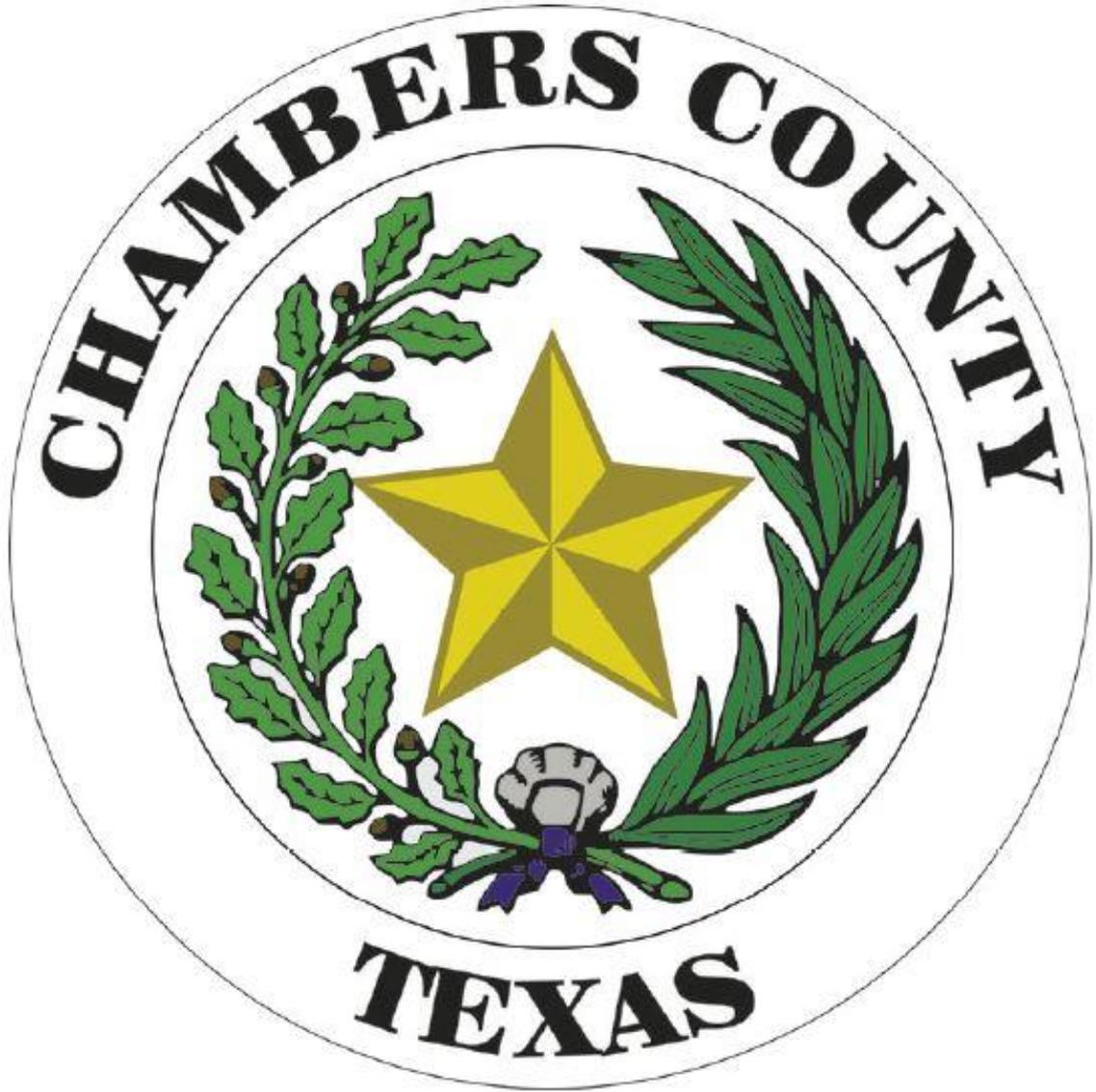


CHAMBERS COUNTY FIRE CODE



Adopted: January 14, 2025

**CHAMBERS COUNTY
COMMISSIONERS COURT ORDER
January 14, 2025**

**COMMISSIONERS COURT ORDER
ADOPTION OF FIRE CODE**

WHEREAS, Texas Local Government Code, Chapter 233 authorizes counties to adopt a fire code and the regulations necessary to administer and enforce it, including requiring building permits; and

WHEREAS, the Commissioners Court finds that adopting a fire code and requiring permits for the construction of commercial establishments, public buildings, and multi-family dwellings with four or more units in the unincorporated areas of Chambers County, Texas, allows the County to impose standards to protect the health, safety, welfare and property of the general public. This Code governs the safe-guarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property in the occupancy of buildings and premises in Unincorporated Chambers County; and

WHEREAS, on May 24, 2011, the Commissioners Court adopted the *International Fire Code*, 2009 edition, published by the International Code Council; and

WHEREAS, on June 27, 2017, the Commissioners Court adopted the *International Fire Code*, 2015 edition, published by the International Code Council; and

WHEREAS, on May 25, 2021, the Commissioners Court adopted the *International Fire Code*, 2018 edition, published by the International Code Council; and

WHEREAS, the International Code Council has since revised and updated the *International Fire Code*; and

WHEREAS, the *International Fire Code*, 2021 Edition, published by the International Code Council, provides appropriate protective measures and continuity with other local governments in Chambers County and surrounding areas; and

WHEREAS, the Commissioners Court has considered the proposed code and deems it appropriate to adopt it as the fire code for the unincorporated areas of Chambers County, Texas.

BE IT THEREFORE ORDERED that, pursuant to Texas Local Government Code § 233.061 *et seq.*, a Chambers County Fire Code, a copy of which is attached hereto and incorporated herein for all purposes, be adopted, to become effective January 14, 2025. This Order replaces all previous Commissioners Court Orders adopting a fire code.

APPROVED, this January 14, 2025.

Signed by:
Jimmy Sylvia
1492536299FA478

Jimmy Sylvia
County Judge

DocuSigned by:
Jimmy Gore
6537535E5D7E470

Jimmy Gore
Precinct 1 Commissioner

DocuSigned by:
Mark Tice
24F666BE0D8D437...

Mark Tice
Precinct 2 Commissioner

DocuSigned by:
Tommy Hammond
9ECCA8B215ED46B...

Tommy Hammond
Precinct 3 Commissioner

DocuSigned by:
Ryan Dagley
1A08BAAAACC64AC...

Ryan Dagley
Precinct 4 Commissioner

Signed by:
Heather H. Hawthorne
03933AF26BE5410...

ATTEST: Heather Hawthorne
County Clerk

TABLE OF CONTENTS

EXHIBIT A – ADDITIONS, INSERTIONS, DELETIONS AND CHANGES TO INTERNATIONAL FIRE CODE.....2

Online link to full text of *International Fire Code*, 2021 Edition

<https://codes.iccsafe.org/content/IFC2021P1>

EXHIBIT B – ADDITIONS, INSERTIONS, DELETIONS AND CHANGES TO INTERNATIONAL BUILDING CODE.....9

Online link to full text of *International Building Code*, 2021 Edition

<https://codes.iccsafe.org/content/IBC2021P1>

EXHIBIT A

ADDITIONS, INSERTIONS, DELETIONS AND CHANGES TO INTERNATIONAL FIRE CODE

2021 EDITION

Section 101.1 is amended to read

101.1 Title. These regulations shall be known as the *Fire Code* of Chambers County, hereinafter referred to as “this code.”

Section 101.6 is added:

101.6 Certificate of Compliance. In accordance with Local Government Code Sec. 233.064(i), a building subject to the provisions of this code may not be occupied until the county issues a final, conditional, or partial certificate of compliance for construction or substantial improvement as defined by this code.

Section 102.3 is amended to read:

102.3 Substantial Improvement. A substantial improvement shall not be made unless the building and/or structure is made to comply with new construction requirements of the Chambers County Fire Code.

102.3.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification, tenant, or use of a building or structure or portion thereof shall be made, until a fire code inspection has been completed as approved and the *fire code official* has issued a certificate of compliance as provided herein. Issuance of a certificate of compliance shall not be construed as an approval of a violation of the provisions of this code or of other regulations, ordinances, or court orders of Chambers County.

Exception: Certificates of compliance are not required for work exempt from permits authorized under Section 105.

Section 102.11.1 is added:

102.11.1 Design requirements. According to Texas Occupations Code §1001.056 and §1051.703, certain situations require design by a licensed architect or engineer authorized to practice in the State of Texas.

Section 103.1 is amended to read:

103.1 Creation of agency. The Chambers County Fire Marshal’s Office is hereby created and the official in charge thereof shall be known as the *fire code official*. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Section 105.1.2 is amended to read:

105.1.2 Types of permits. There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.5 for either:

- 1.1. A prescribed period.
- 1.2. Until renewed or revoked.

2. Construction permit. A construction permit allows the applicant to construct, substantially improve, enlarge, alter, repair, move, or change the occupancy of a building or structure, or to

erect, install, enlarge, alter, repair, remove, convert, or replace the installation of which is regulated by this code, or to cause any such work to be performed, or install or modify systems and equipment for which a permit is required by Section 105.6.

Section 105.2.4.1 is added:

105.2.4.1 Approval by Commissioners Court. Applications for permits regulated by this code pertaining to residential developments, apartments, hotels, motels, dormitories, RV parks, mobile home parks, parks containing cabins or “tiny homes”, assisted living facilities, group homes, half-way houses, residential board and care facilities, institutional occupancies, lodging homes, any commercial building, structure or operation located in a residential subdivision, including those which store items or inventory related to a business or house personnel connected to a business, or additions to any of these facilities, occupancies or establishments, including conversions of single-family dwellings and homes in a use described above, shall be subject to the procedures in 105.2.4 and shall only be permitted by the County Permit Office upon approval by Chambers County Commissioners Court. As ordered by Chambers County Commissioners Court, the *fire code official* shall withhold the issuance of any permit, approval, or certificate, from any project or development that is in violation of any state or local law, or that is in violation of any policy, rule, code, order or regulation adopted by Chambers County Commissioners Court.

Section 105.5.34 is amended to read:

105.5.34 Open burning. Open burning is regulated by the Texas Commission on Environmental Quality (TCEQ). All permissions shall be obtained from TCEQ.

Section 105.6 is amended to read as follows:

105.6 Required construction permits. The *fire code official* is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.25.

Section 105.6.24 is added:

105.6.25 Building Construction Permits. A construction permit is required to construct, substantially improve, enlarge, alter, repair, move, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace the installation of which is regulated by this code, or to cause any such work to be performed. Permits for Construction or Substantial Improvement will be issued by the County Permit Office only after the review and approval of the *fire code official*.

Section 108.5 is added:

108.5 Change of tenant. A fire safety inspection is required for buildings and establishments that undergo a change in ownership, occupancy, use, or change of tenant, in order to determine compliance with the provisions of this code.

Section 111 is amended to read as follows:

SECTION 111 MEANS OF APPEALS

111.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The duly elected officials of the Chambers County Commissioners Court are hereby named and constitute the Board of Appeals. The term of office of each member shall run concurrently with the term of office to which he or she was elected.

111.2 Procedures. Any person or entity aggrieved by a decision of the *fire code official* may appeal such decision to the Board of Appeals by filing a written appeal with the *fire code official*. The *fire code official* shall promptly place the matter on the next available Commissioners Court agenda for consideration. The board shall allow each side to present evidence, including opinions of technical experts, and present their sides within a reasonable time. The board shall issue a ruling in writing no later than the tenth (10th) day

after the date of the meeting, with a copy sent to both the appellant and *fire code official*.

111.3 Administration. The *fire code official* shall take immediate action in accordance with the decision of the board.

111.4 Appeal required. Before filing suit in a court of competent jurisdiction, the person or entity aggrieved as provided for in this Section shall first follow the appeal process before filing any suit.

Section 110.2 is added:

110.2 Authority to authorize connection of service utilities. The *fire code official* shall have the authority to authorize connection of utility service to the building, structure or system. The *fire code official* is authorized to require an inspection prior to authorizing connection of utility service.

Section 112.4 shall be amended to read as follows:

112.4 Violation penalties. Persons 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 subject to a civil penalty not to exceed \$200 for each day on which the violation exists per Texas Local Government Code Sec. 233.067, and/or injunctive relief per Texas Local Government Code Sec. 233.066. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

112.4.1 Abatement of violation. In addition to the imposition of the penalties herein described, the *fire code official* is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

112.4.2 Fire Marshal's order. In accordance with Texas Local Government Code Sec. 352.016, a county fire marshal may issue an order to correct fire or life safety hazards. In accordance with Texas Local Government Code Sec. 352.022, an owner or occupant who is subject to an order issued pursuant to Texas Local Government Code Sec. 352.016 commits an offense if that person fails to comply with the order. Each refusal to comply is a separate offense.

Section 202 is amended to include the following revised or amended definitions:

APPROVED. Acceptable to the *fire code official*.

ASSISTED LIVING FACILITY. An establishment that furnishes food and shelter to four or more persons who are unrelated to the proprietor of the establishment and provides personal care services or administration of medication by a licensed person or may provide limited skilled nursing services as outlined in the Texas Health and Safety Code chapter 247.

CERTIFICATE OF COMPLIANCE. A "Certificate of Compliance" means a certificate issued by the *fire code official* indicating Construction or Substantial Improvement is in compliance with the Chambers County Fire Code as of a specific date and for a specific occupancy.

CONSTRUCTION. "Construction" means the initial permanent construction of a Public Building, a Commercial Establishment, or a Multi-Family Residential Dwelling consisting of four or more units, and all related improvements on a site. A permit is required prior to the start of any construction. For purposes of this code, construction begins on the date that ground is broken for a building, or if no ground is broken, on the date that:

- (a) the first materials are added to the original property;
- (b) foundation pilings are installed on the original property; or
- (c) a manufactured building or relocated structure is placed on a foundation on the original property.

FIRE CODE OFFICIAL. The Chambers County Fire Marshal or a designee of such individual.

FIRE MARSHAL. “Fire Marshal” or “County Fire Marshal” means the holder of the statutory office of County Fire Marshal for Chambers County or the employee(s) designated by the County Fire Marshal to perform a task required by this code.

FOSTER GROUP HOME. A child-care facility that provides care for four or more children on a 24-hour basis shall be regulated by the Chambers County Fire Code.

FOSTER HOME. A single independent home that is the primary residence of the foster parents and provides care for less than four children shall be regulated by the current fire & life safety requirements of the state.

GROUP HOME. A facility for social rehabilitation, substance abuse or mental health problems that contains a group housing arrangement that provides custodial care but does not provide medical care, to four or more persons. This definition does not include Halfway Houses.

MOBILE FOOD PREPARATION VEHICLES. Vehicles, trailers, or carts which are used for the preparations, serving or sales of consumable items, also known as Mobile Food Units. Mobile Food Units must be capable of either being immediately driven to and from the site or consist of trailers with wheels that can be immediately towed off site. Any structures that sit on the ground or are attached to the ground are not considered mobile.

MOBILE FOOD VENDOR PARK. A site or location whereby access is provided for two or more mobile food preparation vehicles. Such a location may include permitted permanent structures. Also known as Food Truck Parks.

STRUCTURE. Something built or constructed to support or shelter any occupancy.

TEMPORARY. Any construction of a building or structure, tent or membrane structure, or any planned event which will be in operation for no more than 180 days.

OCCUPANCY CLASSIFICATION. For the purposes of this code, certain occupancies are defined as follows:

An amendment is made to the definition of **Institutional Group I-4, day care facilities:**

Day care home. A child day care facility located in a single-family dwelling shall be regulated by the current fire & life safety requirements of the state.

Amendments are made to the definition of **Residential Group R-3:**

Airbnb and vacation homes. Airbnb and temporary vacation rentals consisting of a single-family dwelling, which was originally constructed as a single-family dwelling, shall not be regulated by this code.

Boarding or lodging houses. Owner-occupied boarding or lodging houses that were originally constructed as a single-family dwelling and are currently occupied as the primary residence of the owner, are not owned by a commercial business, that consist of less than four guestrooms, and that do not exceed a total occupancy of six guests, shall not be regulated by this code.

The following occupancy definition is added under **Residential Group R:**

Recreational Vehicle Park/Campground. Any parcel or tract of land under the control of any person, organization, or governmental entity wherein two or more recreational vehicle, recreational park, trailer, and/or other camping unit sites are offered for use by the public or members of an organization for overnight stays, shall comply with this code and *NFPA 1194*, 2021 Edition.

Sec. 5.1.6.3 is added to *NFPA 1194*, 2021 Edition:

5.1.6.3 RV stand separation distance shall be designed so that no portion of the RV, or features such as slide-out sections, reduce the minimum 10 ft separation specified in Sec. 5.1.6.

PERSON . “Person” includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons. Not included is a State Agency that is authorized to prevent and extinguish forest and grass fires.

PUBLIC BUILDINGS AND COMMERCIAL ESTABLISHMENTS. “Public Buildings and Commercial Establishments” includes, but is not limited to auditoriums, classrooms, churches, libraries, restaurants, theaters, schools, daycare facilities, nursing homes, hospitals, correctional facilities, hotels, motels, dormitories, department stores, shopping centers, doctor offices, general offices, laundries and warehouses. “Public Building” shall include any structure open and accessible by the public. “Commercial Establishments” shall include any building, structure, operation, or facility that is connected with a business, non-profit or tax exempt organization. Not included in this definition is an industrial facility having a fire brigade that conforms to requirements of the Occupational Safety and Health Administration.

SUBSTANTIAL IMPROVEMENT. A “Substantial Improvement” is:

(a) the repair, restoration, reconstruction, improvement, or remodeling of a public building, a commercial establishment, or a multifamily residential dwelling consisting of four or more units for which the cost exceeds 50% of the building’s value according to the certified tax appraisal roll for the county for the year preceding the year in which the work was begun; or

(b) a change in occupancy classification involving a change in the purpose or level of activity in a building, including the renovation of a warehouse into a loft apartment. For purposes of determining if an improvement is a Substantial Improvement, the applicant for a permit must submit data reflecting cost of the improvement, restoration, reconstruction, improvement or remodeling. Costs shall include the value of all labor and materials. For purposes of this code, Substantial Improvement begins on the date that the repair, restoration, reconstruction, improvement, or remodeling or the change in occupancy classification begins or on the date materials are first delivered for that purpose. The *fire code official* may require the submittal of an independent certified damage assessment in cases where the structure has suffered other than minor damage.

UNINCORPORATED AREA

“Unincorporated Area” means the area in Chambers County, Texas, which is not within an incorporated area of a city, town, or village.

Section 322 is added to read as follows:

**SECTION 322
MOBILE FOOD VENDOR PARKS**

322.1 Mobile food vendor parks. A mobile food vendor park is required to have a construction permit to include an overall site plan for purposes of determining fire apparatus access, safe electrical installations and components, compliant food vendor vehicles, adequate fire separation distance, fire water, and other provisions to which this code applies.

322.1.1 Buildings. Construction permits and operational permits required for buildings and structures within, or associated with, a mobile food vendor park shall be obtained separately from the permits for the mobile food vendor park or mobile food vendor vehicles.

322.2 No Smoking. Smoking is prohibited within 10 feet of any mobile food vendor vehicles, tents or membrane structures within the mobile food vendor park. “NO SMOKING” signs shall be posted in conspicuous places throughout the mobile food vendor park.

322.3 Egress. Mobile food vendor parks shall be arranged to provide clear walking egress pathways with a minimum width of 44 inches.

322.4 Buildings. All structures must be stable and free from damage that could pose a hazard to people or property.

322.5 Membrane structures. All tents and membrane structures shall comply with Chapter 31. Tents in excess of 400 square feet must be permitted.

322.5.1 Flame resistant material. All umbrellas or other fabric used for weather protection shall be of materials meeting the flame propagation performance of Test Method 2 of NFPA 701.

322.6 Electrical. Electrical wiring and equipment at mobile food vendor vehicle parks shall comply with Section 603 and NFPA 70.

322.6.1 Outdoor electrical. All electrical wiring and equipment used outdoors must be protected against the weather and outside elements.

322.7 Fire department access. All mobile food vendor parks shall be provided with Fire Department vehicle access in accordance with Section 503.

322.7.1 Obstructing fire department access. Mobile food vendor vehicles are strictly prohibited from setting up in or blocking any fire apparatus access roads.

322.8 Location and spacing. Mobile food vendor vehicles used on a property shall comply with the following:

1. Mobile food vendor vehicles shall be located at least 10 feet from a building.
2. Accessory weather protection cannot exceed 200 square feet and shall be open on at least three sides.
3. The Mobile food vendor vehicles shall have a separation distance of 10 feet or more from other Mobile food units.

322.8.1 Gas storage. LP-gas and CNG containers shall not be installed or stored within the interior of the mobile food vendor vehicle.

322.9 Maintenance. The mobile food vendor vehicle shall be stable in construction and may not be damaged in a way that it could cause a hazard to people or property.

322.10 Solid fuel cooking. All solid-fuel cooking appliances and operations shall be in accordance with *NFPA 96*, 2021 Edition.

322.10.1 Solid fuel storage. Solid fuel must be stored at least 3 feet away from heat producing appliances.

322.11 Customer access. Customers are not allowed inside of mobile food vehicles.

Section 507.1.1 is added to read as follows:

507.1.1 Areas without water supply systems. The *fire code official* is authorized to approve alternative means of fire water supply for areas with undeveloped water systems or in which adequate and reliable water systems do not exist, thereby making it impractical to develop full *fire-flow*. The *fire code official* is authorized to utilize *NFPA 1142*, 2017 Edition or other *approved* codes and standards, for this purpose, as well as require additional protective measures such as increased fire separation distance, remote fire hose connections, increased egress capacity, and installation of fire alarm systems. The inability of a proposed occupancy to provide adequate water and distribution systems for fire protection, as deemed necessary by the *fire code official* according to the hazards associated with the occupancy, shall constitute grounds to deny the issuance of a permit.

Section 507.5.7 is added to read as follows:

507.5.7 Fire hydrant spacing. Fire hydrant spacing shall be as specified in *Chambers County Infrastructure Design Standards*.

Section 510.1 is amended to include a fourth exception:

4. Where it is determined by the *fire code official* that installation of emergency responder communications systems, components or equipment could cause interference or otherwise have a negative impact on the overall public safety communications system(s).

Section 611 is added:

SECTION 611 ELECTRIC VEHICLE CHARGING STATIONS

611.1 General. Electrical vehicle (EV) charging stations shall comply with this code and applicable NFPA standards.

611.1.1 Location of charging stations. Electric vehicle charging stations which are supplied with 480 volt or greater shall be located as follows:

1. At least 10 feet from the lot line of the property.
2. At least 60 feet from the nearest building.
3. At least 60 feet from the dispensing or storage of flammable or combustible liquids.
4. Not within a parking garage unless on the first floor and the parking garage is equipped with an automatic sprinkler system.

611.2 Emergency Disconnects/Shutoff Switches. Locations containing electric vehicle charging stations shall be provided with a clearly identified emergency disconnect, provided with ready access and installed in an approved location. The emergency power disconnect/shutoff switch shall shut off all power from the charging station when activated.

611.2.1 Location. Emergency disconnect/shutoff switches shall be installed not more than 100 feet and not less than 20 feet from the charging stations.

611.2.2 Height. Emergency disconnect/shutoff switches shall be not less than 42 inches (1067 mm) and not more than 48 inches (1372 mm) measured vertically above the walking surface.

611.2.3 Labeling. Emergency disconnect switches shall be clearly visible and labeled to correspond to the associated charging station. The emergency disconnect/shutoff shall be labeled "EMERGENCY EV DISCONNECT" in letters not less than 4 inches high.

611.2.4 Manual reset. Emergency disconnect/shutoff switches shall require manual intervention to reset after activation.

611.3 Fire extinguishers. Approved portable fire extinguishers complying with Section 906 with a minimum rating of 2-A:20-B:C shall be provided and located such that an extinguisher is not more than 75 feet from electric vehicle charging stations.

Section 907.2 is amended by adding the following:

Buildings and structures requiring automatic sprinkler systems or containing a fire area requiring a fire alarm system in accordance with this code shall also be required to have a fire alarm system with full occupant notification in compliance with this code and NFPA 72 installed throughout the building or structure. The *fire code official* is authorized to require a fire alarm system with occupant notification for new buildings and structures lacking water supply for fire-fighting purposes, or any other buildings and structures which the *fire code official* deems may constitute a distinct hazard to life or property.

Section 1103.1.2 is added:

1103.1.2 Group I-2 occupancies. Existing Group I-2 occupancies shall be regulated by the current fire & life safety requirements of the state.

Section 1103.2 is amended to add an exception:

Where it is determined by the *fire code official* that installation of emergency responder communications systems, components or equipment could cause interference or otherwise have a negative impact on the overall public safety communications system(s).

Section 5609 is amended to read as follows:

SECTION 5609

FIREWORKS 1.4G RETAIL STORAGE, DISPLAY, AND SALE

5609.1 General.

Design and construction of buildings in which Fireworks 1.4G are to be stored, sold, and/or displayed shall comply with this code and the **Texas Fireworks Rules, current edition, as promulgated by the Texas State Fire Marshal.**

EXHIBIT B

ADDITIONS, INSERTIONS, DELETIONS AND CHANGES TO INTERNATIONAL BUILDING CODE

2021 EDITION

The following additions, insertions, deletions, and changes are made to the *International Building Code*, 2021 Edition, which is adopted by reference in Section 102.4 of the *International Fire Code*.

Section 504.5 is added:

504.5 Group R building height and story limitations. Buildings of Type V construction containing Group R occupancies shall be limited to no more than three stories and 60 feet in height.

Section 504.6 is added:

504.6 Group I building height and story limitations. Buildings of Type V construction containing Group I occupancies shall be limited to no more than two stories and 40 feet in height.