

AGENDA
BENBROOK CITY COUNCIL
TUESDAY, JULY 2, 2019
911 WINSOTT ROAD, BENBROOK, TEXAS
PRE-COUNCIL WORKSESSION 7:15 P.M.
CENTRAL CONFERENCE ROOM
1. Review and discuss agenda items for regular meeting
REGULAR MEETING 7:30 P.M.
COUNCIL CHAMBERS
ALL AGENDA ITEMS ARE SUBJECT TO FINAL ACTION

I. CALL TO ORDER

II. INVOCATION

Invocation To Be Given By Pastor Todd Pylant Of First Baptist Church

PLEDGE OF ALLEGIANCE

III. MINUTES

1. Approve Minutes Of The Regular Meeting Held June 20, 2019

Documents:

[CC MINUTES-06-20-19.PDF](#)

IV. REPORTS FROM CITY MANAGER

A. GENERAL

G-2416 Adopt Ordinance Amending Title 15 Of The Benbrook Municipal Code By Adopting A Local Amendment Requiring The Installation Of Diaper Changing Stations In Certain Restaurants

Documents:

[G-2416 BUILDING CODE AMENDMENT.PDF](#)
[G-2416 ORDINANCE BUILDING CODE.PDF](#)
[G-2416 ORDINANCE EXHIBIT A.PDF](#)

G-2417 Authorize City Secretary To Accept Applications To Fill Alternate Position Vacancies On The Zoning Board Of Adjustment/Appeals Commission

Documents:

[G-2417 ZBA VACANCIES.PDF](#)

V. INFORMAL CITIZEN COMMENTS

State Law Prohibits Any Deliberation Of Or Decisions Regarding Items Presented In Informal Citizen Comments. City Council May Only Make A Statement Of Specific Information Given In Response To The Inquiry; Recite An Existing Policy; Or Request Staff Place The Item On An Agenda For A Subsequent Meeting. The Exception To Informal Comments Is That Once An Election Date Has Been Set By City Council Comments

Relative To Elections Will Not Be Broadcast On The City's Cable Channel. However, A Copy Of The Tape Containing Citizens' Comments Will Be Available At City Hall For Review Or Purchase By Interested Citizens.

VI. COUNCIL MEMBER AND STAFF COMMENTS

Announcements From City Councilmembers And City Staff May Be Made For Items To Include: Expression Of Thanks; Congratulations; Condolence; Recognition Of Public Officials, Employees Or Citizens; Information Regarding Holiday Schedules; Reminders Of Community Events Or Announcements Involving An Imminent Threat To The Public Health And Safety Of The Municipality That Has Arisen After The Posing Of The Agenda. No Discussion Or Formal Action May Be Taken On These Items At This Meeting

VII. ADJOURNMENT

WORKSESSION

1. Discuss FY 2019-2020 Budget



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JUNE 20, 2019**

The regular meeting of the Benbrook City Council was held on Thursday June 20, 2019 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich, Mayor
Renee Franklin
Larry Marshall
Dustin Phillips
Jim Wilson
Laura Mackey
Ron Sauma

Also Present:

Jim Hinderaker, Assistant City Manager
Joanna King, City Secretary
Rick Overgaard, Finance Director
Bennett Howell, Public Services Director
Patty Bissey, Marketing Coordinator
Hillary Cromer, EDC Analyst

Others Present:

Bill Smith

I. CALL TO ORDER

Meeting called to order at 7:30 p. m. by Mayor Jerry Dittrich.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Invocation given by Bill Smith.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held June 6, 2019

Motion by Dr. Marshall seconded by Ms. Franklin to approve the minutes of the regular meeting held June 6, 2019.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey

Noes: None

Abstain: Mr. Sauma

Motion carries 6-0-1

IV. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

CC-2019-03 Adopt Resolution repealing Personal Property Tax on Leased Vehicles

Motion by Mr. Phillips, seconded by Mr. Wilson to adopt Resolution 2019-04 repealing Personal Property Tax on Leased Vehicles.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey

Noes: Mr. Sauma

Motion carries 6-1

Resolution No. 2019-04 being **“A RESOLUTION REPEALING THE ASSESSMENT OF PERSONAL PROPERTY TAX ON CERTAIN MOTOR VEHICLES LEASED FOR PERSONAL USE.”**

V. REPORTS FROM CITY MANAGER

A. GENERAL

G-2410 Accept finance report for period ending April 30, 2019

Rick Overgaard gave the following report: General Fund revenues for the month of May were \$749,718. Fiscal year-to-date revenues are 5.24% greater than last year. Property tax collections were \$87,116, and franchise taxes were \$118,253. Sales tax collected and recognized as revenue in May was \$227,863. Fiscal year to date sales tax totals \$1,853,315, an increase of 19.6% over last year at this time. General Fund revenues collected through the end of May were \$16,508,183 or 81.6 percent of the budget.

General Fund expenditures for the month of May were \$3,027,785. This includes a \$908,903 annual payment to the TIF, which happened last year in July. In addition, there were three payrolls in May. As a reminder, transfers to other funds of \$1,670,000 have already occurred and were made last year in August. Expenditures through May were \$14,362,178 or 68.4 percent of the adopted budget.

Fiscal year-to-date, total General Fund revenues of \$16,508,183 exceeded General Fund expenditures of \$14,362,178 by \$2,146,005.

Debt Service revenues for the month of May totaled \$4,661 and were all from property tax. There were no expenditures for May. The next debt service payments will occur in July 2019. Fiscal year-to-date revenues of \$1,704,327 exceeded fiscal year-to-date expenditures of \$1,472,671 by \$231,656.

EDC revenues as of May 31, 2019, were \$1,653,285. EDC expenditures through the end of May were \$2,130,189, which includes the purchase of land. Total expenditures exceeded total revenues by \$476,904.

Total revenues received through May 31, 2019 were \$2,698,611 from stormwater utility fees, mineral lease revenue, TIF revenue, and interest earnings. Total expenditures for the Capital Projects Fund were \$3,414,686 through the end of May. May expenditures were for the following projects: Vista Way, Clearfork Emergency Access Bridge, and Animal Shelter. Total expenditures exceeded total revenues by \$716,075. Sufficient funds are available in the current fund balances of the Capital Projects Fund. This fund operates on a project basis rather than a specific fiscal year.

On May 31, 2019, the City had \$21,439,132 invested at varying interest rates; the EDC had \$4,299,894 available.

Motion by Mr. Sauma, seconded by Ms. Mackey to accept the finance report for the period ending May 31, 2019.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey, Mr. Sauma

Noes: None

Motion carries unanimously.

G-2414 Approve Interlocal Agreement with Fort Worth Transportation Authority to provide transportation for elderly and disabled residents

Patty Bissey gave the following report: The City's contract with the Fort Worth Transportation Authority (the "T") to provide transit service to Benbrook residents expired June 1, 2019. There has been no interruption in service.

The program provides transit service to residents age 65 or older, or for disabled residents, at a subsidized fare of \$2.50 per one-way trip (on a first-come, first-served basis). The City's cost to participate in the program is \$7,529, and funds are budgeted annually for this expense.

Qualifying residents may utilize the transit service for a variety of purposes, included medical appointments, shopping, recreation, school or work, excluding weekends and holidays. Benbrook residents are guaranteed rides on Tuesdays, Thursdays, and Fridays.

The terms and conditions of service and the annual administrative fee of \$7,529 are identical to the current year's contract.

Motion by Ms. Mackey, seconded by Ms. Franklin to continue participation in the Tarrant County Transportation Services Program for Elderly and Disabled residents, at a cost of \$7,529.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey, Mr. Sauma

Noes: None

Motion carries unanimously.

G-2415 Adopt Ordinance amending Section 1.12.80 – Building and Construction, Chapter 1.12 – Fees for city Services, Title 1 – General of the Benbrook Municipal Code by changing the current residential building permit and inspection fee structure from a valuation-based fee structure to a flat fee and square-footage based fee structure

Jim Hinderaker gave the following report: On May 21, 2019, Texas Governor Gregg Abbott signed House Bill 852 into law. HB 852 prohibits cities from considering the value of a residential dwelling or the cost of constructing or improving that dwelling in determining the amount of a building permit or inspection fee. The law went into effective immediately.

As a result of this legislative action, Benbrook's (and most other Texas municipalities) single-family residential dwelling permit fee schedule no longer complies with Texas Law. To achieve compliance, staff seeks to amend Section 1.12.080(B), Chapter 1.12 - Fees for City Services from a valuation-based fee schedule to a flat fee of 0.85 cents per square foot with a \$50 minimum as provided in the attached Ordinance.

Bi-annually, the International Code Council publishes a Building Valuation Data (BVD) table that provides the "average" construction cost per square foot for different construction types. The "average" construction cost of a single-family dwelling is currently listed at \$122.46/square foot (Feb. 2019). Staff applied a lesser baseline amount of \$112.6498243/square foot as this amount is more representative of the cost per square foot currently used by comparison cities.

Using this information, staff compared the building permit/plan fees assessed by the below listed cities to construct a new 2,663.12 square foot residential dwelling valued at \$300,000. The average total permit fee of the six comparison cities is \$2,270.99, which is \$157.24 more than what Benbrook currently charges. In order for Benbrook to assess the approximate "average" single-family residential permit fee collected by neighboring cities, staff recommends charging 0.85 cents per square foot with a \$50 minimum (e.g. 2,663.12 sf x 0.85 cents/sf equals \$2,263.65).

White Settlement	Lake Worth	Crowley	Westworth Village	Burleson	Fort Worth		Six City Average	Benbrook Current	Benbrook Proposed
\$2,906.41	\$2,642.19	\$2,042.34	\$3,487.69	\$1,381.56	\$1,165.76		\$2,270.99	\$2,113.75	\$2,263.65

Staff has not collected any fees for residential building permits issued after May 21, 2019. However, building inspections have continued to ensure timely construction and not inconvenience homebuilders and consumers. Staff has informed affected applicants that building permit fees will be retroactively assessed and collected once the new residential fee schedule Ordinance is formally adopted and effective.

Motion by Dr. Marshall, seconded by Mr. Phillips to adopt Ordinance No. 1445 amending the residential building permit and inspection fee schedule from a valuation-based fee structure to a square-footage based fee structure set at 0.85 cents per square foot with a \$50 minimum.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey, Mr. Sauma

Noes: None

Motion carries unanimously.

Ordinance No. 1445 being **“AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, AMENDING TITLE 1 – GENERAL PROVISIONS OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY AMENDING SECTION 1.12.080(B), CHAPTER 1.12 – FEES FOR CITY SERVICES; REPLACING THE CITY’S BUILDING PERMIT AND INSPECTION FEE STRUCTURE FOR SINGLE-FAMILY RESIDENTIAL DWELLINGS FROM A VALUATION BASED FEE SCHEDULE TO A SQUARE-FOOTAGE BASED FEE SCHEDULE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**SECTION 4
PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000) for all violations involving zoning, fire safety or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9 EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

B. CONTRACT

C-325 Approve Engineering Contract with Parkhill, Smith & Cooper for the I-20 Service Road Two-Way Conversion and Extension of Vista Way

Bennett Howell gave the following report: On January 17, 2019, the City Council added the I-20 Service Road Two-Way Conversion and Extension of Vista Way to the Capital Improvements Program (CIP). On March 26, 2019, the Tax Increment Finance (TIF) Board added the project to TIF Project Plan

The project will have the following characteristics:

- The section of Vista Way currently under construction will be extended to Benbrook Boulevard, north of I-20. (Figure 1)
- The proposed street cross-section is the same as Vista Way, two – 15 feet travel lanes and two – 5 feet bike lanes. Sidewalks will also be included in the project.
- The Vista Way, Benbrook Boulevard, and Old Benbrook Road Intersection will be realigned and signalized.
- The service road that parallels the railroad track under I-20 will allow for two-way traffic, all other service roads will remain one-way.
- Texas Department of Transportation (TXDOT) has approval authority since much of the project is in TXDOT right-of-way. TXDOT has already approved the conceptual plans for the project.
- The property owners on the west side of Benbrook Boulevard have agreed in principle to the project.

The proposed engineering design contract with Parkhill, Smith and Cooper provides construction plans for a new roadway, utility extension, intersection realignment and signalization. The design process will take approximately 9-12 months depending on regulatory review. Project construction should start in late 2020 and take approximately 9-12 months to complete. The cost of the engineering design contract with Parkhill, Smith and Cooper is \$285,820. The estimated construction cost is \$1,900,000 and does not including right-of-way acquisition from the private property owners. The private property owners have initially indicated they will dedicate the right-of-way for free because the project enhances the value of their land.

The TIF Fund will finance the project.

Motion by Mr. Wilson, seconded by Mr. Sauma to approve the engineering contract with Parkhill, Smith and Cooper for the I-20 Service Road Two-Way Conversion and Extension of Vista Way for \$285,820.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey, Mr. Sauma

Noes: None

Motion carries unanimously.

VI. INFORMAL CITIZEN COMMENTS

VII. COUNCIL MEMBER AND STAFF COMMENTS

Councilmember Renee Franklin and Mayor Dittrich recognized the upcoming retirement of Patty Bissey, Marketing Coordinator, and expressed appreciation for her years of service to the citizens of Benbrook.

VII. ADJOURNMENT

Meeting adjourned at 7:55 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 07/02/19	REFERENCE NUMBER: G-2416	SUBJECT: Adopt Ordinance amending Title 15 of the Benbrook Municipal Code by adopting a local amendment requiring the installation of diaper changing stations in certain restaurants.	PAGE: 1 of 1
-------------------	-----------------------------	---	-----------------

Pursuant to a recent City Council work session, the proposed Ordinance requires the installation of a minimum of one safe, sanitary, and convenient diaper changing station, available to all sexes, in each publicly available and accessible restroom within all new restaurants with a total gross square-footage of 2,500 square feet or more. The Ordinance also requires installation of the same in any restaurant undergoing a major renovation involving the reconfiguration of a publically available and accessible restroom. The Ordinance would apply to new restaurants that have not submitted building plans or are currently in the development process.

Examples of Benbrook restaurants that exceed 2,500 square feet include:

- Hoffbrau
- Braum's
- Raising Cane's
- Wendy's

Examples of Benbrook restaurants that do not exceed 2,500 square feet include:

- Arby's
- Smoothie King

The Ordinance further provides that the diaper changing station shall be manufactured for commercial use and be compliant with Standard Consumer Safety Performance Specifications for Diaper Changing Tables, including anti-bacterial, anti-fungal and other nationally recognized standards approved by the Building Official.

RECOMMENDATION

Staff recommends that the City Council approve the Ordinance amending Title 15 of the Benbrook Municipal Code by adopting a local amendment requiring the installation of diaper changing stations in certain restaurants.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:
CITY MANAGER		CITY SECRETARY
		DATE:

ORDINANCE NO. 1446

AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, AMENDING TITLE 15 OF THE CITY OF BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY AMENDING CHAPTER 15.04 - BUILDING CODE, ADOPTING A LOCAL AMENDMENT REQUIRING THE INSTALLATION OF DIAPER CHANGING STATIONS IN CERTAIN RESTAURANTS; SAID CHANGES TO BE ADOPTED AND INCORPORATED INTO THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY REFERENCE ONLY; PROVIDING THAT AN OFFICIAL COPY OF SAID AMENDMENT SHALL BE MAINTAINED AS A PUBLIC RECORD IN THE OFFICE OF THE BENBROOK BUILDING OFFICIAL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Benbrook is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, diaper changing stations in publicly available and accessible restrooms are frequently provided in female or family restrooms, but not in male restrooms; and

WHEREAS, this practice imposes barriers for men to care for their children's basic needs, which may contribute to unsanitary conditions; and

WHEREAS, publicly available and accessible restrooms should provide child caregivers access, regardless of sex, to at least one safe, sanitary, and convenient diaper changing station; and

WHEREAS, the City Council finds a general regulation requiring the installation of diaper changing stations in all publicly available and accessible restrooms in the City is overly burdensome and therefore should be incrementally required in facilities of greatest community need; and

WHEREAS, the City Council finds that new restaurants with a total gross square footage of 2,500 square feet or more currently represent the greatest community need.

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

SECTION 1

That Exhibit A referenced in Section 15.04.20.A, Section 15.04.20.B, and Section 15.04.030 of Chapter 15.04 – Building Code, Title 15 Buildings and Construction Code of the Benbrook Municipal Code, and as attached and adopted via Ordinance No. 1437, is hereby fully repealed and replaced by the herein attached Exhibit A.

SECTION 2

The material contained in Exhibit A to this ordinance, although fully adopted and incorporated by reference, shall not be included in the formal municipal codification of ordinances. The material contained in Exhibits A shall instead be maintained as a public record in the office of the Building Official. The exhibit will be available for public inspection and copying during regular business hours. The purpose of maintaining this record separate and apart from the municipal codification is to avoid the inclusion of detailed technical construction materials, subject to frequent change, which would unreasonably lengthen the code.

**SECTION 3
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Benbrook, Texas (1985), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 4
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5
PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000) for all violations involving

zoning, fire safety or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 6
SAVINGS CLAUSE**

All rights and remedies of the City of Benbrook, Texas, are expressly saved as to any and all violations of the provisions of the Benbrook Municipal Code or any other ordinances affecting the issuance of permits and the payment of fees which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7
ENGROSSMENT AND ENROLLMENT**

The City Secretary of the City of Benbrook is hereby directed to engross and enroll this Ordinance by copying the caption, penalty clause, and effective date clause of this Ordinance in the Ordinance records of the City.

**SECTION 8
PUBLICATION IN PAMPHLET FORM**

The City Secretary of the City of Benbrook is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof, as provided in Section 3.10 of the Charter of the City of Benbrook.

**SECTION 9
PUBLICATION IN OFFICIAL NEWSPAPER**

That the City Secretary is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this Ordinance for two (2) days in the official newspaper of the City of Benbrook, Texas, as authorized by Section 52.013 of the Local Government Code.

**SECTION 10
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED this 2nd day of July, 2019.

Jerry Dittrich, Mayor

ATTEST:

Joanna King, City Secretary

Exhibit A

Amendments to the 2018 International Building Code North Central Texas Council of Governments Regional Amendments AND City of Benbrook Local Amendments

The following sections, paragraphs, and sentences of the 2018 International Building Code are hereby amended as follows:

Section 101.4; change to read as follows:

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

Section 101.4.8; add the following:

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

Section 103 and 103.1; amend to insert the Department Name

103.1 Creation of enforcement agency. The City of Benbrook Building Permits and Inspections Department is hereby created and the official in charge thereof shall be known as the Chief Building Official.

Section 105.2 Work exempt from permit; under sub-title entitled "Building" amend item 2 and delete item 10 and re-number as follows:

Building:

1. {Unchanged}
2. Fences not over 8 feet (2,438 mm) high.
3. {Unchanged}
4. {Unchanged}
5. {Unchanged}
6. {Unchanged}
7. {Unchanged}
8. {Unchanged}
9. {Unchanged}
- ~~10.~~ {Delete}
- ~~11.~~ 10. {Unchanged}
- ~~12.~~ 11. {Unchanged}
- ~~13.~~ 12. {Unchanged}

Section 109; add Section 109.7 to read as follows:

109.7 Re-inspection Fee. A fee as established by city council resolution may be charged when:

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

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

Section 109; add Section 109.8, 109.8.1, 109.8.2 and 109.9 to read as follows:

109.8 Work without a permit.

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

109.8.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code or the city fee schedule as applicable. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law.

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

Section 202; amend definition of Ambulatory Care Facility as follows:

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

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

Section 202; add definition of Assisting Living Facilities to read as follows.

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

Section 202; change definition of "Atrium" as follows:

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

Section 202; amend definition of “Repair Garage” as follows:

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

Section 202; amend definition of SPECIAL INSPECTOR to read as follows:

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

Section 202; amend definition to read as follows:

HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

Section 303.1.3; add a sentence to read as follows:

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

Section 304.1; add the following to the list of occupancies:

Fire stations
Police stations with detention facilities for 5 or less

Section 307.1.1; add the following sentence to Exception 4:

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

Section 403.1, Exception 3; change to read as follows:

3. The open air portion of a building {remainder unchanged}

Section 403.3, Exception; delete item 2.

Section 403.3.2; change to read as follows:

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

Exception: {No change to exception}

Section 404.5; delete Exception.

Section 406.3.3.1 Carport separation; add sentence to read as follows:

A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3,048 mm).

Table 506.2; delete footnote i from table.

Section 506.3.1; add sentence to read as follows:

506.3.1 Minimum percentage of perimeter. *{Existing text remains}*

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway meeting fire department access from the street or approved fire lane shall be provided.

Section 602.1.1; add sentence to read as follows:

602.1.1 Minimum Requirements. *{Existing text to remain}*

Where a building contains more than one distinct type of construction, the building shall comply with the most restrictive area, height, and stories, for the lesser type of construction or be separated by fire walls.

Section 708.4.2; change sentence to read as follows:

708.4.2 Fireblocks and draftstops in combustible construction. *{Body of text unchanged}*

Exceptions:

1. Buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, or in accordance with Section 903.3.1.2 provided that sprinkler protection is provided in the space between the top of the fire partition and the underside of the floor or roof sheathing, deck or slab above as required for systems complying with Section 903.3.1.1. Portions of buildings containing concealed spaces filled with noncombustible insulation as permitted for sprinkler omission shall not apply to this exception for draftstopping. *{Remainder unchanged}*

Section 718.3; change sentence to read as follows:

718.3 Draftstopping in floors. *{Body of text unchanged}*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

Section 718.4; change sentence to read as follows:

718.4 Draftstopping in attics. *{Body of text unchanged}*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and provided that in combustible construction, sprinkler protection is provided in the attic space.

Section 901.6.1; add Section 901.6.1.1 to read as follows:

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 backflushed or inspected by approved camera when foreign material is present or when caps are missing, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the Fire Code Official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the Fire Code Official.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (Fire Code Official) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
9. Contact the Fire Code Official for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the Fire Code Official.

Section 903.1.1; change to read as follows:

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as approved by the Fire Code Official.

Section 903.2; add paragraph to read as follows and delete the exception:

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

Section 903.2.9; add Section 903.2.9.3 to read as follows:

903.2.9.3 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:

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

Exception:

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

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4,572 mm), see Chapter 32 to determine if those provisions apply.

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

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

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

Section 903.3.1.1.1; change to read as follows, delete items 4 & 6 and re-number as follows:

903.3.1.1.1 Exempt Locations. When approved by the Fire Code Official, automatic sprinklers shall not be required in the following rooms or areas where such...*{text unchanged}*...because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the Fire Code Official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. *{Delete}*
- 5- 4. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
- 6- *{Delete}*

Section 903.3.1.2.3; delete sections and replace as follows:

[F] Section 903.3.1.2.3 Attached Garages and Attics. Sprinkler protection is required in attached garages, and in the following attic spaces:

1. *{Remainder Unchanged}*
2. *{Remainder Unchanged}*
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following: *{Remainder Unchanged}*

Section 903.3.1.3; change to read as follows:

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

Section 903.3.1.4; add to read as follows:

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

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

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

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

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the Fire Code Official for small sections of large diameter water-filled pipe.

Section 903.3.5; add a second paragraph to read as follows:

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

Section 903.4; add a second paragraph after the exceptions to read as follows:

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

Section 903.4.2; add second paragraph to read as follows:

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

Section 905.2; change to read as follows:

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

Section 905.3; add Section 905.3.9 and exception to read as follows:

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

Exceptions:

1. Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the Fire Code Official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

Section 905.4, change Item 1, 3, and 5, and add Item 7 to read as follows:

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the main floor landing between stories, unless otherwise approved by the Fire Code Official.
2. *{No change}*
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

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

4. *{No change}*
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located to serve the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. *{No change}*
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the Fire Code Official.

Section 905.9; add a second paragraph after the exceptions to read as follows:

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

Section 907.1; add Section 907.1.4 to read as follows:

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

Section 907.2.1; change to read as follows:

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 having an occupant load of 300 or more persons, or where the occupant load is more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the International Building Code shall be considered as a single occupancy for the

purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: *{No change}*

Activation of fire alarm notification appliances shall:

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

Section 907.2.3; change to read as follows:

907.2.3 Group E. A manual fire alarm system that 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 educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. *{No change}*
- 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.) *{No change to remainder of exceptions}*

Section 907.2.12, Exception 3; change to read as follows:

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

Section 907.4.2; add Section 907.4.2.7 to read as follows:

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

Section 907.6.1; add Section 907.6.1.1 to read as follows:

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

Section 907.6.3; delete all four Exceptions.

Section 907.6.6; add sentence at end of paragraph to read as follows:

See 907.6.3 for the required information transmitted to the supervising station.

Section 910.2; change Exception 2 and 3 to read as follows:

2. Only manual smoke and heat removal shall be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m \cdot S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

Section 910.2; add subsections 910.2.3 with exceptions to read as follows:

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 (1,394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

Section 910.3; add section 910.3.4 to read as follows:

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

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

Exception: Manual only systems per Section 910.2.

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

Exception: Listed gravity-operated drop out vents.

Section 910.4.3.1; change to read as follows:

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1,829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

Section 912.2; add Section 912.2.3 to read as follows:

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.

Section 913.2.1; add Section 913.2.1.1 and exception to read as follows:

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

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

Section 1006.2.2.7; add Section 1006.2.2.7 as follows:

1006.2.2.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

Section 1009.8; add the following Exception 7:

1009.8 Two Way Communication. A two-way communication system complying with Sections 1009.8.1 and 1009.8.2 shall be provided at the landing serving each elevator required to be accessible on each accessible floor that is one or more stories above or below the level of exit discharge.

Exceptions:

7. Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and chapter 11.

Section 1010.1.9.5 Bolt Locks; amend exceptions 3 and 4 as follows:

Exceptions:

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

Section 1020.1 Construction; add exception 6 to read as follows:

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

Section 1029.1.1.1 Spaces under grandstands and bleachers; delete this section.

Section 1101.1 Scope; add exception to Section 1101.1 as follows:

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

Section 2901.1; add a sentence to read as follows:

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

Table 2902.1; add footnote g to read as follows:

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

h. Diaper Changing Stations in Restrooms

1. In general. Except as provided in Subsection (3.b), it shall be unlawful to operate a land use as provided in Subsection (3.a) that is not equipped with a minimum of one safe, sanitary, and convenient diaper changing station in each publicly available and accessible restroom.
2. Definitions. In this section:
 - a) Diaper Changing Station means a table or other device suitable for changing the diaper of a child age three or under.
 - b) Major Renovation means reconstruction, alteration, or renovation of an applicable land use as provided in Subsection (3) that involves the reconfiguration of a publically available and accessible restroom.
 - c) New Construction means construction of an applicable land use as provided in Subsection (3) that did not exist or was not under development review or construction as of July 2, 2019 and requires public restrooms.
3. Applicability. This section only applies to new construction and major renovations of:
 - a) Structures containing the following land uses:
 - i. A restaurant with a total gross square footage of 2,500 square feet or more.
 - b) Exception. The requirement of Subsection (1) does not apply to a restroom that contains clear and conspicuous signage indicating where an alternative restroom with a diaper changing station is located. The alternative restroom must be one that is assigned to individuals of the gender of the original restroom or one that is available to all individuals.
4. Standards. Diaper changing station shall conform to the following:
 - a) Diaper changing stations shall be manufactured for commercial use and shall be self-certified by the manufacturer or listed or labeled by an accredited third-party testing agency as compliant with ASTM F2285-04(2016) E1 – Standard Consumer Safety Performance Specifications for Diaper Changing Tables for Commercial Use, ANSI Z535.3 and Z535.4 Universal safety symbols, ASTM G1 Anti-Bacterial and ASTM G22 Anti-Fungal and other nationally recognized standards approved by the Building Official.
 - b) Diaper changing stations shall be installed in accordance with the manufacturer’s installation specifications or in accordance with the recommendation of a licensed design professional when no manufacturer’s instructions are available. The installation details shall be designed to carry all loads identified in ASTM F2285-04 (2016) E1.
 - c) Diaper changing stations shall be installed in accordance with all City Building Code accessibility requirements.

Add new Section 2902.1.4 to read as follows:

2902.1.4 Additional fixtures for food preparation facilities. In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

2902.1.4.1 Hand washing lavatory. At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

2902.1.4.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the Tarrant County health department.

Section 3001.2 Emergency Elevator Communication Systems for the deaf, hard of hearing and speech impaired; delete this section.

Section 3002.1 Hoistway Enclosure Protection required. Add exceptions to Section 3002.1 as follows:

Exceptions:

4. Elevators completely located within atriums shall not require hoistway enclosure protection.
5. Elevators in open or enclosed parking garages that serve only the parking garage, shall not require hoistway enclosure protection.

Section 3005.4 Amend machine rooms, control rooms, machinery spaces and control spaces to read as follows:

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

Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces; Delete exceptions and add two new exceptions to Section 3005.4 as follows:

Exceptions:

1. Elevator machine rooms, control rooms, machinery spaces and control spaces completely located within atriums shall not require enclosure protection.
2. Elevator machine rooms, control rooms, machinery spaces and control spaces in open or enclosed parking garages that serve only the parking garage, shall not require enclosure protection.

Section 3005.7 add a Section 3005.7 as follows:

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

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

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

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

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

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

Section 3005.8; add Section 3005.8 as follows:

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

Section 3006.2, Hoistway opening protection required; Revise text as follows:

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

End



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 07/02/19	REFERENCE NUMBER: G-2417	SUBJECT: Authorize City Secretary to accept applications to fill Alternate position vacancies on the Zoning Board of Adjustment/Appeals Commission	PAGE: 1 of 1
-------------------	-----------------------------	---	-----------------

The Zoning Board of Adjustment/Appeals Commission consists of five (5) regular members and four (4) alternates. The alternate positions serve during the absence of a regular member in order to maintain a quorum.

Currently, there are two alternate positions vacant. The term for Alternate C expires December 30, 2019 and Alternate D expires December 30, 2020.

The normal process for advertising and receiving applications for the various Boards and Commissions begins in September of each year. However, during the vacation season staff may have difficulty obtaining a quorum for either a meeting of the Zoning Board of Adjustment or the Appeals Commission. If a quorum cannot be seated, an applicant would need to be rescheduled for a later meeting. A reschedule could cause an unnecessary delay for the applicant.

Staff recommends City Council direct the City Secretary to:

1. Accept applications to fill the vacant alternate positions on the Zoning Board of Adjustment/Appeals Commission with an application deadline of July 23, 2019;
2. Schedule interviews with those applicants prior to the City Council regular meeting on August 1, 2019; and,
3. City Council make appointments at the August 15, 2019 meeting.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY: CITY SECRETARY
CITY MANAGER		DATE: