

ORDINANCE NO. 1403-2023

AN ORDINANCE OF THE CITY OF RIVER OAKS, TEXAS AMENDING CHAPTER 3 "BUILDING REGULATIONS", ARTICLE 3.14 "FUEL GAS CODE" SPECIFICALLY UNDER SECTION 3.14.001 "ADOPTED" OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED BY REPEALING THE FORMER ORDINANCE 1271-2020 ON JANUARY 28, 2020 THAT ADOPTED THE 2015 INTERNATIONAL FUEL GAS CODE; ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE (IFGC); AMENDING SECTION 3.14.002 "AMENDMENTS" OF THE RIVER OAKS CODE OF ORDINANCES (2020) REPEALING THE FORMER AMENDMENTS ADOPTED ON JANUARY 28, 2020 BY ADOPTING LOCAL AMENDMENTS TO THE 2018 IFGC ATTACHED HERETO THIS ORDINANCE AS EXHIBIT "A"; PROVIDING THAT THE MATERIAL CONTAINED IN EXHIBIT "A" OF THIS ORDINANCE ALTHOUGH FULLY ADOPTED AND INCORPORATED BY REFERENCE, SHALL NOT BE INCLUDED IN THE FORMAL MUNICIPAL CODIFICATION OF ORDINANCES; AMENDING SECTION 3.14.003 "AVAILABILITY" OF THE RIVER OAKS CODE OF ORDINANCES (2020) PROVIDING FOR RECORDING OF THE FUEL GAS CODE AS A PUBLIC RECORD; AMENDING SECTION 3.14.004 "MODIFICATIONS"; AMENDING SECTION 3.14.005 "PENALTY FOR VIOLATION"; 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 PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks 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, the International Fuel Gas Code was created to serve as a complete, comprehensive code addressing the design and installations of fuel gas systems and gas-fired appliances through requirements emphasizing performance that safeguard the public health and safety; and

WHEREAS, as a part of the Planning Livable Military Communities (PLMC) project, North Central Texas Council of Governments (NCTCOG) staff has reviewed model building codes in the communities surrounding the Naval Air Station Fort Worth, Joint Reserve Base; and

WHEREAS, the NCTCOG has actively promoted the standardization of model codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors and reduce training and construction costs; and

WHEREAS, NCTCOG's Regional Codes Coordinating Committee (RCCC) did recommend that local jurisdictions throughout the North Texas Region adopt the 2018 International Fuel Gas Code (IFGC) along with its respective amendments as their model fuel gas code; and

WHEREAS, the City Staff has also reviewed the available code and has recommended that the 2018 Edition of the International Fuel Gas Code inclusive with the City's local amendments reflecting the unique needs of the City of River Oaks be incorporated together with the RCCC's respective amendments deleting those RCCC respective amendments that are in direct conflict with city code; and

WHEREAS, the City Council of the City of River Oaks, Texas, desires to provide a mechanism by which local modifications reflecting the unique needs of the City of River Oaks may be made when deemed appropriate; and

WHEREAS, the City Council of the City of River Oaks, Texas, has determined that these local amendments are in the public interest and therefore deems it advisable to amend the 2018 Edition of the International Fuel Gas Code to incorporate both the respective amendments from the RCCC and local amendments from City Staff in a single document titled "Recommended Amendments to the 2018 International Fuel Gas Code" collectively being the model fuel gas code for the City; and

WHEREAS, the City Council of the City of River Oaks, Texas, has concluded that the 2018 IFGC along with its local amendments attached herein to this Ordinance as Exhibit "A" most fully meets the needs of the City of River Oaks, Texas.

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

SECTION 1.

With the adoption of this Ordinance Section 3.14.001 "Adopted" is hereby amended to now read as follows:

Section 3.14.001 "Adopted". "The International Fuel Gas Code, 2018 edition, as revised, (including all appendix chapters of said code), published by the International Code Council is hereby adopted as the municipal fuel gas code of the city for the purpose of protecting the health, safety and welfare of the citizens of the city. This fuel gas code is fully incorporated by reference as though copied into this article in its entirety. The material contained in the 2018 International Fuel Gas Code, although fully adopted and incorporated by reference in this article, shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary. (Ordinance 1403-2023, sec. 1, adopted 12/12/2023)"

SECTION 2.

With the adoption of this Ordinance Section 3.14.002 "Amendments" is hereby amended to now read as follows:

Section 3.14.002 "Amendments". "The 2018 International Fuel Gas Code, as adopted herein is hereby amended as shown on Exhibit "A" attached to Ordinance 1403-2023. (Ordinance 1403-2023, sec. 2, adopted 12/12/2023)"

SECTION 3.

With the adoption of this Ordinance Section 3.14.003 "Availability" is hereby amended to now read as follows:

"Section 3.14.003 "Availability". "The material contained in Exhibit "A" to Ordinance 1403-2023 IFGC, although fully adopted and incorporated by reference, shall not be included in the formal municipal codification of ordinances. The material contained in Exhibit "A" shall instead be maintained as a public record in the office of the city secretary. (Ordinance 1403-2023, sec. 2, adopted 12/12/2023)"

SECTION 4.

With the adoption of this Ordinance Section 3.14.004 "Modifications" is hereby amended to now read as follows:

Sec. 3.14.004 "Modifications". "The city may from time to time determine that additional local modifications to the codes adopted herein are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending this division fully setting forth the change to be made in the specific code. Such subsequent amendments shall be consolidated as an exhibit to Ordinance 1403-2023 and shall be maintained as a public record in the office of the city secretary. (Ordinance 1403-2023, sec. 4, adopted 12/12/2023)"

SECTION 5.

With the adoption of this Ordinance Section 3.14.005 "Penalty for violation" is hereby amended to now read as follows:

Sec. 3.14.005 "Penalty for violation". 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 division

shall be fined as provided in section 1.01.009 of this code. Each day that a violation is permitted to exist shall constitute a separate offense. (Ordinance 1403-2023, sec. 5, adopted 12/12/2023)."

SECTION 6.

This ordinance shall be cumulative of all provisions of ordinances, 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 are hereby repealed. **The former Ordinance 1271-2020 as adopted on January 28, 2020 that adopted the 2015 International Fuel Gas Code is hereby repealed and the 2018 International fuel Gas Code including its local amendments is hereby adopted as the official fuel gas code of the city.**

SECTION 7.

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, such unconstitutionality shall not affect any of the remaining, phrase, 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 8.

Whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00). However, a fine or penalty for the violation of a rule, ordinance or police regulation that governs fire safety, zoning or public health and sanitation other than dumping of refuse may not exceed two thousand dollars (\$2,000.00); a fine or penalty for the violation of a rule, ordinance, or police regulation that governs the dumping of refuse may not exceed four thousand dollars (\$4,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

All rights and remedies of the City of River Oaks, Texas, are expressly saved as to any and all violations of the provisions of the ordinances of the City of River Oaks 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 10.

The City Secretary is directed to publish in the official newspaper of the City, the caption, penalty clause, savings clause, publication clause and effective date clause of this ordinance one time as authorized by Chapter 5, Section 5.02(c) of the Charter of the City of River Oaks.

SECTION 11.

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 THE 12th DAY OF DECEMBER 2023.

Darren Houk
DARREN HOUK
MAYOR

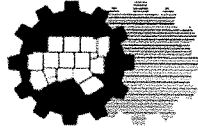
ATTEST:
[Signature]
CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:
[Signature]
CITY ATTORNEY

ADOPTED: DECEMBER 12, 2023

EFFECTIVE: DECEMBER 18, 2023





North Central Texas
Council of Governments

**Recommended Amendments to the
2018 International Fuel Gas Code**
North Central Texas Council of Governments Region

EXHIBIT A

The following sections, paragraphs, and sentences of the *2018 International Fuel Gas Code* are hereby amended as follows: Standard type is text from the IFGC. Underlined type is text inserted. ~~Lined through type is deleted text from IFGC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk identifies a new or revised amendment with the 2018 code.

****Section 101.2**

{Local amendments to Section 101.2 may be necessary to correspond with the State Plumbing Licensing Law.}

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

Exception: Existing dwelling units shall comply with Section 621.2.

(Reason: Previous code provisions made unvented heater provisions retroactive except as provided for in local amendment. This amendment and amendment to IFGC 621.2 better clarify what the code already states: existing systems may stay unless considered unsafe.)

****Section 102.8; change to read as follows:**

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

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

*****Section 306.3; change to read as follows:**

[M] 306.3 Appliances in attics. Attics containing appliances shall be provided . . . *{bulk of paragraph unchanged}* . . . side of the *appliance*. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest *appliance*. As a minimum, for access to the attic space, provide one of the following:

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

4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

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

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IMC 306.3.)

*****Section 306.5; change to read as follows:**

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

(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)

****Section 306.5.1; change to read as follows:**

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

(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)

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

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

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

(Reason: To protect homeowners and plumbers.)

****Section 404.12; change to read as follows:**

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 42 18 inches (305 458 mm) top of pipe below grade, except as provided for in Section 404.12-1.

404.12.1 Delete in its entirety

(Reason: To provide increased protection to piping systems and address reference number change.)

****Section 406.4; change to read as follows:**

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

(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)

****Section 406.4.1; change to read as follows:**

406.4.1 Test pressure. The test pressure to be used shall be no less than ~~4 1/2 times the proposed maximum working pressure, but no less than 3 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.~~

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

(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)

****Section 409.1; add Section 409.1.4 to read as follows:**

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

(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)

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

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

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

(Reason: To require adequate access to regulators.)

****Section 621.2; add exception as follows:**

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

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

(Reason: Gives code official discretion.)



END