



**LAKEWOOD VILLAGE TOWN HALL  
100 HIGHRIDGE DRIVE  
LAKEWOOD VILLAGE, TEXAS**

**TOWN COUNCIL MEETING  
JULY 13, 2017 7:00 P.M.**

**REGULAR SESSION – AGENDA**

Call to Order and Announce a Quorum is Present

**A. PLEDGE TO THE FLAG:**

**B. VISITOR/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action may be taken on these items at this meeting.

**C. PUBLIC HEARING:** A public hearing is scheduled on the proposed fiscal year 2017-2018 budget to provide an opportunity for citizen comment. The Town Council may adopt the budget with or without amendment by ordinance on one (1) reading.

**D. PUBLIC HEARING:** A public hearing is scheduled on the proposed combined property tax rate of \$0.30/\$100 to provide an opportunity for citizen comment..

**E. REGULAR AGENDA:**

1. Consideration of Minutes of June 8, 2017 Council Meeting (Asbell)
2. Consideration of Creation of and Appointments to Parks Advisory Board (Vargus)
3. Consideration of 2017-2018 Budget Ordinance (Vargus)
4. Discussion of Fence Ordinance (Vargus)
5. Consideration of Updating Impact Fee Ordinance (Vargus)
6. Consideration of Amendment to Builder Packet (Sewer Tap) (Bushong)
7. Discussion of Fireworks Ordinance (Tantalo)
8. Crime Prevention Presentation by Denton County Sheriff Department, Deputy R. Olivarez (Asbell)

**F. EXECUTIVE SESSION:** In accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following: §551.071(2): Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Impact Fees.; (2) §551.087: To discuss or deliberate regarding commercial or financial information that the Town of Lakewood Village has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Lakewood Village and with which the Town is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect.; and (3) § 551.074, Texas Government Code to wit: Personnel Matters, Appointments to the Municipal Development District Board

**G. RECONVENE:** Reconvene into regular session and consideration of action, if any, on items discussed in executive session

(return to regular agenda)

**E. REGULAR AGENDA:**

9. Consideration of Appointments to the Municipal Development District Board (Vargus)

**H. COUNCIL AND STAFF COMMENTS:** Comments may be made by Council or Staff. No formal action may be taken on these items at this meeting.

**I. ADJOURNMENT**

I do hereby certify that the above notice of meeting was posted on the designated place for official notice at 4:30 p.m. on Friday, July 7, 2017.

Linda Asbell, TRMC, Town Secretary



The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development), 418.183 (Homeland Security)

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 Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more members of the LAKEWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by the MDD Board during this meeting.

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**JUNE 8, 2017**

**Council Members:**

Dr. Mark Vargus, Mayor  
Ed Reed – Mayor Pro-Tem  
Clint Bushong  
Gary Newsome  
Dan Tantalo  
Elizabeth Shields

**Town Staff:**

Linda Asbell, TRMC, Town Secretary  
Andy Messer, Town Attorney

**REGULAR SESSION - 7:00 P.M.**

With a quorum of the Council Members present, Mayor Vargus called the Regular Meeting of the Town Council to order at 7:00 p.m. on Thursday, June 8, 2017, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

**PRESENTATION OF COLORS AND  
PLEDGE TO THE FLAG:**

**(Agenda Item A)**

Members of Boy Scout Troup 45 presented colors and led the Pledge of Allegiance

**PRESENTATIONS:**

**(Agenda Item B)**

Mayor Vargus presented a flag flown over the State Capital in honor of outgoing Councilman Ray Duff's service to the town. Mayor Vargus expressed appreciation for the dedication of Councilman Ray Duff. Mayor Vargus administered the oath of office and presented the certificates of election to re-elected Mayor Pro-Tem Ed Reed, Councilman Clint Bushong, and newly elected Councilwoman Elizabeth Shields.

Councilwoman Shields took her place on the dais.

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**VISITOR/CITIZENS FORUM:**

**(Agenda Item C)**

Fred Hunt, 404 Peninsula Drive, spoke regarding his statements at the previous council meeting. Mr. Hunt stated that he has had time between the last council meeting and this council meeting to consider the situation, review Councilman Tantalo's letter again, and has come to the conclusion that the statements in Councilman Tantalo's letter were his opinions rather than the position of the Town Council. He would prefer to speak to Councilman Tantalo individually rather than take time in a public meeting.

Brent Ashton, 829 Carrie Lane, introduced himself and stated that he is going to be more involved in the Town.

Sheryl France, 590 Melody, asked about the property at 206 Highridge drive. She expressed concerned that the construction has come to a stop and the property is not being maintained. Mayor Vargus stated that he would have staff look into it.

**CONSENT AGENDA:**

**(Agenda Item D)**

1. Minutes of May 11, 2017 Council Meeting (Asbell)
2. Resolution Naming the Little Elm Journal as the Official Newspaper (Asbell)
3. Interlocal Agreement with Denton County for Tax Collection (Asbell)

Councilman Bushong stated that the swearing in of re-elected and newly elected councilmembers will take place at the June Council meeting

**MOTION:** Upon a motion made by Mayor Pro-Tem Reed and seconded by Councilman Newsome, council voted five (5) "ayes", no (0) "nays" to approve consent items as presented. *The motion carried.*

**REGULAR AGENDA:**

**(Agenda Item E)**

**Consideration of Release of Lien for 423  
Hillside (Asbell)**

**(Agenda Item E.1)**

Mayor Vargus reviewed the history of the civil penalties placed against the property. Mayor Vargus reviewed the history of the repairs on the property and the agreement to release the civil penalties on a dollar for dollar basis if the new owner improves the property.

**MOTION:** Upon a motion made by Councilwoman Shields and seconded by Councilman Bushong, council voted five (5) “ayes”, and no (0) “nays” to approve the release of lien for civil penalties against 423 Hillside . *The motion carried.*

**Consideration of Election of Mayor Pro-Tem  
(Asbell)**

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**(Agenda Item D.2)**

Mayor Vargus stated that current Mayor Pro-Tem Reed has been doing an excellent job meeting with developers and working with the Mayor and council. Mayor Vargus stated that he would like Mayor Pro-Tem Reed to continue as Mayor Pro-Tem. Councilman Tantalo asked about rotating the position among other council members. There was some discussion about the Mayor Pro-Tem Position.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Newsome, council voted four (4) “ayes”, and no (0) “nays”, with Mayor Pro-Tem Reed abstaining, to re-elect Councilman Ed Reed as Mayor Pro-Tem. *The motion carried.*

**Discussion with Town Attorney Messer on  
Open Meetings Act & Roles of mayor,  
Councilmembers, Town Administrator/Town  
Secretary, and Town Attorney (Messer)**

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**(Agenda Item E.3)**

Town Attorney Messer reviewed his history, qualifications, and background. He also reviewed the qualifications and background of the attorneys in his office. Messer Rockefeller and Fort represents approximately thirty municipalities. Attorney Messer reviewed the Texas Open Meetings Act and explained the review his office provides on each council agenda and the letter of protection he provides for each meeting. Attorney Messer stated that he recommends that his clients stay off of social media because a topic could become a “deliberation” if a quorum of council members participate. One councilmember simply reading a post by another councilmember on social media could be considered receiving of information. Attorney Messer stated there is nothing that establishes a timeline on deliberations on social media (whether the exchange is attenuated or continuous). There was some discussion about a court case that established that holding public office narrows the right to freedom of speech for holders of that public office. Attorney Messer stated that the Mayor does not count toward establishing a quorum. There was some discussion about the requirement for specificity of agenda items. There was some discussion about the question Mr. Hunt posed at the previous council meeting regarding Councilman Tantalo’s letter and the reason that discussion was not included on the agenda for this council meeting. Attorney Messer reviewed the rights of citizens during public meetings. The law requires public hearings to be held in certain circumstances. Those

circumstances are the only times citizens have a guaranteed right to speak during a council meeting. Because the Lakewood Village Council has an agenda that includes a visitor/citizens forum, the public is permitted to speak during that portion of the meeting. Attorney Messer stated that councilmembers and staff attending an executive session are prohibited from disclosing information received during the session to anyone else. Attorney Messer reported that council can post executive session items on the agenda and decide it is not necessary to consider them during that executive session. Attorney Messer reviewed the roles and responsibilities of the Town Administrator/Town Secretary and the Town Attorney. There was some discussion about the budget. There was some discussion about the process for adoption of ordinances.

**Consideration of Appointments to the  
Municipal Development Board (Asbell)**

**(Agenda Item E.4)**

Mayor Vargus reported that Eric Farage, Linda Loudon, and Linda Asbell are up for reappointment and all have indicated that they are willing to continue to serve. Councilman Tantalo stated his concern that having the Town Secretary serving on the board of the MDD creates a conflict of interest. Town Attorney Messer stated that many cities have their town secretaries serve on their MDD or EDC boards and no conflict is created, legal or otherwise.

**MOTION:** Upon a motion made by Councilman Newsome and seconded by Mayor Pro-Tem Reed, council voted five (5) “ayes”, and no (0) “nays” to re appoint Eric Farage, Linda Loudon, and Linda Asbell to the Board of Directors of the Lakewood Village Municipal Development District. *The motion carried.*

**Discussion of the 2017-2018 Budget (Vargus)**

**(Agenda Item E.5)**

Mayor Vargus reviewed the proposed budget. Mayor Vargus explained the calculation for the Utility Fund and Rocky Point Fee for Services. Mayor Vargus reviewed the accountant policy that prohibits processing a “net zero” number inside a budget line. There was some discussion about the need to create a Parks Advisory Board. Mayor Vargus reviewed some of the options for replacing the mulch around the playground equipment at the Town Hall Park. There was some discussion about the need for drainage improvements. Mayor Vargus reported on the continuing problem with citizens using disposable wipes and flushing them into the sewer system damaging large pieces of equipment and costing several thousands of dollars. Mayor Vargus reviewed the process for paying off the bond debt. There was some discussion about planned repairs on the asphalt roads. Mayor Vargus reviewed some possible capital improvement projects for the next fiscal year.

Councilman Tantalo thanked Mayor Vargus for doing a great job preparing and presenting the budget. Councilman Tantalo requested council begin holding budget workshops. There was

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some discussion about the preference for holding budget discussions during regular meetings when citizens are accustomed to being in attendance. Councilman Tantalo requested the council hold additional meetings and request citizen input. There was some discussion about whether budget discussions during regular council meetings are sufficient or if the Town Council desires additional meetings. Councilman Tantalo requested that no items be placed on the July agenda other than the budget to allow for sufficient time for discussion. Mayor Vargus reported that the July agenda is typically light and there will be plenty of time to discuss the budget but he cannot guarantee the agenda will have no additional items for council's consideration.

**COUNCIL AND STAFF COMMENTS**

**(Agenda Item G)**

Town Secretary Asbell reported that the Texas Municipal League has received the report on the hail damage to town buildings from the adjuster. The report is currently being reviewed by the appraiser.

Councilman Bushong reported that he and Mayor Pro-Tem Reed met with the Town Engineer to discuss potential tasks in anticipation of road construction.

**EXECUTIVE SESSION:**

**(Agenda Item E)**

At 10:15 p.m. Mayor Vargus recessed into executive session in accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following: (1) §551.071(2): Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Town boundaries, roles of the Mayor, Council Members, Town Administrator/Town Secretary, and Town Attorney.

**RECONVENE:**

**(Agenda Item F)**

Reconvened at 10:53pm

**ADJOURNMENT**

**(Agenda Item H)**

**MOTION:** Upon a motion made by Councilwoman Bushong and seconded by Councilman Newsome council voted five (5) "ayes" and no (0) "nays" to adjourn the Regular Meeting of the Lakewood Village Town Council at 10:53 p.m. on Thursday, June 8, 2017. The motion carried.

**LAKWOOD VILLAGE TOWN COUNCIL  
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These minutes approved by the Lakewood Village Town Council on the 13th day of June 2017.

APPROVED

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Ed Reed  
MAYOR PRO-TEM

ATTEST:

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Linda Asbell, TRMC  
TOWN SECRETARY



## MEMORANDUM

TO: Town Council  
FROM: Dr. Mark Vargus, Mayor  
Linda Asbell, TRMC, Town Secretary  
DATE: July 7, 2017  
RE: Agenda Item E.2. – Parks Advisory Board

Council has discussed creation of a Parks Advisory Board. The goal of the board's creation is to allow citizen input into the creation, design, and improvement of the Town's recreational space. The advisory board scope includes assessing new equipment needs, layout of new facilities and town open space, reviewing the Town's Parks Master Plan, and generally making suggestions on enhancing the town's recreational assets.

Citizens were notified that applications were being accepted and I discussed the issue in the Mayor's Letter. Serena Lepley has been volunteering significant time to improving the town parks over the last few years and would like to continue to serve in an official capacity on the board. Serena was the driving force in acquiring the new swing sets and the teeter totter, working with vendors, obtaining bids, and doing all the work behind the project. All applications received have been included for council consideration. Mr. Rick Turner, Meadow Lake Drive, would also like to be appointed to the Parks Advisory Board.



# CANDIDATE APPLICATION FOR TOWN COUNCIL APPOINTED BOARDS

Information disclosed on this application or any other attached documents may be disclosed in public meetings. Please print clearly, you may attach a resume.

## PROFILE

Candidate Name: BERNADETTE RODRIGUEZ  
Voter Registration No. (VUID): 000729729 (required)  
Address: 308 N. PENINSULA  
City: LAKEWOOD VILLAGE State: TX Zip: 75068  
Home Phone: \_\_\_\_\_ Cell Phone: 469-699-9776  
E-Mail: APE@APE DALLAS.COM Length of residency in town: 12 YRS

## BACKGROUND

Occupation: MANAGER Employer: AWESOME PARTIES EVENTS  
Do you or your employer conduct business with the Town of Lakewood Village?  Yes  No  
If "yes", please explain: HOLIDAY PARTY ENTERTAINMENT  
What is the highest level of education completed:  GED  High School  Some College  College  
 Graduate Degree What was your college course study: ACCOUNTING / FINE ARTS  
Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board to which you seek appointment?  Yes  No

## VOLUNTEER/COMMUNITY SERVICE

List all organizations in which you are an employee, member, board member, or ex-officio (include dates and titles held): \_\_\_\_\_  
Special Knowledge or Experience Applicable to Board Function, other information/civic activities: \_\_\_\_\_  
What do you hope to accomplish by serving on a board? CREATE A GREAT PARK!

Board Preference:  Municipal Development Board  Capital Improvements Advisory Committee  
 Parks Development Board  Other

I verify that the information I have provided in this application is true and correct. I also acknowledge that I understand this information is public information under the Texas Public Information Act.

Signature: \_\_\_\_\_ Date: 6/28/17

Please return completed application and resume to: The Town Secretary's Office  
100 Highridge Drive, Lakewood Village, Texas 75068 or E-mail: [linda@lakewoodvillage.tx.us](mailto:linda@lakewoodvillage.tx.us)  
Tel. 972-294-5555 | FAX: 972-292-0812



# CANDIDATE APPLICATION FOR TOWN COUNCIL APPOINTED BOARDS

Information disclosed on this application or any other attached documents may be disclosed in public meetings. Please print clearly, you may attach a resume.

## PROFILE

Candidate Name: Lacresha Goodman  
Voter Registration No. (VUID): 000988507 (required)  
Address: 308 N. Peninsula Dr.  
City: Lakewood Village State: TX Zip: 75068  
Home Phone: \_\_\_\_\_ Cell Phone: 940-783-2656  
E-Mail: lacresha.goodman@outlook.com Length of residency in town: 2 years

## BACKGROUND

Occupation: nurse Employer: ARC Home Health  
Do you or your employer conduct business with the Town of Lakewood Village?  Yes  No  
If "yes", please explain: \_\_\_\_\_  
What is the highest level of education completed:  GED  High School  Some College  College  
 Graduate Degree What was your college course study: Criminal Justice/government; nursing  
Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board to which you seek appointment?  Yes  No

## VOLUNTEER/COMMUNITY SERVICE

List all organizations in which you are an employee, member, board member, or ex-officio (include dates and titles held): Board of Directors Harvest MCE  
Special Knowledge or Experience Applicable to Board Function, other information/civic activities: \_\_\_\_\_  
What do you hope to accomplish by serving on a board? Assisting in the development of park

Board Preference:  Municipal Development Board  Capital Improvements Advisory Committee  
 Parks Development Board  Other

I verify that the information I have provided in this application is true and correct. I also acknowledge that I understand this information is public information under the Texas Public Information Act.

Signature: Lacresha Goodman Date: 6.29.17

Please return completed application and resume to: The Town Secretary's Office  
100 Highridge Drive, Lakewood Village, Texas 75068 or E-mail: [linda@lakewoodvillagetx.us](mailto:linda@lakewoodvillagetx.us)  
Tel. 972-294-5555 | FAX: 972-292-0812



# CANDIDATE APPLICATION FOR TOWN COUNCIL APPOINTED BOARDS

Information disclosed on this application or any other attached documents may be disclosed in public meetings. Please print clearly, you may attach a resume.

## PROFILE

Candidate Name: Shay Ruth  
Voter Registration No. (VUID): 1077368444 (required)  
Address: 430 Lakecrest Drive  
City: Lakewood Village State: TX Zip: 75068  
Home Phone: 972 335 1814 Cell Phone: 972 567 4111  
E-Mail: Shay RN@gmail.com Length of residency in town: 3 yrs

## BACKGROUND

Occupation: Registered Nurse Employer: Retired

Do you or your employer conduct business with the Town of Lakewood Village?  Yes  No

If "yes", please explain: \_\_\_\_\_

What is the highest level of education completed:  GED  High School  Some College  College  
 Graduate Degree What was your college course study: Biology + Nursing

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board to which you seek appointment?  Yes  No

## VOLUNTEER/COMMUNITY SERVICE

List all organizations in which you are an employee, member, board member, or ex-officio (include dates and titles held): Volunteer-Frisco TX community garden 2004-2008

Special Knowledge or Experience Applicable to Board Function, other information/civic activities: 30+ yrs self gardening + co-gardening with community + family

What do you hope to accomplish by serving on a board? Improve the quality + accessibility to outdoor activities To grow our towns community feel.

Board Preference:  Municipal Development Board  Capital Improvements Advisory Committee  
 Parks Development Board  Other

I verify that the information I have provided in this application is true and correct. I also acknowledge that I understand this information is public information under the Texas Public Information Act.

Signature: [Signature] Date: 7/8/17

Please return completed application and resume to: The Town Secretary's Office  
100 Highridge Drive, Lakewood Village, Texas 75068 or E-mail: [linda@lakewoodvillagetx.us](mailto:linda@lakewoodvillagetx.us)  
Tel. 972-294-5555 | FAX: 972-292-0812



# MEMORANDUM

TO: Town Council  
CC: Linda Asbell  
FROM: Dr. Mark E. Vargus, Mayor  
DATE: July 8, 2017  
RE: 2018 Proposed Budget

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I am submitting the following as the fiscal 2018 Proposed Budget. The document contains the General Fund and Utility Fund revenue and expense line items as well as a list of proposed projects. We have two additional dedicated funds which I have broken out separately - the Road Maintenance Fund and the Debt Servicing Fund. Many of the costs and revenues are not materially significant and vary little from year to year. I have identified the primary discretionary revenues and expenses and highlight them in blue in the budget sheets. Below, I summarize the important issues in each fund.

**The YTD numbers have been updated to include June, so the actuals have 9 months of data. None of the proposed budgeted numbers has been changed from last months presentation.**

## GENERAL FUND

General Fund revenues are front loaded, as we receive approximately 80 percent of the anticipated revenues in December and January. Throughout the year we then draw down our funds as we pay for town maintenance, salaries, street lights, mowing, etc. We also typically receive revenue from two to five new home building permits each year, but this occurs at random, unplanned times. Sales tax receipts are the sole revenue stream that the Town receives on a regular monthly basis.

**The current fiscal 2017 year-to-date figures are in line with our planned budget. Thus, they serve as a baseline for many of the 2018 budget estimates.**

**Property Tax Revenues** – the preliminary market value appraisals from DCAD for existing properties are showing ~~approximately an 11 % increase over last year.~~ 8.5 percent (as of the DCAD July 7 weekly update). ~~This is prior to any appeals and prior to any new exemptions.~~ I expect that the final certified totals will show a year-on-year increase of approximately eight percent when the roll is finalized. In addition, new construction should add approximately \$4,000 to our tax base.

**Tax Rate** - The budget assumes that we will continue with the same \$0.25 M&O rate (as we have done for 40 years) and I am not proposing any changes to the \$0.05 debt servicing rate. The proposed tax rate is unchanged from prior years.

**Sales Tax Receipts** for the current year are currently 12 percent ahead of the \$30,000 which was forecast in the 2017 budget. In keeping with conservative budgeting practices I am assuming \$34,000 for fiscal 2018 (the ending amount for 2017).

**On the expense side of the budget, items of note include:**

(1) The budgeted legal fees have been increased to account for the litigation costs, potential development related costs which may ultimately be reimbursed at a later date, and ordinance related costs associated with updating our zoning and subdivision ordinances.

(2) The budget for Town Hall Improvements have been increased to \$4,000. This increase is earmarked for replacing the front-door and making improvements to the hallway to bring the building into compliance with building codes and ADA standards.

(3) I have included \$10,000 for the parks. This is a slight reduction from the 2017 budget. The town is experiencing a significant new inflow of many small children – the playground must be updated. We must continue this. Further we must make some effort to plan and execute a vision for Witt Park.

(4) Drainage Improvements – I have allocated \$5,000 to perform needed improvements to the Peninsula and Shoreline intersection. We need to install a box culvert at 335 Peninsula to stop the storm water from over-flowing the bar ditches and inundating Shoreline. This problem has been exacerbated by the lack of drainage ditches on the east-side of Shoreline.

**UTILITY FUND**

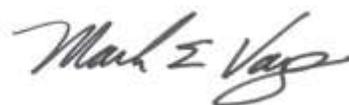
In contrast to the GF, the Utility Fund revenues are back-loaded; we earn significantly more revenue in the summertime July – September 4th quarter. However, on the expense side, the UF incurs large annual payments at the start of the year (the administrative fees, insurance, licensing fees, etc.). As in past years, the majority of our CAPX was incurred early in the year when the water system demand was minimal and operational safety margins were the greatest. Thus it is not unusual for the year-to-date income to be negative at this time in the year.

Comparing our current revenue results to the same time period last year, our water revenues are approximately ~~three~~ seven percent above the prior period, while sewer and garbage are approximately ~~ten~~ seven percent higher due to pre-payments (just timing related).

The UF incurred significant engineering expenses related to impact fees in 2017. In addition, the CAPX was also elevated due to our acquisition of the ground storage tanks, pressure tanks, and pressure pumps which we have integrated into the system. We incurred a significant amount of sewer related repairs in 2017. This was due to (1) two large pipe fractures on Highridge and Peninsula that required large equipment, (2) a significant sewer plant lift-station multiple-motor failure caused by unflushable wipes, and (3) chronic failures of the Stowe lift-station.

In response, I am proposing increased expenditures on sewer and water line scheduled maintenance, as well as a capital improvement project to demolish and build a new lift-station on Stowe Lane.

I look forward to your comments;



**TOWN OF LAKEWOOD VILLAGE**

**ORDINANCE NO. 17-XX**

**AN ORDINANCE OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2017 AND TERMINATING ON SEPTEMBER 30, 2018, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT PROJECT AND ACCOUNT; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lakewood Village, Texas (the "Town") has caused to be filed with the Town Secretary a budget to cover all proposed expenditures of the government of the Town for the fiscal year beginning October 1, 2017 and terminating September 30, 2018, and

**WHEREAS**, the said budget shows as definitely as possible each of the various projects for which appropriations are set in the budget, and the estimated amount of money carried in the budget for each of such projects, and

**WHEREAS**, said budget has been filed with the Town Secretary and available for inspection by any taxpayer, and

**WHEREAS**, public notice of a public hearing on the proposed annual budget, stating the date, time, place, and subject matter of said hearing, was given as required by laws of the State of Texas, and

**WHEREAS**, such public hearing was held on July 13, 2017, prior approval of which date being hereby ratified and confirmed by the Town Council, and all those wishing to speak on the budget were heard, and

**WHEREAS**, the Town Council has studied said budget and listened to the comments of the taxpayers at the public hearing held therefore and has determined that the budget attached hereto is in the best interest of the Town of Lakewood Village.

**NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS:**

1. That the budget attached hereto as Exhibit "A" and incorporated herein for all purposes is adopted for the fiscal year beginning October 1, 2017 and ending September 30, 2018; and such purposes, respectively such sums of money for such projects, operations, activities, purchases and other expenditures as proposed in the attached budget.
2. That no expenditures of the funds of the Town shall hereafter be made except in compliance with such budget, except in case of grave necessity, emergency expenditures to meet unusual or unforeseen conditions, which could not, by reasonable, diligent thought and attention, have included in the original budget, may from time to time be authorized by the Town Council as amendments to the original budget.

3. That the Mayor shall file or cause to be filed a true and correct copy of said budget, along with this ordinance with the Town Secretary.
4. The necessity of adopting and approving a proposed budget for the next fiscal year as required by the laws of the State of Texas, require that this ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, on this 13th day of July 2017.**

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Dr. Mark E. Vargus  
MAYOR

**ATTESTED:**

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Linda Asbell, TRMC  
Town Secretary



**TOWN OF LAKEWOOD VILLAGE, TEXAS  
FISCAL YEAR 2017-2018  
ANNUAL BUDGET**

This budget will raise more revenue from property taxes than last year’s budget by an amount of \$XX,XXX, which is a X.X percent increase from last year’s budget. Of the \$XX,XXX increase, the property tax revenue to be raised from new property added to the tax roll this year is \$X,XXX. excluding the one-time gain from new housing, the average annual increase for existing property owners is X.XX percent.

**RECORD OF VOTE ON PROPOSAL TO CONSIDER ADOPTION OF BUDGET**

POSITION	NAME	FOR	AGAINST	PRESENT and not voting	ABSENT
<b>Mayor</b>	Dr. Mark E. Vargus				
<b>Mayor Pro-Tem</b>	Ed Reed				
<b>Council Member #1</b>	Elizabeth Shields				
<b>Council Member #2</b>	Dan Tantalo				
<b>Council Member #4</b>	Gary Newsome				
<b>Council Member #5</b>	Clint Bushong				

**PROPERTY TAX RATE COMPARISON (Rates expressed per \$100 of value)**

TAX RATE	TAX YEAR 2015	TAX YEAR 2016
Property Tax Rate	\$0.300000/\$100	\$0.300000/\$100
Effective Tax Rate	\$0.290901/\$100	\$0.XXX/\$100
Effective Maintenance and Operations Tax Rate	\$0.262617/\$100	\$0.XXX/\$100
Debt Rate	\$0.050000/\$100	\$0.050000/\$100
Rollback Tax Rate	\$0.460518/\$100	\$0.XXX/\$100

**PROPERTY TAX RATE COMPARISON (Rates expressed per \$100 of value)**

DEBT ISSUE	PRINCIPAL	INTEREST	TOTAL
<b>2014 Certificates of Obligation</b>	0.05	0	0.05

The total amount of municipal debt obligation secured by property taxes for the Town of Lakewood Village is \$XXXX.

## 2018 BUDGET SUMMARY

CASH BUDGET	BUDGET 2015	Actual 2015	BUDGET 2016	Actual 2016	BUDGET 2017	YTD (9 mo.) 30-Jun-17	BUDGET 2018
General Fund Revenues	\$382,160	\$409,141	\$402,650	\$431,479	\$415,400	\$419,413	\$446,300
General Fund Operating Expenses	<b>\$215,170</b>	<b>\$233,168</b>	<b>\$224,900</b>	<b>\$331,681</b>	<b>\$204,375</b>	<b>\$214,170</b>	<b>\$254,400</b>
General Fund Debt Servicing	<b>\$166,526</b>	<b>\$166,084</b>	<b>\$172,800</b>	<b>\$172,850</b>	<b>\$173,925</b>	<b>\$162,204</b>	<b>\$175,900</b>
General Fund Surplus	<b>\$464</b>	<b>\$9,889</b>	<b>\$4,950</b>	<b>(\$73,052)</b>	<b>\$37,100</b>	<b>\$43,039</b>	<b>\$16,000</b>
Utility Fund Revenues	\$323,120	\$335,690	\$315,320	\$319,515	\$319,960	\$235,258	\$335,000
Utility Fund Operating Expenses	<b>\$203,960</b>	<b>\$208,516</b>	<b>\$207,000</b>	<b>\$225,069</b>	<b>\$225,110</b>	<b>\$202,308</b>	<b>\$238,500</b>
CAPX and Engineer	<b>\$0</b>	<b>\$44,529</b>	<b>\$81,000</b>	<b>\$159,063</b>	<b>\$110,000</b>	<b>\$113,016</b>	<b>\$75,000</b>
Utility Fund Surplus/Deficit	<b>\$119,160</b>	<b>\$82,645</b>	<b>\$27,320</b>	<b>(\$64,617)</b>	<b>(\$15,150)</b>	<b>(\$80,066)</b>	<b>\$21,500</b>
<b>Utility Fund Operating Cash Flow</b> (excluding Engineer and CAPX)	<b>\$127,174</b>		<b>\$94,446</b>		<b>\$32,950</b>		<b>\$96,500</b>
Rev 7.09.2017							
			Note: 2017 Utility CAPX = \$77,854				
			Note: 2016 Utility CAPX = \$92,063				
			Note: 2015 Utility CAPX = \$43,759				
			Note: 2014 Utility CAPX = \$250,631				

**General Fund Revenues**

**Discretionary (V)**

**Steady-State (F)**

**Uncontrollable (V)**

	BUDGET 2015	Actual 2015	BUDGET 2016	Actual 2016	BUDGET 2017	YTD (9 mo.) 30-Jun-17	BUDGET 2018
<b>OPERATING REVENUES</b>							
4000 Tax Income	\$194,000	\$191,273	\$210,000	\$210,347	\$218,800	\$218,143	\$240,000
Debt Servicing (\$0.05)	\$38,600	\$38,703	\$42,000	\$42,105	\$43,800	\$45,648	\$48,000
4005 Sales Tax	\$25,000	\$31,030	\$28,000	\$30,007	\$30,000	\$32,425	\$34,000
4010 Interest	\$800	\$1,854	\$1,000	\$1,044	\$500	\$346	\$700
4101 Building Permits- New	\$41,000	\$48,698	\$30,000	\$25,001	\$30,000	\$22,601	\$30,000
4102 CO/CSI Inspections	\$3,600	\$3,150	\$2,500	\$3,750	\$3,000	\$1,625	\$2,000
4103 Contractor Registrations	\$600	\$750	\$600	\$1,025	\$600	\$950	\$1,000
4104 Sprinkler Permits	\$300	\$925	\$300	\$400	\$400	\$450	\$400
4105 Fence Permits	\$500	\$525	\$300	\$500	\$300	\$350	\$400
4106 Reinspect Fees	\$2,000	\$2,400	\$2,000	\$8,125	\$3,000	\$2,375	\$3,000
4107 Pool Permits	\$1,000	\$3,375	\$1,000	\$1,450	\$1,000	\$750	\$1,000
4108 Flatwork Permits	\$600	\$750	\$600	\$675	\$400	\$600	\$600
4109 Plumbing Permit	\$300	\$1,225	\$1,000	\$750	\$500	\$1,000	\$1,000
4110 Electrical Permits	\$1,000	\$1,325	\$1,000	\$1,475	\$1,000	\$700	\$1,000
4111 Replating Fees			\$0	\$250		\$250	
4112 Building Permits - Remodel				\$4,875	\$2,500	\$1,500	\$2,000
4113 Miscellaneous Permits	\$500	\$2,200	\$500	\$1,950	\$1,000	\$2,475	\$2,000
4120 Preliminary Plat Fees			\$0	\$1,400			
4201 Franchise Fee	\$29,000	\$35,323	\$34,000	\$32,261	\$32,000	\$26,437	\$30,000
4202 Pet Registration		\$70		\$45		\$25	
4204 Town Hall	\$100	\$150	\$100	\$50	\$100	\$50	
4950 Miscellaneous Revenues	\$2,300	\$4,011	\$4,000	\$2,641	\$2,500	\$6,755	\$4,000
4207 Utility Fee for Services-LWV	\$35,260	\$35,260	\$38,000	\$38,000	\$38,000	\$27,000	\$38,000
4208 Utility Fee for Services-Rocky Pt	\$4,200	\$4,200	\$4,250	\$5,300	\$4,000	\$3,150	\$4,200
4301 Code Enforcement		\$904		\$1,000		\$374	
4302 Court Costs Fees							
4401 Mowing Abatement Fees	\$500		\$500	\$1,084			
4402 Lien Receipts	\$1,000	\$1,040	\$1,000	\$6,888	\$2,000	\$23,434	\$3,000
4800 Asset Sales				\$9,081			
<b>TOTAL OPERATING FUNDS</b>	<b>\$382,160</b>	<b>\$409,141</b>	<b>\$402,650</b>	<b>\$431,479</b>	<b>\$415,400</b>	<b>\$419,413</b>	<b>\$446,300</b>

## General Fund Expenses

		Discretionary (V)		Steady-State (F)		Uncontrollable (V)				
		BUDGET	Actual	BUDGET	Actual	BUDGET	YTD (9 mo.)	BUDGET		
		2015	2015	2016	2016	2017	30-Jun-17	2018		
<b>Operating Expenses</b>										
5001	Office Supplies	\$1,000	\$2,470	\$1,000	\$1,418	\$1,200	\$934	\$1,200		
5002	Postage	\$200	\$151	\$200	\$46	\$100	\$276	\$100		
5003	Computers Maintenance	\$1,000	\$197	\$200	\$180	\$300	\$982	\$500		
5007	Advertising	\$300	\$369	\$300	\$1,146	\$875	\$369	\$400		
5008	Elections	\$2,000	\$2,832	\$3,000	\$3,168	\$3,000	\$2,620	\$3,000		
5011	Town Engineer	\$0	\$0	\$0	\$780	\$0				
5012	Attorney Fees	\$20,000	\$45,200	\$50,000	\$90,001	\$20,000	\$24,349	\$60,000		
5013	Accounting Fees	\$10,500	\$10,500	\$10,500	\$10,500	\$10,800	\$10,800	\$11,300		
5014	Fire/EMS	\$26,000	\$28,750	\$29,000	\$38,100	\$30,000	\$12,450	\$25,000		
5016	Building Inspections	\$18,000	\$23,625	\$18,000	\$26,100	\$18,000	\$16,300	\$18,000		
5021	Town Maintenance	\$4,000	\$7,408	\$4,000	\$7,525	\$4,000	\$9,200	\$6,000		
5022	Street Repair	<=== Moved to Road Maintenance Fund ===>								
5024	Animal Control	\$200	\$365	\$200	\$300	\$300	\$185	\$300		
5025	Parks/Recreation/Playground	\$35,000	\$8,746	\$8,000	\$4,454	\$12,000	\$2,588	\$10,000		
5026	Town Mowing	\$2,000	\$3,110	\$1,500	\$3,900	\$2,500	\$3,457	\$3,500		
5027	Town Hall Improvements	\$1,000	\$0	\$1,000	\$1,052	\$1,000	\$700	\$4,000		
5031	Telephone/Telecom	\$1,700	\$1,249	\$1,600	\$2,068	\$1,600	\$1,157	\$1,600		
5032	Electricity	\$6,680	\$6,421	\$6,800	\$6,013	\$6,500	\$4,411	\$6,500		
5033	Propane	\$800	\$466	\$600	\$590	\$600	\$271	\$600		
5041	Abatement Mowing	\$700	\$1,158	\$700	\$1,414					
5051	Payroll	\$57,000	\$57,262	\$60,000	\$60,000	\$63,000	\$47,125	\$65,000		
5055	Benefits - Insurance	\$8,000	\$7,853	\$8,200	\$8,037	\$8,200	\$6,358	\$8,400		
5056	Payroll Tax Expense	\$4,400	\$3,719	\$4,600	\$3,902	\$4,800	\$3,336	\$5,000		
5057	Benefits- Retirement	\$2,900	\$3,000	\$3,000	\$3,000	\$3,150	\$3,150	\$6,500		
5058	UF Payroll Tax Sharing		\$657		\$1,117	\$1,000	\$931	\$1,200		
5061	Appraisal District	\$1,300	\$1,568	\$1,300	\$1,629	\$1,300	\$1,233	\$1,000		
5070	Capital Improvements	\$0	\$1,245	\$0	\$7,400	\$0	\$8,369			
5071	Drainage Improvements				\$3,600	\$0		\$5,000		
5085	Town Functions	\$2,000	\$1,122	\$1,500	\$2,329	\$2,500	\$1,412	\$2,000		
5101	Continuing Education	\$1,500	\$955	\$1,000	\$225	\$500	\$509	\$1,000		
5102	Travel Meeting Expenses	\$2,400	\$3,433	\$3,600	\$3,124	\$3,000	\$1,736	\$3,000		
5103	Membership Dues	\$500	\$1,209	\$1,000	\$1,210	\$1,000	\$933	\$1,000		
5200	Contingency Fund	\$3,000	\$1,711	\$3,000	\$28,457	\$3,000	\$44,065	\$3,000		
5280	Municipal Court									
	Court Attorney Fees	\$1,000		\$1,000						
	Lien Recording Fees	\$90	\$317	\$100	\$346	\$150	\$364	\$300		
	Abatements		\$6,100		\$8,550		\$3,600			
<b>TOTAL OPERATING EXPENSES</b>		<b>\$215,170</b>	<b>\$233,168</b>	<b>\$224,900</b>	<b>\$331,681</b>	<b>\$204,375</b>	<b>\$214,170</b>	<b>\$254,400</b>		
55,075	Debt Servicing (Principle)	\$128,000	\$128,000	\$145,000	\$145,000	\$149,000	\$149,000	\$154,000		
55,076	Debt Servicing (Interest)	\$38,526	\$38,084	\$27,800	\$27,850	\$24,925	\$13,204	\$21,900		
<b>TOTAL EXPENDITURES</b>		<b>\$381,696</b>	<b>\$399,252</b>	<b>\$397,700</b>	<b>\$504,531</b>	<b>\$378,300</b>	<b>\$376,374</b>	<b>\$430,300</b>		

**Utility Fund Revenues**

	<b>Discretionary (V)</b>									
	<b>Steady-State (F)</b>									
	<b>Uncontrollable (V)</b>									
	<b>BUDGET</b>	<b>Actual</b>	<b>BUDGET</b>	<b>Actual</b>	<b>BUDGET</b>	<b>YTD (9 mo.)</b>	<b>Seasonal Change</b>	<b>BUDGET</b>		
	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2016</b>	<b>2017</b>	<b>30-Jun-17</b>	<b>from Prior Year</b>	<b>2018</b>		
<b>OPERATING REVENUES</b>										
<i>Water Revenue</i>	\$160,000	\$143,978	\$150,000	\$147,433	\$154,000	\$102,372	7.6%	\$160,000		
<i>Sewer Revenue</i>	\$101,000	\$102,248	\$104,000	\$102,550	\$102,000	\$78,216	6.5%	\$106,000		
<i>Solid Waste</i>	\$44,000	\$44,615	\$46,000	\$44,562	\$46,000	\$34,318	7.6%	\$50,000		
<i>Late Fees</i>	\$4,000	\$4,359	\$4,000	\$3,184	\$3,000	\$2,740	17.5%	\$3,500		
<i>USACE - OLW</i>						\$6,000				
<i>Sendziak Restitution</i>	\$2,500	\$27,007								
<i>Miscellaneous</i>	\$1,000	\$5,859	\$1,000	\$4,389	\$1,000	\$1,833		\$2,000		
<i>Water Tap Fees</i>	\$4,725	\$3,150	\$4,725	\$8,075	\$6,300	\$4,725		\$6,300		
<i>Meter Set Fees</i>	\$1,170	\$780	\$1,170	\$1,950	\$1,560	\$390		\$1,560		
<i>Sewer Tap Fees</i>	\$3,825	\$2,550	\$3,825	\$6,375	\$5,100	\$3,825		\$5,100		
<i>Interest</i>	\$500	\$855	\$600	\$907	\$600	\$247		\$540		
<i>MDD LOC Interest</i>	\$400	\$289		\$90	\$400	\$592				
<b>TOTAL OPERATING FUNDS</b>	<b>\$323,120</b>	<b>\$335,690</b>	<b>\$315,320</b>	<b>\$319,515</b>	<b>\$319,960</b>	<b>\$235,258</b>		<b>\$335,000</b>		

## Utility Fund Expenses

Discretionary (V)

Steady-State (F)

Uncontrollable (V)

	BUDGET 2015	Actual 2015	BUDGET 2016	Actual 2016	BUDGET 2017	YTD (9 mo.) 30-Jun-17	BUDGET 2018
<b>Operating Expenses</b>							
Office Supplies	\$2,000	\$1,145	\$1,500	\$2,258	\$2,000	\$515	\$1,500
Postage	\$1,500	\$1,415	\$1,800	\$1,653	\$2,000	\$380	\$1,500
Insurance	\$5,600	\$4,622	\$4,600	\$4,928	\$5,200	\$5,137	\$6,000
TCEQ Licensing Fees (Water)	\$450	\$484	\$500	\$484	\$500	\$588	\$600
TCEQ Licensing Fees (Sewer)	\$1,250	\$1,250	\$1,250	\$3,565	\$1,250	\$1,250	\$1,300
Fee for Administrative Services	\$35,260	\$35,260	\$38,000	\$38,000	\$38,000	\$27,000	\$36,000
Software Licensing Fees	\$700	\$750	\$750	\$720	\$1,000	\$780	\$1,000
Operator Salaries	\$36,600	\$36,600	\$36,600	\$36,600	\$42,200	\$30,600	\$42,200
Solid Waste	\$40,000	\$37,704	\$42,000	\$41,131	\$42,000	\$27,421	\$43,000
GIS Mapping	\$2,000	\$92		\$320		\$500	\$500
Contract Labor	\$8,000	\$2,424		\$168			
Sewer Scheduled Maintenance	\$1,000	\$3,285	\$1,000	\$3,800	\$3,000	\$3,890	\$10,000
Water Scheduled Maintenance	\$0	\$0	\$1,000	\$1,680	\$2,000	\$2,752	\$5,000
Laboratory (Sewer)	\$4,500	\$4,281	\$4,500	\$4,190	\$4,000	\$2,964	\$4,000
Laboratory (Water)	\$600	\$1,629	\$500	\$535	\$600	\$895	\$1,000
Water Repairs	\$10,000	\$12,444	\$10,000	\$1,725	\$10,000	\$3,132	\$10,000
Sewer Repairs	\$10,000	\$11,176	\$10,000	\$19,345	\$10,000	\$49,737	\$10,000
Meter Set Fee		\$675		\$1,500	\$1,560	\$885	\$1,000
Sewer Tap Install				\$1,800			
Water Equipment	\$2,500	\$2,016	\$2,000	\$7,757	\$4,000	\$5,343	\$4,000
Sewer Equipment	\$500	\$0	\$1,000	\$4,172	\$4,000	\$1,250	\$2,000
Chemicals (Water)	\$800	\$767	\$1,000	\$1,625	\$1,000	\$776	\$1,000
Chemicals (Sewer)	\$500	\$1,122	\$800	\$211	\$200	\$426	\$300
Electricity (Water)	\$17,000	\$18,045	\$17,000	\$14,739	\$15,000	\$11,883	\$15,000
Electricity (Sewer)	\$21,000	\$20,131	\$21,000	\$17,160	\$18,000	\$10,287	\$17,000
Payroll		\$8,306	\$8,000	\$14,597	\$16,000	\$13,335	\$23,000
Contingency Fund	\$1,000	\$2,893	\$1,000	\$406	\$1,000	\$582	\$1,000
Sludge Removal (Sewer)	\$1,200	\$0	\$1,200	\$0	\$600		\$600
<b>TOTAL OPERATING EXPENSES</b>	<b>\$203,960</b>	<b>\$208,516</b>	<b>\$207,000</b>	<b>\$225,069</b>	<b>\$225,110</b>	<b>\$202,308</b>	<b>\$238,500</b>
Capital Improvements		\$43,759	\$51,000	\$92,063	\$70,000	\$80,354	\$65,000
Engineer		\$770	\$30,000	\$67,000	\$40,000	\$32,662	\$10,000
<b>TOTAL EXPENDITURES</b>	<b>\$203,960</b>	<b>\$253,045</b>	<b>\$288,000</b>	<b>\$384,132</b>	<b>\$335,110</b>	<b>\$315,324</b>	<b>\$313,500</b>

## Road Maintenance Fund

	<b>BUDGET</b>	<b>BUDGET</b>	<b>Actual</b>		<b>BUDGET</b>	<b>2017 YTD</b>	<b>Projected</b>		<b>BUDGET</b>
	<b>2015</b>	<b>2016</b>	<b>2016</b>		<b>2017</b>	<b>30-Jun</b>	<b>9/30/2017</b>		<b>2018</b>
<b>Revenues</b>									
<i>Town ( 0.5% sales tax )</i>	\$3,200	\$7,000	\$14,214		\$15,000	\$13,088	\$17,000		\$17,000
<i>MDD</i>	\$2,720	\$4,700			\$8,500				
<i>Franchise Fee - Residential</i>	\$5,160	\$5,160	\$5,048		\$10,000	\$3,887	\$5,050		\$5,000
<i>Franchise Fee - Commercial</i>	\$900	\$900	\$4,015		\$4,000	\$2,990	\$4,100		\$4,000
<i>Interest</i>	\$30	\$30	\$85		\$100	\$33	\$60		\$100
	<b>\$12,010</b>	<b>\$17,790</b>	<b>\$23,362</b>		<b>\$37,600</b>	<b>\$19,998</b>	<b>\$26,210</b>		<b>\$26,100</b>
<b>Expenses</b>									
<i>Maintenance</i>	\$0	\$0	(\$25,000)		\$0	\$0	(\$25,000)		\$0
<i>Beginning Fund Balance</i>	\$1,000	\$7,000	\$8,097		\$6,459	\$6,459	\$6,459		\$7,669
<i>Revenues</i>	\$12,010	\$17,790	\$23,362		\$37,600	\$19,998	\$26,210		\$26,100
<i>Expenses</i>	\$0	\$0	(\$25,000)		\$0		(\$25,000)		\$0
<b>Ending Fund Balance</b>	<b>\$13,010</b>	<b>\$24,790</b>	<b>\$6,459</b>		<b>\$44,059</b>	<b>\$26,457</b>	<b>\$7,669</b>		<b>\$33,769</b>

## *Debt Servicing Fund*

---

<b>Starting: OCT-01-2015</b>	<b>\$166</b>
Interest	\$42
D/S Tax	\$41,966
GF Transfer	\$131,000
Bond Payment	<b>(\$159,646)</b>
Bond Payment	<b>(\$13,204)</b>
Fee	<b>(\$300)</b>
<hr/>	
<b>Ending: SEP-30-2016</b>	<b>\$23</b>

<b>Starting: OCT-01-2016</b>	<b>\$23</b>
Interest	\$20
Tax	\$44,397
GF Transfer	\$130,425
Bond Payment	<b>(\$162,204)</b>
Bond Payment	<b>(\$11,721)</b>
Fee	<b>(\$300)</b>
<hr/>	
<b>Ending: SEP-30-2017</b>	<b>\$640</b>

<b>Starting: OCT-01-2017</b>	<b>\$640</b>
Interest	\$20
Tax	\$48,000
GF Transfer	\$127,550
Bond Payment	<b>(\$165,721)</b>
Bond Payment	<b>(\$10,189)</b>
Fee	<b>(\$300)</b>
<hr/>	
<b>Ending: SEP-30-2018</b>	<b>\$0</b>

## *Loan Balance*

---

CO Balance: OCT-01-2015	<b>\$1,472,000</b>
Principle Payments	<b>(\$145,000)</b>
Interest Payments	<b>(\$27,850)</b>
<hr/>	
CO Balance: SEP-30-2016	<b>\$1,327,000</b>

CO Balance: OCT-01-2016	<b>\$1,327,000</b>
Principle Payments	<b>(\$149,000)</b>
Interest Payments	<b>(\$24,925)</b>
<hr/>	
CO Balance: SEP-30-2017	<b>\$1,178,000</b>

CO Balance: OCT-01-2017	<b>\$1,178,000</b>
Principle Payments	<b>(\$154,000)</b>
Interest Payments	<b>(\$21,910)</b>
<hr/>	
CO Balance: SEP-30-2018	<b>\$1,024,000</b>

## Potential CAPX Projects

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<b>1. Fire Hydrant Installation</b>	Install new hydrant and isolation valves on Parkwood at Shoreline. Parkwood is the only street in LWV with no fire hydrants.	\$10,000
<b>2. Replace Stowe Lift Station</b>	Build new lift-station, remove floats and install pressure switch controls, install 3-phase power converters, two new pumps. Old single-phase motors can be used on Carrie lift-station.	\$40,000
<b>3. Sewer Plant Site Improvements</b>	Repair and relocate west fence forward. Move storage building from water plant. Install metal awning over existing storage building. Make underground Coserv electrical improvements.	\$15,000

## Potential Town Projects

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1. Town Hall Improvements	New front door - commercial grade, code compliant.	\$2,500
2. Drainage Improvements	Replace driveway culvert at 335 Peninsula with oblong box culvert. Replace approach. Improve inlet that goes under Shoreline.	\$5,000
3. Playground	Install new rubber surface	TBD



# Child's Play, Inc.

10661 Shady Trail  
Dallas, TX 75220  
(P) 972-484-0600 (F) 972-484-0333

### ADDRESS

Serena Lepley  
Town of Lakewood Village  
100 Highridge Drive  
Lakewood Village, TX 75068

### SHIP TO

Serena Lepley  
Town of Lakewood Village  
100 Highridge Drive  
Lakewood Village, TX 75068

QUOTE #	DATE
2017-632	05/31/2017

### PROJECT

Artificial Turf

### SALES REP

GL

DESCRIPTION	QTY	PRICE EACH	AMOUNT
<b>Site Work</b> Site Work removal and piling up of existing wood fiber approximately 85 yards	1	850.00	850.00T
<b>Artificial Turf System</b> Artificial Turf with Brown Thatch, 2-1/8" Pad, Tape & Glue, Infill Sand, Geo Textile Fabric, Gravel, Freight, & Installation	5,100	10.21	52,071.00T

SUBTOTAL	52,921.00
TAX (8.25%)	4,365.98
<b>TOTAL</b>	<b>\$57,286.98</b>

Accepted By

Accepted Date



ADDRESS
Serena Lepley Town of Lakewood Village 100 Highridge Drive Lakewood Village, TX 75068

SHIP TO
Serena Lepley Town of Lakewood Village 100 Highridge Drive Lakewood Village, TX 75068

QUOTE #	DATE	EXPIRATION DATE
2017-615	05/23/2017	06/23/2017

**SALES REP**  
GL

DESCRIPTION	QTY	PRICE EACH	AMOUNT
<b>Rubber Mulch</b> Rubber Mulch per 2,000# super Sacks	35	495.00	17,325.00T
<b>Geo Textile Fabric</b> Geo Textile Fabric	2	500.00	1,000.00T
<b>Freight</b> Freight	35	30.00	1,050.00T
<b>Installation</b> Professional Turn-Key Installation of shredded rubber mulch Colors available: Red, Brown, Black, Blue, Green	35	100.00	3,500.00

<b>SUBTOTAL</b>	22,875.00
<b>TAX (8.25%)</b>	1,598.44
<b>TOTAL</b>	<b>\$24,473.44</b>

Accepted By

Accepted Date



ADDRESS
Serena Lopley Town of Lakewood Village 100 Highridge Drive Lakewood Village, TX 75068

SHIP TO
Serena Lopley Town of Lakewood Village 100 Highridge Drive Lakewood Village, TX 75068

QUOTE #	DATE
2017-627	05/30/2017

**PROJECT**

PIP fpr Playground

**SALES REP**

GL

DESCRIPTION	QTY	PRICE EACH	AMOUNT
<b>Site Work</b> Site Work Removal and piling of approx. 85 yards of existing wood fiber	1	850.00	850.00T
<b>PIP Rubber</b> Poured-In-Place Rubber Surfacing Bond Flex	4,900	11.85	58,065.00T

<b>SUBTOTAL</b>	58,915.00
<b>TAX (8.25%)</b>	4,860.49
<b>TOTAL</b>	<b>\$63,775.49</b>

Accepted By

Accepted Date



## MEMORANDUM

TO: Town Council  
CC: Linda Asbell  
FROM: Dr. Mark E. Vargus, Mayor  
DATE: July 8, 2017  
RE: Fence Ordinance Revisions

---

The fence ordinance does not conform to our current practices and is outdated. I would like to simplify and create a new ordinance that clean up the errors and definitions.

In addition, I would like the Council's thoughts on waterfront fencing. In 2003, Mayor Pro-tem Tony Lacausi was the driving force behind the "non solid fence" waterfront restriction. Tony lived on Stowe across from the lake and was concerned that the empty lots would have a solid wall along the street when they were built on.

The issue that I would like to discuss is the possibility of allowing privacy fencing along the side yard for pools and patios. Say, 25 feet or whatever seems reasonable. Just in the immediate location of a pool or deck. No pool, no patio, no fence. The Lakewood Village Flood Loss Prevention Ordinance and U.S. Army Corps of Engineer rules do not allow solid fences in the floodplain, so this would only be possible in the very close proximity of the house.

I look forward to your comments;

A handwritten signature in black ink that reads "Mark E. Vargus".

**TOWN OF LAKEWOOD VILLAGE**

**ORDINANCE REGARDING FENCES WITHIN THE TOWN LIMITS OF THE  
TO LAKEWOOD VILLAGE, TEXAS.**

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SECTION 7.00	PROHIBITED CONSTRUCTION AND/OR LOCATION
SECTION 8.00	ZONING REGULATIONS (SINGLE-FAMILY, DUPLEX)
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SECTION 11.00	APPEALS
SECTION 12.00	NONCONFORMING USES
SECTION 13.00	SEVERABILITY CLAUSE
SECTION 14.00	PENALTY CLAUSE
SECTION 15.00	SAVINGS
SECTION 16.00	EFFECTIVE DATE

**WHEREAS**, the Town of Lakewood Village, Texas in order to provide for the general health and welfare of the citizens in the Town is permitted to enact certain rules and regulations:

**NOW, THEREFORE BE IT ORDAINED** by the Town Council of the Town of Lakewood Village, Texas:

**SECTION 1.00 DEFINITION OF TERMS**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense shall include the plural number. The word "shall" is always mandatory and not merely directory. The word "he" or "him" shall refer to persons of either gender.

1. **FENCE** means an enclosure or barrier constructed of permitted materials.
2. **PUBLIC PROPERTY** means property used by the public, i.e., not private by nature.
3. **FRONT YARD** means that portion of property directly between the front of a residence and the Town easement.
4. **CHIEF BUILDING OFFICIAL** is the Mayor.
5. **WATERFRONT** means land, land with buildings, or a section of the town fronting or abutting on a body of water.

**SECTION 2.00 BUILDING PERMIT REQUIRED**

It shall be unlawful for any person to construct a fence over two and one half (2 1/2) feet in height on any lot without having first obtained a fence permit thereof from the building inspection department of the Town of Lakewood Village, Texas. Adequate plans and specifications, as determined by the chief building official, must accompany each application for a permit.

**SECTION 3.00 WATERFRONT FENCING RESTRICTION**

1. No waterfront property shall have fencing that would obstruct the view of any adjacent property from the ground floor elevation.

**SECTION 4.00 CONSTRUCTION MATERIALS**

Materials permitted shall be of vinyl, wood, masonry, chain link or ornamental iron. Materials prohibited are barbed wire, razor ribbon, sheet metal, or any other similar material.

**SECTION 5.00 CONSTRUCTION REQUIREMENTS**

All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard. To obtain proper sight distance where an alley and street intersect, a clear area formed by a ten-foot right triangle must be maintained so as not to cause danger to traffic by obstructing the view. When topography prevents a clear view, this bank should be removed.

**SECTION 6.00 FENCES NOT PERMITTED ON PUBLIC PROPERTY**

No fence or any part of such fence shall be constructed upon or caused to protrude over public property. All fences must be maintained in a plane so as not to overhang public property.

**SECTION 7.00 PROHIBITED CONSTRUCTION AND/OR LOCATIONS**

(1) Sight obstructions. No trees, berms or other obstructions shall be planted or maintained within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of sight lines.

(2) Within easements. No fence shall be located within any easement except by prior written approval of those agencies having interest in such easement.

(3) Electrical fences. No fence erected shall be electrically charged.

**SECTION 8.00 ZONING REGULATIONS (SINGLE FAMILY, DUPLEXES)**

(1) For single-family, duplex, the following regulations shall apply:

(a) Rear yard. No fence shall be constructed at a height exceeding eight (8) feet along the rear property line.

(b) Side yard. No fence shall be constructed at a height exceeding eight (8) feet on any side yard line from the rear property line up to the front building line.

(c) Front yard. No fence (shall be) permitted in the front yard unless a part of the landscaping or a decorative screen, but in no case shall the fence exceed three (3) feet in height and (it) shall not create a traffic hazard. Such fencing shall be subject

to the approval of the chief building official.

**SECTION 9.00 TEMPORARY CONSTRUCTION SITE FENCING**

Temporary construction site fencing not exceeding eight (8) feet in height shall be permitted to enclose the complete project or a partial area. No such fence erected under the above provision shall be erected in such position or placed so as to be dangerous or detrimental to the health or safety of any person or obstruct the view so as to constitute a traffic hazard. Temporary construction fences must be removed prior to occupancy of any portion of the facility.

**SECTION 10.00 INSPECTION AND MAINTENANCE**

When any fence is completed, it must be inspected. The building inspection department shall be notified upon completion of the fence.

All fences constructed under the provisions of this article shall be maintained so as to comply with the requirements of this article at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of such fence when installed and accepted as provided herein, and shall be maintained as follows, to-wit:

- (1) Said fence shall not be out of vertical alignment more than twenty (20) per cent;
- (2) All damaged or removed or missing portions of said fence shall be replaced with comparable materials of a comparable color to the remaining portion of said fence; and,
- (3) All damaged or missing parts shall be replaced or repaired.

**SECTION 11.00 APPEALS**

Any appeal from a decision of the building inspector under the terms of this article shall be made to the Town Council of the Town of Lakewood Village, Texas.

**SECTION 12.00 NONCONFORMING USES**

The unlawful use of fences existing upon the effective date of this Ordinance, although such does not conform to the provisions hereof, may be continued, subject to the provisions hereof. The lawful use of a fence existing upon effective date of this Ordinance may be continued, although such use does not conform to the provision hereof. Such use may be extended throughout such portions of the fence as are arranged or designed for such use, provided no alterations, except those required by law or Ordinance, are made therein. If alterations are made, a nonconforming use of a fence may be changed to another nonconforming use of the same or

more restricted. If such nonconforming use of fencing is voluntarily removed, the future use of such premises shall be conformity with the provisions of this Ordinance.

In the event a nonconforming use of any fence is voluntarily discontinued for a period of one (1) year, the use of the same shall thereafter conform to the provisions of this ordinance.

**SECTION 13.00 SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the Town Council that if any of the sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would be enacted by the Town Council without the incorporation of this ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or sections. For any reason, if any fence exceeds fifty (50) per cent of repairs, it must be removed.

**SECTION 14.00 PENALTY CLAUSE**

It shall be unlawful for any person to violate and provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Five hundred Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

**SECTION 15.00 SAVINGS CLAUSE**

This Ordinance shall be cumulative of all other ordinances of the Town affecting the control of fences and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that Ordinance No. 86-2A of the Town relating to the control of fences is hereby repealed, but provided however that any complaint action, cause of action, or claim which prior to the effective date of this Ordinance No. 86-2A shall be deemed to remain and shall continue in full force and effect.

**SECTION 16.00 EFFECTIVE DATE**

This Ordinance shall become effective from and after its date of adoption and publication as required by law.

**PASSED and APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

---

Vincent R. Webb, Mayor

ATTEST:

---

Dawn Sendziak, Town Secretary

APPROVED AS TO FORM:

---

Chris Raesz, Town Attorney



## MEMORANDUM

TO: Town Council  
CC: Linda Asbell  
FROM: Dr. Mark E. Vargus, Mayor  
DATE: July 8, 2017  
RE: Updating Impact Fee Ordinance

---

When the Town's impact fee ordinance was adopted last year, there were several assumptions that were made as part of the calculations. We now have better data, and with the well feasibility study completed, we are in position to refine the various costs for the water and wastewater expansions. Specifically, I would ask the Capital Improvements Advisory Committee (CIAC) be reconvened to examine revisions based on:

- (1) Drilling a Paluxy well and related piping on the Town's Woodcrest Drive property (based on the well feasibility study).
- (2) Determining the final recoverable costs of the new 50,000 gallon ground storage tank and 6,000 gallon pressure tank that is now operational.
- (3) Switching from individual development infrastructure on-site cost recovery to a rough proportionality methodology.

Impact fees are paid by developers as their fair share of necessary utility infrastructure that is attributable to their project. For any new development, the developer must pay the fees as the houses are built. **In addition, the Town collects tap fees for each connection.** No impact fees are charged to existing platted empty lots.

Clint, Myself, Town Engineer Tod Strouse, and Town Attorney Brenda McDonald met and discussed the need to revise and keep current the fees given our likelihood of development. The WW Impact Fee Task had a budget of \$9,000 for Task 4 - Public Hearings and Approval that was not used because we were able to combine the Water and Wastewater efforts. Todd has proposed using this budget that was already approved by the Council to update both the Water and Wastewater Impact Fee documents. This budget will cover updating the land use assumptions (LUA), capital improvement plans (CIP), and maximum assessable impact fees. A new report with new exhibits will be created under this task. This will also include attending one (1) CIAC meeting and one (1) Town Council public hearing to present the updates to LUA, CIP, and maximum assessable water and wastewater impact fees.

I look forward to your comments;



INDIVIDUAL PROJECT ORDER NUMBER 064487102

Describing a specific agreement between Kimley-Horn and Associates, Inc. (the Consultant), and THE TOWN OF LAKEWOOD VILLAGE (the Client) in accordance with the terms of the Master Agreement for Continuing Professional Services dated April 6, 2015, which is incorporated herein by reference.

**Identification of Project: Wastewater Impact Fees**

***Specific Scope of Basic Services:***

Prepare impact fees for wastewater in accordance with Chapter 395. The Town will provide land use assumptions and growth rates. Capital projects will be developed based on land use assumptions and growth rates. It is assumed that the updated wastewater CCN will be acquired by the time the wastewater impact fees are implemented.

**Task 1 – Wastewater CIP Development**

Kimley-Horn will prepare the wastewater impact fee update in conformance with Chapter 395 of the Local Government Code and shall include:

Data Collection. The data collection is as follows:

- Wastewater usage history, which includes annual wastewater usage and peak usage records for the past ten (10) years for development of the service unit projection.
- Lift Stations – The Town will provide lift station information that includes location, design capacity, pumping head, motor Hp, impeller diameter, piping gallery schematic, pump curves, manufacturer and model number, and historical pumping records for the past three (3) years.
- Wastewater Treatment Plant (WWTP) – The Town will provide record drawings of the wastewater treatment plant and historical treatment records.

Infrastructure Capacity Criteria. Kimley-Horn will coordinate with the Town to obtain the criterion for determining the ten (10) year capacity of the following infrastructure:

- Existing WW Lines
- Future WW Lines
- Existing and Future Lift Stations
- Existing and Future Force Mains
- Existing and Future WWTP

A criterion will not be developed for existing Town wastewater lines.

Wastewater Impact Fee Capital Improvements Plan. Kimley-Horn will coordinate with the Town to develop the Wastewater Impact Fee Capital Improvements Plan. It will include the following infrastructure:

- Existing WW Lines
- Future WW Lines
- Existing and Future Lift Stations
- Existing and Future Force Mains
- Existing and Future WWTP



It will not include existing Town WW lines.

### **Task 2 – Wastewater Impact Fee Update**

Kimley-Horn will prepare the wastewater impact fee update in conformance with Chapter 395 of the Local Government Code and shall include:

Maximum Assessable Wastewater Impact Fee Calculation. Kimley-Horn will calculate the additional service units based on the Land Use Assumptions. Kimley-Horn will then calculate the Impact Fee per service unit, unit equivalents by meter size and the Maximum Assessable Wastewater Impact Fee table by meter size. A detailed financial analysis will be performed to determine the required credit per service unit.

Wastewater Impact Fee Update Report. Kimley-Horn will provide both a draft and final Wastewater Impact Fee Report. The report will include:

- Wastewater service area
- Narrative of the impact fee update methodology
- Impact fee calculations
- Wastewater Impact Fee CIP
- Exhibits
  - CIP map with project narratives
- Opinion of Probable Construction Costs

#### Deliverables

- Upon final approval of the Impact Fee Update and new ordinance by the Town Council, Kimley-Horn will provide twenty (20) originals of the Final Impact Fee Update Report.

### **Task 3 – Financial Analysis and Impact Fee Credit Determination**

A financial subconsultant will calculate maximum assessable impact fees for the designated ten-year period for wastewater service function, as well as determine the wastewater impact fee credits in conformance with Chapter 395 of the Local Government Code.

Financial Analysis. Using the impact fee eligible capital improvement costs and projected service units, the financial subconsultant will calculate maximum assessable full-cost recovery impact fees for the designated ten-year period for wastewater facilities. The financial subconsultant will provide forecasted cash flows for the maximum assessable impact fee for the ten-year period based on projected capital improvement program's implementation schedule (if available) and growth in projected service units. Kimley-Horn will work in conjunction with the financial subconsultant to incorporate the financial analysis into the appropriate document, as identified in Tasks 1 and 2.



**Task 4 - Public Hearings and Approval**

It is anticipated that two (2) representatives from Kimley-Horn will prepare for and attend up to four (4) meetings during the public hearing and approval process. These anticipated meetings are as follows:

- Prepare for and attend one (1) CIAC public hearing to present the CIP and Land Use Assumptions.
- Prepare for and attend one (1) Town Council public hearing to present the CIP and Land Use Assumptions.
- Prepare for and attend one (1) CIAC public hearing to present the Maximum Assessable Wastewater Impact Fees.
- Prepare for and attend one (1) Town Council public hearing to present the Maximum Assessable Wastewater Impact Fees.

**Additional Services if required:** Additional services could include additional project meetings and/or public presentations. *Kimley-Horn is not anticipating preparing the Ordinance.*

**Schedule:** Project to begin upon receipt of signed IPO.

**Town of Lakewood Village Impact Fee Schedule**

<b>SCHEDULE</b>	
System Evaluation	1 Month
Develop CIP List & Coordinate Land Use Assumptions	2 Months
Advertise Public Hearing of Land Use Assumptions	1 Month
CIAC Make Recommendations Land Use Assumptions	1 Week
Council Adoptions of Land Use Assumptions	1 Week
Submit Draft Wastewater Impact Fee Reports	2 Months
Receive Town Comments	1 Month
Prepare Final Reports	1 Month
Advertise Impact Fees	1 Month
CIAC Make Recommendations on Impact Fees	1 Week
Council Adoption of Impact Fees	1 Week

**Deliverables:** Impact Fee Reports

# Kimley»Horn

**Terms of compensation:** The work will be completed on a Lump Sum Basis.

Task 1 – Wastewater CIP Development	\$10,000
Task 2 – Wastewater Impact Fee Update	\$20,250
Task 3 – Financial Analysis and Impact Fee Credit Determination	\$5,750
Task 4 – Public Hearings and Approval	\$9,000*
<b>TOTAL PROJECT COST</b>	<b>\$45,000</b>

*\*Task 4 for the WW Impact fee project will not be used if the water and wastewater impact fee public hearings are conducted at the same time.*

**Other special terms of Individual Project Order:** None

**ACCEPTED:**

CLIENT

KIMLEY-HORN AND ASSOCIATES, INC.

BY: Carl Muehlhoff

BY: [Signature]

TITLE: Mayor Pro-Tem

TITLE: Assistant Secretary

DATE: 5-16-16

DATE: 05/16/16

# Memorandum



TO: Town Council  
FROM: Clint Bushong  
RE: Agenda E.6: Amendment to Builder Packet (Sewer Tap Form)

---

Attached is a proposed revision to the Water and Sewer Tap building form to include language that will require the sewer line between the home and the sewer tap to be inspected with a camera prior to the issuance of a CO. The requirement is applicable to new home construction only.

The purpose of the requirement is to address a couple of instances of the sewer line being completely blocked with construction debris. The proposed requirement is a proactive approach to holding the general contractor financially responsible for any damages to the sewer line and or sewer tap prior to the CO being issued.

Little Elm Services has provided a quote of \$250 to perform a camera inspection. I propose the cost of the camera inspection to be absorbed as part of the sewer tap fee. The general contractor shall be responsible for all costs associated with the clean out or repair of the sewer tap.

I'm looking forward to the discussion.

*Clint Bushong*



**UTILITY DEPARTMENT**

**WATER / SEWER TAP FEES**

100 Highridge Drive  
Lakewood Village, TX 75068  
(972) 294-5555 Office (972) 292-0812 Fax  
[linda@lakewoodvillagetx.us](mailto:linda@lakewoodvillagetx.us)

REVISED: 06/28/2017

<b>WATER TAP / METER SET</b>			
Property Owner Name	Builder Name		
Property Address	Notes Water tap fee payment must be separate from building permit fee payment.		
The water tap and meter set installation are to be inspected at rough plumbing.			
Builder or General Contractor Signature	Date		
TOWN USE ONLY			
Date Paid	<input type="checkbox"/> Check # <input type="checkbox"/> Money Order	Fee Amount	

<b>SEWER TAP</b>			
Property Owner Name	Builder Name		
Property Address	Notes Sewer tap fee payment must be separate from building permit fee payment.		
The sewer tap installation is to be inspected at rough plumbing.			
The sewer tap is to be inspected a second time by the Town of Lakewood Village with a camera at Building Final. The Town of Lakewood Village shall be responsible for the scheduling of the camera inspection. The General Contractor shall be financially responsible for any repair and or clean out costs associated with the sewer tap if construction debris is found in the sewer line between the home and the sewer tap. The Certificate of Occupancy (CO) shall not be issued until the Town of Lakewood Village is reimbursed in full for all costs associated with the repair and or clean out of the sewer tap.			
Builder or General Contractor Signature	Date		
TOWN USE ONLY			
Date Paid	<input type="checkbox"/> Check # <input type="checkbox"/> Money Order	Fee Amount	
Camera Inspection Date	Camera Inspection Results <input type="checkbox"/> Pass <input type="checkbox"/> Fail	Inspector	

**TOWN OF LAKEWOOD VILLAGE  
FIRE CODE 16-15**

**AN ORDINANCE TO ADOPT THE 2012 INTERNATIONAL  
FIRE CODE, WITHIN THE TOWN OF LAKEWOOD  
VILLAGE; PROVIDING A SAVINGS/REPEALING CLAUSE,  
PROVIDING A PENALTY CLAUSE, PROVIDING A  
SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the 2012 Edition of the International Fire Code, save and except the deletions and amendments set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:**

**Section 1: Findings**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**Section 2: Adoption of the 2012 International Fire Code**

The International Fire Code, 2012 Edition, copyrighted by the International Code Council, Inc., including all Regular Chapters and Appendix Chapters, save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Fire code for Lakewood Village, prescribing regulations governing the safeguarding of life and property from fire and explosion hazards arising from storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises, or maintenance of Fire systems within Lakewood Village (the "2012 International Fire Code"). The 2012 International Fire Code is made a part of this Ordinance as if fully set forth herein.

**Section 3: Repeal**

Fire Code 15-16 ordinance is hereby repealed in its entirety.

**Section 4: Penalty Clause**

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

**Section 5: Legal Rights**

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

**Section 6: Severability**

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

**Section 7: Estoppel / Waiver**

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

**Section 8: Effective Date**

The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.

**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 13th day of October, 2016.

---

Dr. Mark E. Vargus  
Mayor

ATTEST:

---

Linda Asbell, TRMC  
Town Secretary

# **Exhibit A**

**Town of Lakewood Village Amendments**

**2012 International Fire Code**



# **FIRE CODE**

**Adopted: October 13<sup>th</sup>, 2016**

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## CHAPTER 1. SCOPE AND APPLICATION

The following additions, deletions and amendments to the 2012 International Fire Code adopted herein and hereby approved and adopted.

### [A] 101 General

#### [A] 101.1 Title

These regulations shall be known as the *International Fire Code* of the Town of Lakewood Village hereinafter referred to as "this code."

### [A] 102 Applicability

#### [A] 102.4 Application of Other Building Codes

The design and construction of new structures shall comply with the *International Building Code*, this code, and other codes applicable, and any *alterations*, additions, changes in use or changes in structures required by this code, which are within the scope of the *International Building Code*, this code, and other codes as applicable, shall be made in accordance therewith.

#### [A] 102.7 Referenced Codes and Standards

The codes and standards referenced in this code shall be those that are listed in Chapter 80, 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 and as further regulated in Sections 102.7.1 and 102.7.2.

##### [A] 102.7.2 Provisions in Referenced Codes and Standards

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code and any adopted amendments, the provisions of this code and any adopted amendments, as applicable, shall take precedence over the provisions in the referenced code or standard.

### [A] 103 Department of Fire Prevention

#### [A] 103.1 General

The Fire Code shall be enforced by the Lakewood Village Fire Code Official, the Fire Marshal, the Mayor and Mayor pro-Tem of Lakewood Village, and their designees. ~~The department of fire prevention is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.~~

#### [A] 103.2 Appointment

The Lakewood Village Fire Code Official is the Chief Building Inspector, the Deputy Chief Building Inspector and any other persons designated by the Town Council. Fire Marshall shall refer to the Little Elm Fire Marshal or the fire marshal employed by any successor agency which provides



Fire/EMS services to Lakewood Village. All authority granted to the Fire Marshal under this code is likewise granted to the Fire Code Official. The *fire code official* shall be appointed by the chief appointing authority of the jurisdiction; and the *fire code official* shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

#### **[A] 103.3 Deputies**

The Chief of the Fire Department may detail such members of the Fire Department of proper qualification as inspectors as shall from time to time be necessary and each member so assigned shall be authorized to enforce the provisions of this code. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *fire code official* shall have the authority to appoint a deputy *fire code official*, other related technical officers, inspectors and other employees.

#### **[A] 104 General Authority and Responsibilities**

##### **[A] 104.12 Fire Marshal's Office Procedures and Specification Guide**

References to the Little Elm Fire Department's *Fire Marshal's Office Procedures and Specification Guide* (aka "Contractor's Guide" or "the Guide") will be made throughout this code and serves as a quick reference guide to assist developers and contractors in facilitating their responsibilities as they relate to the fire code. Any conflict between the guide, local amendments, and/or the International Fire Code shall be resolved at the discretion of the fire code official.

#### **[A] 105 Permits**

##### **[A] 105.2 Application**

###### **[A] 105.2.3 Time Limitation of Application**

An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the *fire code official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Reinstatement of expired permits will require the applicant to resubmit application and required documents, and shall be liable for applicable permit fees.

##### **[A] 105.4 Construction Documents**

###### **[A] 105.4.6 Retention of Construction Documents**

One set of construction documents (printed or digital) shall be retained by the *fire code official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant, and said set, along with the fire department permit, and plan review comments, if any, shall be kept on the site of the building or work from the date issued and until the completion of



the permits associated inspections and the Fire Department's Final Certificate of Occupancy Inspection, where applicable. at all times during which the work authorized thereby is in progress.

#### **[A] 105.6 Required Operational Permits**

##### **[A] 105.6.27 LP Gas**

An operational permit is required for:

1. ~~Storage and use of LP Gas.~~

##### **Exception:**

~~A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less serving occupations in Group R-3.~~

2. ~~Operation of cargo tankers that transport LP Gas.~~

#### **[A] 105.7 Required Construction Permits**

The *fire code official* is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.20. ~~105.7.16.~~

##### **[A] 105.7.17 Smoke Control or Exhaust Systems**

Construction permits are required for smoke control or exhaust systems as specified in Section 909 and Section 910 respectively. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

##### **[A] 105.7.18 Electronic Access Control Systems**

Construction permits are required for the installation or modification of an electronic access control system, as specified in Section 503 and Section 1008. 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.

##### **[A] 105.7.19 Gates and Barricades**

Construction permits are required for the installation or modification of an electronic or manual control system specified in section 503.5 and 503.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

##### **[A] 105.7.20 Fire Lands and Traffic Calming Devices**

Construction permits are required for the modification of any fire lane and/or for the installation or modification of any traffic calming device. Maintenance performed in accordance with this code is not considered a modification; unless such device is not in compliance with this code, and does not require a permit.

**[A] 106 Inspections****[A] 106.2 Inspections****[A] 106.2.1 Inspection Requests**

It shall be the duty of the holder of the permit or their duly authorized agent to notify the *fire code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

Inspection requests shall comply with the Town of Lakewood Village Administrative Procedures.

**[A] 106.5 Inspections of Existing Premises**

The fire code official or designated representative shall inspect all buildings, premises, or portions thereof as often as may be necessary to ensure continued compliance with the provisions of this code.

An inspection and fee shall be charged. The occupant, lessee, or person making use of the building or premise shall pay said fee(s), as established in Section 113.2, within thirty (30) days of being billed as a condition to continue lawful occupancy of the building or premise. Continued non-compliance may result in the issuance of a citation and subject to the penalties established in Section 109.4.

**[A] 106.5.1 Habitual Violations**

An occupant, lessee, or person making use of a building or premise that has been cited for a violation of this code, or previous code for the same violation over multiple initial maintenance inspections shall waive right to notice of violation in Section 109.3 and may be immediately issued a citation subject to the penalties as established by Section 109.4.

**[A] 109 Violations****[A] 109.4 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, 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 separate offenses for each day during which the violation is continued after notification, ~~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.~~

**[A] 111 Stop Work Order****[A] 111.4 Failure to Comply**

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine, ~~of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

**[A] 113 Fees****[A] 113.2 Schedule of Permit Fees**

A fee for each permit, inspection or re-inspection shall be as indicated in the Consolidated Fee Ordinance for the Town of Lakewood Village. ~~A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.~~

**[A] 113.3 Work Commencing Before Permit Issuance**

Any person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to penalty of 100 percent of the usual permit fee ~~an additional fee established by the applicable governing authority, which shall be in addition to the required permit fees.~~

**CHAPTER 2. DEFINITIONS**

The following additions, deletions and amendments to the 2012 International Fire Code adopted herein and hereby approved and adopted.

**202 General 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 limited to the following:

1. Dialysis Centers
2. Sedation Dentistry
3. Surgery Centers
4. Colonic Centers
5. Psychiatric Centers

**Atrium**

An opening connecting three ~~two~~ or more stories other than enclosed *stairways*, elevators, hoist ways, 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*.

**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 production device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

### Fireworks, 1.4G.

Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks which comply with the construction, chemical composition and labeling regulations of the DOTn for Fireworks, UN 0336, and the U.S. Consumer Product Safety Commission as set forth in CPSC 16 CFR Parts 1500 and 1507, are not explosive materials for the purpose of this code.

### Fireworks, 1.3G.

Large fireworks devices, which are explosive materials, intended for use in fireworks displays and designed to produce audible or visible effects by combustion, deflagration or detonation. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition and other display pieces which exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks are also described as Fireworks, UN 0335 by the DOTn.

## High-Piled Combustible Storage

Storage of combustible materials in closely packed piles or combustible materials on pallets, in racks or on shelves where the top of storage is greater than 12 feet (3658 mm) in height. When required by the *fire code official*, *high-piled combustible storage* also includes certain high-hazard commodities, such as rubber tires, Group A plastics, flammable liquids, idle pallets and similar commodities, where the top of storage is greater than 6 feet (1829 mm) in height.

Any building classified as a group S Occupancy or Speculative Building exceeding 5,000 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 with an occupied floor located more than ~~55~~ 75 feet (~~16,764mm~~ 22,860 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 a 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 umber required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

## **CHAPTER 3. GENERAL REQUIREMENTS**

### **307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces**

#### **307.2 Permit Required**

A permit shall be obtained from the *Denton County* 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~~. 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 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.

#### **307.4 Location**

~~The location for *open burning* shall not be less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure.~~

#### **Exceptions:**

1. ~~Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.~~
2. ~~The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.~~

#### **307.4.3 Portable outdoor fireplaces.**

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

#### **Exception:**

1. Portable outdoor fireplaces used at one- and two-family dwellings.

2. Except in one- or two-family dwellings when used on a non-combustible or limited combustible surface (i.e. concrete pad or maintained lawn).

#### **307.4.4 Permanent Outdoor Firepit**

Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

#### **307.4.5 Trench Burns**

Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

### **307.5 Attendance**

*Open burning, trench burns, bonfires, or 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 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.

### **308 Open Flames**

#### **308.1 General**

##### **308.1.4 Open-Flame Cooking Devices**

Open-flame cooking devices, charcoal burners and other similar open-flame cooking devices shall not be operated on combustible balconies 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 (33.58 kg) [nominal 20 pounds (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 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<sup>1</sup>/<sub>2</sub> pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

#### **308.6 Open-Flame Devices**

##### **308.1.6.2 Portable Fueled Open-Flame Devices**

Portable open-flame devices fueled by flammable or combustible gases or liquids shall be enclosed or installed in such a manner as to prevent the flame from contacting combustible material.

#### **Exceptions:**



1. LP-gas-fueled devices used for sweating pipe joints or removing paint in accordance with Chapter 61.
2. Cutting and welding operations in accordance with Chapter 35.
3. Torches or flame-producing devices in accordance with Section 308.1.3. Section 308.4.
4. Candles and open-flame decorative devices in accordance with Section 308.3.

### **311 Vacant Premises**

#### **3011.5 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 shall be marked as required by Sections 311.5.1 through 311.5.5.

### **319 Burn Ban**

#### **319.1 General**

In the event that a fire emergency declaration (burn ban) is issued by the County of Denton, Texas, through proclamation or Executive Order of the Denton County Commissioners Court; that ban shall become enforceable within the Town limits of Lakewood Village and be in effect from the date executed until such time the declaration/ban expires or is terminated.

#### **319.2 Definition**

The definition of combustible materials in the section shall include but not limited to, the use of all fireworks, discarding of cigarettes or other flammable materials, materials used in activities such as welding and any other activity that could result in fire.

#### **319.3 Violation**

The use of a combustible material or knowingly and willingly allowing the use of a combustible material on private property or in any outdoor environment by any person is prohibited while this section is in effect.

A violation of this section is a separate and distinct offense of other provisions of this code.

#### **319.4 Outdoor Cooking**

All outdoor cooking or open flame device while this section is in effect are prohibited.

Exceptions:

1. The cooking device is propane or natural gas and has a complete and full enclosure that is utilized at all times.
2. The cooking device is wood or charcoal and has a complete and full enclosure that is utilized, and all areas around the cooking device shall be clear of vegetation and/or combustible materials or debris for a 5 foot (1524 mm) radius

### **319.5 Hot Work / Welding**

Where welding must be performed in the field, the following mitigating efforts will be in force while this section is in effect.

#### **319.5.1 Open Hot-Work**

1. All areas where welding, cutting or grinding operations are being performed will be free of vegetation and/or combustibles for at least thirty feet in all directions;
2. Winds speed must be no more than 20 miles per hour while performing welding, cutting or grinding operations outside of approved barriers or enclosures;
3. Relative humidity must be above 25%
4. Each site will have the ability to call 911 for emergency response;
5. A dedicated fire watch person will attend each welder, cutter, grinder or any activity that causes a spark;
6. A minimum of one (1) water pressure fire extinguisher or pressurized water source per fire watch person is required;
7. If an emergency exists where welding has to be performed, the Fire Marshal may issue a temporary exception to the order.
8. All persons must report the intent to perform hot work to the Town of Lakewood Village Fire Cod Official prior to work commencing. Unreported hot work is in violation of this order.

#### **319.5.2 Enclosed Hot-Work**

1. All welding, cutting and grinding operations may be performed in a total welding enclosure, or "welding box", that is sufficiently high to control sparks and includes a fire retardant cover over the top.
2. All areas where welding, cutting or grinding operations are being performed will be free of vegetation and/or combustibles for at least twenty feet in all directions;
3. Winds speed must be no more than 22 miles per hour while performing welding, cutting or grinding operations;
4. Relative humidity must be above 20%;
5. Each site will have the ability to call 911 for emergency response;
6. A dedicated fire watch person will attend each welder, cutter, grinder or any activity that causes a spark;
7. A minimum of one (1) water pressure fire extinguisher or pressurized water source per fire watch person is required;
8. Where welding (above ground and sub-surface) is required in an area where there is a potential for a hazardous atmosphere, barriers will be substituted for total enclosures (e.g. "wind walls") to prevent sparks from coming in contact with any combustible material and/or vegetation;
9. The barriers will be installed to allow ventilation of the work area and ingress and egress to the work area for personnel safety;
10. Sub-surface, or "bell hole", welding and grinding operations within approved excavations are allowed if all other "enclosed" mitigation efforts are in compliance;



11. If an emergency exists where welding has to be performed, the Fire Marshal may issue a temporary exception to the order.
12. All persons must report the intent to perform hot work to the Lakewood Village Fire Code Official prior to work commencing. Unreported hot work is in violation of this order.

### **319.6 Burn Permits**

All burn permits, regardless of whether previously issued shall be suspended for the duration of the burn ban.

### **319.7 Penalty**

Penalty for violation(s) of the section are established in Sec 109.3 of this code as adopted.

## **CHAPTER 4. EMERGENCY PLANNING AND PREPAREDNESS**

### **401 General**

#### **401.3 Emergency Responder Notification**

##### **401.3.2 Alarm Activations**

Upon activation of a fire alarm signal, employees or staff shall immediately notify the fire department. All occupants of that facility shall follow their fire department approved evacuation plan or immediately evacuate the facility and shall not return until authorized by the fire department personnel.

#### **401.9 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.

## **CHAPTER 5. FIRE SERVICE FEATURES**

### **501 General**

#### **501.4 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 progress beyond completion of the foundation of any structure. ~~And made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2.~~

## 503 Fire Apparatus Access Roads

### 503.1 Where Required

#### 503.1.1 Buildings and Facilities

*Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Fire lance measurements shall be as the hose lays, begin from the centerline of the fire lane and unobstructed by any barriers. Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed path around the external walls of the structure. A five-foot wide level pathway shall be provided unobstructed through all barriers. A continuous row of parking between the fire lane and the structure shall be considered a barrier.

**Exception:** The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

#### 503.1.2 Additional Access

The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

### 503.2 Specifications

Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

Fire lanes provided during the platting process shall be so indicated on the plat as an easement. Where fire lanes are provided and a plat is not required, the limits of the fire lane shall be shown on a site plan and placed on permanent file with the Town's Planning Department.

#### 503.2.1 Dimensions

Fire apparatus access roads shall have an unobstructed width of not less than 24 ~~20~~ feet (7315 ~~6096~~ 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 13 feet 6 inches (4267 4115 mm).

When servicing a structure of greater than two stories in height, a 26 foot fire lane is required. Any such fire lane easement shall either connect both ends to a dedicated street or be provided with a turnaround having a minimum outer radius of 50 feet.

#### **503.2.1.2 Radius**

All curve or turn radii must be sufficient to accommodate the turning profile of the largest first-alarm emergency apparatus provided by or available to the Little Elm Fire Department through mutual/automatic aid agreement.

This may be accomplished by use of minimum turn requirements for an AASHTO WB-50 vehicle. Twenty-foot (20') minimum radius is preferred. Conformance must be demonstrated by including a scale illustration on the submitted site plan showing the turning of an AASHTO WB-50 vehicle within the proposed fire lanes.

Fire lane designs shall be provided during the site plan process or when appropriate if site plan approval is not required.

#### **503.2.2 Authority**

The *fire code official* shall have the authority to require an increase in the minimum access widths, vertical clearances, and radii where they are inadequate for fire or rescue operations.

#### **503.2.3 Surface**

~~Fire lane and fire apparatus access roads shall be constructed to meet the Town of Lakewood Village Engineering Standards. designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.~~

All fire lanes shall be maintained and kept in good state of repair at all times by the owner and the Town of Lakewood Village shall not be responsible for maintenance thereof. It shall further be the responsibility of the owner to ensure that all fire lane markings required by Section 503.3 be kept so that they are easily distinguishable to the public.

#### **503.2.5 Dead-Ends**

~~Dead-end fire apparatus access roads are not permitted. in excess of 150 feet (45 720 mm) in length shall be provided with An approved fire department turn around shall be required. area for turning around fire apparatus.~~

#### **503.3 Marking**

~~Where required by the *fire code official*, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are~~

~~designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.~~

Striping, signs, or other markings, when approved by the code official, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. 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. Sign. 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. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

#### **503.4 Obstructions 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 shall be maintained at all times.~~

Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles, whether attended or unattended for any period of time. Persons in charge of a construction project, such as, but not limited to, a General Contractor, are responsible to ensure that fire lanes are kept clear of vehicles and other obstructions at all times and may be issued a citation for non-compliance under this section. 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. The Little Elm Fire Chief, Chief Building Official, Fire Marshal, Lakewood Village Mayor, and Lakewood Village Mayor Pro-Tem, and their designated representatives are authorized to remove or cause to be removed any material, vehicle or object obstructing a fire lane at the expense of the owner of such material, vehicle or object.

##### **503.4.1 Traffic Calming Devices**

Traffic calming devices shall be prohibited unless *approved* by the *fire code official*. A permit shall be required as per Section 105.7 of this code and the construction of such devices shall comply with the Fire Marshal's Office's Procedures and Specification Guide.

##### **503.4.2 Obstruction and Control**

No owner or person in charge of any premises served by a fire lane or access easement shall abandon, restrict or close any fire lane or easement without first securing a permit as required in

105.7 of this code and securing from the Town of Lakewood Village approval of an amended plat or other acceptable legal instrument showing the removal of the fire lane.

### **503.6 Security Gates**

The installation of security gates across a fire apparatus access road shall be *approved* by the fire chief. Where security gates are installed, they shall have an *approved* means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

The installation of security gates or other devices intended to limit the access of vehicles or persons shall require a permit as established in Section 105.7 and shall comply with the Fire Marshal's Office's Procedures and Specification Guide.

## **505 Premises Identification**

### **505.1 Address Identification**

New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall be substantially contrasting with their background. Where required by the *fire code official*, address numbers shall be provided in additional *approved* locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. ~~Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.~~ Address numbering shall comply with the following:

#### **505.1.1 Single Family Homes**

Minimum 4" high, 5/8" stroke.

#### **505.1.2 Multifamily Communities**

Street Address shall be a minimum of 12 inch high with a 2" stroke. Individual building numbers shall be a minimum of 18" high with a 3" stroke. Buildings over 100 feet in length require a minimum of two (2) numbers per building. Apartment spread numbers shall be a minimum of 7" high with a one inch stroke and corridor spread numbers shall be a minimum of 4" high with a 5/8 inch brush stroke. Individual apartment unit numbers shall be a minimum of 4" in height with a 5/8 inch stroke.

#### **505.1.3 Large Office and Warehouse Buildings**

Address must be visible from all access directions. Number shall be a minimum of 24 inches in height with a 4 inch stroke. Buildings over 500 feet long shall have two address locations if more than one access point is visible. Suite numbers shall be required for multi-tenant complexes and

shall be located over the front door and on the rear door, six inches in height with a one inch brush stroke.

#### **505.1.4 Shopping Centers, High Rise Buildings and Other Applications.**

A minimum of 10 inch high numbers with a 2" brush stroke shall be visible from all access directions. Suite numbers are required over the door with 4" high numbers with a 5/8 inch brush stroke. Buildings beyond 100 feet from the street and 10,000 square feet shall install 12 to 18 inch numbers as determined by the fire code official.

#### **505.1.5 Marquee and monument**

Addresses installed on a marquee located next to the street will require numbers 8 inch high with a two inch brush stroke to be located a minimum of 3 feet above grade. Marquee and Monument signs must also comply with other Town of Lakewood Village Sign Ordinance Requirements.

#### **505.3 Directional / Equipment ID Signage**

Directional and equipment identification signage shall be provided by the building owner on all new and existing buildings where required by the fire code official and shall meet the requirements as set forth in the Fire Marshal's Office's Procedures and Specification Guide.

### **506 Key Boxes**

#### **506.1 Where Required**

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*.

All new and existing occupancies, except one- and two- family residences, shall provide (a) lock box (es) as specified in the Fire Marshal's Office's Procedures and Specification Guide. Existing properties that are equipped with a lockbox that is of inadequate size shall be upgraded to a size appropriate.

### **507 Fire Protection Water Services**

#### **507.1 Where Required**

##### **507.1.1 Water Distribution Systems**

Water distribution systems shall be designed meeting the minimum criteria in sections 507.1.1.1 through 507.1.1.4 and approved by the AHJ.

##### **507.1.1.1 Fire Protection and Hydrants**

The minimum size of water mains, for providing fire protection and serving fire hydrants shall be 6 inches in diameter.

**507.1.1.2 Minimum Standards for Distribution Piping**

Distribution piping shall be sized to meet design flow as determined by hydraulic analysis on water system flow gradients. The minimum size in a distribution system shall be 6 inches in diameter. Larger main sizes may be necessary to achieve required fire flow and maintain residual pressure specified for both domestic consumption and fire flow. The piping sizes must meet standards specified in Table 507.1.1.2.

TABLE 507.1.1.2. Minimum Standards for Distribution Piping

<b>Appurtenance</b>	<b>Minimum Standard</b>
<u>Smallest pipe for hydrant feed<sup>1</sup></u>	<u>6 inches</u>
<u>Smallest pipe in distribution system</u>	<u>8 inches</u>
<u>Smallest branching pipes that are dead ends</u>	<u>8 inches</u>
<u>Smallest pipe in high value district</u>	<u>8 inches</u>
<u>Smallest pipe on principal streets in business, commercial, multifamily districts or complexes</u>	<u>12 inches</u>
<u>Main supplying 3 or more hydrants<sup>1,2</sup></u>	<u>12 inches</u>

<sup>1</sup>fire suppression system supply mains are considered as a “hydrant” for pipe sizing

<sup>2</sup>Does not apply to residential developments

**507.1.1.3 Looped System Requirements for Secondary Feeders**

A looped secondary feeder system shall be installed to supply all buildings with a fire flow over 1,000 gpm or in high value, commercial, business, and multifamily districts, or as determined by the AHJ.

**507.1.1.4 Looped System Requirements for Distributor Mains**

Where a distributor main supplies 3 or more fire hydrants or fire suppression system supply mains, the distribution system shall be looped.

**507.1.1.5 Valves in Distribution Systems**

Valves shall be installed along water distribution lines as required by the Town of Lakewood Village.

**507.4 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. Test shall be conducted by Town Lakewood Village or contractor approved by the Fire Code Official. 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 hard copy of the waterflow test report, or 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.

~~The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.~~

**507.5 Fire Hydrant Systems**

**507.5.1 Where Required**

As properties develop, fire hydrants shall be located at all intersecting streets and at the maximum spacing indicated in Table 507.5.1. Distances between hydrants shall be measured along the route that fire hose is laid by a fire vehicle from hydrant to hydrant.

TABLE 507.5.1  
MAXIMUM DISTANCE BETWEEN HYDRANTS

OCCUPANCY	SPRINKLERED	NOT SPRINKLERED
Residential (1 & 2 Family)	600 feet	500 feet
Residential (Multi-Family)	400 feet	300 feet
All Other	500 feet	300 feet

There shall be a minimum of two (2) fire hydrants serving each property within the prescribed distance listed in Table 507.5.1.

Protected Properties. Fire Hydrants shall be installed along fire lanes with spacing as required for street installations specified in 507.5.1. In addition, hydrants required to provide supplemental water supply for automatic fire protection systems shall be within 100 feet of the fire department connection (FDC) for such systems.

~~Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.~~

**Exceptions:**

- ~~1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).~~
- ~~2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).~~

#### **507.5.4 Obstruction**

Unobstructed access to fire hydrants shall be maintained at all times. Post, 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 hydrant from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment. or fire hydrants. The Fire Chief, and their designated representatives are authorized to remove or cause to be removed any material, vehicle or object obstructing a fire hydrant, fire department inlet connection or fire protection system control valves at the expense of the owner of such material, vehicle or object.

#### **507.5.7 Fire Hydrant Type**

All hydrants shall be of the three-way type with National Standard threads, breakaway construction, minimum 5 1/4" valve opening, and shall comply with the latest AWWA specification C-502. The hydrant shall have a 4 1/2" large connection with a 5" Hydra-Storz quick connection by Hydra-Shield and with two 2 1/2" side connections and shall be placed on water mains of no less than six inches (6") in size. Fire hydrants shall be Mueller "Centurion" or approved equal.

#### **507.5.8 Valves**

Valves shall be placed on all fire hydrants leads.

#### **507.5.9 Breakaway Point**

Fire hydrants shall be installed so that the breakaway point is no less than three (3) inches, and no greater than five (5) inches above the grade surface.

#### **507.5.10 Curb Line**

Fire hydrants shall be located a minimum of two (2) feet and a maximum of six (6) feet behind the curb line. No fire hydrant shall be placed in a cul-de-sac or the turning radius of fire lanes.

#### **507.5.11 Positioning**

All fire hydrants shall be installed so that the 4 1/2" connection will face the fire lane or street.

#### **507.5.12 Limiting Access Obstruction**

Fire hydrants, when placed at intersections or access drives to parking lots, shall be placed so that the minimum obstruction of the intersection or access drive will occur when the hydrant is in use.

#### **507.5.13 Private Property**

Fire hydrants located on private property shall be accessible to the fire department at all times.

All fire hydrants placed on private property shall be adequately protected by either curb stops or concrete post or other approved methods. Such stops shall be the responsibility of the landowner on which the fire hydrant is installed.

#### **507.5.14 Location to Building**

No fire hydrant shall be located closer than 40 feet to a non-residential building or structure

#### **507.5.15 Identification**

An approved blue, two-sided reflector shall be utilized to identify each hydrant location. The reflector shall be affixed to the center line of each roadway or fire access lane opposite fire hydrants.

#### **507.5.16 Color**

Fire hydrant caps and bonnet shall be painted according Little Elm Engineering Department Standards

### **509 Fire Protection and Utility Equipment Identification and Access**

#### **509.1 Identification**

Fire protection equipment shall be identified in an accordance with the Fire Marshal's Offices' Procedures and Specification Guide. ~~approved manner.~~ Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. *Approved* signs required to identify fire protection equipment and equipment locations shall be constructed to the Fire Marshal's Offices' Procedures and Specification Guide. ~~of durable materials, permanently installed and readily visible.~~

## **CHAPTER 6. BUILDING SERVICES AND SYSTEMS**

### **603 Fuel-Fired Appliances**

#### **603.3 Fuel Oil Storage Systems**

##### **603.3.2 Fuel Oil Storage Inside Buildings**

##### **603.3.2.1 Quality Limits**

One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all such tanks shall not exceed 660 gallons (2498 L).

**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. ~~of Class II or III liquid for storage in protected above-ground 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; and~~



3. ~~The tanks shall be located in a room protected by an automatic sprinkler system complying with Section 903.3.1.1.~~

#### **603.3.2.2 Restricted Use and Connections**

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.

### **604 Emergency and Standby Power Systems**

#### **604.1 Installation**

Emergency and standby power systems required by this code or the *International Building Code* shall be installed in accordance with this code, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

#### **604.1.2 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.

#### **604.2 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. ~~604.2.18.4.~~

#### **604.2.1 Emergency Voice/Alarm Communications Systems**

Emergency power shall be provided for emergency voice/alarm communication systems in the following occupancies, or specified elsewhere in this code ~~Group A occupancies~~ in accordance with Section 907.2.1.1.

Covered and Open Malls, Section 604.2.13

Group A occupancies, Sections 907.2.1.1 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

#### **604.2.2 Smoke Control Systems**

Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, in accordance with Section 909.11.

Covered mall building, IBC, Section 404.5

Atriums, IBC, Section 404.7

Underground buildings, IBC, Section 405.5

Group I-3, IBC, Section 408.9 Stages, IBC, Section 410.3.7.2

Special Amusement buildings (as applicable to Group A's), IBC, Section 411.1

Smoke protected seating, Section 1028.6.2.1

#### **604.2.3 Exit Signs**

Emergency power shall be provided for *exit* signs in accordance with Section 1011.6.3. (90 minutes)

#### **604.2.4 Means of Egress Illumination**

Emergency power shall be provided for *means of egress* illumination in accordance with Section 1006.3. (90 minutes)

#### **604.2.9 Membrane Structures**

Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6.1. Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with the *International Building Code*. (4 hours)

#### **604.2.19 Smoke proof Enclosures and Stair Pressurization Alternative**

Standby power shall be provided for smoke proof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the International Building Code, Section 909.20.6.2.

#### **604.2.20 Elevator Pressurization**

Standby power shall be provided for elevator pressurization system as required by the International Building Code, Section 909.21.5.

#### **604.2.21 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.

#### **604.2.22 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 504.8, item 7.

#### **604.2.23 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.

#### **604.2.24 Means of Egress Illumination in Existing Buildings**

Emergency power shall be provided for means of egress illumination in accordance with Section 1104.5 and 1104.5.1 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

### **604.7 Energy Time Duration**

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.

## **CHAPTER 7. FIRE-RESISTANCE-RATED-CONSTRUCTION**

### **704 Floor Openings and Shafts**

#### **704.1 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 46. New floor openings in existing buildings shall comply with the International Code. as required in Chapter 11. New floor openings in existing buildings shall comply with the *International Building Code*.

## **CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS**

### **807 Decorative Materials other than Decorative Vegetation in new and Existing Buildings**

#### **807.4 Occupancy Based Requirements**

##### **807.4.3 Group E**

##### **807.4.3.2 Artwork**

Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area and on the walls of classrooms to not more than 50 percent of each wall area. Such material 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 ceiling 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.

##### **807.4.4 Group I-4, Day Care Facilities**

##### **807.4.4.2 Artwork**

Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area and on the walls of classrooms to not more than 50 percent of each wall area. Such material 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 ceiling 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.

## **CHAPTER 9 FIRE PROTECTION SYSTEMS**

### **901 General**

#### **901.4 Installation**

##### **901.4.6 Pump and Riser Room Size**

###### **901.4.6.1 Automatic Fire Sprinkler Control Room (Riser Rooms)**

Riser rooms shall be used for the purpose of fire suppression, fire alarm and control systems only. The following are prohibited equipment and/or facilities in a riser room: mop sinks, roof access, electrical equipment and all storage.

###### **901.4.6.2 Riser Room Size**

Riser rooms shall be so constructed to a size that facilitates maintenance and where fire operations can be performed. Minimum riser room size for a “shotgun” riser is 6 feet by 6 feet.

###### **901.4.6.3 Lighting**

Riser rooms shall be provided with an emergency light.

###### **901.4.6.4 Temperature of Riser Room**

Riser rooms shall be provided with a suitable means for maintaining the temperature above 40 degrees Fahrenheit (5 degrees Celsius).

###### **901.4.6.5 Riser Room Access**

All Riser rooms shall be directly and only accessible from the exterior of the structure. All new and existing riser rooms shall be identified in accordance to the Fire Marshal’s Office’s Procedures and Specification Guide.

#### **901.6 Inspection, Testing and Maintenance**

##### **901.6.1 Standards**

###### **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:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be 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 type of standpipe systems.
2. For any manual (wet or dry) 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 are 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 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 Tag 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 or 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 request 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.

### **901.7 Systems of Service**

Where a required *fire protection system* is out of service or in the event of an excessive number of 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 shutdown until the *fire protection system* has been returned to service.

Where utilized, fire watches shall be provided with at least one *approved* means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

### **901.11 Discontinuation or Change of Service**

Notice shall be made to the fire code official whenever contracted alarm services for monitoring of any fire alarm system is terminated for any reason, or a change in alarm monitoring provider occurs. Notice shall be made in writing to the fire code official by the building owner and alarm service provider prior to the service being terminated.

## **903 Automatic Fire Sprinkler Systems**

### **903.1 General**

#### **903.1.1 Alternative Protection**

Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to lieu of automatic sprinkler protection where recognized by the applicable standard and *approved* by the ~~fire~~ *code official*.

### **903.2 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 door to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

~~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.~~

~~**Exception:** Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1 hour *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or not less than 2 hour *horizontal assemblies* constructed in accordance with Section 711 of the *International Building Code*, or both.~~

#### **903.2.9 Group S-1**

##### **903.2.9.3 Self-Service Storage Facility**

An automatic sprinkler system shall be installed throughout all self-service storage facilities.

A screen shall be installed at eighteen (18") inches below the level of the sprinkler heads to restrict storage above that level. This screen shall be a mesh of not less than one (1) inch not

greater than six (6") inches in size. This screen and its supports shall be installed such that all elements are at least eighteen (18") inches below any sprinkler head.

Exception: One-story self-service storage facilities that have no interior corridors, with a one-hour fire barrier separation wall installed between every storage compartment.

### **903.2.11 Specific Building Areas and Hazards**

#### **903.2.11.3 Non-Residential Buildings 35 Feet or More in Height**

An automatic sprinkler system shall be installed throughout non-residential buildings with a floor level, other than penthouses in compliance with Section 1509 of the International Building Code having an occupant load of 30 or more that is located 35 55 feet (10,668 mm) (16 764 mm) or more above the lowest level of fire department vehicle access.

#### **Exceptions:**

1. Airport control towers.
2. Open parking structures in compliance with Section 406.5 of the International Building Code.
3. Occupancies in Group F-2.

#### **903.2.11.7 High-Piled Combustible Storage**

For any building with a clear height exceeding 12 feet (4572mm), see Chapter 32 to determine if those provisions apply.

#### **903.2.11.8 Spray Booths and Rooms**

New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system.

#### **903.2.11.9 Non-Single Family Residential Buildings over 5,000 sq. ft.**

An automatic fire sprinkler system shall be installed throughout all non-single family residential buildings with a building area 5,000 sq. ft. or greater, in all existing buildings that are enlarged to be 5,000 sq. ft. or greater, and in all existing buildings that the cumulative remodel over any period of time that is equal to or greater than 5,000 sq. ft.. 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*.

### 903.3 Installation Requirements

#### 903.3.1 Standards

##### 903.3.1.1 NFPA 13 Sprinkler Systems

###### 903.3.1.1.1 Exempt Locations

Where 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 any 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 fire code official*.
3. Generator and transformer rooms 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.~~
5. ~~Fire service access elevator machine rooms and machinery spaces.~~
6. Elevator machine rooms, and machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstance. ~~associated with occupant evacuation elevators designed in accordance with Section 3008 of the *International Building Code*.~~

###### 903.3.1.2 NFPA 13R Sprinkler Systems

###### 903.3.1.2.2 Attics, Open Breezeways, and Attached Garages.

Sprinkler protection is required in attic spaces of such buildings two or more stories in height, open breezeways, and attached garages.

###### 903.3.1.3 NFPA 13D Sprinkler Systems

Where allowed, automatic sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 ~~congregate living facilities~~ and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

#### 903.3.5 Water Supplies

Water supplies for *automatic sprinkler systems* shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the *International Plumbing Code*.

~~Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor.~~

### **903.3.7 Fire Department Connections**

The location of fire department connections shall be *approved* by the *fire code official* and shall be remote from the building (outside of the collapse zone), placed adjacent to the primary fire lane access for the building served and signed in accordance with the Fire Marshal's Office's Procedures and Specification Guide.

FDC shall be five-inch (5") Storz connection with a 30-45 degree down elbow with chained cap. Traditional 2-way Siamese connection with caps may be used when approved by the Fire Department.

Where the FDC is serving more than 500 GPM the building shall be provided with one 5-inch Storz connection and one 2-way Siamese connection.

### **903.4 Sprinkler System Supervision and Alarms**

All valves controlling the water supply for *automatic sprinkler systems*, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a *listed* fire alarm control unit.

#### **Exceptions:**

1. *Automatic sprinkler systems* protecting one- and two-family *dwellings*.
2. Limited area systems serving fewer than 20 sprinklers.
3. *Automatic sprinkler systems* installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the *automatic sprinkler system*, and a separate shutoff valve for the *automatic sprinkler system* is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

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.

### 903.4.2 Alarms

An approved audible device, located on the exterior of the building in an *approved* location, shall be connected to each *automatic sprinkler system*. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the *automatic sprinkler system* shall actuate the building fire alarm system.

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

## 904 Alternative Automatic Fire Extinguishing Systems

### 904.11 Commercial Cooking Systems

#### 904.11.6 Operations and Maintenance

##### 903.11.6.4 Nozzle Caps

All new and existing automatic hood suppression systems shall use metal caps on nozzles that are located between the cooking surface and hood filters.

## 905 Standpipe Systems

### 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 minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

### 905.3 Required Installations

#### 905.3.8 Building Area

In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet (60,960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

Exception: Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.

### 905.4 Location of Class I Standpipe Hose Connections

Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required *stairway*, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at an intermediate floor level landing between floors, unless otherwise *approved* by the *fire code official*.
2. On each side of the wall adjacent to the *exit* opening of a horizontal *exit*.

**Exception:** Where floor areas adjacent to a horizontal *exit* are reachable from *exit stairway* hose connections by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the horizontal *exit*

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 *exit stairway* hose connections by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an *exit* passageway or *exit corridor* to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.
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 a stairway with stair access to the roof provided in accordance with Section 1009.16. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.
6. Where the most remote portion of a nonsprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the *fire code official* is authorized to require that additional hose connections be provided in *approved* locations.
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 or as required by the code official.

### 905.9 Valve Supervision

Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

#### Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.
2. Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system.

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 and not more than 90 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.

## 907 Fire Alarm and Detection Systems

### 907.1 General

#### 907.1.4 Design Standards

All alarm systems new or replacement shall be analog addressable unless approved by the fire code official.

#### **Exception:**

Existing systems need not comply unless the total building remodel or expansion exceeds 30% of the building or cumulative building remodel or expansion exceeds 50% of the original construction of the building.

### 907.2 Where Required – New Buildings and Structures

#### 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 occupant load due to the assembly occupancy is~~ 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 707.3.9 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.

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.

**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

#### 907.2.3 Group E

A manual fire alarm system that activates the occupant notification system ~~initiates the occupant notification signal utilizing an emergency voice/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 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' of 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. A manual fire alarm system is not required in Group E educational and day care occupancies with an *occupant load* of ~~30 or~~ less 30 when provided with an approved automatic sprinkler system.
  - a. 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 ½ or less years of age, see Section 907.2.6.).
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
  - a. Interior *corridors* are protected by smoke detectors.
  - b. Auditoriums, cafeterias, gymnasiums and similar areas are protected by *heat detectors* or other *approved* detection devices.
  - c. Shops and laboratories involving dusts or vapors are protected by *heat detectors* or other *approved* detection devices.
3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, the emergency voice/alarm communication system will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

**907.2.3.1 Manual Fire Alarm Box Tamper Covers**

Where pull stations are installed a tamper cover with a local audible alarm shall be installed.

**907.2.6 Group I**

**907.2.6.4 Manual Fire Alarm Box Tamper Covers**

Where pull stations are installed a tamper cover with a local audible alarm shall be installed.

**907.2.13 High-Rise Buildings**

High-rise buildings shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

**Exceptions:**

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the *International Building Code*.
2. Open parking garages in accordance with Section 406.5 of the *International Building Code*.
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.

4. Low-hazard special occupancies in accordance with Section 503.1.1 of the *International Building Code*.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the *International Building Code*.
6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and occupant notification shall be broadcast by the emergency voice/alarm communication system.

## **907.5 Occupant Notification Systems**

### **907.5.2 Alarm Notification Appliances**

#### **907.5.2.6 Type**

Manual alarm actuating devices shall be an approved double action type.

#### **907.5.3 Sound System Shunt**

Where a fire alarm is installed, any circuit in which a sound system is installed for the purpose of projecting voice (other than emergency voice communication systems), music, or other sound shall be provided with a shunt mechanism to disable the circuit eliminating any potential conflict of the audible notification devices of the alarm system.

#### **907.5.4 Signal Transmission**

All signal transmissions from the protected facilities to the central station monitoring facility shall comply with NFPA 72 26.6.3.2.1.4; where referring to "one telephone-line" shall mean a hard-wired telephone line on a public switched telephone network (PSTN).

## **907.6 Installation**

### **907.6.5 Monitoring**

#### **907.6.5.3 Communications Requirements**

All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station as defined by NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.

#### **907.10 Password Protection Prohibited**

No fire alarm system shall be protected by a password or pin number that would hinder immediate silencing capabilities by the fire department.

### 907.11 Occupant Reset

Once an alarm is initiated and fire department is contacted, no person shall silence or reset an alarm prior to fire department arrival.

## 910 Smoke and Heat Removal

### 910.1 General

Where required by this code or otherwise installed, smoke and heat vents or mechanical smoke exhaust systems and draft curtains shall conform to the requirements of this section.

#### Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an *approved automatic sprinkler system*.
2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, only manual smoke and heat vents manually activated engineered mechanical smoke exhaust systems shall be required with these areas. Automatic smoke and heat vents are prohibited. ~~shall not be required within these areas.~~

### 910.2 Where Required

#### 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 (1394m<sup>2</sup>) 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.

**910.3 Design and Installation**

**Table 910.3 Requirements for Draft Curtains and Smoke and Heat Vents<sup>a</sup>**

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (feet)	MINIMUM DRAFT CURTAIN DEPTH (feet)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet)	VENT-AREA TO FLOOR AREA RATIO <sup>c</sup>	MAXIMUM SPACING OF VENT CENTERS (feet)	MAXIMUM DISTANCE FROM VENTS TO WALL OR DRAFT CURTAIN <sup>b</sup> (feet)
Group H <sub>2</sub> , F-1 and S-1	—	0.2 × H <sup>d</sup> but ≥ 4	50,000	1:100	120	60
High-piled storage (see Section 910.2.2) Class I-IV Commodities (Option 1)	≤ 20	6	10,000	1:100	100	60
	> 20 ≤ 40	6	8,000	1:75	100	55
High-piled storage (see Section 910.2.2) Class I-IV Commodities (Option 2)	≤ 20	4	3,000	1:75	100	55
	> 20 ≤ 40	4	3,000	1:50	100	50
High-piled storage (see Section 910.2.2) High-hazard Commodities (Option 1)	≤ 20	6	6,000	1:50	100	50
	> 20 ≤ 30	6	6,000	1:40	90	45
High-piled storage (see Section 910.2.2) High-hazard Commodities (Option 2)	≤ 20	4	4,000	1:50	100	50
	> 20 ≤ 30	4	2,000	1:30	75	40

**910.3.1 Design**

Smoke and heat vents shall be *listed* and *labeled* to indicate compliance with UL793.

### **910.3.2 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 91.3.2.3.

#### **910.3.2.1 Gravity-Operated Drop Out Vents**

Automatic smoke and heat vents containing heat-sensitive glazing designed to shrink and drop out of the vent opening when exposed to fire shall fully open within 5 minutes after the vent cavity is exposed to a simulated fire represented by a time-temperature gradient that reaches an air temperature of 500°F (260°C) within 5 minutes.

#### **910.3.2.2 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°F (approximately 38°) greater than the temperature rating of the sprinklers installed.

#### **910.3.2.3 Non-Sprinklered 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:**

Gravity operated drop out vents complying with Section 910.3.2.1.

### **910.3.3 Vent Dimensions**

The effective venting area shall not be less than 16 square feet (1.5 m<sup>2</sup>) with no dimension less than 4 feet (1219 mm), excluding ribs or gutters having a total width of not exceeding 6 inches (152 mm).

## **912 Fire Department Connections**

### **912.2 Location**

With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be *approved* by the fire chief.

Fire department connections shall be remote (outside of the collapse zone) from the building and placed adjacent to the primary fire lane access for the building served.

### **912.2.2 Existing Buildings**

Existing buildings shall have the fire department connection identified by an approved sign in accordance with the Fire Marshal's Office's Procedures and Specification Guide.

~~On existing buildings, wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" at least 6 inches (152 mm) high and words in letters at least 2 inches (51 mm) high or an arrow to indicate the location. All such signs shall be subject to the approval of the *fire code official*.~~

### **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.

### **912.4 Signs**

A sign shall be provided in accordance to the Fire Marshal's Office's Procedures and Specification Guide and shall be approved by the fire code official. The sign shall be mounted in an approved location and manner on all fire department connections serving automatic sprinklers, standpipes, or fire pump connections; or where required by the fire code official. Where the fire department connection does not serve the entire building, a sign shall be provided indicating the portion(s) of the building served.

~~A metal sign with raised letters at least 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable. Where the fire department connection does not serve the entire building, a sign shall be provided indicating the portions of the building served.~~

## **913 Fire Pumps**

### **913.1 General**

Where provided, fire pumps shall be installed in accordance with this section and NFPA 20.

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. 8in. 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 pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required in Section 506.1.

## CHAPTER 10. MEANS OF EGRESS

### 1007 Accessible Means of Egress

#### 1007.1 Accessible Means of Egress Required

*Accessible means of egress* shall comply with this section. *Accessible* spaces shall be provided with not less than one *accessible means of egress*. Where more than one *means of egress* are required by Section 1015.1 or 1021.1 from any *accessible* space, each *accessible* portion of the space shall be served by not less than two *accessible means of egress*.

#### Exceptions:

1. *Accessible means of egress* are not required in alterations to existing buildings.
2. One *accessible means of egress* is required from an *accessible mezzanine* level in accordance with Section 1007.3, 1007.4 or 1007.5.
3. In assembly areas with sloped or stepped *aisles*, one *accessible means of egress* is permitted where the common path of travel is *accessible* and meets the requirements in Section 1028.8.
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 1007.

#### 1007.5 Platform Lifts

Platform (wheelchair) lifts shall not serve as part of an accessible *means of egress*, except where allowed as part of a required accessible route in Section 1109.8, Items 1 through 10 ~~Section 1109.7, Items 1 through 9~~, of the *International Building Code*. Standby power shall be provided in accordance with Section 604.2.6 for platform lifts permitted to serve as part of a *means of egress*.

### 1008 Doors, Gates and Turnstiles

#### 1008.1 Doors

##### 1008.1.9 Door Operations

##### 1008.1.9.4 Bolt Locks

Manually operated flush bolts or surface bolts are not permitted.

#### Exceptions:

1. On doors not required for egress in individual dwelling units or sleeping units.
2. Where a pair of doors serves a storage or equipment room, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf.
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 contain no doorknobs, panic bars or similar operating hardware.

4. Where a pair of doors serves a Group 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 width requirements and the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.
5. Where a pair of doors serves patient care rooms in Group I-2 occupancies, self-latching edge- or surface-mounted bolts are permitted on the inactive leaf provided that the inactive leaf is not needed to meet egress width requirements and the inactive leaf contains no doorknobs, panic bars or similar operating hardware.

#### **1008.1.9.9 Electromagnetically Locked Egress Doors**

Doors in the *means of egress* that are not otherwise required to have panic hardware in buildings with an occupancy in Group A, B, E, M, R-1 or R-2, and doors to tenant spaces in Group A, B, E, M, R-1 or R-2, shall be permitted to be electromagnetically locked if equipped with listed hardware that incorporates a built-in switch and meet the requirements below:

1. The listed hardware that is affixed to the door leaf has an obvious method of operation that is readily operated under all lighting conditions.
2. The listed hardware is capable of being operated with one hand.
3. Operation of the *listed* hardware directly interrupts the power to the electromagnetic lock and unlocks the door immediately.
4. Loss of power to the listed hardware automatically unlocks the door.
5. Where panic or *fire exit hardware* is required by Section 1008.1.10, operation of the *listed* panic or *fire exit hardware* also releases the electromagnetic lock.

#### **1015 Exit and Exit Access Doorways**

##### **1015.1 Exit or Exit Access Doorways from Spaces**

##### **1015.1.2 All Exits and Exit Access Doorways**

All exits and exit access doorways shall be designed as though they are required exits.

##### **1015.7 Electrical Rooms**

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

#### **1016 Exit Access and Travel Distance**

##### **1016.2 Limitations**

##### **1016.2.2 Group F-1 and S-1 Increase**

The maximum exit access travel distance shall be 400 feet (122 m) in Group F-1 and S-1 occupancies where all of the following are met:

1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height;

2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7315 mm); and
3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

## 1018 Corridors

### 1018.1 Construction

*Corridors* shall be fire-resistance rated in accordance with Table 1018.1. The *corridor* walls required to be fire-resistance rated shall comply with Section 708 of the *International Building Code* for *fire partitions*.

#### Exceptions:

1. A *fire-resistance rating* is not required for *corridors* in an occupancy in Group E where each room that is used for instruction has at least one door opening directly to the exterior and rooms for assembly purposes have at least one-half of the required *means of egress* doors opening directly to the exterior. Exterior doors specified in this exception are required to be at ground level.
2. A *fire-resistance rating* is not required for *corridors* contained within a *dwelling or sleeping unit* in an occupancy in Group R.
3. A *fire-resistance rating* is not required for *corridors* in *open parking garages*.
4. A *fire-resistance rating* is not required for *corridors* in an occupancy in Group B which is a space requiring only a single *means of egress* complying with Section 1015.1.
5. *Corridors* adjacent to the exterior walls of buildings shall be permitted to have unprotected openings on unrated exterior walls where unrated walls are permitted by Table 602 of the *International Building Code* and unprotected openings are permitted by Table 705.8 of the *International Building Code*.
6. In Group B office buildings, corridor walls and ceilings within single tenant spaces need not be of fire-resistive construction when the tenant space corridor is provided with system smoke detectors tied to an approved automatic fire alarm. The actuation of any detector shall activate alarms audible in all areas served by the corridor.

### 1018.6 Corridor Continuity

~~Fire-resistance-rated~~ All *corridors* shall be continuous from the point of entry to an *exit*, and shall not be interrupted by intervening rooms. Where the path of egress travel within a fire-resistance-rated *corridor* to the *exit* includes travel along unenclosed *exit access stairways* or ramps, the *fire resistance-rating* shall be continuous for the length of the *stairway* or *ramp* and for the length of the connecting *corridor* on the adjacent floor leading to the *exit*.

## 1026 Exterior Exit Stairways and Ramps

### 1026.6 Exterior Stairway and Ramp Protection

*Exterior exit stairways and ramps* shall be separated from the interior of the building as required in Section 1022.7. Openings shall be limited to those necessary for egress from normally occupied spaces.

#### Exceptions:

1. Separation from the interior of the building is not required for occupancies, other than those in Group R-1 or R-2, in buildings that are no more than two stories above grade plane where a *level of exit discharge* serving such occupancies is the *first story above grade plane*.
2. Separation from the interior of the building is not required where the *exterior stairway or ramp* is served by an *exterior ramp* or balcony that connects two remote *exterior stairways* or other approved *exits* with a perimeter that is not less than 50 percent open. To be considered open, the opening shall be a minimum of 50 percent of the height of the enclosing wall, with the top of the openings no less than 7 feet (2134 mm) above the top of the balcony.
3. Separation from the interior of the building is not required for an *exterior stairway or ramp* located in a building or structure that is permitted to have unenclosed exit access stairways in accordance with Section 1009.3.
4. Separation from the open-ended corridors of the building interior of the building is not required for *exterior stairways or ramps* connected to open-ended corridors, provided that Items 4.1 through 4.5 are met:
  - 4.1. The building, including *corridors, stairways or ramps*, shall be equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2.
  - 4.2. The open-ended *corridors* comply with Section 1018.
  - 4.3. The open-ended *corridors* are connected on each end to an *exterior exit ramp or stairway* complying with Section 1026.
  - 4.4. The exterior walls and openings adjacent to the *exterior exit stairway or ramp* comply with Section 1022.7.
  - 4.5. At any location in an open-ended *corridor* where a change of direction exceeding 45 degrees (0.79 rad) occurs, a clear opening of not less than 35 square feet (3.3 m<sup>2</sup>) or an *exterior stairway or ramp* shall be provided. Where clear openings are provided, they shall be located so as to minimize the accumulation of smoke or toxic gases.

## 1029 Emergency Escape and Rescue

### 1029.1 General

In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R and I-1 ~~Group R-2~~ occupancies in accordance with Tables 1021.2(1) and 1021.2(2) and Group R-3 occupancies. *Basements* and sleeping rooms below the *fourth story above grade plane* shall have at least one exterior *emergency escape and rescue opening* in accordance with this section. Where *basements* contain one or more sleeping rooms, *emergency escape and rescue openings* shall be required in each sleeping room, but shall not be

required in adjoining areas of the *basement*. Such openings shall open directly into a *public way* or to a *yard* or *court* that opens to a *public way*.

**Exceptions:**

1. *Basements* with a ceiling height of less than 80 inches (2032 mm) shall not be required to have *emergency escape and rescue openings*.
2. *Emergency escape and rescue openings* are not required from *basements* or sleeping rooms that have an *exit* door or *exit access* door that opens directly into a *public way* or to a *yard*, *court* or exterior exit balcony that opens to a *public way*.
3. *Basements* without habitable spaces and having no more than 200 square feet (18.6 m<sup>2</sup>) in floor area shall not be required to have *emergency escape and rescue openings*.
4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Sections 903.3.1.1 or 903.3.1.2.

**1030 Maintenance of the Means of Egress**

**1030.2 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. ~~when the building area served by the means of egress is occupied.~~ An *exit* or *exit passageway* shall not be used for any purpose that interferes with a *means of egress*.

**CHAPTER 11. CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS**

**1103 Fire Safety Requirements for Existing Buildings**

**1103.3 Elevator Operation**

Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. Provide emergency signage as required by Section 607.2

**CHAPTER 23. MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES**

**2304 Dispensing Operations**

**2304.1 Supervision of Dispensing**

The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following: ~~conducted by a qualified attendant or shall be under the supervision of a qualified attendant at all times or shall be in accordance with Section 2304.3.~~

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 is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2304.3.

## CHAPTER 24. FLAMMABLE FINISHES

### 2401 General

#### **2401.2 Nonapplicability**

~~This chapter shall not apply to spray finishing utilizing flammable or *combustible liquids* which do not sustain combustion, including:~~

- ~~1. Liquids that have no fire point when tested in accordance with ASTM D 92.~~
- ~~2. Liquids with a flashpoint greater than 95°F (35°C) in a water miscible solution or dispersion with a water and inert (noncombustible) solids content of more than 80 percent by weight.~~

## CHAPTER 32. HIGH-PILED COMBUSTIBLE STORAGE

### 3204 Designation of High-Piled Storage Areas

Any building exceeding 5,000 square feet that has a clear height in excess of 12 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a fire protection system shall be installed as for Class IV commodities, to the maximum pile height.

### 3206 General Fire Protection and Life Safety Features

#### **Table 3206.2 General Fire Protection and Life Safety Features**

[No changes to table, amend footnotes to Table 3206.2]

For SI: 1 foot = 304.8 mm, 1 cubic foot = 0.02832 m<sup>3</sup>, 1 square foot = 0.0929 m<sup>2</sup>.

- a. When automatic sprinklers are required for reasons other than those in Chapter 32, the portion of the sprinkler system protecting the high-piled storage area shall be designed and installed in accordance with Sections 3207 and 3208.
- b. For aisles, see Section 3206.9.
- c. Piles shall be separated by aisles complying with Section 3206.9.
- d. For storage in excess of the height indicated, special fire protection shall be provided in accordance with Note g when required by the fire code official. See also Chapters 51 and 57 for special limitations for aerosols and flammable and combustible liquids, respectively.
- e. Section 503 shall apply for fire apparatus access.
- f. For storage exceeding 30 feet in height, Option 1 shall be used.
- g. Special fire protection provisions including, but not limited to, fire protection of exposed steel columns; increased sprinkler density; additional in-rack sprinklers, without associated reductions in

ceiling sprinkler density; or additional fire department hose connections shall be provided when required by the fire code official.

h. High-piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with Section 706 the *International Building Code* shall be used to divide high-piled storage exceeding 500,000 square feet in area.

i. Not required when an automatic fire-extinguishing system is designed and installed to protect the high-piled storage area in accordance with Sections 3207 and 3208.

j. ~~Not required when storage~~ Where areas of buildings are equipped are protected by early suppression fast response (ESFR) sprinklers, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas. ~~systems installed in accordance with NFPA 13.~~

## CHAPTER 33. FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

### 3310 Access for Fire Fighting

#### 3310.1 Required Access

*Approved* vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

When fire apparatus access roads are required to be installed for any structure or development, they shall be approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

## CHAPTER 50. HAZARDOUS MATERIALS-GENERAL PROVISIONS

### 5006 Hazardous Materials Route

#### 5006.1 General

Through vehicles carrying materials determined to be hazardous by the United States Department of Transportation are prohibited from transporting such materials over and upon public streets and thoroughfares of the Town of Lakewood Village except upon a designated Hazardous Materials Route.

## CHAPTER 56. EXPLOSIVES AND FIREWORKS

### 5601 General

#### 5601.1 Scope

##### 5601.1.3 Fireworks

The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

#### Exceptions:

- ~~1. Only when approved fireworks displays, storage and handling are allowed in Section 5604 and 5608, Storage and handling of fireworks as allowed in Section 5604.~~
- ~~2. The use of fireworks for approved fireworks displays allowed in Section 5608. Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~
- ~~3. The use of fireworks for fireworks displays as allowed in Section 5608.~~
- ~~4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, for consumer fireworks.~~

##### 5601.1.3.1 Fireworks a Public Nuisance.

The presence or use of any firework within the jurisdiction of the Town of Lakewood Village in violation of this ordinance is hereby declared to be a misdemeanor as well as a common and public nuisance.

##### 5601.3 Prohibited Explosives

Storage of explosive material and blasting agents are prohibited within the incorporated limits of the Town of Lakewood Village.

~~Permits shall not be issued or renewed for possession, manufacture, storage, handling, sale or use of the following materials and such materials currently in storage or use shall be disposed of in an approved manner.~~

- ~~1. Liquid nitroglycerin.~~
- ~~2. Dynamite containing more than 60 percent liquid explosive ingredient.~~
- ~~3. Dynamite having an unsatisfactory absorbent or one that permits leakage of a liquid explosive ingredient under any conditions liable to exist during storage.~~
- ~~4. Nitrocellulose in a dry and uncompressed condition in a quantity greater than 10 pounds (4.54 kg) of net weight in one package.~~
- ~~5. Fulminate of mercury in a dry condition and fulminate of all other metals in any condition except as a component of manufactured articles not hereinafter forbidden.~~
- ~~6. Explosive compositions that ignite spontaneously or undergo marked decomposition, rendering the products of their use more hazardous, when subjected for 48 consecutive hours or less to a temperature of 167°F (75°C).~~

- ~~7. New explosive materials until approved by DOTn, except that permits are allowed to be issued to educational, governmental or industrial laboratories for instructional or research purposes.~~
- ~~8. Explosive materials condemned by DOTn.~~
- ~~9. Explosive materials containing an ammonium salt and a chlorate.~~
- ~~10. Explosives not packed or marked as required by DOTn 49 CFR Parts 100-185.~~

**Exception:** Gelatin dynamite.

## CHAPTER 57. FLAMMABLE AND COMBUSTIBLE LIQUIDS

### 5703 General Requirements

#### 5703.6 Piping System

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.

### 5704 Storage

#### 5704.2 Tank Storage

##### 5704.2.9 Above Ground Tanks

##### 5704.2.9.5 Above-Ground Tanks Inside of Buildings

Above-ground tanks inside of buildings shall comply with Sections 5704.2.9.5.1 through and 5704.2.9.5.3. ~~5704.2.9.5.2.~~

##### 5704.2.9.5.3 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.

## **5704.2.11 Underground Tanks**

### **5704.2.11.5 Leak Prevention**

Leak prevention for underground tanks shall comply with Sections 5704.2.11.5.1 through and 5704.2.11.5.3. 5704.2.11.5.2. An approved method of secondary containment shall be provide for underground tank and piping systems.

#### **5704.2.11.5.3 Observation Wells**

Approved sampling tubes of a minimum 6 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.

## **5706 Special Operations**

### **5706.5 Bulk Transfer and Process Transfer Operations**

#### **5706.5.4 Dispensing from Tank Vehicles and Tank Cars**

##### **5706.5.4.5 Commercial, Industrial, Governmental or Manufacturing**

Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted, provided such dispensing operations are conducted in accordance with Sections 5706.5.4.5.1 through 5706.5.4.5.3.

~~Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted, provided such dispensing operations are conducted in accordance with the following:~~

- ~~1. Dispensing shall occur only at sites that have been issued a permit to conduct mobile fueling.~~
- ~~2. The *owner* of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill and carry out appropriate mitigation measures, and describes the process to dispose properly of contaminated materials.~~
- ~~3. A detailed site plan shall be submitted with each application for a permit. The site plan shall indicate: all buildings, structures and appurtenances on site and their use or function; all uses adjacent to the lot lines of the site; the locations of all storm drain openings, adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and the scale of the site plan.~~

- ~~Provisions shall be made to prevent liquids spilled during dispensing operations from flowing into buildings or off site. Acceptable methods include, but shall not be limited to, grading driveways, raising doorsills or other *approved* means.~~
- ~~4. The *fire code official* is allowed to impose limits on the times and days during which mobile fueling operations is allowed to take place, and specific locations on a site where fueling is permitted.~~
  - ~~5. Mobile fueling operations shall be conducted in areas not accessible to the public or shall be limited to times when the public is not present.~~
  - ~~6. Mobile fueling shall not take place within 15 feet (4572 mm) of buildings, property lines, combustible storage or storm drains.~~

**Exceptions:**

- ~~1. The distance to storm drains shall not apply where an *approved* storm drain cover or an *approved* equivalent that will prevent any fuel from reaching the drain is in place prior to fueling or a fueling hose being placed within 15 feet (4572 mm) of the drain. Where placement of a storm drain cover will cause the accumulation of excessive water or difficulty in conducting the fueling, such cover shall not be used and the fueling shall not take place within 15 feet (4572 mm) of a drain.~~
- ~~2. The distance to storm drains shall not apply for drains that direct influent to *approved* oil interceptors.~~
- ~~7. The tank vehicle shall comply with the requirements of NFPA 385 and local, state and federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.~~
- ~~8. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the tank vehicle or the point of fueling shall be prominently posted on three sides of the vehicle including the back and both sides.~~
- ~~9. A portable fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.~~
- ~~10. The dispensing nozzles and hoses shall be of an *approved* and *listed* type.~~
- ~~11. The dispensing hose shall not be extended from the reel more than 100 feet (30 480 mm) in length.~~
- ~~12. Absorbent materials, nonwater absorbent pads, a 10 foot long (3048 mm) containment boom, an *approved* container with lid and a nonmetallic shovel shall be provided to mitigate a minimum 5-gallon (19 L) fuel spill.~~
- ~~13. Tank vehicles shall be equipped with a "fuel limit" switch such as a count-back switch, to limit the amount of a single fueling operation to a maximum of 500 gallons (1893 L) before resetting the limit switch.~~

~~**Exception:** Tank vehicles where the operator carries and can utilize a remote emergency shutoff device which, when activated, immediately causes flow of fuel from the tank vehicle to cease.~~

- ~~14. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill. Training records shall be maintained by the dispensing company and shall be made available to the *fire code official* upon request.~~
- ~~15. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.~~
- ~~16. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.~~
- ~~17. Fuel dispensing shall be prohibited within 25 feet (7620 mm) of any source of ignition.~~
- ~~18. The engines of vehicles being fueled shall be shut off during dispensing operations.~~
- ~~19. Nighttime fueling operations shall only take place in adequately lighted areas.~~
- ~~20. The tank vehicle shall be positioned with respect to vehicles being fueled to prevent traffic from driving over the delivery hose.~~
- ~~21. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.~~
- ~~22. Motor vehicle fuel tanks shall not be topped off.~~
- ~~23. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the tank vehicle.~~
- ~~24. The *fire code official* and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.~~
- ~~25. Operators shall place a drip pan or an absorbent pillow under each fuel fill opening prior to and during dispensing operations. Drip pans shall be liquid tight. The pan or absorbent pillow shall have a capacity of not less than 3 gallons (11.36 L). Spills retained in the drip pan or absorbent pillow need not be reported. Operators, when fueling, shall have on their person an absorbent pad capable of capturing diesel fuel overfills. Except during fueling, the nozzle shall face upward and an absorbent pad shall be kept under the nozzle to catch drips. Contaminated absorbent pads or pillows shall be disposed of regularly in accordance with local, state and federal requirements.~~

#### **5706.5.4.5.1 Site Requirements**

1. Dispensing may occur at sites that have been permitted to conduct mobile fueling.
2. A detailed site plan shall be submitted with each application for a permit. The site plan must indicate:
  - a. all buildings, structures, and appurtenances on site and their use or function;
  - b. all uses adjacent to the property lines of the site;
  - c. the locations of all storm drain openings, adjacent waterways or wetlands;
  - d. information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and,
  - e. The scale of the site plan.
3. The Fire Code Official is authorized to impose limits upon: the times and/or days during which mobile fueling operations are allowed to take place and specific locations on a site where fueling is permitted.
4. Mobile fueling operations shall be conducted in areas not generally accessible to the public.

5. Mobile fueling shall not take place within 15 feet (4.572 m) of buildings, property lines, or combustible storage.

#### **5706.5.4.5.2 Refueling Operator Requirements**

1. The owner of a mobile fueling operations shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill, carry out appropriate mitigation measures, and to indicate its process to properly dispose of contaminated materials when circumstances require.
2. The tank vehicle shall comply with the requirements of NFPA 385 and Local, State and Federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.
3. Signs prohibiting smoking or open flames within 25 feet (7.62 m) of the tank vehicle or the point of fueling shall be prominently posted on 3 sides of the vehicle including the back and both sides.
4. A fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.
5. The dispensing nozzles and hoses shall be of an approved and listed type.
6. The dispensing hose shall not be extended from the reel more than 100 feet (30.48m) in length.
7. Absorbent materials, non-water absorbent pads, a 10 foot (3.048 m) long containment boom, an approved container with lid, and a non-metallic shovel shall be provided to mitigate a minimum 5-gallon fuel spill.
8. Tanker vehicles shall be equipped with a fuel limit switch such as a count-back switch, limiting the amount of a single fueling operation to a maximum of 500 gallons (1893 L) between resetting of the limit switch. Exception: Tankers utilizing remote emergency shut-off device capability where the operator constantly carries the shut-off device which, when activated, immediately causes flow of fuel from the tanker to cease.
9. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak, or spill. Training records shall be maintained by the dispensing company and shall be made available to the fire code official upon request.
10. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.

#### **5706.5.4.5.3 Operations Requirements**

1. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
2. Prior to beginning dispensing operations, precautions shall be taken to assure ignition sources are not present.
3. The engines of vehicles being fueled shall be shut off during dispensing operations.
4. Night time fueling operations shall only take place in adequately lighted areas.

5. The tank vehicle shall be positioned with respect to vehicles being fueled so as to preclude traffic from driving over the delivery hose and between the tank vehicle and the motor vehicle being fueled.
6. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.
7. Motor vehicle fuel tanks shall not be topped off.
8. The dispensing hose shall be properly placed on an approved reel or in an approved compartment prior to moving the tank vehicle.
9. The Code Official and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.

## CHAPTER 61. LIQUEFIED PETROLEUM GASES

### 6103 Installation of Equipment

#### 6103.2 Use of LP-Gas Containers in Buildings

##### 6103.2.1 Portable Containers

##### 6103.2.1.8 Jewelry Repair, Dental Labs and Similar Occupancies

Where natural gas service is not available and where approved by the fire code official, 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.

### 6104 Location of LP-Gas Containers

#### 6104.2 Maximum Capacity within Established Limits

Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) (see Section 3 of the Sample Legislation for Adoption of the *International Fire Code* on page xxi).

#### Exception:

1. In particular installations, this capacity limit shall be determined by the *fire code official*, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.
2. Except as permitted in 308 and 6104.3.2, LP-gas containers are not permitted in residential areas.

### **6104.3 Container Location**

#### **6104.3.2 Spas, Pool Heaters and other Listed Devices**

Where natural gas service is not available and where approved by the fire code official, 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 can be off loaded wholly on the property where the tank is located may install 500 gallon above ground or 1,000 gallon underground approved containers.



## End of Exhibit A

### ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
16-15	October 13, 2016	• Removed ETJ
15-16	December 10, 2015	• Amended to match Little Elm adopted Fire Code.
11-06 98-04A	May 12, 2011	REPEALED



## MEMORANDUM

TO: Town Council  
FROM: Linda Asbell, TRMC, Town Secretary  
DATE: July 7, 2017  
RE: Agenda Item D.1. – Appointments to the MDD Board

Bernd Mueller resigned his position on the Municipal Development Board as of June 2017. This will leave board position #4 on the board open with a remaining term of one-year. Citizens were notified that applications were being accepted. All applications received have been included for your consideration.



## CANDIDATE APPLICATION FOR TOWN COUNCIL APPOINTED BOARDS

Information disclosed on this application or any other attached documents may be disclosed in public meetings. Please print clearly, you may attach a resume.

### PROFILE

Candidate Name: Matthew Bissonnette  
Voter Registration No. (VUID): 2120388254 (required)  
Address: 645 Woodcrest Dr.  
City: LAKEWOOD VILLAGE State: TX Zip: 75068  
Home Phone: N/A Cell Phone: 214-534-4083  
E-Mail: MatthewaBissonnette@gmail.com Length of residency in town: 1 year

### BACKGROUND

Occupation: Corporate Relationship Manager Employer: J.P. Morgan Chase & Co.  
Do you or your employer conduct business with the Town of Lakewood Village?  Yes  No  
If "yes", please explain: \_\_\_\_\_  
What is the highest level of education completed:  GED  High School  Some College  College  
 Graduate Degree What was your college course study: Business Administration & Marketing  
Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board to which you seek appointment?  Yes  No

### VOLUNTEER/COMMUNITY SERVICE

List all organizations in which you are an employee, member, board member, or ex-officio (include dates and titles held): \_\_\_\_\_

Special Knowledge or Experience Applicable to Board Function, other information/civic activities: \_\_\_\_\_

Building Relationships, growing Companies & supporting growth in a positive & efficient manner.  
What do you hope to accomplish by serving on a board? Become more involved in the Town, be a factor in the growth of Lakewood village in a positive direction. Create opportunities for the Town to be self sufficient and maintain independence for years to come.

Board Preference:  Municipal Development Board  Capital Improvements Advisory Committee  
 Parks Development Board  Other

I verify that the information I have provided in this application is true and correct. I also acknowledge that I understand this information is public information under the Texas Public Information Act.

Signature: Matthew Bissonnette Date: 6/21/17

Please return completed application and resume to: The Town Secretary's Office  
100 Highridge Drive, Lakewood Village, Texas 75068 or E-mail: [linda@lakewoodvillagetx.us](mailto:linda@lakewoodvillagetx.us)  
Tel. 972-294-5555 | FAX: 972-292-0812



# CANDIDATE APPLICATION FOR TOWN COUNCIL APPOINTED BOARDS

Information disclosed on this application or any other attached documents may be disclosed in public meetings. Please print clearly, you may attach a resume.

## PROFILE

Candidate Name: Darrell West  
Voter Registration No. (VUID): 1161871704 (required)  
Address: 320 Lakecrest Drive  
City: Lakewood Village State: TX Zip: 75068  
Home Phone: 972 987 4089 Cell Phone: 940 594 6921  
E-Mail: darrellwest2@sbcglobal.net Length of residency in town: 9 years

## BACKGROUND

Occupation: Software Developer Employer: Bluebird Auto Rental Systems  
Do you or your employer conduct business with the Town of Lakewood Village?  Yes  No  
If "yes", please explain: \_\_\_\_\_  
What is the highest level of education completed:  GED  High School  Some College  College  
 Graduate Degree What was your college course study: Business + Programming  
Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board to which you seek appointment?  Yes  No

## VOLUNTEER/COMMUNITY SERVICE

List all organizations in which you are an employee, member, board member, or ex-officio (include dates and titles held): CIAC, Neighborhood Watch

Special Knowledge or Experience Applicable to Board Function, other information/civic activities: \_\_\_\_\_

What do you hope to accomplish by serving on a board? To provide service to the town to live in and help guide it through its continued growth

Board Preference:  Municipal Development Board  Capital Improvements Advisory Committee  
 Parks Development Board  Other

I verify that the information I have provided in this application is true and correct. I also acknowledge that I understand this information is public information under the Texas Public Information Act.

Signature: [Signature] Date: 7/5/2017

Please return completed application and resume to: The Town Secretary's Office  
100 Highridge Drive, Lakewood Village, Texas 75068 or E-mail: [linda@lakewoodvillagetx.us](mailto:linda@lakewoodvillagetx.us)  
Tel. 972-294-5555 | FAX: 972-292-0812



# CANDIDATE APPLICATION FOR TOWN COUNCIL APPOINTED BOARDS

Information disclosed on this application or any other attached documents may be disclosed in public meetings. Please print clearly, you may attach a resume.

## PROFILE

Candidate Name: Brent Ashton  
Voter Registration No. (VUID): 2135473603 (required)  
Address: 829 Carrie Lane  
City: Lakewood Village State: Texas Zip: 75068  
Home Phone: 469-235-2392 Cell Phone: \_\_\_\_\_  
E-Mail: brent@dieseldisplays.com Length of residency in town: Year and a half

## BACKGROUND

Occupation: Design and Manufacturing Employer: Diesel Displays  
Do you or your employer conduct business with the Town of Lakewood Village? Yes  No   
If "yes", please explain: \_\_\_\_\_  
What is the highest level of education completed: GED High School Some College  College Graduate Degree  
What was your college course study: Environmental Science  
Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board to which you seek appointment? Yes  No

## VOLUNTEER/COMMUNITY SERVICE

List all organizations in which you are an employee, member, board member, or ex-officio (include dates and titles held): Diesel Displays CEO and President  
\_\_\_\_\_  
Special Knowledge or Experience Applicable to Board Function, other information/civic activities: \_\_\_\_\_  
23 years in the environmental industry  
What do you hope to accomplish by serving on a board? To help protect our city and residents  
\_\_\_\_\_  
\_\_\_\_\_

Board Preference:  Municipal Development Board  Capital Improvements Advisory Committee  
 Parks Development Board Other \_\_\_\_\_

I verify that the information I have provided in this application is true and correct. I also acknowledge that I understand this information is public information under the Texas Public Information Act.

Signature:  Date: July 1, 2017

Please return completed application and resume to: The Town Secretary's Office  
100 Highridge Drive, Lakewood Village, Texas 75068 or E-mail: [linda@lakewoodvillagetx.us](mailto:linda@lakewoodvillagetx.us)  
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