is held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

19. FORCE MAJEURE.

The CITY and CONSULTANT shall exercise their best efforts to meet their respective duties and obligations as set forth in this Agreement, but shall not be held liable for any delay or omission in performance due to force majeure or other causes beyond their reasonable control (force majeure), including, but not limited to, compliance with any government law, ordinance or regulation, acts of God, acts of the public enemy, fires, strikes, lockouts, natural disasters, wars, riots, material or labor restrictions by any governmental authority, transportation problems and/or any other similar causes.

20. HEADINGS NOT CONTROLLING.

Headings and titles used in this Agreement are for reference purposes only and shall not be deemed a part of this Agreement.

21. REVIEW OF COUNSEL.

The parties acknowledge that each party and its counsel have reviewed and revised this Agreement and that the normal rules of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or exhibits hereto.

22. AMENDMENTS / MODIFICATIONS / EXTENSTIONS.

No extension, modification or amendment of this Agreement shall be binding upon a party hereto unless such extension, modification, or amendment is set forth in a written instrument, which is executed by an authorized representative and delivered on behalf of such party.

23. ENTIRETY OF AGREEMENT.

This Agreement, including the schedule of exhibits attached hereto and any documents incorporated herein by reference, contains the entire understanding and agreement between the CITY and CONSULTANT, their assigns and successors in interest, as to the matters contained herein. Any prior or contemporaneous oral or written agreement is hereby declared null and void to the extent in conflict with any provision of this Agreement.

24. SIGNATURE AUTHORITY.

The person signing this agreement hereby warrants that he/she has the legal authority to execute this agreement on behalf of the respective party, and that such binding authority has been granted by proper order, resolution, ordinance or other authorization of the entity. The other party is fully entitled to rely on this warranty and representation in entering into this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in multiples this _____ day of _____, 2017.

Date Approved: _____

CITY OF HURST

By: _____

Clay Caruthers
City Manager

Date: _____

ATTEST:

By: _____

Secretary

APPROVED AS TO FORM AND LEGALITY:

By: _____

CITY Attorney

CONTRACT AUTHORIZATION:

Number:

CITYBASE.NET, INC.:

ATTEST:

By: _____
Lewis F. McLain, Jr.
President

By: _____
Name:
Title:

Date: _____

EXHIBIT A

SCOPE OF SERVICES

Enterprise Analysis & Rate Design Reporting System

Introduction

Lewis F. McLain, Jr., President, CityBase.Net, Inc. (LFM) is highly qualified to construct and maintain a W&S MYFP and Rate Design Model & Reporting System (See Attachment A). LFM and the City of Hurst ("CITY") enter into this Agreement for a W&S MYFP and Rate Design Model & Reporting System, a service (not software) with a variety of products that are described in the Scope of Service section below. The revenue base of an organization needs to be continually evaluated for accuracy and performance. Left alone, there is almost a certainty that opportunities will be missed and errors will be introduced into a revenue system. The prominence of the Water & Wastewater System as a revenue source cannot be overstated in light of the need to maintain the system in good order for safety and reliability purposes. The purpose of these proposed and agreed upon services is to analyze and report Water & Sewer data in order for CITY to be better understand consumption profiles and shifts in the revenue tax base due to weather and user habits. The products provided will assist CITY to recognize revenue vulnerabilities and to better explain current and historical data as well as to forecast future W&S revenues.

Scope of Services

- J The MYFP will be for at least for a five-year period, including balance sheets and income statements.
- J There will also be a five-year history compiled that ties to the CAFRs and Budgets.
- J It will be developed at the line item level.
- J Staffing tables will be provided.
- J Growth estimates will consider inflation and population-driven increase.
- J A special emphasis will be on wholesales costs based on increases from Fort Worth and TRA.
- J Wholesale cost separation will be considered for a pass-through charge and separation on the utility bills.
- J Load factor will be incorporated: peak day, peak hour, BOD and TSS metrics.
- J Water Loss & Unaccounted For will be computed/estimated with staff assistance.
- J Wastewater Inflow/Infiltration will be computed/estimated with staff assistance.
- J Water meter aging and replacement data will be incorporated with staff assistance.
- J Infrastructure aging and replacement data will be incorporated with staff assistance.

-) Vehicle aging and replacement data will be incorporated with staff assistance.
-) Depreciation Fund and Impact Fee Fund flows will be incorporated.
-) Debt issuance and detailed debt schedules will be incorporated.
-) All utility line cost sharing agreements and metrics will be incorporated.
-) Water billing history will be stratified and integrated for purposes of understanding consumption patterns and rate design change considerations.
-) Water vs sewer cost allocations will be prepared to understand cross subsidization and self-sufficiency considerations.
-) Reserve policies will be reviewed, defined and analyzed.
-) Receivables aging will be incorporated.
-) General & Administrative Costs will be analyzed.
-) Payments in lieu of taxes (PILOTs) for property taxes, franchise taxes will be computed for consideration.
-) Assumptions will be built in every place possible for reasonably easy changes.
-) Alternative Scenarios will be considered within reason.
-) Two presentations will be prepared, one for the Staff and the other for the Council.
-) Separately, an analysis will be conducted on electronic metering considerations.

Timetable

CITY shall provide the certain information as listed in Exhibit C. Work will commence immediately but no later than January 1, 2017. It is anticipated that a working report will be available to the Staff in advance of budget workshops with the City Council.

Ownership of Data & Work Products

This Agreement is intended to be a service agreement and is not a software sale or lease. Therefore, LFM and CITY agree to these following items.

-) LFM's work product given to CITY shall be in the form of Adobe PDF files, Excel Spreadsheets or online reports. There will be no paper reports. All PDF files shall be delivered to only staff persons designated by CITY.
-) LFM may use Excel 2016, SQL Server 2016, Crystal Reports 2016 and several other Business Intelligence software tools LFM finds ideal for this service. These work products belong to LFM and shall not be the property of CITY.
-) The raw utility billing and GIS data belongs to CITY.

Confidential Information & Security

All of the information will be kept confidential in accordance with state laws. CityBase would prefer to exchange data and products only through named CITY employees so that a clear "chain of custody" is documented.

Qualifications

Lewis F. McLain, Jr.
Consultant, Trainer, Writer, Analyst
214-793-7729 lfm@citybase.net

Academic: Graduated from University of North Texas in December 1971 with a BBA in Accounting. Taught Undergraduate and Graduate Courses at Southern Methodist University (1979 - 1983), University of Dallas (1983) and University of North Texas (1993). Most recently (2006) taught a graduate course in MPA program: Performance Measures for Local Governments and Non-Profits at UNT.

Employment: Boise Cascade Envelope Division – Assistant Controller (1972-1973); Garland - Budget Director (1973-1977); Dallas County - Budget Officer (1977-1979); First National Bank in Dallas – Vice President Public Finance (1979-1980); Fiscal Planning Consultant (1981-2001); Director of Administration, North Central Texas Council of Governments (2001-2002); President, CityBase.Net, Inc., (2000-), Principal, McLain Decision Support Systems, (2004-), Fiscal Manager (Part-Time) North Central Texas Council of Governments (2008-2012)

Consulting Experience:

Areas of Specialty: Impact Fees; Water & Sewer Rate Studies; Stormwater Drainage Fees; Multi-Year Financial Planning; Budgeting & Performance Analyses; Computer Modeling (Excel); Financial Analyses; Build-Out Analyses; Real Estate & Economic Feasibility Analyses.

Previous and Current Clients: Addison, Arlington, Bellaire, Cedar Hill, Carrollton, College Station, Conroe, Coppell, Dallas County, Duncanville, Euless, Fort Worth, Friendswood, Granbury, Grand Prairie, Grapevine, Greenville, Highland Park, Highland Village, Huntsville, Hurst, Irving, Lancaster, La Porte, Lewisville, Little Elm, McKinney, Missouri City, North Richland Hills, Plano, Princeton, Richardson, San Marcos, Seagoville, Southlake, Trophy Club and University Park. Current sales tax clients include DART and the Cities of Bryan (Trial), Cedar Hill, Fairview, Frisco, Highland Village, Leander, Midland, Pearland, Rockport, Round Rock, Rowlett (Trial), Southlake, Victoria and Wichita Falls (Trial).

Seminars with National, State and Regional Organizations (100+). Orientation to Microcomputers, Impact Fees, Utility Rate Making, Fiscal Impact Analyses, Budgeting/Multi-Year Financial Planning, Finance/Budget Officer Mentoring and Development and Ethics & Various Managerial Topics. Most Recently Municipal Problem Solving Using Excel as the Analytical Tool.

Publications (Mostly GFOAT Monthly Newsletter).

Essay series on “Looking for the Good in Local Government” 2013-2014.

Essay series on “Can Detroit Happen Here” 2013-2014.

Essay series on various municipal topics” 2008-2014.

“Cost of Service Lessons Afforded by a Fleet Maintenance Analysis” April 2008.

“The Slippery Slope of Sales Tax Revenues” February 2008

“Disobeying the Laws of Arithmetic” January 2008.

“In Search of a Methodology to Normalize Water Revenues” August 2007.

“A Method and Rationale for Calculating the Average Age of Your City” June 2007.

“A Fire Station Site Model & How This is Related to Budgeting” May 2007.

“The Need to Replace Public Debate with Community Dialogue” July 2006. (Co-Authored).

“Using the Monthly Experience Curve to Assist with Continuous Year-End Estimate” June 2006.

“Please Don’t Bring Me a Problem without a Solution: A Message from Management” October 2005.

“Effective Finance Directors Have Strong Chief Accountants” September 2005.

“GFOAT Resource Library – Official Statements” July 2005.

“Develop an Exit Strategy: There Can Be Life after Municipal Government” June 2005.

“Will The Real CPI Please Stand Up” April 2005.

“The Handwriting Is On the Wall” March 2005.

“The Math of Space & Place” March 2005.

“Understanding the Capacity in Cost Analysis” November 2004.

“This Is What I Know: A Primer for Newly Elected Officials” July 2004

“Applying Technical Analysis To Sales Tax Data” March 2004.

“Stormwater Drainage Fees – Why Are You Waiting?” August 2003.

“Understanding Budget Arithmetic” June 2003.

“Zero-Base Budgeting Revisited” February 2003.

“Between Epiphany and Elvis – A Memo In Preparation of a Staff Planning Meeting” January 2003.

“About Those Leave Policies: A Follow-Up to a Previous Article” October 2002.

“Now More Than Ever Is The Time To Be Vigilant” July 2002.

“The Not-So-Visible Costs of Fringe Benefits and Leave Benefits” June 2002.

“The Pareto Principle – the 80/20 Rule” February 2002.

“How Will Electric Deregulation Affect Electric Franchise Fees?” August 2001.

“Analyzing Solid Waste Rates for Commercial Customers” April 2001.

“Three Little Words” September 2000.

"The Business of GFOAT" August 2000.

"Capital Project Management: Do It Right on the Front End or Suffer the Forensic Audit on the Back End” July 2000.

"City Manager Memorandum: Preparing for a Pre-Budget Retreat" February 2000.

"The Basics of Budgeting for Newly Elected Officials" *Texas City & City* June 2000

"The Financial Functions Overlaid with Managerial Functions: Emphasizing the *Management* in Financial Management” October 1999.

"Impact Fees and the Finance Official: Accounting Requirements on The Horizon and The Overall Instructional Value of Impact Fee Issues” September 1999.

"The GFOAT Executive Directorship” July 1999 Co-Authored with Kathy DuBose and Charles Cox.

"General Principles of Web Design and Thinking about the Finance Section” June 1999.

"Fiscal Diplomacy Tool - The Decision Matrix” April 1999.

"Welcome to WWW.GFOAT.ORG” March 1999.

“The Politics and Practicalities of Information Overload” January 1999.

“The Value of Comparative Data – Part III – Understanding Your Tax Base” December 1998.

“Deputized To Play Fairly” November 1998.

“The Value of Comparative Data – Part I” September 1998.

“Preparing For A Job Interview – Including The One You Want To Keep” June 1998.

"Financial Planning Fundamentals - Can You Handle The Truth?” April 1998.

"Will The Real Fund Balance Please Stand Up” March 1998.

"Why Good People Steal” February 1998.

"Mentorship - Achieving That Delicate Balance” September 1996.

"Developing Utility Rates To Satisfy Economic Development Objectives” December 1992.

"An Argument for Recovering Delayed Tax Collections In The Building Permit Fee” October 1993.

"An Elected Official Workshop Trilogy” October 1989.

"Big Differences in Texas Counties" August 1989.

"How Strategic Planning Can Help Put Budgeting In Perspective" October 1988.

"A Look at Interest & Sinking Funds In Light Of Truth-In-Taxation and Tax Reform" July 1988.

"Personal Financial Planning Offered As an Employee Assistance Program" February 1988.

"Tax Abatements - Wake Up Finance Directors!" December 1987.

"The Bank Franchise Tax - It Still Ain't Fixed!" August 1987.

"Professional Accreditation: A Texas Effort" June 1987.

"What Can I Learn From You? A Preparatory Exercise for Budgeting" April 1987.

"Frustration & Fatigue: The Aftermath Of The Audit" March 1987.

"The Bond Buyer Index: A Look At The Historical Trends" January 1987.

"Finance Directors Want To Look Under The Hood" November 1986.

"Finance Director Stress Management" October 1986.

"An Argument for A Golden Years Trust Fund" January 1986.

"Are You Part Of The Management Team?" December 1985.

"Investment Policies" November 1985.

"Treasury Bill Discount Rate Vs. Yield" October 1985.

Other Government Leadership Roles:

Executive Director, GFOAT: Engaged by the Government Finance Officers Association of Texas (GFOAT), an 800+ member organization, to be the contractual Executive Director in a part-time relationship from 1999 to 2004. Duties included general leadership, coordination and assistance to the GFOAT Board and standing committees. Remained as Newsletter Editor until June 2006.

Recipient of the first GFOAT Ethics Award in 2003 and given the honor of having the award being named, "The Lewis F. McLain, Jr. Ethics in Leadership Award."

EXHIBIT B

FEE SCHEDULE

Water & Sewer MYFP and Rate Design Analyses & Reports: \$24,950 per year for the first year and then \$19,950 for each subsequent sequential fiscal year.

EXHIBIT C

Requested Information

1. Monthly utility bills for all customers with volume, billing amounts, meter codes/size, rate codes, location address and any information that would assist in the classification of customer and consumption. If possible, please provide at least five years of monthly data to assist with the analysis of several weather seasons.
2. Pre-closing and post-closing Trial Balances for the W&S Operating and Related Capital and Debt Service Funds for the past five years.
3. A listing of all related Accounts Receivable as of the end of September 2016 in order for an aging report to be prepared.
4. A listing of all Write-Offs, if any, for the past five years.
5. A current listing of meters with manufacturer, model, size, serial numbers, installation date with total volume as of September 2016 and any other information on file regarding water meters and, if any, sewer meters.
6. Monthly bills from TRA and Fort Worth Water Department that shows volume, peak day, peak hour, BOD & TSS metrics and any other pertinent billing information such as billing/metering adjustments.
7. Any agreements and data related to system/cost sharing considerations.
8. Any information related to the infrastructure including water and sewer line segments by size, length and age. Also, a listing of water tanks, wells, pumps, fire hydrants, major valves, lift stations in order to do an aging analysis.
9. Information related to major maintenance, repair, rehabilitation or replacement plans in the next five years, including storage tank painting.
10. All information that can assist in the calculation of Water Loss & Unaccounted For as well as Wastewater Inflow/Infiltration for the past five years.
11. Vehicle & Equipment Inventory with typical fleet maintenance information such as make, model, initial cost, purchase date, miles and/or hours, along with any kind of replacement schedule to cover the next five years.
12. Authorization to use mBudget information for history purposes.
13. Past CAFRs and Officials Statements have already been accessed from MSRB/EMMA and Municipal Advisory Council of Texas.

City Council Staff Report

SUBJECT: Consider approval of a fitness equipment lease for the Hurst Recreation and Senior Activity Center	
Supporting Documents:	
	<p>Meeting Date: 12/13/2016</p> <p>Department: Community Services</p> <p>Reviewed by: Allan Heindel</p> <p>City Manager Review:</p>
Background/Analysis:	
<p>Since opening, the Fitness Centers at the Hurst Recreation Center and Senior Activity Center average approximately 100,000 guests per year enjoying the use of the commercial-grade cardiovascular and strength equipment units. Due to the very high use of the equipment and escalating maintenance costs, it is recommended that a full replacement of the older worn units be undertaken in order to meet the needs of the Recreation and Senior Activity Center guests.</p> <p>The average age of the existing units is six years. The manufacturer and the City's fitness center vendor recommend that cardio equipment be replaced every four to five years in a heavy-use, commercial facility, such as the Hurst Recreation Center and the Hurst Senior Activity Center. The FY 2016-17 budget includes funds to enter into a lease program that allows for the replacement of thirteen elliptical units, eleven treadmills, and four recumbent bikes.</p> <p>The City will enter into a lease/purchase agreement for twenty-eight pieces of equipment over a five year term. This will allow the fitness centers to dramatically impact the guest experience by offering brand new, state-of-the-art cardio equipment in 2017. The opportunity costs are offset because of the volume of equipment being replaced through the leasing process. The items will be leased below the MSRP the City would be charged, if purchased individually over time, and the lease option eliminates the need for an initial cash outlay of approximately \$200,000.</p>	
Funding and Sources:	
<p>Following the standard City purchasing procedures, the fitness equipment will be purchased through Texas Multiple Award Schedule (TXMAS) purchasing consortium</p>	

members. The lease replacement program costs are approximately \$43,000 per year with the initial and subsequent funding identified in the annual General and Half-Cent Sales Tax Operating Fund.

Recommendation:

It is recommended that the City Council authorize the city manager to enter into the fitness equipment lease, with Marathon Fitness, for the Hurst Recreation Center and Senior Activity Center.

CITY OF HURST
COUNTY OF TARRANT

STATE OF TEXAS

On the 15th day of November, 2016, at 5:30 p.m., the Library Board of the City of Hurst, Texas, convened in Regular Meeting at the Library, 901 Precinct Line Road, Hurst, Texas, with the following members present:

Betty Whiteside	)	Chair
Joyce Davis	)	Members
Peggy Moore)	
Lou Farris)	
Ruth Kennedy)	
Janie Melton-Judy)	
Gus Nixon)	
Bruce Hutto	)	Alternates
Margaret Coleman)	
Allan Heindel	)	Deputy City Manager
Kyle Gordon	)	Managing Director of Community Services
Jesse Loucks	)	Library Director
Teri Smith	)	Administrative Assistant

with the following members absent: none, constituting a quorum, at which time the following business was transacted:

I. Call to Order

Chair Betty Whiteside called the meeting to order at 5:30 p.m.

II. Roll Call of Members

Teri Smith conducted the Roll Call of Members.

III. Approval of Minutes

The minutes of the October 16, 2016 regular meeting were reviewed and approved as written.

IV. Librarian's Report

A. Statistical Report for October: The Library Statistical Report for October was distributed to the Board. Jesse Loucks reviewed the report.

<u>October</u>	
Circulation.....	29,706
Number of Active Patrons.....	30,741
Volunteer Hours.....	137
Door Count.....	13,291

Electronic Usage Sessions.....	5,785
Page Views.....	8,511
Net Revenue	\$3,831
Children's Programming.....	1,125
Adult Programming.....	254
Outreach Program Attendance.....	163

B. Program & Events Report for October: The Program & Events Report for October was distributed to the Board. Jesse Loucks reviewed the report. Pictures of events were displayed for the Board.

C. Upcoming Programs and Events: The Upcoming Programs and Events report was reviewed by Jesse Loucks. Pictures were displayed for the Board.

D. Works in Progress

1. Automated Calling System Update: Jesse Loucks informed the Board that the new automated calling system that calls patrons when their on-hold items are available has been activated. There are a few technical issues that the IT Department and Library Staff are working on that should be corrected soon.

2. Circulation Ceiling Renovation: Allan Heindel reported that the ceiling in the Circulation area is 37 years old and in need of some renovation. Staff is looking into an affordable solution and will keep the Board updated accordingly.

3. Alcove Air Conditioner Replacement: Mr. Heindel noted that the air conditioning unit for the Library alcove area has been replaced with a new unit.

E. Staff Activities

1. PLANT Conference Update: Jesse Loucks informed the Board that he attended the PLANT Conference this month. He noted that this year's theme was User UX (user experience). He gained valuable information regarding best practices for libraries including library design, strategies for keeping libraries appealing to the community, equipment, etc.

2. Library Systems Conference Update: Mr. Loucks reported that Library Staff Members Janet Young and Dorothy Batich attended the Library Systems Conference where they gained knowledge of library systems.

3. Senior Center Craft and Holiday Market: Mr. Loucks noted that Staff Members Miranda Hawkins and Ramona DeMeglio attended the Senior Center Craft and Holiday Market where they handed out information on the Library.

V. Reports of the Committees

A. Friends of the Hurst Public Library

- 1. October Revenue Report and Treasurer's Annual Report:** The Board was provided the Friends revenue report for October and the Treasurer's Annual Report.

VI. Communications

- A. Patron Comments:** Jesse Loucks reported that the Library received positive comments from a patron on social media referencing the Library facility and the helpful, courteous Library Staff.

VII. Unfinished Business

None at this time.

VIII. New Business

- A. Interlibrary Loan Policy:** Laura Dupuy gave a brief overview of the proposed revisions to the Interlibrary Loan Policy including the borrowing and lending sections of the policy.

Lou Farris made a motion to approve the Interlibrary Loan Policy revisions as presented to the Board.

Peggy Moore seconded the motion and the vote in favor was unanimous.

IX. Informational Items

- A. Gimlet Statistical System Review:** Vanessa Patchen gave a brief overview of the Gimlet Statistical System that the Library will be using to track statistics: general, reference, informational services, and programs and events.
- B. HEB Reads'more Program:** Beverly Kirkendall reported that the Library will be implementing the HEB Reads'more program as a continuation of the HEB Reads! summer program to encourage people to read over the holidays.
- C. All Hallows Read Update:** Theresa Garcia gave a brief overview of the October book giving program, All Hallow's Read, that was adopted last year. She noted the display of books made into art and the interactive display for patrons to write about their favorite scary book and enter a drawing for a gift basket. Numerous positive comments about the program were received from patrons.
- D. Heritage Village Presents:** Kyle Gordon gave a brief overview of the Fall Movie-in-the-Park event with 250 in attendance and the upcoming Spring events including the Grand Family Picnic, Concert in the Park and Summer Kickoff.

- E. **Holiday Schedules:** Allan Heindel reminded the Board of the Library closure dates and times for Thanksgiving: close at 2:00 p.m. on November 23rd and will be closed November 24th and 25th, Christmas: will be closed December 24th & 25th, and New Year's: close at 2:00 p.m. on December 31st and will be closed January 2nd for New Year's Day.
- F. **December Board Meeting:** Mr. Heindel recommended the annual request to cancel the December Board meeting.

Joyce Davis made a motion to cancel the December Board meeting with the next regularly scheduled Board meeting to be held on January 17, 2017.

Gus Nixon seconded the motion and the vote in favor was unanimous.

X. Board Member and Citizen Comments

None at this time.

XI. Adjournment

There being no further business, the meeting was adjourned by Chair Betty Whiteside at 6:50 p.m.

APPROVED this the _____ day of _____, 2016.

APPROVED:

ATTEST:

CHAIRMAN

RECORDING SECRETARY

CITY OF HURST
COUNTY OF TARRANT

STATE OF TEXAS

On the 17th day of November, 2016 at 6:00 p.m., the Parks and Recreation Board of the City of Hurst, Texas, convened in its Regular Meeting at the Hurst Public Library, 901 Precinct Line Road, Hurst, Texas, with the following member's present to-wit:

Alan Neace	)	Chairman
Ralph Hurd	)	Members
Rod Robertson)	
Bob Walker)	
Cathy Thompson	)	Alternates
Gary Waldron)	
Allan Heindel	)	Deputy City Manager
Kyle Gordon	)	Managing Director of Community Services
Chris Watson	)	Recreation Director
Eric Starnes	)	Director of Facilities & Project Management
Paige Lutz	)	Recreation Administrative Assistant

With the following members absent: Pat King and Karen Spencer, constituting a quorum, at which time the following business was transacted:

- I. **Call to Order:** Alan Neace called the meeting to order at 6:00 p.m.
- II. **Roll Call of Members:** Paige Lutz conducted the Roll Call of Members.
- III. **Approval of Minutes:** Ralph Hurd made a motion to approve the minutes of the October 20, 2016 regular meeting as written; Bob Walker seconded the motion.

AYES: Hurd, Neace, Robertson, Thompson, Walker, Waldron

NOES: None

IV. **Staff Report:**

A. **Director's Reports:** None to report at this time.

B. **Special Events:**

1. **Christmas Tree Lighting and Santa's Workshop Preview:** Chris Watson presented an overview of the Christmas Tree Lighting and Santa's Workshop event. The event will be held on November 29th at the Hurst Conference Center.

- C. **Works in Progress:** None to discuss at this time.
- D. **Staff Activities:** None to discuss at this time
- A. **John Butler Memorial Senior Banquet**
 - 1. **Door Prize List:** The Door Prize Donations were reviewed by the Board. Donations are due to the Recreation Center by December 1st.
 - 2. **Giveaway Calendar:** Allan Heindel reported that the giveaway for the event will be a 2017 Monthly Calendar.
 - 3. **Program Agenda:** Allan Heindel reviewed the program agenda for the Banquet. He noted that the pianist and the entertainment, Earley Praises, have both been confirmed for the Event.
- VI. **Communications:** None to discuss at this time.
- VII. **Unfinished Business:** None to discuss at this time.
- VIII. **New Business:** None to discuss at this time.
- IX. **Informational Items:**
 - A. **Master Park Plan Work Session:** Allan Heindel introduced the representatives from Halff & Associates: Mr. Lenny Hughes and Ms. Kendall Wendling. Mr. Hughes and Ms. Wendling presented the goals and visioning process for the 2017 Master Plan. Mr. Hughes presented a timeline, noting that the plan is expected to be presented to City Council in June 2017.
 - B. **Hurst Community Park Ball Field Light Replacement:** Kyle Gordon reported that the light fixtures at the Hurst Community Park Ball Fields are in need of replacement. He reported that by disassembling the light fixtures on Field 2, using the salvageable fixtures on the remaining three fields to repair those lights, and installing new light fixtures on Field 2, should take care of the issue for 3 to 5 years. The same process will be used on each field over the same 3 to 5 year time span in order to complete the replacement for all of the fields.
 - C. **Holiday/Construction Schedule:** Allan Heindel reported that the Recreation Center will be closed the week of November 21st -25th due to the gymnasium floor finishing project and Thanksgiving Holiday. He noted that the Recreation Administrative Offices will operate from the Tennis Center. The Recreation Center will resume regular operations on Saturday, November 26th.
 - D. **December Board Meeting:** Allan Heindel asked the Board to consider canceling the regular meeting in December due to the upcoming holiday

schedule. He suggested considering the annual Senior Citizen's Banquet to serve as the Board's meeting for the month of December.

It was the consensus of the Board to allow the Senior Citizen's Banquet to serve as the December regular meeting.

X. Board Member and Citizen Comments: None to discuss at this time.

XI. Adjournment: Ralph Hurd made a motion to adjourn the meeting; Cathy Thompson seconded the motion.

AYES: Hurd, Neace, Robertson, Thompson, Walker, Waldron

NOES: None

Alan Neace adjourned the meeting at 7:43 p.m.

APPROVED this the _____ day of _____, 20__

APPROVED:

ATTEST:

CHAIRMAN

RECORDING SECRETARY

CITY OF HURST

COUNTY OF TARRANT

STATE OF TEXAS

On the 17th day of November, 2016, at 11:00 a.m., the Hurst Senior Citizens Advisory Board of the City of Hurst, Texas, convened in Regular Meeting at the Hurst Senior Center, 700 Heritage Circle, Hurst, Texas, with the following members present:

Marcy Davis	)	Chair
Gerald Grieser	)	Members
Bob Hampton)	
Joan Stinnett)	
John Sechrist)	
Barbara Albright)	
John Smith)	
Marie Perry	)	Alternates
Durwood Foote)	
Allan Heindel	)	Deputy City Manager
Kyle Gordon	)	Managing Director of Community Services
Linda Rea	)	Senior Center Director
Michelle Varley	)	Activities Coordinator
Teri Smith	)	Administrative Assistant

with the following members absent: Doris Young, constituting a quorum, at which time the following business was transacted.

I. Call to Order

Marcy Davis called the meeting to order at 11:00 a.m.

II. Roll Call of Members

Teri Smith conducted the Roll Call of Members.

III. Approval of Minutes

The minutes from the October 20, 2016 meeting were approved as written.

IV. Senior Center Director's Report

A. Statistical Report for October: The Statistical Report for October was distributed to the Board and reviewed by Linda Rea.

<u>October</u>	
Center Attendance.....	11,881
Number of Members.....	1,697
Volunteer Hours.....	818
Net Revenue.....	\$ 8,946
Fitness Center Attendance.....	2,950
Class Attendance.....	3,069
Aquatics.....	138

- B. **Programs & Events Report:** The Programs & Events Report for October was distributed to the Board and reviewed by Michelle Varley.
- C. **Upcoming Programs & Events:** A list of Upcoming Programs & Events was distributed to the Board and reviewed by Michelle Varley.

Michelle Varley distributed the December Senior Pipeline Calendar of events to the Board.

D. **Works in Progress**

1. **Fitness Equipment:** Allan Heindel explained that the Senior Center is scheduling the replacement of about a third of the fitness equipment in the Fitness Center. Staff is looking into lease options for about 17 pieces of equipment. Staff will keep the Board updated as this plan progresses.
2. **Interior Holiday Decorations:** Michelle Varley explained that the Christmas trees have been delivered and are up in the Multi-purpose Room and in front of the Senior Center. Holiday decorated quilts will be hung around the Center.
3. **Landscape Tree Well Repairs:** Kyle reported that about two weeks ago it was brought to the attention of Staff that a Senior Center patron had a tripping issue with a tree well, so the Parks Department has added mulch to the tree wells to be slightly above the level with the surrounding ground surface. This mulch will be continually maintained to prevent any future issues.
4. **Online Registration:** Michelle Varley informed the Board that the Senior Center is in the process of setting up online registration for classes for their members. This system should be available in February.

E. **Staff Activities**

1. **Personnel Update:** Linda Rea informed the Board that a new employee, Deborah Broche, was hired to work the front counter from 2:00 until 7:00 p.m.
2. **Northeast Senior Community Forum:** Linda Rea noted that the Northeast Senior Community Forum continues to have excellent programs with very informative speakers and encouraged the Board Members to attend.
3. **Empowering Seniors:** Michelle Varley reported that she attended the Empowering Seniors event where she shared information about the Hurst Senior Center. Hurst Line Dancers and Zumba Gold Dancers performed at the event. Rosy, who teaches fitness, performed and later received a thank you note from one of the attendees.

4. **Team Hurst Award:** Allan Heindel explained that the City of Hurst presents an award every year to the most outstanding and dedicated team of employees and the Senior Center received the award this year. In addition to the award the Senior Center received a letter of recognition from County Commissioner, Gary Fickes.
5. **Excel Training:** Michelle Varley recently hosted Excel training for all of the Senior Center Members, along with help from other staff members.

V. Communications

Michelle Varley stated that there was an article in the Star Telegram regarding the Senior Center's recent Craft and Holiday Market and their Costume Dance.

VI. New Business

None at this time.

VII. Informational Items

- A. **Program Highlight – Black-eyed Peas, Cornbread, and Movie:** Michelle Varley highlighted the Senior Center's very popular Black-eyed Peas and Cornbread event that will take place on Thursday, December 29th at 6:00 p.m. She noted that the movie for the event will be *It's a Wonderful Life* with Jimmy Stewart.
- B. **Board Meal Plan:** Allan Heindel stated that the votes for meals were tallied and presented their top 3 restaurant choices and the schedule for their future meals. The Board was agreeable with the choices and schedule.
- C. **Anniversary Recap:** Linda Rea gave a recap of the very successful Senior Center 7th Anniversary celebration including line dancers, cake and punch reception, door prizes, and a speaker from the Writer's Club.
- D. **Heritage Village Presents:** Kyle Gordon gave a brief overview of the Fall Movie-in-the-Park event with 271 in attendance and the upcoming Spring events including the Grand Family Picnic, Concert in the Park and Summer Kickoff.
- E. **Silver and Fit Program:** Michelle Varley reported that the Silver and Fit Program has begun at the Senior Center. There are currently three members and growing.
- F. **Holiday Schedule:** Allan Heindel reminded the Board of the Senior Center closing dates and times for Thanksgiving: close at noon November 23rd and will be closed November 24th and 25th, Christmas: closed December 23rd and 26th, New Year's: close at noon December 30th and will be closed January 2nd.
- G. **December Board Meeting:** Mr. Heindel recommended the annual request to cancel the December Board meeting.

Durwood Foote made a motion to cancel the December Board meeting with the next regularly scheduled Board meeting to be held on January 19, 2017.

Gerald Grieser seconded the motion and the vote in favor was unanimous.

VIII. Board Member and Citizen Comments

- A. Ambulance Subscription Program: Allan Heindel responded to an inquiry from last month’s Board Meeting regarding the City’s Ambulance Subscription Program stating that Staff is working with the Fire Department during the enrollment period on a trial basis.
- B. Senior Center Membership Statistics: Mr. Heindel reviewed the statistics for Resident and Non-resident members of the Senior Center.

IX. Adjournment

There being no further business, the meeting was adjourned by Marcy Davis at 12:05 p.m.

APPROVED this the _____ day of _____, 2016.

APPROVED:

ATTEST:

CHAIR

RECORDING SECRETARY

Future Event Calendar
December 13, 2016

DATE AND TIME	ACTIVITY
Tuesday, December 13, 2016 6:30 p.m.	Regular City Council Meeting City Council Chambers
Friday, December 23, 2016	City Offices Closed – Holiday
Monday, December 26, 2016	City Offices Closed - Holiday
Tuesday, December 27, 2016	Regular City Council Meeting - Canceled
Friday, December 30, 2016	City Offices Close at Noon
Monday, January 2, 2017	City Offices Closed – Holiday
January 10, 2017 6:30 p.m.	Regular City Council Meeting City Council Chambers
January 24, 2017 6:30 p.m.	Regular City Council Meeting City Council Chambers