



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, JANUARY 28, 2019**

**City Council Chambers, City Hall
702 N. Hwy 175
Seagoville, Texas 75159**

WORK SESSION – 6:30 P.M.

Call to Order

- A. Discuss regular session agenda items**
- B. Reception for Alexis Allen**

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Mayor’s Report

Citizens Public Comment Period- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

CONSENT AGENDA- The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

- 1. Consider approving City Council Meeting minutes for January 7, 2019 (City Secretary)**

REGULAR AGENDA-

- 2. Consider approval of Ordinance No. 01-2019 approving a budget amendment for the fiscal year ended September 30, 2018 (Finance Director)**
- 3. Discuss the financial impact of the Partial Federal Shutdown on the City's Water and Sewer Budget (Finance Director)**
- 4. Receive a presentation from Texas Department of Transportation (TxDOT) concerning construction on U.S. Highway 175 (Jason Mashell)**
- 5. Receive a presentation concerning an update on STAR Transit services and provide background information for a STAR Transit recommendation to make adjustments to the "Seagoville Express" daily schedule from Kim Britton, STAR Chief Communications Officer (Library Director & Kim Britton)**
- 6. Direct Staff concerning Council Meeting dates for February 2019 (City Secretary)**
- 7. Receive a presentation concerning the International Council of Shopping Centers (ICSC) Conference in Ft. Worth (SEDC Administrative Assistant)**
- 8. Conduct a public hearing on a change in zoning from Planned Development Residential-2, (PD 17-03) to Planned Development Residential-2 Amended (PD 17-03A1) for property located at the southwest corner of Lasater Road and Stark Road in the City of Seagoville, Dallas County, Texas (Community Development Director)**
- 9. Discuss and consider an Ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from Planned Development Residential-2, (PD 17-03) to Planned Development Residential-2 Amended (PD 17-03A1) for property located at the southwest corner of Lasater Road and Stark Road in the City of Seagoville, Dallas County, Texas, and being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing for the approval of the construction plat, which is attached hereto and incorporated herein as Exhibit "B"; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development)**
- 10. Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing Anderson Asphalt & Concrete Paving, LLC, to perform the work necessary for the overlay of the parking area at 104 and 106 North Kaufman Street in an amount not to exceed Fourteen Thousand Five Hundred Dollars and No Cents (\$14,500.00); authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date (Community Development Director)**

11. Discuss and consider a Resolution awarding and authorizing a contract with Anderson Asphalt & Concrete Paving, LLC, for the East Malloy Bridge Road Rehabilitation – 7,300 LF Full Depth Reclamation in the amount of Six Hundred Two Thousand One Hundred Forty Three Dollars and Fifty Cents (\$602,143.50) and authorizing the City Manager to execute any and all necessary documents (Community Development Director)

12. Discuss and consider approval of a Resolution of the City Council of the City of Seagoville, Texas, in support of the Transportation Alternatives Set-Aside Program Project for the Mathis Street Sidewalk Project and appointing the City Manager as the authorized official for the grant; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Community Development Director)

13. Discuss and consider approval of a Resolution of the City Council of the City of Seagoville, Texas, in support of the Transportation Alternatives Set-Aside Program Project for the Malloy Bridge Road Sidewalk Project and appointing the City Manager as the authorized official for the grant; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Community Development Director)

14. Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing the purchase of a four (4') foot chain link fence to be placed at the entrance of Petty White Park and a forty-two (42") inch wrought iron fence with stone columns to be placed at the entrance of Bearden Park for a total combined amount not to exceed Forty-Three Thousand One Hundred Forty-One Dollars and No Cents (\$43,141.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Community Development Director)

15. Discuss and consider approving a Resolution of the City of Seagoville, Texas approving the Seagoville Economic Development Corporation's expenditure of \$40,300.00 to Billy L. Nabors Demolition for the complete demolition of 113 and 115 N. Kaufman Street; authorizing the City Manager to execute any and all necessary documents and providing an effective date (City Manager)

16. Discuss and consider an Ordinance of the City of Seagoville, Texas providing for "all way stop sign" to be installed at the intersection of Woodhaven Drive and Hillhaven Drive; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date (Community Development Director)

17. Discuss and consider an Ordinance of the City of Seagoville, Texas providing for “all way stop sign” to be installed at the intersection of Old Farm Road and Melrose Drive, at the intersection of Old Farm Road and Highgate Drive, and at the intersection of Old Farm Road at Glenrose Drive; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date (Community Development Director)

18. Discuss and consider an Ordinance of the City of Seagoville, Texas amending the Code of Ordinances Chapter 17, Article 17.03, Division 3, "Speed Limits", by amending Sections 17.03.083 and 17.03.084, to provide for the established maximum prima facie speed limit of 25 mph for residential streets within the City of Seagoville; authorizing the City Manager or designee to erect the appropriate signage; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offences; and providing an effective date (Community Development Director)

19. Discuss and consider a Resolution authorizing the City Manager to execute an Interlocal Agreement with the North Central Texas Emergency Communications District for regional 9-1-1 service; providing a savings clause; providing a severability clause; and providing an effective date (City Manager)

20. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 2, Building Code, Sections 21.02.051 and 21.02.052 to provide for the adoption of the International Building Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development Director)

21. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, “Technical and Construction Codes and Standards”, by adopting Division 11, “Existing Building Code”, Sections 21.02.551 and 21.02.552 to provide for the adoption of the International Existing Building Code, 2018 Edition, and to provide for the exceptions and amendments thereto; providing a penalty clause; and providing for an effective date (Community Development Director)

22. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 10, Property Maintenance Code, Sections 21.02.501, 21.02.502 and 21.02.504 to provide for the adoption of the International Property Maintenance Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development Director)

23. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 6, Plumbing Code, Sections 21.02.301 and 21.02.302 to provide for the adoption of the International Plumbing Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development Director)

24. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 4, Energy Conservation Code, Sections 21.02.151 and 21.02.152 to provide for the adoption of the International Energy Conservation Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development Director)

25. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, "Technical and Construction Codes and Standards", Division 7, Swimming Pool and Spa Code, Sections 21.02.351 and 21.02.352 to provide for the adoption of the International Swimming Pool and Spa Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development Director)

26. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 8, Mechanical Code, Sections 21.02.401 and 21.02.402 to provide for the adoption of the International Mechanical Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development Director)

27. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, “Technical and Construction Codes and Standards”, by adopting Division 9, “Fuel Gas Code”, Sections 21.02.451 and 21.02.452 to provide for the adoption of the International Fuel Gas Code, 2018 Edition, and the amendments thereto; providing a penalty clause; and providing for an effective date (Community Development Director)

28. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 3, Residential Code, Sections 21.02.101 and 21.02.102 to provide for the adoption of the International Residential Code for One- and Two-Family Dwellings, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development Director)

29. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 9, Article 9.03, Fire Code, by repealing Sections 9.03.001, 9.03.002, and 9.03.003 in their entirety, and replacing with new Sections 9.03.001, 9.03.002, and 9.03.003 to delete all references to the 2012 Edition and provide for the adoption of the International Fire Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date (Community Development Director)

30. Receive Councilmember Reports/Items of Community Interest – as authorized by Section 551.0415 of the Texas Government Code.

31. Future Agenda Items – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

32. Executive Session

(A) § 551.071. Consultation with City Attorney: receive legal advice related to legal representation

(B) § 551.071. Consultation with City Attorney: Woodside Lane project

33. Reconvene Into Regular Session

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

(A) § 551.071. Consultation with City Attorney: receive legal advice related to legal representation

(B) § 551.071. Consultation with City Attorney: Woodside Lane project

Adjourn

Posted Friday, January 25, 2019 by 5:00 P.M.



Kandi Jackson, City Secretary



As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

The City of Seagoville does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. If you have a request for services that will make this program accessible to you, please contact the City of Seagoville at least 72 hours in advance at (972) 287-6819. (TDD access 1-800-RELAY-TX)

DATES TO REMEMBER

- **Monday, February 4, 2019 is the next regular City Council meeting.**

Consent Session Agenda Item: 1

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for January 7, 2019.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for January 7, 2019.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

EXHIBITS:

January 7, 2019 Work Session Meeting minutes
January 7, 2019 Regular Session Meeting minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
JANUARY 7, 2019**

The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, January 7, 2019, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

Dennis Childress	Mayor
Jon Epps	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Mike Fruin	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Alexis Allen, Robert Hager, Victoria Thomas, Library Director Liz Gant, Water Utilities Director Phil DeChant, Assistant Water Utilities Director Chris Ryan, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

A. Discuss Regular Session Agenda Items

- 1. Consider approving City Council Meeting minutes for December 17, 2018 (City Secretary)**

No questions.

5. Discuss and consider amending Chapter 19, "Utilities", Article 19.02 "Solid Waste", Section 19.02.007, Subsection (a), to provide for the placement and storage of garbage receptacles on non-collection days (Councilmember Howard)

Councilmember Howard stated he would like to see garbage receptacles stored away from the street on non-collection days.

City Manager Stallings asked Director of Administrative Services Brown to share with Council her findings from surrounding cities. Director of Administrative Services Brown stated surrounding cities require garbage receptacles to be removed only if the pick-up is in an alley. Otherwise, they are required to be moved by a certain time with no requirements for the location.

Councilmember Fruin asked if reminders can be made on the City of Seagoville's website and social media. City Manager Stallings stated reminders can be released.

B. Update concerning Water Utilities projects

Water Utilities Director DeChant provided photos of the manhole collapse and explained the repair process.

Assistant Water Utilities Director Ryan explained the boring process that is currently in progress at May Road to Environmental Way.

Adjourned at 6:53 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL
REGULAR SESSION
JANUARY 7, 2019**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:02 p.m. on Monday, January 7, 2019 at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

Dennis Childress	Mayor
Jon Epps	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Mike Fruin	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Library Director Liz Gant, Community Development Director Ladis Barr, City Attorney Alexis Allen, City Attorney Robert Hager, City Attorney Victoria Thomas, Water Utilities Director Phil DeChant, Assistant Water Utilities Director Chris Ryan, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

Invocation – *Invocation was led by Councilmember Magill.*

Pledge of Allegiance – *Pledge of Allegiance was led by Mayor Childress.*

Mayor's Report – *Mayor stated Leadership Seagoville will be held March 7, 2019 through April 18, 2019. He also stated Leadership Seagoville was very informative.*

Citizens Public Comment Period- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

None.

CONSENT AGENDA- The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

- 1. Consider approving City Council Meeting minutes for December 17, 2018 (City Secretary)**

Motion to approve City Council Meeting minutes for December 17, 2018– Epps, seconded by Magill; motion passed with all ayes. 5/0

REGULAR AGENDA-

2. Receive presentation concerning the vehicle tracking program by Republic Services (Republic Services)

Randy Holcomb with Republic Services presented Third Eye and Connect, tracking programs that are utilized by Republic Services for training and safety purposes. He also stated the programs are useful to help provide customer service on an as needed basis.

3. Receive presentation concerning website and social media (Library Director)

Library Director Gant stated the City of Seagoville utilizes the website and social media to provide information to citizens. She demonstrated several options to obtain information through the City of Seagoville's website and social media sites.

4. Receive update concerning Boards and Commissions Appreciation Dinner (City Secretary)

City Secretary Jackson stated Monday, January 14, 2019 beginning at 7:00 p.m. the Boards and Commissions Appreciation Dinner will be held at City Hall. She stated the theme will be a Sock Hop and food provided from Wings Over Seagoville. She also stated music will be provided by KSGV 95.5, David Fox.

5. Discuss and consider amending Chapter 19, "Utilities", Article 19.02 "Solid Waste", Section 19.02.007, Subsection (a), to provide for the placement and storage of garbage receptacles on non-collection days (Councilmember Howard)

Mayor Childress stated Item #5 will be pulled from the Agenda.

6. Receive Councilmember Reports/Items of Community Interest – as authorized by Section 551.0415 of the Texas Government Code.

Councilmember Fruin stated he is very happy with Staff and the direction Seagoville is heading.

7. Future Agenda Items – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

Mayor Childress stated he is very appreciative of the hard work from all departments. He also stated one (1) negative comment does not negate hard work.

8. Recess into Executive Session at 7:39 p.m.

(A) § 551.071. Consultation with City Attorney: receive legal advice related to legal representation

(B) § 551.071. Consultation with City Attorney: receive legal advice related to direction on land development

9. Reconvene Into Regular Session at 8:35 p.m.

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

(A) § 551.071. Consultation with City Attorney: receive legal advice related to legal representation

(B) § 551.071. Consultation with City Attorney: receive legal advice related to direction on land development

No action taken.

Adjourned at 8:35 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 2

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Consider approval of Ordinance No. 01-2019 approving a budget amendment for the fiscal year ended September 30, 2018.

BACKGROUND OF ISSUE:

At the conclusion of budget year 2018, the Finance and Sanitation programs were over budget by \$12,135 and \$55,120 respectively. In building the FY 2018 Sanitation budget, staff conservatively estimated the number of service accounts and actual results were better than expected. During fiscal year 2018 the City experienced expenditures due to the retirement of the Finance Technician position. There are sufficient revenues from Sanitation fees to cover the overages incurred in the Sanitation and City Secretary programs. Additionally, maintenance and repair on various city streets exceeded the Streets budget by \$128,964. Staff proposes reallocating budget resources from Capital Outlay to bolster the Streets expenditure budget and provide additional expenditure budget for the Finance department. Staff also recommends increasing the Sanitation revenue source budget by \$67,200. Council approval of staff recommendation will eliminate the overages from actual experience of FY 2018 for the General Government, Public Safety, Community Services and Community Development budgets.

FINANCIAL IMPACT:

Increases the FY 2018 revenue budget by \$67,200 and increases the expenditure budget by \$67,200.

EXHIBITS

Exhibit A-1: FY 2017 General Fund Budgetary Comparison
(Affected amounts are highlighted).

**CITY OF SEAGOVILLE, TEXAS
GENERAL FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2018**

	Budgeted amounts		Actual	Variance with Final Budget
	Original	Final		Positive (Negative)
Revenues				
Taxes				
Ad valorem	\$ 4,011,440	\$ 4,011,440	\$ 4,291,635	\$ 280,195
Sales	2,293,470	2,293,470	2,521,508	228,038
Franchise	637,500	637,500	684,983	47,483
Sanitation collection charges	934,920	1,002,120	1,044,430	42,310
Licenses, permits and fees	411,395	411,395	549,475	138,080
Municipal court fines	192,500	192,500	243,792	51,292
Intergovernmental	29,000	29,000	128,605	99,605
Investment income	2,500	2,500	48,155	45,655
Miscellaneous revenues	6,000	6,000	11,150	5,150
Total revenues	8,518,725	8,585,925	9,523,733	937,808
Expenditures:				
Current				
General government				
City council	9,450	9,450	2,076	7,374
City manager	213,681	213,681	212,610	1,071
City secretary	100,410	100,410	104,516	(4,106)
Finance	361,436	373,636	373,571	65
Human Resources	114,584	114,584	115,105	(521)
Non-departmental	368,828	368,828	369,327	(499)
Information Technology	99,179	99,179	99,462	(283)
Total general government	1,267,568	1,279,768	1,276,667	3,101
Public safety				
Police	2,024,940	2,024,940	2,092,726	(67,786)
Fire	1,787,366	1,787,366	1,780,601	6,765
EMS	164,080	164,080	164,080	0
Support Services	662,229	662,229	593,209	69,020
Animal Control	114,339	114,339	109,169	5,170
Total public safety	\$ 4,752,954	\$ 4,752,954	\$ 4,739,785	\$ 13,169

**CITY OF SEAGOVILLE, TEXAS
GENERAL FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2018**

	Budgeted amounts		Actual	Variance with Final Budget Positive (Negative)
	Original	Final		(Negative)
Community Services				
Municipal court	169,508	169,508	164,852	4,656
Library	185,613	185,613	181,284	4,329
Senior center	202,459	202,459	195,133	7,326
Sanitation	747,680	802,680	802,800	(120)
Total community services	1,305,260	1,360,260	1,344,069	16,191
Community development				
Building inspection	342,274	342,274	344,439	(2,165)
Code enforcement	181,758	181,758	184,818	(3,060)
Streets	440,789	595,789	569,753	26,036
Parks	241,985	241,985	259,247	(17,262)
Planning	84,023	84,023	86,536	(2,513)
Total community development	1,290,829	1,445,829	1,444,793	1,036
Debt Service	119,470	119,470	114,524	4,946
Capital Outlay	1,870,854	1,715,854	1,297,153	418,701
Total expenditures	10,606,935	10,674,135	10,216,991	457,144
Excess (deficiency) of revenues over expenditures	(2,088,210)	(2,088,210)	(693,258)	1,394,951
Other financing sources (uses)				
Transfers in	379,904	379,904	379,904	-
Total other financing sources (uses)	379,904	379,904	379,904	-
Net change in fund balance	(1,708,306)	(1,708,306)	(313,354)	1,394,951
Fund Balances - beginning	5,234,809	5,234,809	5,234,809	-
Fund Balances - ending	\$ 3,526,503	\$ 3,526,503	\$ 4,921,455	\$ 1,394,951

ORDINANCE NO. 01-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING ORDINANCE 20-2017 WHICH ADOPTED THE OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; PROVIDING AMENDED APPROPRIATIONS FOR THE GENERAL FUND AND STREET MAINTENANCE FUND OF THE CITY; AUTHORIZING THE CITY MANAGER TO MAKE ADJUSTMENTS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the 2017-2018 Operating Budget by Ordinance 20-2017 on September 11, 2017 appropriating the necessary funds out of the general revenues, grants and other revenues for the maintenance and operation of various funds, departments, activities and improvements of the City; and

WHEREAS, the Texas Local Government Code § 102.010, “Changes in Budget for Municipal Purposes”, allows a municipality to amend their budgets as deemed necessary for municipal purposes; and

WHEREAS, the City Manager is submitting the amended budget of expenditures for conducting the affairs of the City for FY 2017-2018; and

WHEREAS, upon full consideration of the matter, Council made such amendments to the adopted budget which in their judgment are warranted and in the best interest of the taxpayer of the City of Seagoville and is proposed as recorded in Section 1, replacing Exhibit A of the adopted budget Ordinance 20-2017;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS SUBJECT TO THE APPLICABLE STATE LAWS AND THE CITY CHARTER:

SECTION 1. That the appropriations for the Fiscal Year beginning October 1, 2017 and ending September 30, 2018 for the operation of different funds and purposes of the City of Seagoville be amended as follows:

	<u>Adopted</u>	<u>Amendment</u>	<u>Amended</u>
General Fund	\$ 9,101,235	\$ 67,200	\$ 9,168,435

SECTION 2. That all provisions of the ordinance of the City of Seagoville in conflict with provisions of this ordinance, be and the same are hereby repealed, and all other provisions of the ordinances of the City of Seagoville not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same should not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

DULY PASSED by the City Council of the City of Seagoville, Texas, on 28th day of January, 2019.

APPROVED:

DENNIS CHILDRESS MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY

Regular Session Agenda Item: 3

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Discuss the financial impact of the Partial Federal Shutdown on the City's Water and Sewer Budget.

BACKGROUND OF ISSUE:

Finance Director Mr. Patrick Harvey will brief members of the City Council concerning the Partial Federal Shutdown and its impact on the City's Water and Sewer Budget.

FINANCIAL IMPACT:

To be determined.

RECOMMENDATION:

N/A

EXHIBITS

N/A

Regular Session Agenda Item: 4

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Receive a presentation from Texas Department of Transportation (TxDOT) concerning construction on U.S. Highway 175.

BACKGROUND OF ISSUE:

This item was requested by Councilmember Hernandez.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 5

Meeting Date: January 28, 2018

ITEM DESCRIPTION:

Receive a presentation concerning an update on STAR Transit services and provide background information for a STAR Transit recommendation to make adjustments to the “Seagoville Express” daily schedule from Kim Britton, STAR Chief Communications Officer.

BACKGROUND OF ISSUE:

Analysis of ridership reports reveals possible cause to consider a shift to the afternoon/evening service schedule. Consider instituting an earlier round of service and eliminating the last round of service in the evening. When the first pickup round is initiated, there are typically several people waiting. In addition, the last pickup round in the evening is used sporadically.

FINANCIAL IMPACT:

None

RECOMMENDATION:

To approve recommended changes in the Seagoville Express service schedule.

EXHIBITS:

Ridership Reports for 5:00 PM and 6:50 PM Round of Services

5:00 PM Round

8/1/2018	S3 SEAGO CITY HALL	5:06:00 PM	1	0
	S8 DART BUCKNER STATION	5:30:08 PM	0	1
	S2 WALMART	5:03:35 PM	1	0
8/2/2018	S3 SEAGO CITY HALL	5:06:03 PM	1	0
	S8 DART BUCKNER STATION	5:29:26 PM	1	2
	S10 SEAGO SHOPPING CENTER	5:48:30 PM	0	1
8/3/2018	S8 DART BUCKNER STATION	5:34:06 PM	1	0
	S12 SEAGO SENIOR CENTER	5:54:09 PM	0	1
8/4/2018				
8/5/2018				
8/6/2018	S3 SEAGO CITY HALL	5:06:39 PM	1	0
	S4 CREEKSTONE	5:09:21 PM	2	0
	S8 DART BUCKNER STATION	5:29:47 PM	0	3
8/7/2018	S3 SEAGO CITY HALL	5:07:49 PM	1	0
	S8 DART BUCKNER STATION	5:28:27 PM	0	1
	S3 SEAGO CITY HALL	5:06:35 PM	1	0
8/8/2018	S8 DART BUCKNER STATION	5:27:18 PM	1	1
	S10 SEAGO SHOPPING CENTER	5:47:06 PM	0	1
8/9/2018	S3 SEAGO CITY HALL	5:09:31 PM	2	0
	S8 DART BUCKNER STATION	5:32:03 PM	0	2
	S3 SEAGO CITY HALL	5:06:21 PM	1	0
8/10/2018	S8 DART BUCKNER STATION	5:29:03 PM	1	1
	S9 SIMONDS RD	5:40:46 PM		1
8/11/2018				
8/12/2018				
8/14/2018	S3 SEAGO CITY HALL	5:09:45 PM	1	0
	S8 DART BUCKNER STATION	5:31:03 PM	3	1
	S9 SIMONDS RD	5:44:33 PM	0	3
	S3 SEAGO CITY HALL	5:05:40 PM	2	0
	S8 DART BUCKNER STATION	5:27:19 PM	2	2
8/15/2018	S11 MATHIS @ HOWARD	5:46:22 PM	1	0
	S2 WALMART	5:51:13 PM	0	1
	S4 CREEKSTONE	5:54:42 PM	0	1
	S5 CEDAR POINTE APTS	5:57:07 PM	0	1
8/16/2018	S3 SEAGO CITY HALL	5:14:25 PM	1	0
	S8 DART BUCKNER STATION	5:27:13 PM	2	1
	S9 SIMONDS RD	5:51:47 PM	0	1
	S10 SEAGO SHOPPING CENTER	5:51:52 PM	0	1
8/17/2018	S3 SEAGO CITY HALL	5:06:00 PM	1	0
	S8 DART BUCKNER STATION	5:27:47 PM	1	1
8/18/2018				
8/19/2018				
8/20/2018	S3 SEAGO CITY HALL	5:08:29 PM	1	0
	S8 DART BUCKNER STATION	5:27:31 PM	3	1
	S10 SEAGO SHOPPING CENTER	5:45:01 PM	0	2
8/21/2018	S3 SEAGOVILLE CITY HALL	5:08:40 PM	1	0
	S8 DART BUCKNER STATION	5:26:05 PM	3	1
	S10 SEAGO SHOPPING CENTER	5:39:40 PM	0	3
8/22/2018	S8 DART BUCKNER STATION	5:32:56 PM	5	0
	S9 SIMONDS RD	5:48:03 PM	0	1
8/23/2018	S3 SEAGOVILLE CITY HALL	5:07:49 PM	1	0
	S4 CREEKSTONE	5:11:07 PM	1	0
	S8 DART BUCKNER STATION	5:28:01 PM	1	2
8/24/2018	S3 SEAGOVILLE CITY HALL	5:07:43 PM	1	0
	S8 DART BUCKNER STATION	5:31:52 PM	3	1
	S9 SIMONDS RD	5:44:54 PM	0	2
	S12 SEAGO SENIOR CENTER	5:49:31 PM	0	1
8/25/2018				
8/26/2018				
8/27/2018	S3 SEAGOVILLE CITY HALL	5:10:03 PM	1	0
	S4 CREEKSTONE	5:12:21 PM	1	0
	S8 DART BUCKNER STATION	5:28:01 PM	3	2
	S10 SEAGOVILLE SHOPPING CENTRE	5:44:07 PM	0	1
8/28/2018	S3 SEAGOVILLE CITY HALL	5:10:47 PM	1	0
	S4 CREEKSTONE	5:13:38 PM	1	0
	S8 DART BUCKNER STATION	5:30:54 PM	4	2
	S10 SEAGOVILLE SHOPPING CENTRE	5:47:02 PM	0	1
8/29/2018	S3 SEAGOVILLE CITY HALL	5:07:48 PM	1	0
	S5 CEDAR POINTE APTS	5:11:36 PM	1	0
	S8 DART BUCKNER STATION	5:26:59 PM	3	2
	S9 SIMONDS RD	5:42:53 PM	0	1
	S3 SEAGOVILLE CITY HALL	5:05:57 PM	1	0
8/30/2018	S7 CREEKSIDE APTS	5:11:30 PM	1	0
	S8 DART BUCKNER STATION	5:28:17 PM	3	2
	S9 SIMONDS RD	5:41:00 PM	0	2
8/31/2018	S3 SEAGOVILLE CITY HALL	5:08:50 PM	1	0
	S6 KIMBERLY @ CREEKSIDE	5:13:09 PM	1	0
	S8 DART BUCKNER STATION	5:29:38 PM	1	2

9/1/2018				
9/2/2018				
9/4/2018	S3 SEAGOVILLE CITY HALL	5:07:05 PM	1	0
	S8 DART BUCKNER STATION	5:34:23 PM	0	3
	S9 SIMONDS RD	5:45:34 PM	0	1
	S10 SEAGOVILLE SHOPPING CENTRE	5:48:28 PM	0	1
9/5/2018	S3 SEAGOVILLE CITY HALL	5:08:13 PM	2	0
	S8 DART BUCKNER STATION	5:26:59 PM	2	2
	S10 SEAGOVILLE SHOPPING CENTRE	5:42:15 PM	0	1
	S3 SEAGOVILLE CITY HALL	5:07:59 PM	1	0
9/6/2018	S8 DART BUCKNER STATION	5:28:47 PM	2	1
	S9 SIMONDS RD	5:43:55 PM	0	1
9/8/2018				
9/9/2018				
9/10/2018	S3 SEAGOVILLE CITY HALL	5:07:24 PM	1	0
	S8 DART BUCKNER STATION	5:26:08 PM	2	1
	S10 SEAGOVILLE SHOPPING CENTRE	5:40:38 PM	0	1
	S3 SEAGOVILLE CITY HALL	5:08:56 PM	1	0
9/11/2018	S4 CREEKSTONE	5:12:16 PM	1	0
	S8 DART BUCKNER STATION	5:26:24 PM	3	2
	S9 SIMONDS RD	5:37:06 PM	0	1
	S1 VILLAS OF SEAGOVILLE	5:02:17 PM	1	0
9/12/2018	S7 CREEKSIDE APTS	5:15:30 PM	1	0
	S8 DART BUCKNER STATION	5:31:14 PM	2	0
	S3 SEAGOVILLE CITY HALL	5:12:31 PM	1	0
	S4 CREEKSTONE	5:15:26 PM	1	0
9/13/2018	S7 CREEKSIDE APTS	5:19:12 PM	1	0
	S8 DART BUCKNER STATION	5:31:35 PM	4	3
	S9 SIMONDS RD	5:42:48 PM	0	1
	S10 SEAGOVILLE SHOPPING CENTRE	5:45:34 PM	0	2
9/14/2018	S3 SEAGOVILLE CITY HALL	5:08:36 PM	1	0
	S8 DART BUCKNER STATION	5:28:27 PM	1	1
	S10 SEAGOVILLE SHOPPING CENTRE	5:45:43 PM	0	1
9/15/2018				
9/16/2018				
9/17/2018	S3 SEAGOVILLE CITY HALL	5:07:06 PM	1	0
	S8 DART BUCKNER STATION	5:25:34 PM	1	1
	S10 SEAGOVILLE SHOPPING CENTRE	5:38:05 PM	0	1
	S3 SEAGOVILLE CITY HALL	5:08:57 PM	1	0
9/18/2018	S8 DART BUCKNER STATION	5:28:22 PM	2	1
	S3 SEAGOVILLE CITY HALL	5:07:10 PM	3	0
	S8 DART BUCKNER STATION	5:27:18 PM	2	3
9/19/2018	S9 SIMONDS RD	5:38:37 PM	0	1
	S10 SEAGOVILLE SHOPPING CENTRE	5:41:25 PM	0	1
9/20/2018	S8 DART BUCKNER STATION	5:25:37 PM	3	0
	S9 SIMONDS RD	5:39:40 PM	0	3
	S12 SEAGO SENIOR CENTER	5:47:55 PM	1	0
9/21/2018	S8 DART BUCKNER STATION	5:29:58 PM	1	0
	S12 SEAGO SENIOR CENTER	5:52:35 PM	0	1
9/22/2018				
9/23/2018				
9/24/2018	S3 SEAGOVILLE CITY HALL	5:22:13 PM	1	0
	S8 DART BUCKNER STATION	5:43:29 PM	3	1
	S3 SEAGOVILLE CITY HALL	5:06:06 PM	1	0
	S7 CREEKSIDE APTS	5:13:05 PM	1	0
9/25/2018	S8 DART BUCKNER STATION	5:27:48 PM	3	2
	S9 SIMONDS RD	5:39:27 PM	0	1
	S10 SEAGOVILLE SHOPPING CENTRE	5:44:07 PM	0	2
	S3 SEAGOVILLE CITY HALL	5:12:26 PM	1	0
9/26/2018	S8 DART BUCKNER STATION	5:28:20 PM	1	1
	S9 SIMONDS RD	5:40:15 PM	0	1
	S3 SEAGOVILLE CITY HALL	5:08:44 PM	1	0
9/27/2018	S4 CREEKSTONE	5:10:34 PM	1	0
	S8 DART BUCKNER STATION	5:27:54 PM	1	2
	S9 SIMONDS RD	5:39:54 PM	0	1
9/28/2018	S3 SEAGOVILLE CITY HALL	5:09:32 PM	1	0
	S8 DART BUCKNER STATION	5:27:29 PM	1	1
9/29/2018				
9/30/2018				

10/1/2018	S7 CREEKSIDE APTS	5:13:49 PM	1	0
	S8 DART BUCKNER STATION	5:27:50 PM	4	0
	S10 SEAGOVILLE SHOPPING CENTRE	5:41:26 PM	0	1
	S11 MATHIS @ HOWARD	5:44:32 PM	0	1
10/2/2018				
10/3/2018	S3 SEAGOVILLE CITY HALL	5:07:38 PM	1	0
	S8 DART BUCKNER STATION	5:22:57 PM	3	1
	S9 SIMONDS RD	5:38:45 PM	0	1
10/4/2018				
10/5/2018	S8 DART BUCKNER STATION	5:34:13 PM	1	0
	S10 SEAGOVILLE SHOPPING CENTRE	5:45:49 PM	0	1
10/6/2018				
10/7/2018				
10/8/2018	S8 DART BUCKNER STATION	5:30:19 PM	1	0
	S9 SIMONDS RD	5:43:00 PM	0	1
10/9/2018	S3 SEAGOVILLE CITY HALL	5:09:38 PM	1	0
	S8 DART BUCKNER STATION	5:27:15 PM	1	0
	S9 SIMONDS RD	5:40:06 PM	0	1
10/10/2018	S3 SEAGOVILLE CITY HALL	5:09:37 PM	1	0
	S7 CREEKSIDE APTS	5:14:44 PM	1	0
	S8 DART BUCKNER STATION	5:34:45 PM	0	2
10/11/2018				
10/12/2018	S3 SEAGOVILLE CITY HALL	5:08:13 PM	2	0
	S8 DART BUCKNER STATION	5:25:39 PM	0	2
10/13/2018				
10/14/2018				
10/15/2018	S3 SEAGOVILLE CITY HALL	5:08:38 PM	1	0
	S8 DART BUCKNER STATION	5:25:34 PM	0	1
10/16/2018	S7 CREEKSIDE APTS	5:18:29 PM	1	0
	S8 DART BUCKNER STATION	5:33:53 PM	2	1
	S9 SIMONDS RD	5:49:30 PM	0	1
10/17/2018	S5 CEDAR POINT APTS	5:10:03 PM	1	0
	S8 DART BUCKNER STATION	5:25:44 PM	0	1
	S10 SEAGOVILLE SHOPPING CENTRE	5:50:18 PM	0	1
10/18/2018	S3 SEAGOVILLE CITY HALL	5:05:16 PM	1	0
	S4 CREEKSTONE	5:07:56 PM	1	0
	S8 DART BUCKNER STATION	5:27:26 PM	2	2
	S10 SEAGOVILLE SHOPPING CENTRE	5:44:29 PM	0	2
10/19/2018	S3 SEAGOVILLE CITY HALL	5:08:27 PM	1	0
	S8 DART BUCKNER STATION	5:33:33 PM	0	1
	S9 SIMONDS RD	5:45:26 PM	1	0
	S10 SEAGOVILLE SHOPPING CENTRE	5:49:04 PM	0	1
10/20/2018				
10/21/2018				
10/22/2018	S8 DART BUCKNER STATION	5:28:08 PM	4	0
	S9 SIMONDS RD	5:41:27 PM	0	2
	S10 SEAGOVILLE SHOPPING CENTRE	5:45:44 PM	0	2
10/23/2018	S1 VILLAS OF SEAGOVILLE	4:58:43 PM	1	0
	S3 SEAGOVILLE CITY HALL	5:06:26 PM	1	0
	S7 CREEKSIDE APTS	5:12:19 PM	0	1
	S8 DART BUCKNER STATION	5:31:11 PM	4	0
	S9 SIMONDS RD	5:46:23 PM	0	2
	S10 SEAGOVILLE SHOPPING CENTRE	5:52:11 PM	0	1
10/24/2018				
10/25/2018	S7 CREEKSIDE APTS	5:15:05 PM	2	0
	S8 DART BUCKNER STATION	5:33:23 PM	6	2
	S9 SIMONDS RD	5:45:00 PM	0	4
	S10 SEAGOVILLE SHOPPING CENTRE	5:50:32 PM	0	2
10/26/2018	S2 WALMART	5:04:11 PM	1	0
	S8 DART BUCKNER STATION	5:28:45 PM	2	1
	S9 SIMONDS RD	5:40:13 PM	0	1
10/27/2018				
10/28/2018				
10/29/2018	S3 SEAGOVILLE CITY HALL	5:14:52 PM	1	0
	S8 DART BUCKNER STATION	5:32:52 PM	2	1
	S9 SIMONDS RD	5:45:43 PM	0	2
10/30/2018	S3 SEAGOVILLE CITY HALL	5:06:35 PM	1	0
	S8 DART BUCKNER STATION	5:30:45 PM	4	0
	S9 SIMONDS RD	5:45:04 PM	0	3
10/31/2018	S1 VILLAS OF SEAGOVILLE	5:00:54 PM	1	0
	S3 SEAGOVILLE CITY HALL	5:06:02 PM	3	0
	S8 DART BUCKNER STATION	5:28:02 PM	1	3

6:50 PM Round

8/1/2018				
8/2/2018				
8/3/2018				
8/4/2018				
8/5/2018				
8/6/2018				
8/7/2018	S4 CREEKSTONE	7:14:43 PM	1	
	S7 CREEKSIDE APTS	7:15:10 PM		1
	S8 DART BUCKNER STATION	7:19:58 PM	1	
	S9 SIMONDS RD	7:57:08 PM		1
8/8/2018	S4 CREEKSTONE	7:05:34 PM	1	
	S8 DART BUCKNER STATION	7:22:44 PM		1
8/9/2018	S5 CEDAR POINTE APTS	7:01:31 PM	1	
	S8 DART BUCKNER STATION	7:23:28 PM		1
8/10/2018				
8/11/2018				
8/12/2018				
8/13/2018				
8/14/2018				
8/15/2018	S2 WALMART	6:53:56 PM	1	
	S6 KIMBERLY @ CREEKSIDE	7:02:06 PM		1
	S8 DART BUCKNER STATION	7:17:14 PM	2	
	S10 SEAGO SHOPPING CENTER	7:45:03 PM		2
8/16/2018				
8/17/2018				
8/18/2018				
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8/20/2018				
8/21/2018				
8/22/2018				
8/23/2018				
8/24/2018	S8 DART BUCKNER STATION	7:16:59 PM	1	
	S9 SIMONDS RD	7:28:52 PM		1
8/25/2018				
8/26/2018				
8/27/2018	S8 DART BUCKNER STATION	7:27:57 PM	1	
	S10 SEAGOVILLE SHOPPING CENTRE	7:41:23 PM		1
8/28/2018				
8/29/2018				
8/30/2018				
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Weekend

9/1/2018				
9/2/2018				
9/3/2018				
9/4/2018				
9/5/2018	S8 DART BUCKNER STATION	7:17:41 PM	1	0
	S9 SIMONDS RD	7:27:08 PM	0	1
9/6/2018				
9/7/2018				
9/8/2018				
9/9/2018				
9/10/2018				
9/11/2018				
9/12/2018				
9/13/2018	S8 DART BUCKNER STATION	7:03:59 PM	1	0
	S9 SIMONDS RD	7:27:08 PM	0	1
9/14/2018	S8 DART BUCKNER STATION	7:18:14 PM	1	0
	S9 SIMONDS RD	7:27:08 PM	0	1
9/15/2018				
9/16/2018				
9/17/2018				
9/18/2018	S4 CREEKSTONE	6:57:54 PM	1	0
	S8 DART BUCKNER STATION	7:18:30 PM	0	1
9/19/2018	S3 SEAGOVILLE CITY HALL	7:03:42 PM	1	0
	S8 DART BUCKNER STATION	7:21:11 PM	0	1
9/20/2018	S5 CEDAR POINT APTS	6:59:33 PM	1	0
	S8 DART BUCKNER STATION	7:18:38 PM	0	1
9/21/2018				
9/22/2018				
9/23/2018				
9/24/2018	S8 DART BUCKNER STATION	7:17:23 PM	1	0
	S10 SEAGOVILLE SHOPPING	7:33:10 PM	0	1
9/25/2018	S8 DART BUCKNER STATION	7:20:41 PM	1	0
	S10 SEAGOVILLE SHOPPING	7:34:10 PM	0	1
9/26/2018				
9/27/2018	S3 SEAGOVILLE CITY HALL	6:59:12 PM	1	0
	S8 DART BUCKNER STATION	7:18:38 PM	0	1
9/28/2018	S7 CREEKSIDE APTS	7:06:58 PM	2	0
	S8 DART BUCKNER STATION	7:21:01 PM	0	2
9/29/2018				
9/30/2018				

11 11

10/1/2018				
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10/9/2018				
10/10/2018	S8 DART BUCKNER STATION	7:17:57 PM	1	
	S10 SEAGOVILLE SHOPPING CENTRE	7:37:19 PM		1
10/11/2018				
10/12/2018				
10/13/2018				
10/14/2018				
10/15/2018				
10/16/2018				
10/17/2018				
10/18/2018	S10 SEAGOVILLE SHOPPING CENTRE	7:33:50 PM	1	
	S11 MATHIS @ HOWARD	7:35:10 PM		1
10/19/2018				
10/20/2018				
10/21/2018				
10/22/2018	S8 DART BUCKNER STATION	7:23:36 PM	1	
	S10 SEAGOVILLE SHOPPING CENTRE	7:38:57 PM		1
10/23/2018				
10/24/2018				
10/25/2018	S2 WALMART	6:53:48 PM	1	
	S8 DART BUCKNER STATION	7:19:46 PM		1
10/26/2018	S8 DART BUCKNER STATION	7:19:46 PM	1	
	S10 SEAGOVILLE SHOPPING CENTRE	7:39:29 PM		1
10/27/2018				
10/28/2018				
10/29/2018				
10/30/2018	S4 CREEKSTONE	6:59:31 PM	1	
	S8 DART BUCKNER STATION	7:17:42 PM		1
10/31/2018	S8 DART BUCKNER STATION	7:17:37 PM	1	
	S9 SIMONDS RD	7:26:32 PM		1

7 7

Regular Session Agenda Item: 6

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Direct Staff concerning Council Meeting dates for February 2019.

BACKGROUND OF ISSUE:

The second Council Meeting for February 2019 falls on Monday, February 18, 2019. City offices are closed that day in observance of Presidents' Day. Staff recommends moving the second Council meeting to Monday, February 25, 2019.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 7

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Receive a presentation concerning International Council of Shopping Centers (ICSC) Conference in Ft. Worth.

BACKGROUND OF ISSUE:

Several Board Members attended the ICSC Conference in Ft. Worth on Wednesday, January 9, 2019, Thursday, January 10, 2019, Friday January 11, 2019 and will provide an update.

FINANCIAL IMPACT:

RECOMMENDATION:

EXHIBITS

Regular Session Agenda Item: 8

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Conduct a public hearing on a change in zoning from Planned Development Residential-2, (PD 17-03) to Planned Development Residential-2 Amended (PD 17-03A1) for property located at the southwest corner of Lasater Road and Stark Road in the City of Seagoville, Dallas County, Texas.

BACKGROUND OF ISSUE:

Zoning request Z2019-03 amends the current PD 17-03 (Plan Development with a R-2, Residential Single Family base zoning) to PD 17-03A1 (PD 17-03 Amendment 1), which is located on the southwest corner of the intersection of Lasater Road and Stark Road situated in the Herman Heider Survey Abstract 541 by correcting the acreage to 7.988; requesting to escrow the Lasater Road improvements; and amending the original concept plan by reducing the number of lots, reducing the minimum lot depth to 122-feet, and reducing the minimum lot area to 7,300-square-feet. The rest of this section covers each of those items in more detail.

The size of the development is changing because the exact location of the city limit line between Dallas and Seagoville was not known at the time of the initial PD ordinance. Since then, the property has been sold and survey field work has been completed to determine the location of the line. Because of where the city limits line has now been determined to be located, the acreage within Seagoville has been reduced even though the size of the parent parcel (containing both the Seagoville and Dallas portions) has not.

The concept plan (labeled Shepherds Place East) included in the original PD ordinance (19-2017) showed 29 lots and 2 detentions ponds. The new construction plat (labeled Wellington Farms East) shows only 23 lots while increasing the size of each of the detention ponds. This reduction on the number of lots in Seagoville is due to engineering calculations for the length of time and volume of water that the detention ponds need to hold during and following storm events.

The original PD language did not include any notations for the widening of Stark Road, but that concept plan did show 10-feet of planned widening. Staff's review of construction plat shows that this planned widening will meet the applicant's share of Thoroughfare Plan's required minimum 80-feet of total right-of-way for Major Collectors such as Stark Road.

As the only available copy of the original concept has been reduced to fit on a letter-sized sheet of paper, it is almost impossible to read the dimensions on it. However, it is unlikely that any of the original lots would have met the minimum depth listed in the original text (140-feet) because the depth of the property (as shown on the construction plat submitted with this application) varies from less than 142-feet to just over 158-feet between the current northwest right-of-way line of Stark Road and the location of the line separating Seagoville from Dallas. These depth variations are prior to multiple notations for widening the existing right-of-way on this side of Stark Road on both the original concept plan and the submitted construction plat. Staff recommended to allow the minimum lot depth be not less than 122-feet (a rounding down of the smallest lot as now shown depth to a whole foot).

Since the applicant is not requesting a change in the minimum lot width, Staff reviewed the construction plat to confirm that this distance is remaining constant on all the new lots. From the Wellington construction plat, the area of the new smallest lot will now be slightly larger than 7,340 square feet – instead of the Shepherd PD minimum of 8,400 square feet. The applicant is requesting the minimum lot area be further reduced to 7,300 square feet.

Finally, the applicant is requesting that the improvements for Lasater Road be escrowed until time for the Final Plat - when payment would be made along with any other outstanding inspection fees, application fees, park fees, and other fees normally collected by the City. In order for this amount to happen, by code section 23.06.010 (Deferral of Required Improvements) a Subdivision Improvement Agreement (details in §23.06.002) needs to be executed by the applicant, the P&Z receive a recommendation from the City Engineer to accept escrow instead of requiring building, and then cash escrow can be completed. Since no supporting documents have been supplied to Staff in relation to a Deferral or Agreement, staff cannot support the escrow request until the other documents or referrals are completed. However, due to the limited area of Lasater Road that is in Seagoville (150-feet from the existing right-or-way line before this development occurs), Staff can say that in theory they do not see any reasonable justification to not support such a request.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report. The report also provides a recommendation from Staff on whether the P&Z and City Council should deny or approve the applicant's request.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

RECOMMENDATION:

Besides the parcels in question, there are fifteen (15) properties, and two (2) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail. A legal ad was also published per the Texas Local Government Code in the Daily Commercial Record newspaper. Planning and Zoning Commission meetings were held on this request on both Tuesday, October 9, 2018 and Tuesday, January 8, 2019. The reason for the second Planning and Zoning Commission meeting was because the land was sold within days of the first Planning and Zoning Commission meeting. Staff wanted the new owners to review the original application and confirm that there was nothing that they also wanted to change before the City Council looked at the request. The new owners did confirm that they were satisfied with the amendment request to the planned development, so a new application was provided to staff and new fees were paid.

At the January 2019 Planning and Zoning Commission meeting, the members voted unanimously five (5) to zero (0) in favor of recommending the approval of the request to amend the current PD 17-03 (Plan Development with a R-2, Residential Single Family base zoning) to PD 17-03A1 (PD 17-03 Amendment 1) as submitted for a development on the southwest corner of the intersection of Lasater Road and Stark Road situated in the Herman Heider Survey Abstract 541 by:

- Correcting the acreage to 7.988;
- Escrowing the Lasater Road improvements; and
- Amending the original concept plan by:
 - Reducing the number of lots,
 - Reducing the minimum lot depth to 122-feet, and
 - Reducing the minimum lot area to 7,300-square-feet.

Staff is also recommending the approval.

EXHIBITS:

Each of the following are set for printing on letter-sized paper unless otherwise listed.

1. Staff Report (5 pages)
2. 2017 aerial photograph from DCAD website
3. Reference maps from DCAD website
 - a. Dimensional map
 - b. City limits and School district boundary map
4. Zoning map reference (dimensional map with zoning added)
5. Zoning application (5 pages)
 - a. Application
 - b. List of requested changes (2 pages)
 - c. New PD construction plat (11x17 sheet)
6. Public hearing notice at City Council to newspaper
7. Public hearing notice at City Council to property owners within 200 feet (2 pages)
8. List of property owners within 200 feet of subject parcel
9. Original PD ordinance 19-2017 (6 pages)



COMMUNITY DEVELOPMENT
 702 NORTH HIGHWAY 175
 SEAGOVILLE, TX 75159
 PHONE: (972) 287-2050

STAFF REPORT
Z2019-03

DATE: JANUARY 28, 2019
AUTHOR: JENNIFER BONNER, JUNIOR PLANNER
APPLICANT: D. R. HORTON - TEXAS, LTD. & ENGINEERING CONCEPTS AND DESIGN, L.P.
PARCELS: 650-541-420-100-70000
LOCATION: 1110 STARK ROAD (TRACT 7 OF HERMAN HEIDER ABSTRACT)

REQUEST SUMMARY:

The applicants are requesting that the current planned development's text and concept be amended to reflect changes required because of the location of the city limits line and the amount of required right-of-way dedications for both Stark Road and Lasater Road. The subject parcel is highlighted in green and under the 2 purple stars outlined in yellow on the map to the right. The reduced number of lots and their minimum depth from the construction plat also revises the size and shape of the 2 detention ponds which will be constructed in the City of Seagoville.



REQUEST LOCATION: Inside City; Dallas County

SIZE OF PROPERTY	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
8+acres to be divided into 23 residential lots and 3 common areas	PD-R2, Planned Development with R-2 base zoning district	Northwest: City of Dallas Southwest: R-2, Single Family Residential and City of Dallas Northeast: PD, Planned Development with R-5 base zoning Southeast: R-2, Single Family Residential	Low Density Residential	Northwest: City of Dallas Southwest: Low Density Residential and City of Dallas Northeast: Low Density Residential Southeast: Low Density Residential

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Commission voted five (5) to zero (0) in favor of recommending the approval of the request to amend the current PD 17-03 (Plan Development with a R-2, Residential Single Family base zoning) to PD 17-03A1 (PD 17-03 Amendment 1) as submitted for a development on the west corner of the intersection of Lasater Road and Stark Road situated in the Herman Heider Survey Abstract 541 by:

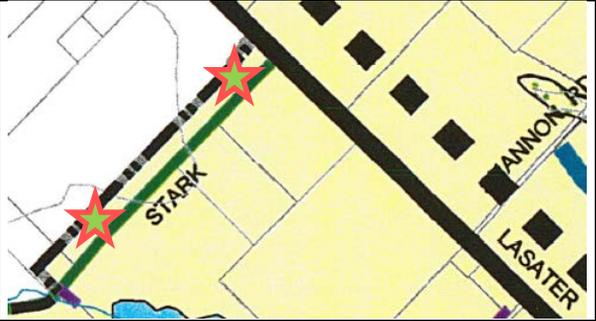
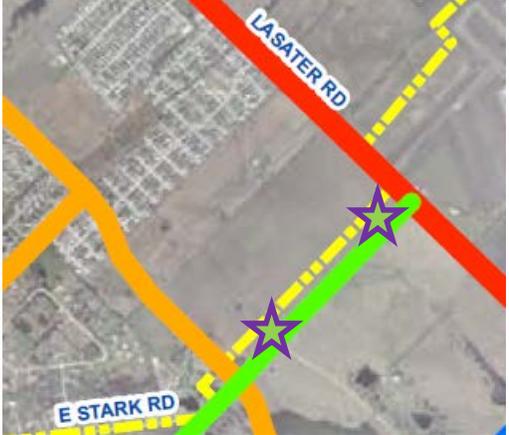
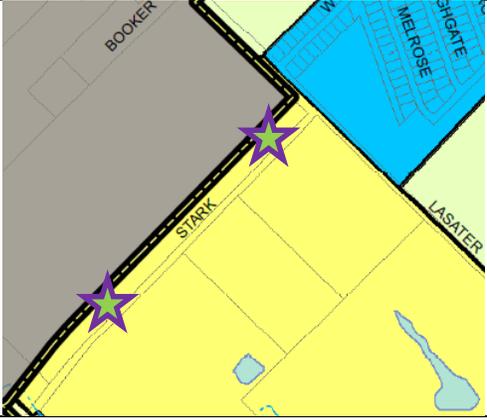
- Correcting the acreage to 7.988;
- Escrowing the Lasater Road improvements; and
- Amending the original concept plan by:
 - Reducing the number of lots,
 - Reducing the minimum lot depth to 122-feet, and
 - Reducing the minimum lot area to 7,300-square-feet.

Detailed explanations follow on the attached pages.

STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application Requirements	Has Met
Zoning Code	Has Met

Staff recommends approval of this zoning change.

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS		PLAN GOALS OR GUIDELINES	
2002 Future Land Use Plan and Map			
<p>The site for this subdivision is under the green stars outlined in orange. The parent parcel is in a planned area of Low Density Residential (light yellow color) area in the map to the right. The City of Dallas (area in white) also shows this area to be single family homes and/or Low Density Residential.</p>	Meets Standard		
2006 Thoroughfare Plan and Map			
<p>The property in the request (under the green stars outlined in purple) will only have access via Lasater Road and internal subdivision streets that will be built entirely within the City of Dallas.</p> <p>Right-of-way for both Lasater Road and Stark Road will be dedicated. There will be no direct access to any of the lots in the proposed subdivision from Stark, so there is no plan to widen it with the development.</p> <p>The applicants are asking that Lasater Road improvements be escrowed (subject to City Council approval) since only 150-feet of the road are within the City of Seagoville.</p>	Meets Standard		
2009 Zoning Plan and Map			
<p>The subject of the request (under the green stars outlined in purple) is in a Planned Development which is not reflected on the 2009 map because the zoning change occurred in 2017.</p> <p>The planned development has a base zoning of R-2, Residential Single Family, which matches the zoning across Stark Road as well as the adjoining parcel to the southwest along Stark Road.</p> <p>Most of the 70-acre subdivision will sit inside the City of Dallas, but about 8-acres will be in Seagoville.</p>	Meets Standard		
REVIEW CRITERIA		STAFF ANALYSIS	
1. Will the development provide for a superior design of the lots or buildings?	Yes	The buildings are to be a superior design. The application calls for lots smaller than the base zoning - as approved with the original PD request.	

REVIEW CRITERIA	STAFF ANALYSIS	
2. Will the development or land use provide for increased recreation and open space opportunities for public use and enjoyment?	No	The original concept showed 29 residences on lots 60-feet wide in Seagoville. The construction plat with this application provides for 23 residences on lots 60-feet wide in Seagoville. The Dallas portion of the subdivision has an area of mature trees that are to be preserved and available for use.
3. Will the development or land use provide amenities or features that would be of special benefit to the property users or to the overall community?	No	The land uses appear to be primarily for a benefit of the residences in the subdivision as there are no planned public open spaces. Only the detention ponds will provide some benefit to Seagoville.
4. Will the development or land use protect or provide natural amenities and environmental assets?	Yes	The development plans call for protecting a currently unimproved natural area in Dallas that is adjacent to the southern detention pond in Seagoville.
5. Will the development or land use protect or preserve existing historical buildings, structures, features, or places?	No	There are no identified locations at this time that have been identified for protection or preservation. There is an existing area of mature trees in the City of Dallas portion of the subdivision that is planned to be undisturbed.
6. Will the development or land use provide an appropriate balance between the intensity of the development and the ability to provide adequate supporting public facilities and services?	Yes	Most public services (street, water, sewer) will be constructed in and provided by Dallas. The detention pond areas will be the only "service" provided by Seagoville.
7. Will the development or land use meet or exceed the planned development regulations?	Yes	The lot dimensions shown on the construction plat exceed the R-5 (not R-2) zoning district minimums. The land use will be compliant with the R-2 base zoning for this PD. The rest of the development will be in the City of Dallas. The entire subdivision will include more than 70 acres of land.
8. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	City water and sewer will be provided by the City of Dallas. All lots will be accessed from internal streets constructed inside the Dallas city limits. Each pond will have a wrought iron fence around it.
9. Will the land use be compatible with other area properties located nearby?	Yes	This region (both in Dallas and Seagoville) is used residentially or other compatible use. There is a planned Mesquite school district building within a half-mile of the north end of the Seagoville portion of the development.
10. Will the use be in compliance with all provisions of the zoning amendments portion of the Municipal Code?	Yes	All requirements for amending the planned development have been met during this application process.
11. Will the use be compliant with all applicable provisions in the Code for the district in which the use is to be located?	Yes	The primary land use in the base zoning district is residential. Detention ponds are also an allowed use.
12. Will the use facilitate public convenience at that location?	Yes	All lots will be accessed from internal streets constructed inside Dallas city limits, so Seagoville has limited control over their public convenience.
13. Will the use conform to off-street parking and loading requirements?	Yes	Staff will require these code minimums to be met at the time a building permit is issued for the residential lots.

**STAFF REPORT
Z2019-03**

REVIEW CRITERIA	STAFF ANALYSIS	
14. Are the ingress, egress, and pedestrian ways adequate?	Yes	All improvements will be constructed in Dallas. Seagoville has requested the street in front of our lots meet our right-of-way width and constructed to our street cross-section – which includes sidewalks.
15. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	N/A	No safeguards are required because the entire region (over ¾-mile radius) where this development will be located is to be almost exclusively used for detached single family residences.
16. Will the proposed landscaping and screening be compliant with all City regulations?	Yes	Seagoville is requiring a wrought iron fence around each detention pond as well as the rest of the property line along Stark Road to have a masonry screening wall.
17. Will the signage be compliant with those portions of the Municipal Code?	N/A	Most likely all signage will be placed inside the City of Dallas, so Seagoville cannot review for compliance.
18. Will all open space(s) be maintained by the owner/developer?	Yes	Note 4 on the construction plat refers to the Homeowners Association that will own and maintain the common areas. Individual lots will be regulated by Seagoville’s Code Enforcement officers once the houses are built.
19. Are the size and shape of the site as well as the arrangement of the proposed structure(s) in keeping with the intent of the Code?	Yes	All planned residential lots exceed the depth of each Seagoville residential district. The lot widths are not changing with this application’s construction plat, but they only meet an R-5 zoning district (not the R-2 of the base zoning district for the PD). The lot areas are only being reduced because of the changing of the location of the city limits line and the required right-of-way not previously dedicated for Stark Road. The minimum house sizes are not being changed by this amendment.
20. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	If the amendment is approved as submitted, only some of Seagoville’s code minimums for a R-2 district (the base zoning of this planned development) will be met.
21. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	Yes	The dedicated quantities of right-of-way for both Stark Road and Lasater Road meets or exceeds the Seagoville Thoroughfare Plan.
22. Have the provisions of any existing future land use plan been met to protect the public interest?	Yes	Chapter 5 (Future Land Use) of the 2002 Comprehensive Plan calls for this area to be Low Density Residential, which this development will meet.
23. Have the provisions of any existing capital improvements plan been met to protect the public interest?	N/A	There currently is no active capital improvement plan. The most recent plan (2008) has completed all improvements, but the pay-off has not yet been finalized.
24. Have the provisions of any community facilities plan been met to protect the public interest?	N/A	Chapter 6 (Parks, Recreation, and Open Space) and Chapter 7 (Infrastructure Systems) of the 2002 Comprehensive Plan discuss other community facilities. Changing the zoning is not affected by these chapters of the Plan.
25. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	Yes	Chapter 8 (Public Facilities) of the 2002 Comprehensive Plan addresses municipal facilities primarily. Neither the existing nor amended planned development are affected by the Plan.

Public Comments Received: Besides the parcels in question, there are fifteen (15) properties, and two (2) public streets within 200-feet of the boundary of the subject area.

The owners of each parcel were notified in compliance with the 200-foot rule by mail for Planning and Zoning Commission meetings on Tuesday, October 9, 2018 and Tuesday, January 8, 2019. A legal ad was also published per the Texas Local Government Code in the Monday, September 17, 2018 and Wednesday, December 19, 2018, editions of the Daily Commercial Record newspaper. Prior to the October Planning and Zoning Commission meeting, two (2) property owners responded for and none (zero) against the request in writing. One (1) letter had been returned as undeliverable by the U.S. Postal Service. Prior to the January Planning and Zoning Commission meeting, no (zero) property owners responded for or against the request in writing. One additional person stopped by the office each Planning and Zoning Commission meeting to review the construction plat, but did not leave a response to the notice. One (1) letter had been returned as undeliverable by the U.S. Postal Service. No (zero) property owners spoke for or against the request at the Planning and Zoning Commission meeting on Tuesday, October 9, 2018 and none (zero) spoke on Tuesday, January 8, 2019.

The reason for the second Planning and Zoning Commission meeting was because the land was sold within days of the first Planning and Zoning Commission meeting. Staff wanted the new owners to review the original application and confirm that there was nothing that they also wanted to change before the City Council looked at the request. The new owners did confirm that they were satisfied with the amendment request to the planned development, so a new application was provided to staff and new fees were paid.

The owners of each parcel were also notified in compliance with the 200-foot rule by mail for City Council meeting on Monday, January 28, 2019. A legal ad was also published per the Texas Local Government Code in the Friday, January 11, 2019, edition of the Daily Commercial Record newspaper. As of the date of this report, Thursday, January 17, 2019, one (1) additional property owners have responded in writing in favor of the request. None (zero) responded against the request. Additionally, no (zero) letters have been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.



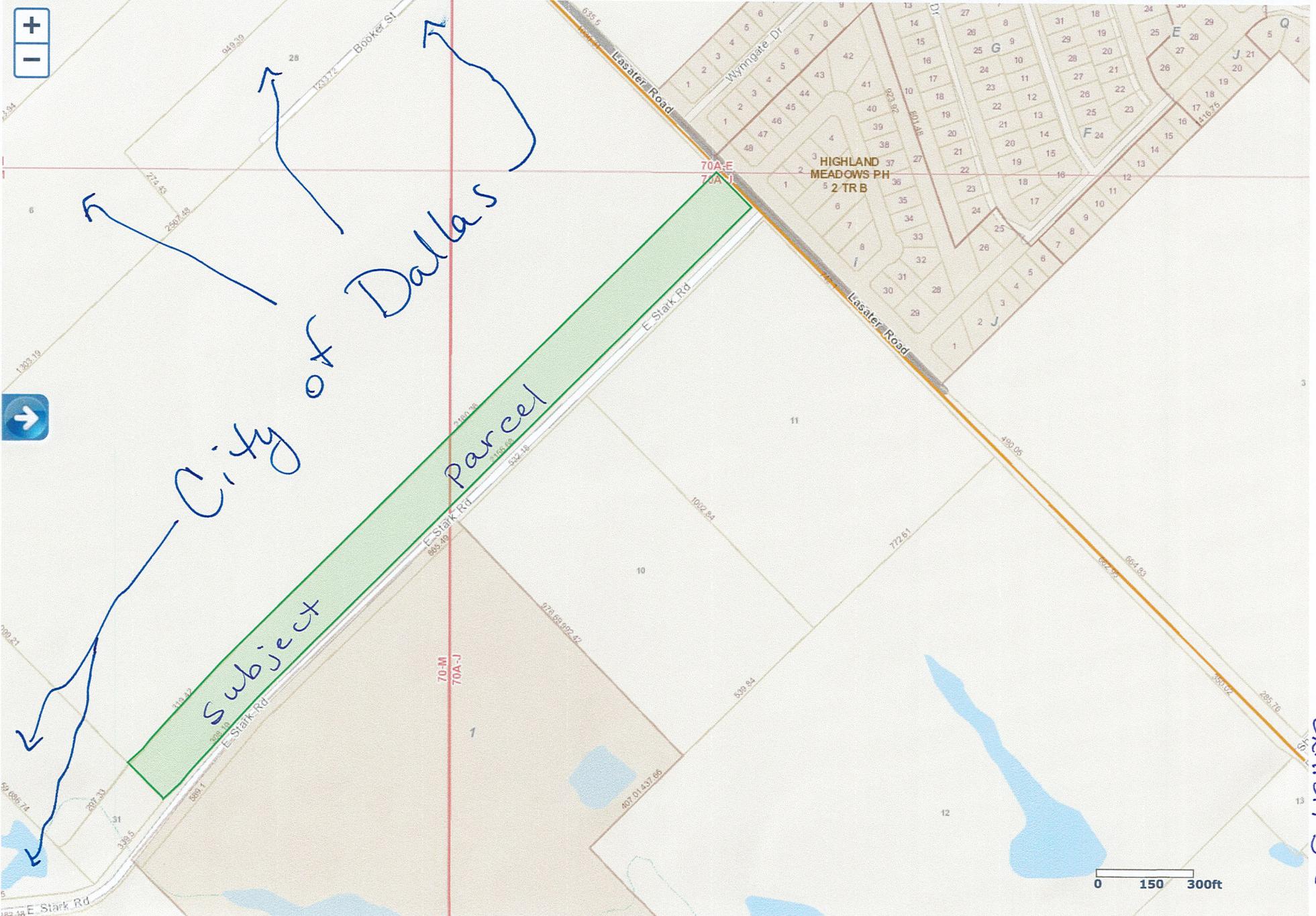


Exhibit 3a



City of Dallas

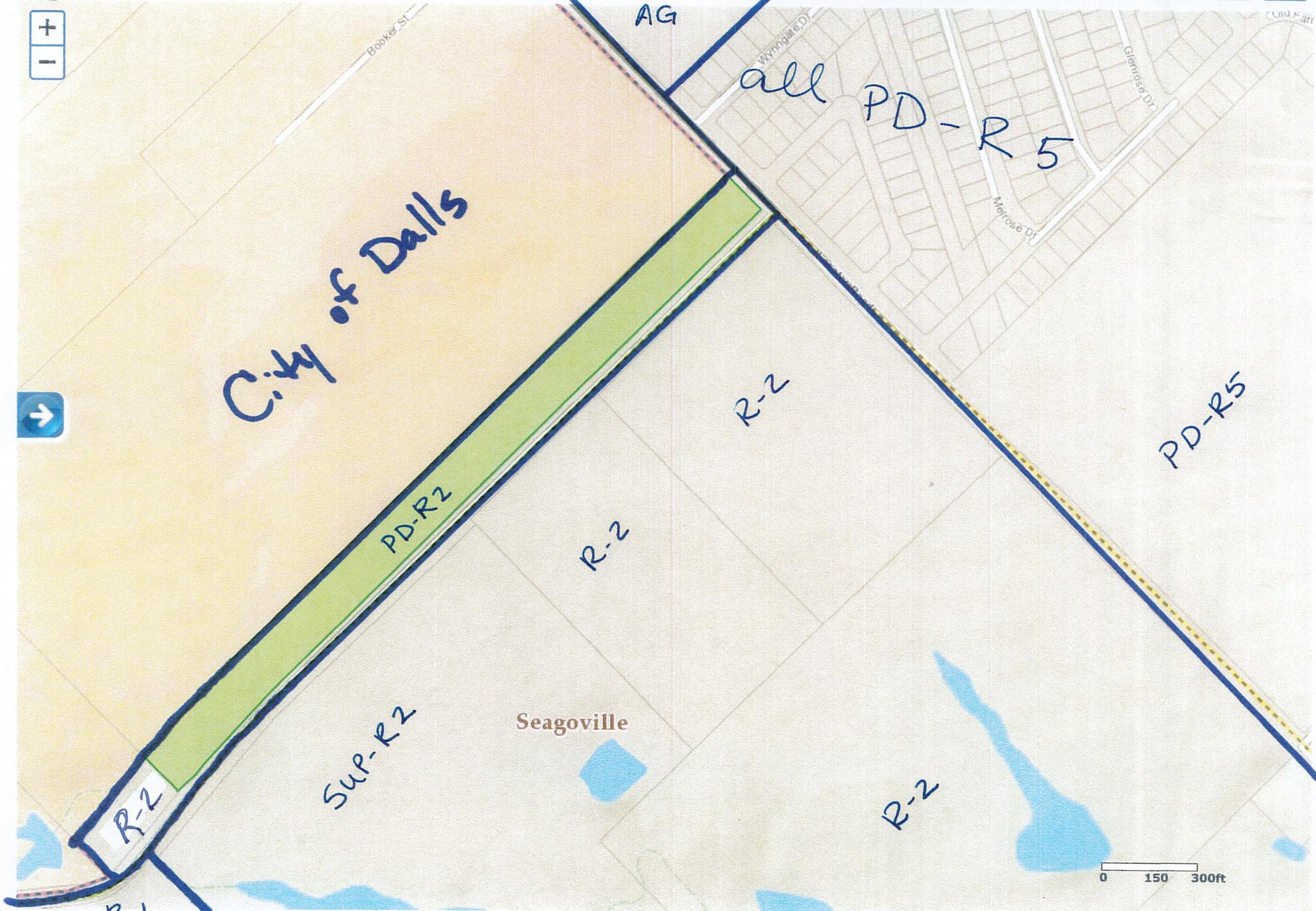
subject parcel

Stark Road

Seagoville

0 150 300ft

Exhibit 3b



City of Dalls

all PD-R5

AG

R-2

PD-R5

PD-R2

R-2

SUP-R2

Seagoville

R-2

R-2

R-1

0 150 300ft

Exhibit 4



ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: _____ City Council: _____

DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): _____

Application Type:

- Initial Zoning (newly annexed or Agricultural property)
- Rezoning (property currently zoned) Amend PD**
- Planned Development (PD) – see Zoning Ordinance for special requirements and procedures
- Specific Use Permit (SUP) – see Zoning Ordinance for special requirements and procedures

Name of Subdivision or Project: WELLINGTON FARMS EAST

Physical Location of Property: Southwest corner of Stark Road & Laster Road
[General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):
Hieman Herder Survey, Abstract No. 541
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: 7.988 — Existing Zoning: PD 19-2017 Requested Zoning: Amend PD
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: D.R. Horton-Texas, Ltd. Applicant or Owner? (circle one)

Contact Person: David Booth Title: Land Manager

Company Name: D.R. Horton-Texas Ltd.

Street/Mailing Address: 4306 Miller Road City: Rowlett State: Tx. Zip: 75088

Phone: (214) 607-4244 Fax: () Email Address: dbooth@drhorton.com

Engineer / Representative's Name: Engineering Concepts & Design, L.P.

Contact Person: Richard Hovas Title: _____

Company Name: Engineering Concepts & Design, L.P.

Street/Mailing Address: 201 Windco Circle, Suite 200 City: Wylie State: Tx. Zip: 75098

Phone: (972) 941-8400 Fax: () Email Address: richard@ecdip.com

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. (All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 200 feet of the subject property. Please contact City staff in advance for submittal deadlines.)

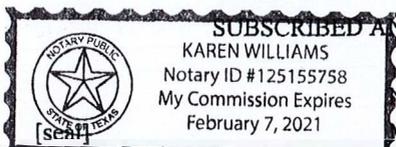
All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements.

All application materials (one copy) must be delivered to the City's Planner. The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials to the City's Planner may result in delays scheduling the zoning application for a P&Z agenda.

Notice of Public Records. The submission of plans/drawings with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

I hereby certify that I am the Owner, or the duly authorized agent of the Owner (proof of authorization attached), for the purposes of this application, and that all information submitted herein is complete, true and correct to the best of my knowledge. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Signed: David Booth Title: Asst VP Date: 12-11-18



SUBSCRIBED AND SWORN TO before me, this the 11th day of Dec, 2018.
Notary Public in and for the State of Texas: Karen Williams
My Commission Expires On: 2/7/21

Office Use Only Date Rec'd: 12/11/18 Fees Paid: \$ 300 Check #: 0846482 Receipt #: 547716
Zoning Case # 2201903 Accepted By: [Signature] Official Submittal Date: 12/11/18

**WELLINGTON FARMS EAST
SEAGOVILLE, TEXAS
7.988 ACRES**

The property shall be developed and used in accordance with the PD-17-03, except as amended herein, and the following development regulations:

- E. Minimum area of the lot shall be not less than 7300 square feet.
- F. Minimum depth of the lot shall be not less than 122 feet.

EXHIBIT "A"

WELLINGTON FARMS EAST

BEING a 7.988-acre tract of land situated in the Herman Heider Survey, Abstract No. 541, Dallas County, Texas, and being part of a 71.573- acre tract described in deed to Shepherd Place Homes, Inc, recorded as Instrument No. 201700187004, Deed Records, Dallas County, Texas, (DRDCT) and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the south corner of said 71.573 acre tract and the east corner of a called 10 acre tract of land described in deed to RRW Family Limited Partnership, recorded in Volume 2002095, Page 564, DRDCT, from which a 1/2-inch iron rod found for reference bears North 46 degrees 03 minutes 54 seconds West, a distance of 5.57 feet, said corner being in the northwest right-of-way line of Stark Road, a variable width right-of-way;

THENCE North 45 degrees 14 minutes 49 seconds West, with the common line of said 71.573-acre tract and said 10-acre tract, a distance of 148.69 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner;

THENCE North 38 degrees 12 minutes 48 seconds East, a distance of 54.39 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a non-tangent curve to the right having a radius of 3129.22 feet, whose chord bears North 40 degrees 50 minutes 44 seconds East, a distance of 369.58 feet;

THENCE Northeasterly, with said curve to the right, through a central angle of 06 degrees 46 minutes 15 seconds, an arc distance of 369.80 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

THENCE North 44 degrees 18 minutes 44 seconds East, a distance of 2156.57 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the northeast boundary line of said 71.573-acre tract and the southwest right-of-way line of Lasater Road, a variable width right-of-way;

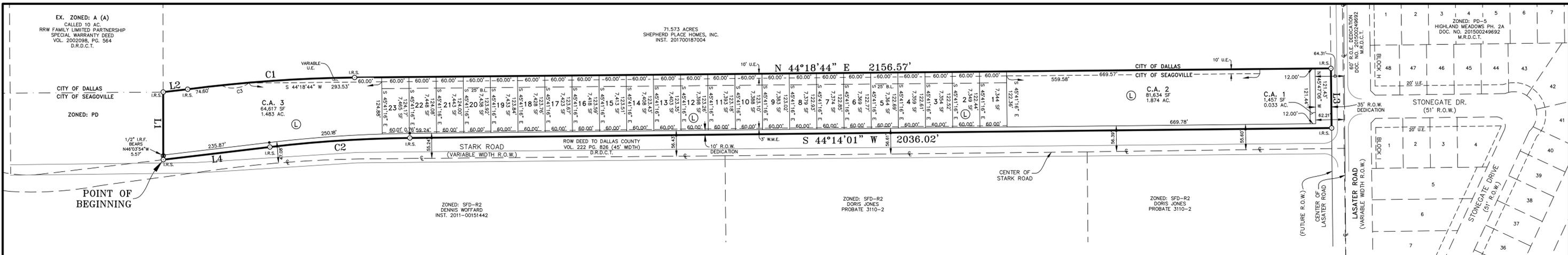
THENCE South 45 degrees 47 minutes 06 seconds East, with the common line of said Lasater Road and said 71.573-acre tract, a distance of 131.38 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the east corner of said 71.573-acre tract, said corner being at the intersection of said Lasater Road and said Stark Road;

THENCE Southwesterly, with the common line of said Stark Road and said 71.573-acre tract, the following courses:

South 44 degrees 14 minutes 01 seconds West, a distance of 2036.02 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a tangent curve to the left having a radius of 2894.79 feet whose chord bears South 41 degrees 10 minutes 01 seconds West, a distance of 309.73 feet;

Southwesterly, with said curve to the left, through a central angle of 06 degrees 08 minutes 00 seconds, an arc distance of 309.88 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

South 38 degrees 06 minutes 01 seconds West, a distance of 237.03 feet to the PLACE OF BEGINNING and Containing 7.988 acres, or 347,959 square feet of land.



PROPERTY OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS D.R. HORTON-TEXAS, LTD., BEING THE OWNER of a 7.988 acre tract of land situated in the Herman Heider Survey, Abstract No. 541, Dallas County, Texas, and being part of a 70.581 acre tract described in deed to D.R. HORTON-TEXAS, LTD., recorded as Instrument No. 201800272800, Deed Records, Dallas County, Texas, (DRDCT) and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the south corner of said 70.581 acre tract and the east corner of a called 10 acre tract of land described in deed to RRW Family Limited Partnership, recorded in Volume 2002095, Page 564, DRDCT, from which a 1/2-inch iron rod found for reference bears North 46 degrees 03 minutes 54 seconds West, a distance of 5.57 feet, said corner being in the northwest right-of-way line of Stark Road, a variable width right-of-way;

THENCE North 45 degrees 14 minutes 49 seconds West, with the common line of said 70.581 acre tract and said 10 acre tract, a distance of 148.69 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner;

THENCE North 38 degrees 12 minutes 48 seconds East, a distance of 54.39 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a non-tangent curve to the right having a radius of 3129.22 feet, whose chord bears North 40 degrees 50 minutes 44 seconds East, a distance of 369.58 feet;

THENCE Northeasterly, with said curve to the right, through a central angle of 06 degrees 46 minutes 15 seconds, an arc distance of 369.80 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

THENCE North 44 degrees 18 minutes 44 seconds East, a distance of 2156.57 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the northeast boundary line of said 70.581 acre tract and the southwest right-of-way line of Lasater Road, a variable width right-of-way;

THENCE South 45 degrees 47 minutes 06 seconds East, with the common line of said Lasater Road and said 70.581 acre tract, a distance of 131.38 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the east corner of said 71.573 acre tract, said corner being at the intersection of said Lasater Road and said Stark Road;

THENCE Southwesterly, with the common line of said Stark Road and said 70.581 acre tract, the following courses:

South 44 degrees 14 minutes 01 seconds West, a distance of 2036.02 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a tangent curve to the left having a radius of 2894.79 feet whose chord bears South 41 degrees 10 minutes 01 seconds West, a distance of 309.73 feet;

Southwesterly, with said curve to the left, through a central angle of 06 degrees 08 minutes 00 seconds, an arc distance of 309.88 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

South 38 degrees 06 minutes 01 seconds West, a distance of 237.03 feet to the PLACE OF BEGINNING and Containing 7.988 acres, or 347,959 square feet of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That D.R. Horton-Texas, LTD a Texas limited partnership acting herein by and through his(its) duly authorized officer(s), does hereby adopt this plat designating the herein above described property as WELLINGTON FARMS EAST, an addition to the City of Seagoville, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Seagoville. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Seagoville's use thereof. The City of Seagoville and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Seagoville and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Seagoville, Texas.

WITNESS, my hand, this the ___ day of _____, 2019.

D.R. HORTON-TEXAS, LTD
a Texas limited partnership

BY: D.R. Horton, Inc.,
a Delaware corporation,
its authorized agent

By: _____
Name: _____
Title: _____

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed. Given under my hand and seal of office, this ___ day of _____, 2019.

Notary Public in and for the State of Texas
My Commission Expires On: _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, ROBERT C. MYERS, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as "set" were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Seagoville.

Preliminary, this document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document. This final plat etc is released on January 24, 2018 for review by the City of Seagoville and other parties for comments and progression to an approved final plat.

ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963



STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Robert C. Myers known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ___ day of _____, 2019.

Notary Public in and for the State of Texas
My Commission Expires On: 02/14/2019

APPROVAL CERTIFICATE

FINAL PLAT
Approved by the City of Seagoville for filing at the office of the County Clerk of Dallas County, Texas.

APPROVED BY: Planning and Zoning Commission City of Seagoville, Texas

Signature of Chairperson _____ Date of Approval _____

ATTEST: _____

City Secretary _____ Date _____

PROPERTY LOCATION STATEMENT

This property is located in the corporate limits of the City of Seagoville, Dallas County, Texas.

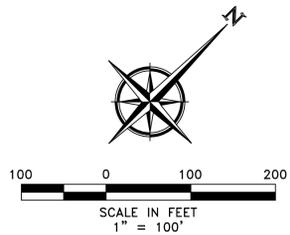
Chairman, Planning & Zoning Commission _____ Date _____
City of Seagoville

ATTEST: _____

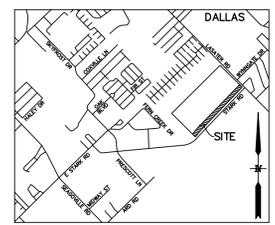
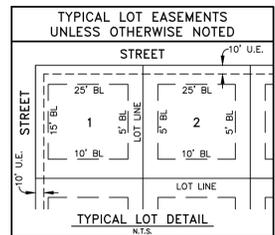
City Secretary _____ Date _____

Table with 3 columns: NO., DIRECTION, DISTANCE. Rows L1, L2, L3, L4.

Table with 7 columns: CURVE, DELTA, RADIUS, TANGENT, LENGTH, CHORD BEARING, CHORD. Rows C1, C2, C3.



LEGEND table listing symbols for I.R.S., I.R.F., CM, U.E., D.E., B.L., C.A., W.M.E., INST. NO., DOC. NO., D.R.D.C.T., M.R.D.C.T., and diamond symbol for street name change.



NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

23 RESIDENTIAL LOTS
3 COMMON AREA TRACTS
DEVELOPER/OWNER
D.R. HORTON-TEXAS, LTD.
4305 MILLER ROAD
ROWLETT, TX 75088
(972) 607-4244
LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 411

CONSTRUCTION PLAT
WELLINGTON FARMS EAST
LOTS 1-23, BLOCK L AND COMMON AREAS 1-3
7.988 ACRES
SITUATED IN THE
HIEMAN HERDER SURVEY, ABST. NO. 541
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401



January 9, 2019

COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

**NOTICE OF PUBLIC HEARINGS
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2019-03**

The Seagoville City Council will hold a public hearing on Monday, January 28, 2019, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request to amend the current PD 17-03 (Plan Development with a R-2, Residential Single Family base zoning) to PD 17-03A1 (PD 17-03 Amendment 1), which is located on the west corner of the intersection of Lasater Road and Stark Road situated in the Herman Heider Survey Abstract 541 by correcting the acreage to 7.988; requesting to escrow the Lasater Road improvements; and amending the concept plan by reducing the number of lots, reducing the minimum lot depth to 122-feet, and reducing the minimum lot area to 7,300-square-feet.

All individuals may appear at the public hearings to state their opinions or may send a written notice prior to 4:30 PM on the day of the public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this is the first opportunity to voice your opinion about this project for the record. The second and third opportunities will be at each of the public hearings listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.
Please provide any additional comments that you might have in the provided space.
Please also sign and complete the name and address portion below.*

I am in favor of against Zoning Request Z2019-03 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____

Printed Name(s): _____

Address: _____

City, State & Zip code: _____

Phone Number: _____



City of Dalls

all PD-R5

AG

R-2

PD-R5

PD-R2

R-2

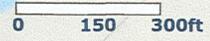
SUP-R2

Seagoville

R-2

R-2

R-1



**Property Owners List
Amend PD 19-2017**

Mailed out a total of 15 certified letters on Thursday, December 20, 2018, before 5:00 PM

Subject or adjainer?	Site Address	DCAD Account	Owner	Mailing Address 1	City	State	Zip
Subject	1110 Stark Road	65054142010070000	Shepherd Place Homes Inc.	620 Rowlett Drive	Garland	TX	75043-3703
Adjoiner	1110 Stark Road	00881600000070000	Shepherd Place Homes Inc.	620 Rowlett Drive	Garland	TX	75043-3703
Adjoiner	688 Stark Road	00881600000310000	R.R.W. Family Ltd., P.S.	704 Fern Creek Drive	Dallas	TX	75253-6603
Adjoiner	688 Stark Road	65054142010310000	R.R.W. Family Ltd., P.S.	704 Fern Creek Drive	Dallas	TX	75253-6603
Adjoiner	1320 Stark Road	50050050010010000	Dennis & Janis Wolford	P.O. Box 360217	Dallas	TX	75336-0217
Adjoiner	800 Stark Road	65054142010100000	Richard T. & Gary R. Jones	1103 Mere Drive	Pinehurst	TX	77362-2543
Adjoiner	800 Stark Road	65054142010110000	Richard T. & Gary R. Jones	1103 Mere Drive	Pinehurst	TX	77362-2543
Adjoiner	2522 Stonegate Drive	500195300I0060000	Enrique & Violeta Rivera	2522 Stonegate Drive	Seagoville	TX	75159-5464
Adjoiner	2520 Stonegate Drive	500195300I0050000	Dignora Perez & Damien K. Mesa	2520 Stonegate Drive	Seagoville	TX	75159-5464
Adjoiner	2504 Stonegate Drive	500195300I0020000	Tracy L. & Margaret A. Smith	2504 Stonegate Drive	Seagoville	TX	75159-5464
Adjoiner	2502 Stonegate Drive	500195300I0010000	Andrea & Javier Arroyo	2502 Stonegate Drive	Seagoville	TX	75159-5464
Adjoiner	2501 Stonegate Drive	500195300H0480000	Salvador & Maura Perez	2501 Stonegate Drive	Seagoville	TX	75159-5463
Adjoiner	2503 Stonegate Drive	500195300H0470000	Shaniquia Q. Bethany	2503 Stonegate Drive	Seagoville	TX	75159-5463
Adjoiner	2502 Wynngate Drive	500195200H0010000	Connie M. Reed	2502 Wynngate Drive	Seagoville	TX	75159-1426
Adjoiner	2504 Wynngate Drive	500195200H0020000	Max E. Garcia	7438 Kelvin Avenue	Winnetka	CA	91306-2726
Adjoiner							
Adjoiner							

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 19-2017

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM RESIDENTIAL-2 (R-2) TO PLANNED DEVELOPMENT-RESIDENTIAL -2 (PD-17-03) FOR 8.88 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF LASATER ROAD AND STARK ROAD IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR AMENDED DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2017-03 (PD 17-03) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Residential-2 (R-2) to Planned Development-Residential-2 (PD 17-03) for 8.88 acres of land located at the southwest

southwest corner of Lasater Road and Stark Road in the City of Seagoville, Dallas County, Texas, and being legally described in Exhibit "A".

SECTION 2. The property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. The property shall be developed in accordance with the approved Concept Plan, which is attached hereto and made a part of the ordinance
- B. Front yard shall have a minimum depth of not less than 25 feet
- C. Side yard shall have a width of not less than 5 feet
- D. Rear yard shall have a minimum depth of not less than 10 feet
- E. Minimum area of the lot shall be not less than 8400 square feet
- F. Minimum depth of the lot shall be not less than 140 feet
- G. Minimum width of the lot shall be not less than 60 feet
- H. Minimum living area of the dwelling shall be 2,000 square feet
- I. Each dwelling unit shall provide a two-car garage with a minimum of 400 square feet
- J. The minimum masonry requirement for the exterior facades of all buildings is permitted up to 90% of the total façade. For the purposes of this ordinance the masonry requirements shall be limited to full width brick, natural stone, cast stone, and cementaceous fiberboard horizontal lap-siding (e.g. HardiBoard or Hardy Plank) or a decorative pattern. Stucco (i.e. three {3} part stucco or a comparable.
- K. Main and accessory buildings shall not cover more than 70 percent of the lot area
- L. Fence posts shall be schedule 40 steel pipe fence post(s) and be buried to a depth of two feet (2') in concrete as required by Article 21.08 of the City of Seagoville Code of Ordinances

- M. A 6' screening wall shall be constructed along Stark Road and along Lasater Road from the northeast corner to the end of the Seagoville City Limits
- N. One-half of Lasater, from Stark to the Seagoville City Limits, shall be paved concrete, curb, and gutter roadway
- O. All common areas, detention ponds, screening walls and unimproved surfaces shall be maintained by the Homeowners' Association ("HOA")
- P. The property shall be landscaped in compliance with Division 21 of the City of Seagoville Zoning Ordinance
- Q. All signage shall comply with Article 21.09 of the City of Seagoville Code of Ordinances
- R. Except as amended herein, all construction shall comply with the construction standards and ordinances of the City of Seagoville, Texas

SECTION 3. The property shall be developed and used only in accordance with the conceptual plan attached as Exhibit "B" and incorporated herein for all purposes, and which is hereby approved.

SECTION 4. That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

SECTION 5. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so

decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

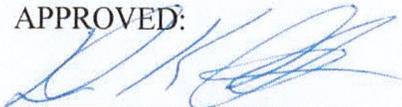
SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 28th day of August, 2017.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

ATTEST:



KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



ALEXIS G. ALLEN, CITY ATTORNEY

(/cdb)

EXHIBIT "A"
(Legal Property Description)

"8.882 Acre Zoning Exhibit"

BEING an 8.882 acre tract of land situated in the Herman Heider Survey, Abstract No. 541, Dallas County, Texas, and being part of a 71.4732 acre tract described in deed to First Security Bank, NA, recorded as Instrument No. 201200045506, Deed Records, Dallas County, Texas, (DRDCT) and being more particularly described as follows:

BEGINNING at the intersection of the southwest right-of-way line of Lasater Road, (a 60 foot wide right-of-way), with the northwest line of Stark Road, (a 50 foot wide right-of-way), same being the most eastern corner of said 71.4732 acre tract;

THENCE Southwesterly along said Stark Road the following courses and distances;

South 44°00'35" West, a distance of 2156.68 feet to a point for corner at the beginning of a tangent curve to the left having a radius of 2894.79 feet, and a chord which bears South 40°57'35" West, a distance of 308.04 feet;

Southwesterly along said curve to the left, through a central angle of 06°06'00," an arc distance of 308.19 feet to a point for corner at the end of said curve;

South 37°54'35" West, a distance of 45.74 feet to a point for corner;

South 44°00'35" West, a distance of 71.17 feet to a point for corner at the most southern corner of said 71.4732 acre tract common to the most eastern corner of a tract of land described in deed to RRW Family Limited Partnership, recorded in Volume 2002095, Page 564, DRDCT;

Thence North 45°32'58" West, along the common line of last mentioned tracts, a distance of 143.12 feet to a point for corner;

Thence North 37°54'39" East, a distance of 54.39 feet to a point for corner at the beginning of a non-tangent curve to the right having a radius of 3129.22 feet, and a chord which bears North 40°32'35" East, a distance of 369.58 feet;

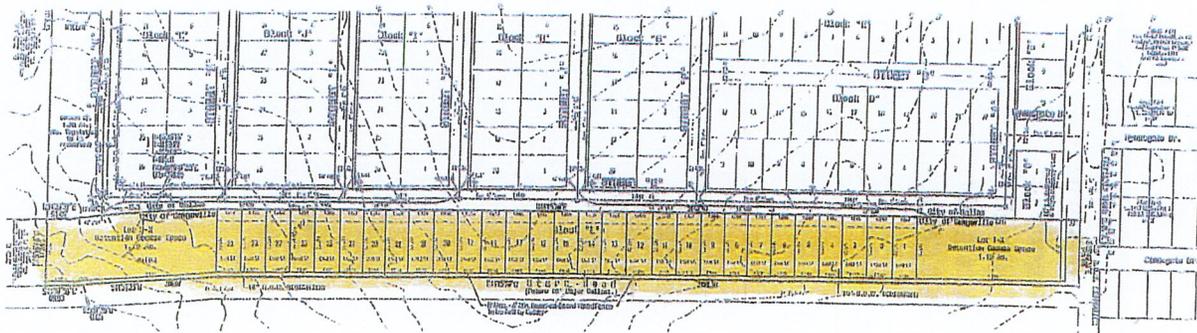
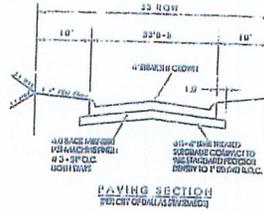
Thence northeasterly along said curve to the right, through a central angle of 06°46'16" an arc distance of 369.81 feet to a point for corner at the end of said curve;

Thence North 44°00'35" East, a distance of 2156.57 feet to a point for corner in the common line of said 71.4732 acre tract and the southwest right-of-way line of said Lasater Road;

Thence South 46°05'51" East, along said common line a distance of 149.99 feet to the **PLACE OF BEGINNING** and containing 386,887 square feet or 8.882 acres of land.

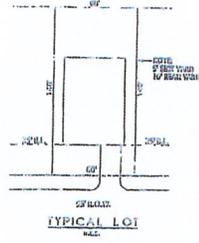


- NOTES:
1. DIMENSIONS AND USES SHOWN IN THE DALLAS PORTION OF THE NEIGHBORHOOD ARE FOR ILLUSTRATIVE PURPOSES ONLY.
 2. OPEN SPACES SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
 3. WATER & WASTEWATER SERVICES WILL BE SERVED BY CITY OF DALLAS GASD SERVICE.



Legend

	Imperv. Surface
	Perv. Surface
	Water
	Utility
	Easement



29 lots (601-30)
 2 Common Spaces Lot 1-2 (21-22)
CONSTRUCTION PLAN /
CONCEPT PLAN
 for
SHEPHERD PLACE EAST
 City of Sasagville, Dallas County, Texas
 (Being 4.00 Acres out of
 the Horton Holder Survey, Abstract 144, 504
 in the City of Sasagville, Dallas County, Texas)

DATE: 08/11/2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: 11-00000000

SCALE: 1/8" = 1'-0"

DESIGNED BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: 11-00000000

EXHIBIT "B"
 (Concept Plan)

Regular Session Agenda Item: 9

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from Planned Development Residential-2, (PD 17-03) to Planned Development Residential-2 Amended (PD 17-03A1) for property located at the southwest corner of Lasater Road and Stark Road in the City of Seagoville, Dallas County, Texas, and being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing for the approval of the construction plan, which is attached hereto and incorporated herein as Exhibit "B"; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date.

BACKGROUND OF ISSUE:

The land is currently vacant. This request considers amending the current Planned Development text and concept to reflect changes required because of the location of the city limits line and the amount of required right-of-way dedications for both Stark Road and Lasater Road. Revising the size and shape of both detention ponds located in the City of Seagoville to hold all required stormwater runoff is also reducing the total number of lots and their minimum depth.

A summary of the requested amendments to the Planned Development concept and text are in the bulleted list below. The rest of this section covers each of those items in more detail.

- Correcting the size of the development from 8.88-acres to 7.988-acres;
- Construction plat includes placement of 23 residential lots within the Seagoville portion of the subdivision (which is primarily located within the City of Dallas);
- Construction plat includes right-of-way dedication for future widening of Stark Road;
- Minimum lot depth from 140 feet to 122 feet;
- Minimum lot area from 8,400 square feet to 7,300 square feet; and
- Allowing Lasater Road improvements to be escrowed until the time of Final Plat, when payment will be required.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

RECOMMENDATION:

Besides the parcels in question, there are fifteen (15) properties, and two (2) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail. A legal ad was also published per the Texas Local Government Code in the Daily Commercial Record newspaper. Planning and Zoning Commission meetings were held on this request on both Tuesday, October 9, 2018 and Tuesday, January 8, 2019. The reason for the second Planning and Zoning Commission meeting was because the land was sold within days of the first Planning and Zoning Commission meeting. Staff wanted the new owners to review the original application and confirm that there was nothing that they also wanted to change before the City Council looked at the request. The new owners did confirm that they were satisfied with the amendment request to the planned development, so a new application was provided to staff and new fees were paid.

At the January 2019 Planning and Zoning Commission meeting, the members voted unanimously five (5) to zero (0) in favor of recommending the approval of the request to amend the current PD 17-03 (Plan Development with a R-2, Residential Single Family base zoning) to PD 17-03A1 (PD 17-03 Amendment 1) as submitted for a development on the west corner of the intersection of Lasater Road and Stark Road situated in the Herman Heider Survey Abstract 541 by:

- Correcting the acreage to 7.988;
- Escrowing the Lasater Road improvements; and
- Amending the original concept plan by:
 - Reducing the number of lots,
 - Reducing the minimum lot depth to 122-feet, and
 - Reducing the minimum lot area to 7,300-square-feet.

Staff is also recommending the approval.

EXHIBIT:

1. Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT-RESIDENTIAL-2 (PD-17-03) TO PLANNED DEVELOPMENT-RESIDENTIAL - 2 AMENDED (PD-17-03A1) FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LASATER ROAD AND STARK ROAD IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR AMENDED DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONSTRUCTION PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “B”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2019-03 (PD 17-03A1) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended to reflect the zoning change.

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

SECTION 1. That Zoning Application NO. Z2019-03 (PD 17-03A1) is hereby approved and the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same are hereby amended by granting a change in zoning from Planned Development-Residential-2 (PD 17-03) to Planned Development-Residential - 2 Amended (PD-17-03A1) for property located at the southwest corner of Lasater Road and Stark Road in the City of Seagoville, Dallas County, Texas, and being legally described in Exhibit “A”.

SECTION 2. That the property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, and Ordinance No. 19-2017, except as amended herein and pursuant to the following development regulations:

- A. Amending the size of the development from 8.88 acres to 7.988 acres;
- B. Permitting Lasater Road improvements to be escrowed until the time of Final Plat, when payment will be required.
- C. The property shall be developed in accordance with the approved Construction Plan, attached hereto and made a part hereof, which is amended as follows:
 - (1) to include right-of-way dedication for future widening of Stark Road;
 - (2) to include placement of twenty-three (23) residential lots within the Seagoville portion of the subdivision;
 - (3) increased the size of each of the detention ponds;
 - (4) the minimum lot depth from 140 feet to 122 feet;
 - (5) minimum lot area from 8,400 square feet to 7,300 square feet; and
 - (6) allowing Lasater Road improvements to be escrowed until the time of Final Plat, when payment will be required.

SECTION 3. That the property shall be developed and used only in accordance with the construction plan attached as Exhibit “B” and incorporated herein for all purposes, and which is hereby approved.

SECTION 4. That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

SECTION 5. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(cdb 01.17.2019 TM105577)

EXHIBIT "A"
(Legal Property Description)

WELLINGTON FARMS EAST

BEING a 7.988-acre tract of land situated in the Herman Heider Survey, Abstract No. 541, Dallas County, Texas, and being part of a 71.573- acre tract described in deed to Shepherd Place Homes, Inc, recorded as Instrument No. 201700187004, Deed Records, Dallas County, Texas, (DRDCT) and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the south corner of said 71.573 acre tract and the east corner of a called 10 acre tract of land described in deed to RRW Family Limited Partnership, recorded in Volume 2002095, Page 564, DRDCT, from which a 1/2-inch iron rod found for reference bears North 46 degrees 03 minutes 54 seconds West, a distance of 5.57 feet, said corner being in the northwest right-of-way line of Stark Road, a variable width right-of-way;

THENCE North 45 degrees 14 minutes 49 seconds West, with the common line of said 71.573-acre tract and said 10-acre tract, a distance of 148.69 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner;

THENCE North 38 degrees 12 minutes 48 seconds East, a distance of 54.39 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a non-tangent curve to the right having a radius of 3129.22 feet, whose chord bears North 40 degrees 50 minutes 44 seconds East, a distance of 369.58 feet;

THENCE Northeasterly, with said curve to the right, through a central angle of 06 degrees 46 minutes 15 seconds, an arc distance of 369.80 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

THENCE North 44 degrees 18 minutes 44 seconds East, a distance of 2156.57 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the northeast boundary line of said 71.573-acre tract and the southwest right-of-way line of Lasater Road, a variable width right-of-way;

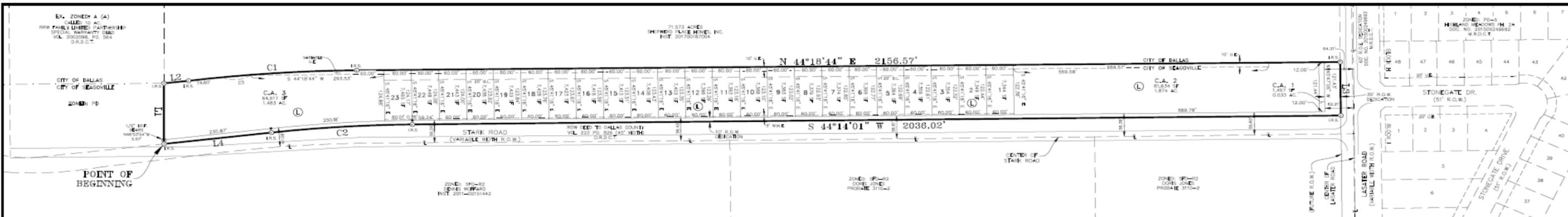
THENCE South 45 degrees 47 minutes 06 seconds East, with the common line of said Lasater Road and said 71.573-acre tract, a distance of 131.38 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the east corner of said 71.573-acre tract, said corner being at the intersection of said Lasater Road and said Stark Road;

THENCE Southwesterly, with the common line of said Stark Road and said 71.573-acre tract, the following courses:

South 44 degrees 14 minutes 01 seconds West, a distance of 2036.02 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a tangent curve to the left having a radius of 2894.79 feet whose chord bears South 41 degrees 10 minutes 01 seconds West, a distance of 309.73 feet;

Southwesterly, with said curve to the left, through a central angle of 06 degrees 08 minutes 00 seconds, an arc distance of 309.88 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

South 38 degrees 06 minutes 01 seconds West, a distance of 237.03 feet to the PLACE OF BEGINNING and Containing 7.988 acres, or 347,959 square feet of land.



PROPERTY OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS §
 COUNTY OF DALLAS §

WHEREAS D.R. HORTON-TEXAS, LTD., BEING THE OWNER of a 7.988 acre tract of land situated in the Herman Heider Survey, Abstract No. 541, Dallas County, Texas, and being part of a 70.581 acre tract described in deed to D.R. HORTON-TEXAS, LTD., recorded as Instrument No. 201800272800, Deed Records, Dallas County, Texas, (DRDCT) and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the south corner of said 70.581 acre tract and the east corner of a called 10 acre tract of land described in deed to RFW Family Limited Partnership, recorded in Volume 2002095, Page 564, DRDCT, from which a 1/2-inch iron rod found for reference bears North 45 degrees 03 minutes 54 seconds West, a distance of 5.57 feet, said corner being in the northwest right-of-way line of Stark Road, a variable width right-of-way;

THENCE North 45 degrees 14 minutes 49 seconds West, with the common line of said 70.581 acre tract and said 10 acre tract, a distance of 148.69 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner;

THENCE North 38 degrees 12 minutes 48 seconds East, a distance of 54.39 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a non-tangent curve to the right having a radius of 3129.22 feet, whose chord bears North 40 degrees 50 minutes 44 seconds East, a distance of 369.58 feet;

THENCE Northeastwardly, with said curve to the right, through a central angle of 06 degrees 46 minutes 15 seconds, an arc distance of 369.80 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

THENCE North 44 degrees 18 minutes 44 seconds East, a distance of 2156.57 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the northeast boundary line of said 70.581 acre tract and the southwest right-of-way line of Lasater Road, a variable width right-of-way;

THENCE South 45 degrees 47 minutes 06 seconds East, with the common line of said Lasater Road and said 70.581 acre tract, a distance of 131.38 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the east corner of said 71.573 acre tract, said corner being at the intersection of said Lasater Road and said Stark Road;

THENCE Southwesterly, with the common line of said Stark Road and said 70.581 acre tract, the following courses:

South 44 degrees 14 minutes 01 seconds West, a distance of 2036.02 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a tangent curve to the left having a radius of 2894.79 feet whose chord bears South 41 degrees 10 minutes 01 seconds West, a distance of 309.73 feet;

Southwesterly, with said curve to the left, through a central angle of 06 degrees 08 minutes 00 seconds, an arc distance of 309.88 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

South 38 degrees 06 minutes 01 seconds West, a distance of 237.03 feet to the PLACE OF BEGINNING and containing 7.988 acres, or 347,959 square feet of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That D.R. Horton-Texas, LTD a Texas limited partnership acting herein by and through his/its duly authorized officer(s), does hereby adopt this plat designating the herein above described property as WELLINGTON FARMS EAST, an addition to the City of Seagoville, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Seagoville. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Seagoville's use thereof. The City of Seagoville and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Seagoville and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all planning ordinances, rules, regulations and resolutions of the City of Seagoville, Texas.

WITNESS, my hand, this the ___ day of _____ 2019.

D.R. HORTON-TEXAS, LTD
 a Texas limited partnership

BY: D.R. Horton, Inc.,
 a Delaware corporation,
 its authorized agent

By: _____
 Name: _____
 Title: _____

STATE OF TEXAS
 COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed. Given under my hand and seal of office, this ___ day of _____ 2019.

Notary Public in and for the State of Texas
 My Commission Expires On: _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, ROBERT C. MYERS, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as "set" were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Seagoville.

Notwithstanding, this document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document. This final plat etc. is released on January 24, 2019 for review by the City of Seagoville and other parties for comments and profession to an approved final plat.

ROBERT C. MYERS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF TEXAS NO. 3963

STATE OF TEXAS
 COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Robert C. Myers known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ___ day of _____ 2019.



Notary Public in and for the State of Texas
 My Commission Expires On: 02/14/2019

APPROVAL CERTIFICATE

DUAL PLAT:
 Approved by the City of Seagoville for filing at the office of the County Clerk of Dallas County, Texas.

APPROVED BY: Planning and Zoning Commission City of Seagoville, Texas

Signature of Chairperson _____ Date of Approval _____

ATTEST:
 City Secretary _____ Date _____

PROPERTY LOCATION STATEMENT

This property is located in the corporate limits of the City of Seagoville, Dallas County, Texas.

Chairman, Planning & Zoning Commission _____ Date _____
 City of Seagoville

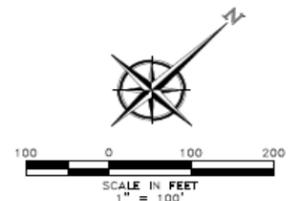
ATTEST:
 City Secretary _____ Date _____

LINE TABLE

NO.	DIRECTION	DISTANCE
L1	N 45°14'48" W	148.69'
L2	N 38°12'48" E	54.39'
L3	S 45°47'06" E	131.38'
L4	S 38°06'01" W	237.03'

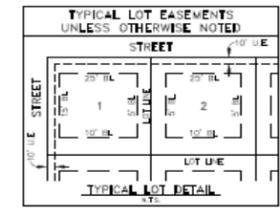
CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	006°46'15"	3129.22'	185.11'	369.80'	S 40°50'44" W	369.58'
C2	006°08'00"	2894.79'	155.09'	309.88'	S 41°10'01" W	309.73'
C3	06°13'02.3"	60.00'	35.70'	64.41'	N 40°15'53" E	61.36'



LEGEND

- I.R.S. 5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
- I.R.F. IRON ROD FOUND
- CM CONTROL MONUMENT
- UE UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- B.L. BUILDING LINE
- C.A. COMMON AREA TRACT
- W.M.E. WALL MAINTENANCE EASEMENT
- INST. NO. INSTRUMENT NUMBER
- DOC. NO. DOCUMENT NUMBER
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
- ◆ INDICATES STREET NAME CHANGE



NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

23 ESSENTIAL LOTS
 3 COMMON AREA TRACTS

DEVELOPER/OWNER
D.R. HORTON-TEXAS, LTD.
 4305 MILLER ROAD
 ROWLETT, TX 75088
 (972) 607-6244

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
 488 ARROYO COURT
 SUNNYVALE, TX 75152
 (214) 532-0836
 FAX (972) 412-4475
 EMAIL: rcm@rcmyers.com
 PH: 10192350 JOE NO. 411

CONSTRUCTION PLAT
WELLINGTON FARMS EAST
 LOTS 1-23, BLOCK 1 AND COMMON AREAS 1-3
 7.988 ACRES
 SITUATED IN THE
 HERMAN HEIDER SURVEY, ABST. NO. 541
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
 ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
 TEXAS REG. ENG. NO. 001145
 201 WINDCO CIRCLE, SUITE 200, WILKINSON, TEXAS 75098
 (972) 841-8400 FAX (972) 841-8401

Regular Session Agenda Item: 10

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing Anderson Asphalt & Concrete Paving, LLC, to perform the work necessary for the overlay of the parking area at 104 and 106 North Kaufman Street in an amount not to exceed Fourteen Thousand Five Hundred Dollars and No Cents (\$14,500.00); authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date.

BACKGROUND OF ISSUE:

This is a request for Anderson Asphalt & Concrete Paving, LLC, to perform the necessary work for the overlay of the parking area located at 104 and 106 N Kaufman. The area at 104 and 106 N. Kaufman is in need of repair, this area is utilized for downtown parking spaces for multiple vehicles on a daily basis.

The Community Development Department reached out to three (3) HUB Vendors for quotes on the project. Two (2) of the Vendors declined to quote based on the project being small and one (1) Vendor, Anderson Asphalt & Concrete Paving, LLC, provided a quote.

FINANCIAL IMPACT:

\$14,500.00

RECOMMENDATION:

Staff recommends approval.

EXHIBITS

Resolution
Quote from Anderson Asphalt

THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. __-R-2019

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING ANDERSON ASPHALT & CONCRETE PAVING, LLC, TO PERFORM THE WORK NECESSARY FOR THE OVERLAY OF THE PARKING AREA AT 104 AND 106 NORTH KAUFMAN STREET IN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$14,500.00); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE WORK TO BE PERFORMED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the parking area at 104 and 106 North Kaufman Street ("Project Area") is utilized for downtown parking spaces by multiple vehicles on a daily basis; and

WHEREAS, the Project Area is in need of repair; and

WHEREAS, the Community Development Department requested quotes from three (3) HUB Vendors to perform the necessary work on the Project Area; and

WHEREAS, two (2) of the Vendors declined to quote based on the project being small and one (1) Vendor, Anderson Asphalt & Concrete Paving, LLC, provided a quote of fourteen thousand five hundred dollars and no cents (\$14,500.00); and

WHEREAS, the City Council authorizes Anderson Asphalt & Concrete Paving, LLC, to perform the work necessary for the overlay of the parking area at 104 and 106 North Kaufman Street in an amount not to exceed fourteen thousand five hundred dollars and no cents (\$14,500.00).

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

Section 1. The City Council hereby authorizes Anderson Asphalt & Concrete Paving, LLC, to perform the work necessary for the overlay of the parking area at 104 and 106 North Kaufman Street in an amount not to exceed fourteen thousand five hundred dollars and no cents (\$14,500.00) as set forth in the quote from Anderson Asphalt & Concrete Paving, a copy of which is attached hereto and incorporated herein as Exhibit A, and the City Manager is hereby authorized to execute any and all documents necessary to complete the project.

Section 2. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of the resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

Section 3. If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

Section 4. This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED by the City Council of the City of Seagoville, Texas this 28th day of January, 2019.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(:cdb 01.17.2019 TM105579)

A WBE Certified Company

Proposal Submitted to
City of Seagoville
As

Street
702 N. Hwy. 175
City, State, Zip Code
Seagoville, Texas 75159

Attention:
Ladis Barr
Email
LBarr@seagoville.us

Phone:
972-567-9572

Job Name
104 - 106 Kaufman Parking Remove and Replace

Job Address
104 - 106 Kaufman
City, State
Seagoville, Texas 75159

Property Contact
Ladis Barr
Phone
972-567-9572

Date:
January 17, 2019
Proposal Good For:
5 Days
Job No.
CH812001

Submitted by:
Cory Henneberg
Email
coryh@aacpaving.com

We hereby submit specifications and estimates for:

- 1) **106 KAUFMAN - MILL EXISTING ASPHALT 2" AND PLACE 2" HMA: 1,900 SQ.FT. \$14,500.00**
Mill existing asphalt up to 2" depth and Haul off. Examine base and compact as needed to resist settling. Contractor shall not be responsible for damages to unmarked or unknown private utilities located within the areas designated for repair. Apply a tack coat of CSS-1H and place 2" of Type 'D', TxDOT approved asphalt, compacted flush to existing paving.
Place 90 LF of asphalt wheel stop and 10 white stripes.

EXCLUSIONS: Bonds, permits, testing, demolition, excavation and removal, de-watering, survey and construction staking, erosion control, SWPPP, WPCP, irrigation repair, traffic control, signs and posts, wheel stops, concrete repair, over excavation, soil stabilization, ponding, drainage, night work, ADA compliance

NOTES:

- 1. Subcontractor Paving is not responsible for failures in subgrade.
- 2. Testing not included.
- 3. Prime coat not included.
- 4. Material tax not included.
- 5. Subcontractor's price includes insurance. Subcontractor's reduction (if any) based upon OCIP/CCIP participation shall be based upon Subcontractor's net savings after due consideration of all coverages, costs, premiums and administrative burdens.
- 6. Subcontractor's bid and its agreement to perform the work set forth herein are explicitly contingent upon Subcontractor and Contractor negotiating mutually-acceptable Subcontract terms.

Because of the volatility of prices for construction materials, Anderson Asphalt & Concrete Paving, LLC cannot guarantee the cost of materials used in the work contained in this proposal for more than 30 days beyond the proposal date, regardless of whether this proposal is signed. Unless agreed upon elsewhere, customer agrees to pay the increase in cost of materials only, if notified of increase prior to work being done that includes a material with increased cost. Difference in material price will not exceed the 'cash' price of Supplier on date work is done versus the 'cash' price of Supplier on date of this proposal.

Any failure of the materials used in construction to conform to the requirements of the contract document or failure of workmanship to conform to standards utilized by generally proficient builders engaged in similar work and performing under similar circumstances shall be rectified at the expense of Anderson Asphalt & Concrete Paving, LLC in a prompt fashion. This paragraph supersedes and/or overrides any implied warranties under Texas Law.

We Propose to furnish all materials, equipment and labor – complete in accordance with above specifications for the sum of:

Fourteen Thousand Thousand Five Hundred and 00/100 Dollars

\$ 14,500.00

Payment to be made as follows:

Due in Full Upon Completion

ACCEPTANCE: "The terms and conditions contained herein this contract are an integral part of this agreement, which, by authorized signature, the contracting party acknowledges to have read, understood and agreed."

Please sign below, make a copy for your records and return the original to Anderson Asphalt & Concrete Paving, LLC

Cory Henneberg

ANDERSON ASPHALT & CONCRETE PAVING

Cory Henneberg

Authorized Signature

Project Manager

1/17/19

Authorized Signature

Printed Name

Title

Date

Title

Date

TERMS AND CONDITIONS

1. Anderson Asphalt & Concrete Paving, LLC, hereinafter referred to as Contractor, shall not be liable for any damages, direct, indirect or consequential, caused to any utilities, objects or other facilities located beneath the area of construction unless, prior to commencement of construction activities, Contractor is advised in writing of the existence of such utilities, objects or other facilities and their location is clearly identified and marked by the Customer. Customer agrees to indemnify and hold Contractor, its agents, employees, officers and directors harmless from any and all liability for any such damages to any utilities, objects or other facilities located beneath the area of construction. Contractor agrees to provide sufficient flagging, barricades, cones or other devices designed to delineate the area of construction and prohibit unauthorized access during such period of construction. If either the barrier devices are ignored or removed by persons other than authorized personnel of Contractor, Contractor shall not be liable for damages, direct, indirect or consequential, caused to any property brought into the area of construction under either circumstance, and Customer agrees to indemnify and hold Contractor, its agents, employees, officers and directors harmless from any and all liability for any such damages to property brought into the area of construction under such circumstance.
2. Customer fully understands that Contractor may require the use of specialized heavy equipment to perform the work required. Customer represents and warrants to Contractor that the area of the property designed for vehicular traffic which may be required for ingress and egress to the construction area is structurally sound and will support the equipment required by Contractor. Contractor shall not be liable for any damages, direct, indirect or consequential, caused to Customer's property designated for vehicular traffic as result of the transportation and movement of specialized heavy equipment to and from the area of construction: provided, however, if such damages do occur, Contractor agrees to repair any such damages at an additional charge in accordance with normal rates charged by Contractor for such services.
3. Anderson Paving Inc. is not responsible for any damages, deterioration or failure of its work, whether completed or in progress, due to any cause or causes beyond our control. This exclusion includes, but is not limited to failure of sub-grade or failure of or inadequacy of any labor or materials not furnished and installed by Anderson Paving, whether or not such failure or inadequacy was or could have been known at the time the work was undertaken.
4. The Contractor and Owner waive Claims against each other for consequential damages arising out of or relating to this Contract. This mutual waiver includes damages incurred by the Owner for rental expenses, losses of use, income, profit, financing, business and reputation, and for loss of management or employee productivity or of the services of such persons; and damages incurred by the Contractor for principal office expenses including the compensation of personnel stationed there, for losses of financing, business and reputation, and for loss of profit except anticipated profit arising directly from the Work.
5. It is understood and agreed to that the overlay does not change the contour of the pavement and cannot improve pre-existing drainage. Customer further understands that asphalt paving placed over expansive soils will, over time, reflect cracks that develop in the existing soils beneath the paving. Customer understands that this occurrence is natural and does not constitute failure of the asphalt paving.
6. Unless otherwise provided in this contract, Contractor reserves the exclusive right to schedule the method and manner by which the work shall be completed: however, Contractor shall provide Customer with reasonable notice of the commencement of work in order to allow Customer to make arrangements to have the area of construction cleared which shall be the sole responsibility of the Customer. Contractor shall not be liable for any damages, direct, indirect or consequential, caused to any vehicles, boats, trailers, equipment or other movable obstacles which remain in the area of construction during the period of construction and Customer agrees to indemnify and hold Anderson Paving, Inc., its agents, employees, officers and directors harmless from any and all liability for any such damages to any vehicles, boats, trailers, equipment or other movable obstacles which remain in the area of construction during the period of construction. Contractor reserves the right to postpone construction activities if the area of construction is not sufficiently clear at the time Contractor has scheduled commencement of construction. If Contractor is delayed in the commencement of construction due to Customer's failure to provide a clear construction area, Contractor may impose a delay charge equal to the reasonable hourly costs of the persons, equipment and supplies designated for this contract which hourly charge shall commence as of 9:00 a.m. on the day that construction was scheduled to commence and shall continue for each hour of delay up to a maximum of eight hours per day until the area is sufficiently clear to allow commencement of construction. This amount shall be in addition to all other contract amounts.
7. Contractor shall not be required to make any changes, deletions, additions or modifications to the contract terms and specifications without a proper written change order signed by the contracting parties. Any such change orders shall be in addition to the original contract. The change order form shall provide for an adjustment in the estimated cost and the completion date, if applicable.
8. Prior to starting work, Contractor shall be responsible for obtaining and providing any workmen's compensation insurance for its employees and General Liability Insurance and Automobile Liability Insurance as to its' activities related to the work contained in this proposal; however, Contractor shall not be responsible or obligated to maintain Builders Risk Insurance.
9. Payments must be made as specified in this contract. Should Contractor be entitled to receive payment from the Customer pursuant to any provision of this Contract and such payment is not paid within ten (10) days of the due date, then such payment shall bear simple interest at the rate of ten percent (10%) beginning with the first day following the date payment becomes due, and ending when the amount due has been paid or if not paid by the thirtieth day from the due date, the rate of interest shall increase to eighteen percent (18%) per annum on the thirty-first day, compounded annually. Additionally, any sum due Contractor which is not paid within said ten (10) days of the due date shall be just cause for Contractor to cease construction, without necessity of notice to Customer. Contractor agrees to restart construction when payment, together with interest as provided herein is received, and the time for completion will be extended to allow for such delay. Failure of Customer to pay any amounts due, plus accrued interest or to provide adequate security, within twenty (20) days of date of written demand therefore, shall allow Contractor the sole and exclusive option to immediately terminate this Contract. Upon any such termination, Contractor shall not be obligated to perform any additional work under this Contract. If this Contract is terminated in accordance with this paragraph, Contractor shall be entitled to payment for all work completed prior to termination of the Contract pursuant this paragraph. **FAILURE OF THE CUSTOMER TO PAY FOR MATERIAL OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANICS LIEN CLAIM AGAINST THE PROPERTY THE SUBJECT OF THIS CONTRACT.**
10. Should Contractor encounter abnormal soil conditions, rock or other reasonably unforeseen conditions below the surface of the ground, requiring a variance in the plans and specifications or requiring the performance of additional work in order to complete construction, the parties agrees to execute a change order in accordance with Paragraph 5 hereto, which provides for the reimbursement to Anderson Paving, Inc. of additional cost and fees incurred by reason of such conditions and an extension of the time of completion. Unless otherwise provided in this contract, testing, permits or engineering are not included in the contract price.
11. All disputes hereunder shall be decided by binding arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association. The venue of any such proceedings shall be Dallas, Texas and each party hereto shall be entitled to one Request for Production of Documents and to one deposition. If either party to this Contract shall seek to enforce this Contract, or any duties or obligations arising out of this Contract, against the other party to this Contract, the prevailing party in such arbitration shall receive, in addition to all other rights and remedies to which such party is entitled, such party's reasonable cost and expenses incurred in such proceedings, including reasonable attorney's fees.
12. This Contract (including the exhibits hereto) contains the entire Contract among the parties, and no oral statements or prior written matters not specifically incorporated herein shall be of any force and effect. No variation, modification or changes hereto shall be binding on any party hereto unless set forth in a document executed by all such parties. Furthermore (and in the event of a separate Vendor or other agreement signed by both parties) no such agreement shall control in the event there is a conflicting provision in this agreement and no such agreement may impose additional scope of the work duties or insurance requirements not specifically included in this agreement.
13. The laws of the state of Texas shall govern the validity, enforcement and interpretation of this Contract.
14. In the event any one or more of the provisions contained in the Contract in any other instrument referred to herein shall, for any reason, be held to be invalid, illegal or unenforceable, such illegality, invalidity or unenforceability shall not affect any other provision of this Contract.
15. The parties agree that the normal rule of construction the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Contract or any amendments or exhibits thereto.

END

Regular Session Agenda Item: 11

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Discuss and consider a Resolution awarding and authorizing a contract with Anderson Asphalt & Concrete Paving, LLC, for the East Malloy Bridge Road Rehabilitation – 7,300 LF Full Depth Reclamation in the amount of Six Hundred Two Thousand One Hundred Forty Three Dollars and Fifty Cents (\$602,143.50) and authorizing the City Manager to execute any and all necessary documents.

BACKGROUND OF ISSUE

After giving proper notice that the City was accepting bids for the E. Malloy Bridge Road Rehabilitation – 7,300 LF Full Depth Reclamation (hereinafter, "Project"), the City received five (5) complete bids. An alternate bid was included in addition to the base bid for the purposes of obtaining a proposed bid price for 3.5-inch thick, HMA for the new overlay. The lowest bid was received from Anderson Asphalt & Concrete Paving, LLC, ("Anderson Asphalt") with a total of \$602,143.50.

Halff, our City Engineers, checked the experience record provided by Anderson Asphalt, which included several full depth reclamation projects of similar nature and magnitude. In addition, Halff check the references provided. After completing the background on Anderson Asphalt, the City Engineers made recommendation to aware the alternate bid to Anderson Asphalt.

Based on the foregoing, staff is recommending the City Council award the bid to Anderson Asphalt & Concrete Paving, LLC, for the East Malloy Bridge Road Rehabilitation – 7,300 lf Full Depth Reclamation in the amount of six hundred two thousand one hundred forty three dollars and fifty cents (\$602,143.50) and authorize the City Manager to execute any and all necessary documents.

FINANCIAL IMPACT:

\$602,143.50

EXHIBITS

Resolution
Recommendation Letter from Halff
Bid Tabulation Sheet

THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. __-R-2019

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AWARDING AND AUTHORIZING A CONTRACT WITH ANDERSON ASPHALT & CONCRETE PAVING, LLC, FOR THE EAST MALLOY BRIDGE ROAD REHABILITATION – 7,300 LF FULL DEPTH RECLAMATION IN THE AMOUNT OF SIX HUNDRED TWO THOUSAND ONE HUNDRED FORTY-THREE DOLLARS AND FIFTY CENTS (\$602,143.50); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City administration, having solicited, received, and reviewed the bids to perform the East Malloy Bridge Road Rehabilitation – 7,300 LF Full Depth Reclamation (the “Project”), has determined that Anderson Asphalt & Concrete Paving, LLC (“Anderson”) has met all bid specifications and is the lowest responsible bidder in the amount of \$602,143.50, and recommends awarding the contract for the Project to said bidder; and

WHEREAS, the City Council of the City of Seagoville, Texas, finds it to be in the public interest to accept the recommendation of the City administration and authorize the above-described contract;

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

Section 1. The City Council hereby accepts Anderson Asphalt & Concrete Paving, LLC's alternate bid of six hundred two thousand one hundred forty-three dollars and fifty cents (\$602,143.50) for the East Malloy Bridge Road Rehabilitation – 7,300 LF Full Depth Reclamation Project, a copy of which is attached hereto and incorporated herein as Exhibit A, and the City Manager is hereby authorized to execute a contract with Anderson Asphalt & Concrete Paving, LLC in the amount of \$602,143.50 for the Project, subject to all applicable state laws, city policies, and, in the event change order(s) result in an increase in the contract amount, the availability of funds for such purpose, to negotiate and sign such change order(s) to said contract as the City Manager determines to be in the best interest of the City, and to otherwise execute any and all documents necessary to complete the Project.

Section 2. This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(:cdb 01.15.2019 TM105578)

January 11, 2019

034038

City of Seagoville, Texas
702 US175 Frontage Road
Seagoville, TX 75159

Attention: Mr. Ladis Barr

Re: Bids for E Malloy Bridge Road Rehabilitation – 7,300 LF Full Depth Reclamation

Dear Mr. Barr:

A total of five (5) complete bids were received for the project. The detailed bid tabulation sheet for the bids received is enclosed for your use. All Bidders submitted with their respective Bids a complete set of documents as required by the Contract Documents. For this project, an alternate bid was included in addition to the base bid. The base bid included a bid item for 2-inch thick, HMA for the new overlay to be placed on the constructed FDR base. The purpose of the alternate bid was to obtain a proposed bid price for 3.5-inch thick, HMA for the new overlay. The lowest base bid was submitted by Anderson Asphalt & Concrete Paving, LLC, with a total of \$464,703.50. The base bids ranged as high as \$657,200.00. The lowest alternate bid (base bid including 3.5-inch thick HMA) was submitted by Anderson Asphalt & Concrete Paving, LLC, with a total of \$602,143.50. The alternate bids ranged as high as \$827,200.00. In accordance with your request we are submitting this evaluation of the low bidder for both the base and alternate bids for the subject project.

The surety company to be used by Anderson Asphalt & Concrete Paving, LLC, is SURETEC INSURANCE COMPANY, 1330 Post Oak Blvd, Suite 1100, Houston, TX 77056. We checked the following: 1) SURETEC is on the Federal Register list of companies holding certificates of authority as acceptable sureties on federal bonds and as acceptable reinsuring companies. 2) The project total amount does not exceed SURETEC's bonding capacity as set by the Department of Treasury.

We checked the experience record provided by Anderson Asphalt & Concrete Paving, LLC, that included several full depth reclamation projects of similar nature and magnitude; and, resumes of the key personnel who will be assigned to the project. The projects and key personnel are summarized below:

Similar Project Experience

- City of Seagoville 2017 Paving Improvements
 - Concrete paving with lime stabilization
 - Ladis Barr, Community Development Director, (972) 681-4680
 - March 2018
 - \$799,900

- City of Seagoville Asphalt Paving Improvements
 - Asphalt paving
 - Ladis Barr, Community Development Director, (972) 681-4680
 - May 2018
 - \$266,087

- Town of Shady Shores 2016 Road Repair
 - Asphalt paving with full depth reclamation cement treatment
 - Richard Arvizu (Binkley & Barfield), Town Engineer (972) 644-2800
 - May 2018
 - \$398,223

HALFF ASSOCIATES, INC.

12225 GREENVILLE AVENUE, SUITE 200
DALLAS, TX 75243

TEL (214) 572-2272
FAX (214) 572-2273

WWW.HALFF.COM



- City of Grandview 2017 Street Bond Project
 - Asphalt paving with full depth reclamation cement treatment
 - David Henley, City Manager (817) 866-3399
 - May 2018
 - \$99,998

Key Personnel

Cory R. Henneberg – Project Manager, (972) 310-2259
Daryl Butler – General Superintendent, (214) 226-6795
Jose Calvillo – Asphalt and Base Crew Foreman

We checked the references listed in the experience record provided by Anderson Asphalt & Concrete Paving, L.L.C. The comments from the associated contact person are summarized below:

Reference Comments

Ladis Barr, Community Development Director, City of Seagoville – *Impressed with their work and Cory Henneberg, performed good work, solves problems, communicates well with staff*

Richard Arvizu (Binkley & Barfield), Town Engineer, Town of Shady Shores – *Performed good work, happy with their work and gave them more, no issues with company or Cory Henneberg, hope they bid future work in Shady Shores*

David Henley, City Manager, City of Grandview – *Did commendable work, very pleased and has no issues, doing more work for them, project done on time*

Based on the information above we do not find grounds to disqualify Anderson Asphalt & Concrete Paving, LLC, from the project based on their financial capacity, experience, or prior performance as defined in the project specifications. This evaluation is limited to review of the Federal Register, project experience information furnished to Halff by Anderson Asphalt & Concrete Paving, LLC, and verifying references listed above including a reference on prior performance by City of Seagoville staff. Halff recommends the project be awarded to Anderson Asphalt & Concrete Paving, LLC, at the January council meeting. Furthermore, Halff recommends award of the alternate bid at this time due to favorable pricing, if the City so desires.

We look forward to working with the City of Seagoville and the Contractor on the next phase of this important project. Please feel free to contact me if you need additional information.

Sincerely,

HALFF ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Ben Cernosek", is written over a light blue horizontal line.

Ben Cernosek, P.E.
Project Manager

E. Malloy Bridge Road Rehabilitation - 7,300 LF Full Depth Reclamation

Bid Tabulation

Prepared by Halff Associates, Inc.
Jeff F. Roberts, P.E., CFM

Base Bid				ENGINEER'S		FNH CONSTRUCTION, LLC		ROCK SOLID, INC.		PAVECON		ANDERSON ASPHALT		HERITAGE ASPHALT	
ITEM No.	ITEM DESCRIPTION	UNIT	PLAN QTY	UNIT PRICE	ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE
1	Mobilization	LS	1	\$ 26,000.00	\$ 26,000	\$ 65,000.00	\$ 65,000.00	\$ 25,000.00	\$ 25,000.00	\$ 66,700.00	\$ 66,700.00	\$ 17,500.00	\$ 17,500.00	\$ 30,000.00	\$ 30,000.00
2	Project Sign	EA	2	\$ 500.00	\$ 1,000	\$ 850.00	\$ 1,700.00	\$ 500.00	\$ 1,000.00	\$ 425.00	\$ 850.00	\$ 775.00	\$ 1,550.00	\$ 1,000.00	\$ 2,000.00
3	Silt Fence	LF	14650	\$ 3.00	\$ 43,950	\$ 4.50	\$ 65,925.00	\$ 3.00	\$ 43,950.00	\$ 2.50	\$ 36,625.00	\$ 1.60	\$ 23,440.00	\$ 3.50	\$ 51,275.00
10	Full Depth Reclamation Using Cement	SY	20350	\$ 8.00	\$ 162,800	\$ 6.00	\$ 122,100.00	\$ 7.00	\$ 142,450.00	\$ 8.75	\$ 178,062.50	\$ 4.15	\$ 84,452.50	\$ 7.00	\$ 142,450.00
11	Cement	TON	665	\$ 150.00	\$ 99,750	\$ 180.00	\$ 119,700.00	\$ 137.50	\$ 91,437.50	\$ 130.50	\$ 86,782.50	\$ 154.00	\$ 102,410.00	\$ 150.00	\$ 99,750.00
12	Hot Mix Asphalt, 2-inch thick, Type C	TON	2250	\$ 95.00	\$ 213,750	\$ 100.00	\$ 225,000.00	\$ 94.00	\$ 211,500.00	\$ 87.00	\$ 195,750.00	\$ 92.00	\$ 207,000.00	\$ 105.00	\$ 236,250.00
20	Traffic Control	LS	1	\$ 5,000.00	\$ 5,000	\$ 10,000.00	\$ 10,000.00	\$ 7,500.00	\$ 7,500.00	\$ 6,400.00	\$ 6,400.00	\$ 5,250.00	\$ 5,250.00	\$ 5,000.00	\$ 5,000.00
21	4-inch Retro-reflectorized Pavement Markings	LF	20000	\$ 1.00	\$ 20,000	\$ 1.00	\$ 20,000.00	\$ 0.65	\$ 13,000.00	\$ 1.50	\$ 30,000.00	\$ 0.65	\$ 13,000.00	\$ 1.25	\$ 25,000.00
22	4-inch Raised Pavement Marker (Type II - A/A)	EA	185	\$ 3.00	\$ 555	\$ 15.00	\$ 2,775.00	\$ 16.50	\$ 3,052.50	\$ 5.25	\$ 971.25	\$ 14.60	\$ 2,701.00	\$ 13.50	\$ 2,497.50
21	Portable Changeable Message Sign	EA	2	\$ 10,000.00	\$ 20,000	\$ 12,500.00	\$ 25,000.00	\$ 3,494.12	\$ 6,988.24	\$ 2,500.00	\$ 5,000.00	\$ 3,700.00	\$ 7,400.00	\$ 14,000.00	\$ 28,000.00
TOTAL					\$ 592,805.00		\$ 657,200.00		\$ 545,878.24		\$ 607,141.25		\$ 464,703.50		\$ 622,222.50

Alternate Bid No. 1				ENGINEER'S		FNH CONSTRUCTION, LLC		ROCK SOLID, INC.		PAVECON		ANDERSON ASPHALT		HERITAGE ASPHALT	
ITEM No.	ITEM DESCRIPTION	UNIT	PLAN QTY	UNIT PRICE	ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE	UNIT PRICE	CONTRACTOR'S ESTIMATE
12A	Hot Mix Asphalt, 3.5-inch thick, Type C	TON	3950	\$ 95.00	\$ 375,250	\$ 100.00	\$ 395,000.00	\$ 90.00	\$ 355,500.00	\$ 84.00	\$ 331,800.00	\$ 87.20	\$ 344,440.00	\$ 110.00	\$ 434,500.00
TOTAL					\$ 375,250.00		\$ 395,000.00		\$ 355,500.00		\$ 331,800.00		\$ 344,440.00		\$ 434,500.00

1. Total Amount for BASE BID	\$ 592,805.00	\$ 657,200.00	\$ 545,878.24	\$ 607,141.25	\$ 464,703.50	\$ 622,222.50
2. Total Amount for ALTERNATE BID NO.1	\$ 375,250.00	\$ 395,000.00	\$ 355,500.00	\$ 331,800.00	\$ 344,440.00	\$ 434,500.00
3. Total Price for BASE BID NO.12	\$ 213,750.00	\$ 225,000.00	\$ 211,500.00	\$ 195,750.00	\$ 207,000.00	\$ 236,250.00
4. Total Amount Line 2 - Total Amount Line 3	\$ 161,500.00	\$ 170,000.00	\$ 144,000.00	\$ 136,050.00	\$ 137,440.00	\$ 198,250.00
5. Total Amount for BASE BID + Total Amount Line 4	\$ 754,305.00	\$ 827,200.00	\$ 689,878.24	\$ 743,191.25	\$ 602,143.50	\$ 820,472.50

Regular Session Agenda Item: 12

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Consider approval of a Resolution of the City Council of the City of Seagoville, Texas, in support of the Transportation Alternatives Set-Aside Program Project for the Mathis Street Sidewalk Project and appointing the City Manager as the authorized official for the grant; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

The North Central Texas City Council of Governments (NCTCOG) thru the Transportation Alternatives Set-Aside Program Project is a program that is awarded funding on a reimbursement basis for sidewalks to be placed for enhanced mobility and non-driver access to public transportation improving safety.

The Community Development Department will submit an application to the Transportation Alternatives Set-Aside Program Project before March 1, 2019 and if selected the funding will be awarded on June 13, 2019. If selected the City of Seagoville will commit to a minimum local cash match of twenty percent (20%) of the total project for the Malloy Bridge Road Sidewalk Project.

FINANCIAL IMPACT:

Twenty percent (20%) of the total project.

RECOMMENDATION:

Staff recommends approval.

EXHIBITS

Resolution
Quote from Halff Associates

A RESOLUTION OF THE CITY OF SEAGOVILLE

RESOLUTION NO. __-R-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, IN SUPPORT OF THE TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM PROJECT FOR THE MATHIS STREET SIDEWALK PROJECT AND APPOINTING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL FOR THE GRANT; PROVIDING FOR THE REPEAL OF ANY AND ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Regional Transportation Council, comprised of local elected officials, is the regional transportation policy board associated with the North Central Texas Council of Governments (NCTCOG) and the regional forum for cooperative decisions on transportation; and,

WHEREAS, the Regional Transportation Council will award funding on June 13, 2019 for active transportation projects through the Transportation Alternatives Set-Aside Program Call for Projects; and,

WHEREAS, the City of Seagoville intends to submit a transportation alternative project application for the Mathis Street Sidewalk Project to the North Central Texas Council of Governments (NCTCOG) prior to the March 1, 2019 deadline; and,

WHEREAS, the Regional Transportation Council requires the submittal of a resolution as part of the Transportation Alternatives Set-Aside Program Call for Projects application submission.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, THAT:

SECTION 1. The City of Seagoville supports the Mathis Street Sidewalk Project as applied for in the 2019 Transportation Alternative Set-Aside Call for Projects application.

SECTION 2. The City of Seagoville will serve as the public sponsor and lead project contact on this project. The City of Seagoville City Council hereby appoints the City Manager as the authorized official and agrees to designate a single point of contact for the project.

SECTION 3. The City of Seagoville commits to fund or pass through funds from other sources for a minimum local cash match of twenty percent (20%) of the total project cost.

SECTION 4. The City of Seagoville confirms that the City of Seagoville, not the Regional Transportation Council, will be responsible for any cost overruns.

SECTION 5. The City of Seagoville understands and acknowledges that all awarded funding is provided on a reimbursement basis.

SECTION 6. The City of Seagoville confirms the project timeline is realistic and commits that if the project is selected for funding, an agreement will be executed within one (1) year of selection and the project will advance to construction within three (3) years from the date of selection.

SECTION 7. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of the resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

SECTION 8. If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

SECTION 9. This resolution shall take effect immediately from and after its passage and it is so accordingly resolved.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 28th day of January, 2019.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY

(:cdb 01/17/2019)

Engineer's Statement of Probable Construction Cost

Engineer's Statement of Probable Construction Cost
Mathis St - 920 Linear Feet of 5-foot Sidewalk
City of Seagoville
 Friday, January 18, 2019

 **HALFF**
 P35796
 Richardson Office

Item	Description	Unit	Quantity	Rate	Amount
Sidewalk					
1	5 foot, ADA compliant sidewalk	SF	4,600	\$7.00	\$32,200.00
2	6 inch curb and gutter	LF	920	\$35.00	\$32,200.00
3	Asphalt saw cut, removal, and disposal	SY	220	\$5.00	\$1,100.00
4	Compacted earth fill	CY	70	\$15.00	\$1,050.00
5	ADA compliant ramp	EA	2	\$2,000.00	\$4,000.00
6	Erosion Control	LS	1	\$3,600.00	\$3,600.00
7	Traffic Control	LS	1	\$2,500.00	\$2,500.00
8	Contingency (15%)	LS	1	\$11,500.00	\$11,500.00
SUBTOTAL					\$88,150.00

SUMMARY		Sidewalk	Amount
		CONSTRUCTION TOTAL	\$88,150.00
		CONSTRUCTION TOTAL(ROUNDED)	\$88,200.00
		ENGINEERING (DESIGN, SURVEY, GEOTECH, CONSTRUCTION ADMIN) (15%)	\$13,300.00
		TEXAS DEPARTMENT OF LICENSING AND REGULATION (TDLR) FEES AND INSPECTION	\$2,500.00
PROJECT TOTAL			\$104,000.00

This project estimate does not include right-of-way or easement acquisition costs.

This statement was prepared utilizing standard cost estimation practices, and is not based on actual costs or bids for this project. It is understood and agreed that this is an estimate only, and that Halff shall not be liable to the Owner or to a third party for any failure to accurately estimate the cost of the project, or any part thereof.

Regular Session Agenda Item: 13

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Consider approval of a Resolution of the City Council of the City of Seagoville, Texas, in support of the Transportation Alternatives Set-Aside Program Project for the Malloy Bridge Road Sidewalk Project and appointing the City Manager as the authorized official for the grant; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

The North Central Texas City Council of Governments (NCTCOG) thru the Transportation Alternatives Set-Aside Program Project is a program that is awarded funding on a reimbursement basis for sidewalks to be placed for enhanced mobility and non-driver access to public transportation improving safety.

The Community Development Department will submit an application to the Transportation Alternatives Set-Aside Program Project before March 1, 2019 and if selected the funding will be awarded on June 13, 2019. If selected the City of Seagoville will commit to a minimum local cash match of twenty percent (20%) of the total project for the Malloy Bridge Road Sidewalk Project.

FINANCIAL IMPACT:

Twenty percent (20%) of the total project.

RECOMMENDATION:

Staff recommends approval.

EXHIBITS

Resolution
Quote from Halff Associates

A RESOLUTION OF THE CITY OF SEAGOVILLE

RESOLUTION NO. __-R-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, IN SUPPORT OF THE TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM PROJECT FOR THE MALLOY BRIDGE ROAD SIDEWALK PROJECT AND APPOINTING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL FOR THE GRANT; PROVIDING FOR THE REPEAL OF ANY AND ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Regional Transportation Council, comprised of local elected officials, is the regional transportation policy board associated with the North Central Texas Council of Governments (NCTCOG) and the regional forum for cooperative decisions on transportation; and,

WHEREAS, the Regional Transportation Council will award funding on June 13, 2019 for active transportation projects through the Transportation Alternatives Set-Aside Program Call for Projects; and,

WHEREAS, the City of Seagoville intends to submit a transportation alternative project application for the Malloy Bridge Road Sidewalk Project to the North Central Texas Council of Governments (NCTCOG) prior to the March 1, 2019 deadline; and,

WHEREAS, the Regional Transportation Council requires the submittal of a resolution as part of the Transportation Alternatives Set-Aside Program Call for Projects application submission.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, THAT:

SECTION 1. The City of Seagoville supports the Malloy Bridge Road Sidewalk Project as applied for in the 2019 Transportation Alternative Set-Aside Call for Projects application.

SECTION 2. The City of Seagoville will serve as the public sponsor and lead project contact on this project. The City of Seagoville City Council hereby appoints the City Manager as the authorized official and agrees to designate a single point of contact for the project.

SECTION 3. The City of Seagoville commits to fund or pass through funds from other sources for a minimum local cash match of twenty percent (20%) of the total project cost.

SECTION 4. The City of Seagoville confirms that the City of Seagoville, not the Regional Transportation Council, will be responsible for any cost overruns.

SECTION 5. The City of Seagoville understands and acknowledges that all awarded funding is provided on a reimbursement basis.

SECTION 6. The City of Seagoville confirms the project timeline is realistic and commits that if the project is selected for funding, an agreement will be executed within one (1) year of selection and the project will advance to construction within three (3) years from the date of selection.

SECTION 7. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of the resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

SECTION 8. If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

SECTION 9. This resolution shall take effect immediately from and after its passage and it is so accordingly resolved.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 28th day of January, 2019.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY

(:cdb 01/17/2019)

Engineer's Statement of Probable Construction Cost

Engineer's Statement of Probable Construction Cost
Malloy Bridge Rd - 480 Linear Feet of 5-foot Sidewalk
City of Seagoville
 Friday, January 18, 2019

 **HALFF**
 P35796
 Richardson Office

Item	Description	Unit	Quantity	Rate	Amount
Sidewalk					
1	5 foot, ADA compliant sidewalk	SF	2,400	\$7.00	\$16,800.00
2	Unclassified Excavation	CY	50	\$15.00	\$750.00
3	Retaining Wall	SF	280	\$70.00	\$19,600.00
4	ADA compliant ramp	EA	1	\$2,000.00	\$2,000.00
5	Erosion Control	LS	1	\$2,500.00	\$2,500.00
6	Tree Removal	LS	1	\$2,000.00	\$2,000.00
7	Contingencies (15%)	LS	1	\$6,500.00	\$6,500.00
SUBTOTAL					\$50,150.00
SUMMARY					
Sidewalk					\$50,150.00
CONSTRUCTION TOTAL					\$50,150.00
CONSTRUCTION TOTAL (ROUNDED)					\$50,200.00
ENGINEERING (DESIGN, SURVEY, GEOTECH, CONSTRUCTION ADMIN) (15%)					\$7,600.00
TEXAS DEPARTMENT OF LICENSING AND REGULATION (TDLR) FEES AND INSPECTION					\$2,500.00
PROJECT TOTAL					\$60,300.00

This project estimate does not include right-of-way or easement acquisition costs.

This statement was prepared utilizing standard cost estimation practices, and is not based on actual costs or bids for this project. It is understood and agreed that this is an estimate only, and that Halff shall not be liable to the Owner or to a third party for any failure to accurately estimate the cost of the project, or any part thereof.

Regular Session Agenda Item: 14

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing the purchase of a four (4') foot chain link fence to be placed at the entrance of Petty White Park and a forty-two (42") inch wrought iron fence with stone columns to be placed at the entrance of Bearden Park for a total combined amount not to exceed Forty-Three Thousand One Hundred Forty-One Dollars and No Cents (\$43,141.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

BACKGROUND OF ISSUE:

This is a request for the purchase of a new fence to be placed at the entrance of Bearden Park. The fence will be four (4') foot black chain link with one (1) twenty-four (24') foot double swinging chain link gate and one (1) twenty (20') foot double swinging chain link gate for access to the park.

This also includes the purchase of a new fence to be placed at the entrance of Petty White Park. The fence will be a four (42") inch wrought iron fence with stone columns and two (2) twenty-four (24') foot swinging gates for access to the park.

The fence(s) will provide safety, help with illegal dumping that is occurring at the park, and protect the parking lot from damage after hours. The list of quotes obtained from three (3) HUB Vendors are as follows:

Latham Fence LLC located in Arlington, TX - \$50,500.00

Llano River Fence Company LLC located in Balch Springs, TX - \$43,141.00

Fort Worth Fence located in Fort Worth, TX; (Contacted multiple times with no response)

FINANCIAL IMPACT:

\$43,141.00

RECOMMENDATION:

City Staff recommends approval.

EXHIBITS

Resolution

Quote from Llano River Fence Company, LLC, for Bearden Park- \$25,347.80

Quote from Llano River Fence Company, LLC, for Petty White Park- \$17,793.20

THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. __-R-2019

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING THE PURCHASE OF A FOUR (4') FOOT CHAIN LINK FENCE TO BE PLACED AT THE ENTRANCE OF PETTY WHITE PARK AND A FORTY-TWO (42") INCH WROUHGT IRON FENCE WITH STONE COLUMNS TO BE PLACED AT THE ENTRANCE OF BEARDEN PARK FOR A TOTAL COMBINED AMOUNT NOT TO EXCEED FORTY THREE THOUSAND ONE HUNDRED FORTY-ONE DOLLARS AND NO CENTS (\$43,141.00); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Petty White Park, located at 15601 Cloverhill Road, is the City park utilized by various Soccer Associations to host games and tournaments; and

WHEREAS, Bearden Park, located at 500 May Road, is the City park utilized primarily by the little league baseball teams; and

WHEREAS, both of these City parks have been vandalized on more than one occasion resulting in extensive damage, parking areas are frequently damaged, and illegal dumping occurs on a regular basis; and

WHEREAS, the Community Development Department has requested quotes from three (3) HUB Vendors for a four (4') foot black chain link fence with one (1) twenty-four (24') foot and one (1) twenty (20') foot swinging chain link gate for Petty White Park and a forty-two inch (42") wrought iron fence with stone columns with two (2) twenty-four (24') foot wrought iron swinging gate for Bearden Park (collectively, "fencing"); and

WHEREAS, said fencing will be placed at the entrance only of each Park to provide safety, assist with the illegal dumping issues, and protect the respective parking lots; and

WHEREAS, upon receipt of the quotes, Llano River Fence Company, LLC, submitted the lowest quote for a combined total amount of forty-three thousand one hundred forty-one dollars and no cents (\$43,141.00); and

WHEREAS, the City Council finds it to be in the public interest to authorizes the purchase of the fencing described herein from Llano River Fence Company, LLC for the entryways of Petty White Park and Bearden Park, in a total combined amount not to exceed forty-three thousand one hundred forty-one dollars and no cents (\$43,141.00).

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

Section 1. The City Council hereby authorizes the purchase of a four (4') foot black chain link fence with one (1) twenty-four (24') foot and one (1) twenty (20') foot swinging chain link gate for the entryway of Petty White Park and a forty-two inch (42") wrought iron fence with stone columns with two (2) twenty-four (24') foot wrought iron swinging gate for the entryway of Bearden Park from Llano River Fence Company, LLC, in a total combined amount not to exceed forty-three thousand one hundred forty-one dollars and no cents (\$43,141.00) as set forth in the quote, a copy of which is attached hereto and incorporated herein as Exhibit A, and the City Manager is hereby authorized to execute any and all documents necessary to complete the purchase herein authorized.

Section 2. This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(:cdb 01.17.2019 TM105580)



Llano River Fence Company LLC

11418 Lake June Rd.
Balch Springs, Texas 75180

972-286-4316

Estimate

Date	Estimate #
1/4/2019	19-3158

Customer
City of Seagoville Estimating Department

Description	Qty	Rate	Total
****500 May Rd ****			
4' Ornamental Iron	230	25.86	5,947.80
24' Double Swing Gate Stone	2	2,350.00	4,700.00
Column w/ Cast Stone Cap	12	1,225.00	14,700.00
Sales Taxable Tax 8.25%		8.25%	0.00
Pricing is good for 30 days.			
		Signature _____	_____

Thank you for the opportunity to bid.	Total	\$25,347.80
E-mail		
asmith@llanoriverfence.com		



Llano River Fence Company LLC

11418 Lake June Rd.
Balch Springs, Texas 75180

972-286-4316

Estimate

Date	Estimate #
1/4/2019	19-3159

Customer
City of Seagoville Estimating Department

Description	Qty	Rate	Total
15601 Cloverhill Seagoville			
4' 2" 11g GALV. Mesh Black Vinyl	770	19.16	14,753.20
24' Gate Double Swing Chainlink Gate	1	1,545.00	1,545.00
20' Gate Double Swing Chainlink Gate	1	1,495.00	1,495.00
Sales Taxable Tax 8.25%		8.25%	0.00
Pricing is good for 30 days.			
		Signature _____	_____

Thank you for the opportunity to bid.		Total	\$17,793.20
	E-mail		
	asmith@llanoriverfence.com		

Regular Session Agenda Item: 15

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Discuss and consider approving a Resolution of the City of Seagoville, Texas approving the Seagoville Economic Development Corporation's expenditure of \$40,300.00 to Billy L. Nabors Demolition for the complete demolition of 113 and 115 N. Kaufman Street; authorizing the City Manager to execute any and all necessary documents and providing an effective date.

BACKGROUND OF ISSUE:

On November 26, 2018, the SEDC Board of Directors directed staff to obtain quotes for the demolition of 101, 113 and 115 N. Kaufman Street. The quotes have been obtained and staff recommends moving forward with the demolition of 113 and 115 N. Kaufman St. first. The low quote for this project was obtained from Billy L. Nabors Demolition in the amount of \$40,300.00. The other two (2) quotes have been provided for the Council to review as well.

After extensive consultation with the Building Official, Demolition Experts and Construction Experts staff recommends the demolition of 113 and 115 N. Kaufman Street first. Later staff will come back to the SEDC Board and present a plan for the demolition of the 101 N. Kaufman, which includes two metal garages along Railroad. This will allow time for staff to develop a plan (including cost estimates) to move the utilities (electric, gas and telephone) which are attached to the metal building in the rear.

On January 17, 2019, the SEDC Board of Directors met and approved an expenditure not to exceed \$40,300.00 for the complete demolition of 113 and 115 N. Kaufman Street. Staff is requesting the City Council to approve the SEDC expenditure to Billy L. Nabors Demolition. If approved staff will schedule the demolition as soon as possible.

Staff believes the current condition of 113 and 115 N. Kaufman requires the expedited removal of the building.

FINANCIAL IMPACT:

Quote of \$40,300.00

RECOMMENDATION:

Staff recommends awarding this project to Billy L. Nabors Demolition for the demolition of 113 and 115 N. Kaufman Street.

EXHIBITS

Resolution

- A. Quote from Billy L. Nabors Demolition
- B. Quote from Jericho Services
- C. Quote from Whole Environmental and Demolition

THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. __-R-2019

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION'S EXPENDITURE OF \$40,300.00 TO BILLY L. NABORS DEMOLITION FOR THE COMPLETE DEMOLITION OF 113 AND 115 N. KAUFMAN STREET; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, 101, 113 and 115 N. Kaufman, which are owned by the Seagoville Economic Development Corporation ("SEDC"), are seriously dilapidated and are a safety concern for the SEDC and the City; and

WHEREAS, on November 26, 2018, the SEDC Board of Directors directed staff to obtain quotes for the demolition of 101, 113, and 115 N. Kaufman Street; and

WHEREAS, three (3) quotes have been obtained and after consultation with experts, the staff recommends moving forward with the demolition of 113 and 115 N. Kaufman first; and

WHEREAS, the low quote for this project was Billy L. Nabors Demolition in the amount of forty thousand, three hundred and no cents (\$40,300); and

WHEREAS, on January 17, 2019, the SEDC Board of Directors met and approved the expenditure in an amount not to exceed \$40,300 for the complete demolition of 113 and 115 N. Kaufman Street; and

WHEREAS, the City Council hereby approves the expenditure to Billy L. Nabors Demolition for the complete demolition of 113 and 115 N. Kaufman Street in an amount not to exceed forty thousand, three hundred and no cents (\$40,300).

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

Section 1. The City Council hereby approves the expenditure to Billy L. Nabors Demolition for the complete demolition of 113 and 115 N. Kaufman Street in an amount not to exceed forty thousand, three hundred and no cents (\$40,300) as set forth in the quote, a copy of which is attached hereto and incorporated herein as Exhibit A, and the City Manager is hereby authorized to execute any and all documents necessary to complete the project.

Section 2. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of the resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

Section 3. If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

Section 4. This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED by the City Council of the City of Seagoville, Texas this 28th day of January, 2019.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(:cdb 01.22.2019)



Billy L. Nabors Demolition

"WE COULD WRECK THE WORLD"

Jesus Saves

Billy L. and Joan Nabors, Inc.
2802 N. Hwy 175 | Seagoville, TX 75159
Tel. (972) 287-2287 | Fax (972) 287-4168
estimating@naborsdemo.com
Proposal No. 18-1135

November 29, 2018

Seagoville EDC
105 N Kaufman St.
Seagoville, TX 75159

Tel. 972-287-9944

Attention: Don Cole

sedcassistant@seagoville.us

Project: 101, 113, 115 N Kaufman St.
Seagoville, TX 75159

We hereby propose to furnish all materials, equipment and labor to accomplish the demolition for the above mentioned project as follows:

SCOPE OF WORK: SITE DEMOLITION

- Demolish existing buildings & foundations down to dirt; remove piers 4' below existing grade.
- Load, transport, & legally dispose of resultant debris.

101 N. Kaufman ----- \$29,370.00

113 & 115 N. Kaufman - \$40,300.00

SUBJECT TO THE FOLLOWING CONDITIONS:

- All salvage not designated otherwise shall become the property of BND.
- This document shall become a part of any resultant contract.
- Should contractor/owner furnish a sales tax exemption or resale certificate to BND, sales tax shall not be added.

THE FOLLOWING ITEMS ARE SPECIFICALLY EXCLUDED FROM THIS PROPOSAL:

- Asbestos survey / abatement.
- Temporary bracing for electrical to remain on 101 N Kaufman.
- Utility disconnecting / capping / rerouting.
- Import / export of dirt.
- Preparation of surfaces to receive new finish.



Billy L. Nabors Demolition

"WE COULD WRECK THE WORLD"

Jesus Saves

Billy L. and Joan Nabors, Inc.

2802 N. Hwy 175 | Seagoville, TX 75159

Tel. (972) 287-2287 | Fax (972) 287-4168

estimating@naborsdemo.com

Proposal No. 18-1135

The above work will be completed in a substantial and workmanlike manner according to industry standard practices. Periodic invoices for *one hundred percent (100%)* of the completed work shall be submitted at least once per month as the work progresses. A final invoice shall be submitted upon completion of the above-described work. *All invoices are due and payable upon receipt, and shall be paid in full within 30 days thereafter.* Any alteration or deviation from the above specifications involving additional costs of material, equipment and / or labor will be executed only upon written orders, and will become an additional charge over and above the amount specified herein. Any and all modifications to this agreement shall be in writing. This proposal is subject to our re-evaluation if it is not accepted and a contract executed within thirty (30) days of the above date.

Respectfully submitted for
Billy L. and Joan Nabors, Inc.

By: George Gomez
George Gomez

ACCEPTANCE OF PROPOSAL AND AWARD OF CONTRACT

The foregoing proposal is hereby accepted. Billy L. and Joan Nabors, Inc. are hereby authorized to furnish all materials, equipment and labor to complete the work as specified above. By virtue of this authorization, I am entering into a binding contract on behalf of _____

I (we) agree to abide by the terms and conditions of this contract. Payment shall be made as specified above.

Accepted by: _____

Title: _____

Date: _____

**All credit card payments will be assessed a non-refundable 4.5% convenience fee*



Billy L. Nabors Demolition

"WE COULD WRECK THE WORLD"

Jesus Saves

Billy L. and Joan Nabors, Inc.
2802 N. Hwy 175 | Seagoville, TX 75159
Tel. (972) 287-2287 | Fax (972) 287-4168
estimating@naborsdemo.com
Proposal No. 18-1135

December 10, 2018

Seagoville EDC
105 N Kaufman St.
Seagoville, TX 75159

Tel. 972-287-9944

Attention: Don Cole

sedcassistant@seagoville.us

Project: 105 & 107 N. Kaufman St.
Seagoville, TX 75159

We hereby propose to furnish all materials, equipment and labor to accomplish the demolition for the above mentioned project as follows:

SCOPE OF WORK: SITE DEMOLITION

- Disassemble Garage behind 105 & 107 & N Kaufman St. down to concrete slab.
- Load, transport, & legally dispose of resultant debris.

For the consideration of \$6,200.00

SUBJECT TO THE FOLLOWING CONDITIONS:

- EDC will take care of any blueprints/ drawings or construction required.
- All salvage not designated otherwise shall become the property of BND.
- Should contractor/owner furnish a sales tax exemption or resale certificate to BND, sales tax shall not be added.

THE FOLLOWING ITEMS ARE SPECIFICALLY EXCLUDED FROM THIS PROPOSAL:

- Asbestos survey / abatement.
- Temporary bracing/shoring required.
- Utility disconnecting / capping / rerouting.
- Import / export of dirt.
- Preparation of surfaces to receive new finish.



Billy L. Nabors Demolition

"WE COULD WRECK THE WORLD"

Jesus Saves

Billy L. and Joan Nabors, Inc.
2802 N. Hwy 175 | Seagoville, TX 75159
Tel. (972) 287-2287 | Fax (972) 287-4168
estimating@naborsdemo.com
Proposal No. 18-1135

The above work will be completed in a substantial and workmanlike manner according to industry standard practices. A final invoice shall be submitted upon completion of the above-described work. All invoices are due and payable upon receipt, and shall be paid in full within 30 days thereafter. Any alteration or deviation from the above specifications involving additional costs of material, equipment and / or labor will be executed only upon written orders, and will become an additional charge over and above the amount specified herein. Any and all modifications to this agreement shall be in writing. This proposal is subject to our re-evaluation if it is not accepted and a contract executed within thirty (30) days of the above date.

*Respectfully submitted for
Billy L. and Joan Nabors, Inc.*

By: George Gomez
George Gomez

ACCEPTANCE OF PROPOSAL AND AWARD OF CONTRACT

The foregoing proposal is hereby accepted. Billy L. and Joan Nabors, Inc. are hereby authorized to furnish all materials, equipment and labor to complete the work as specified above. By virtue of this authorization, I am entering into a binding contract on behalf of _____

I (we) agree to abide by the terms and conditions of this contract. Payment shall be made as specified above.

Accepted by: _____

Title: _____

Date: _____

**All credit card payments will be assessed a non-refundable 4.5% convenience fee*

Jericho

JERICHO SERVICES  
 2571 Merrell Road; Dallas, TX 75229
 Office: 972-247-6618 Fax: 972-247-6619

ADDITIONAL PRICING

PROJECT: SEAGOVILLE EDC 101,113&115 NORTH KAUFMAN 11-28 1/2/2019
LOCATION: 101,113-115 N. Kaufman
 Seagoville, Tx. 75159

WORK TO BE PERFORMED

JERICHO WILL PROVIDE ALL LABOR, MATERIALS, TOOLS & EQUIPMENT; STANDARD INSURANCE & ALL SERVICES NECESSARY FOR THE SELECTIVE DEMOLITION AND REMOVAL OF THE FOLLOWING:

- DEMO & REMOVE EXISTING STRUCTURE AND FOUNDATION TO 2' BELOW GRADE (BLDG.101,113-115)
- DEMO & REMOVE CONCRETE FOUNDATIONS AS NOTED
- ROUGH GRADE AREA FOR NO POOLING OF WATER
- HAUL OFF

BUILDING 101:	\$41,975.00
BUILDING 113 & 115:	\$74,850.00
1 - ADDITIONAL BUILDING:	\$13,150.00

*** TOTAL BID: \$129,975.00**

***HALF DOWN - BALANCE ON COMPLETION PRICE: \$116,850.00**

*** +++ REFER TO EXCLUSIONS & QUALIFICATIONS BELOW +++**

- *SITE PAVING CONCRETE ,SIDEWALKS,CANOPY TO REMAIN
- *WALL SHORING BY OTHERS
- *BID BASED ON ONE (1) PHASE - ONE MOBILIZATION
- *EXCLUDE CUTTING/CAPPING UTILITIES
- *EXCLUDE BACKFILL
- *EXCLUDE PERMITS,LANE CLOSURES,BARRICADES
- *REFER TO INSURANCE INFORMATION FOR ADDITIONAL COSTS
- *BID BASED ON JERICHO HAVING ALL SALVAGE RIGHTS
- *JERICHO'S PROPOSAL CONTINGENT UPON NEGOTIATION OF MUTUALLY ACCEPTABLE SUBCONTRACT LANGUAGE

***BID NOT BASED ON FAST TRACK SCHEDULE**

BOND INCLUDEDNO PERMIT INCLUDEDNO
 SALES TAX INCLUDEDNO ACK. OF ADDENDANO

EXCLUSIONS AND QUALIFICATIONS

STANDARD INSURANCE COVERAGE PROVIDED; IF "ADDITIONAL INSURED" REQUESTED, ADD \$150.00 PER ENTITY, PER POLICY; IF WAIVER OF SUBROGATION" REQUESTED, ADD \$250.00 PER POLICY; IF "PRIMARY & NON-CONTRIBUTORY" REQUESTED ADD \$500.00 PER POLICY & IF REQUESTED FOR EXCESS LIABILITY, CALL FOR PRICING (\$1,000,000 UMBRELLA CARRIED). THESE COSTS WILL BE INVOICED ON JERICHO'S FIRST APPLICATION FOR PAYMENT & RETAINAGE WILL NOT BE WITHHELD. BID PRICES ARE GOOD FOR THIRTY (30) DAYS.

NO CONCEALED VCT, S/R PONY PARTITIONS ABOVE GRID OR WALL COVERING REMOVAL; NO EXT. / INT. PENETRATIONS FOR DOORS & WINDOWS; NO GRINDING, SANDING OR SCRAPING OF CONCRETE SLAB (NO THICKSET / THINSET REMOVAL); NO SHORING OR HAZARDOUS MATERIALS; NO SALVAGE OF ITEMS FOR REUSE; RELOCATION OF DOORS & FRAMES; NO DISCONNECTING OR "MAKE SAFE" OF MECHANICAL, ELECTRICAL & PLUMBING.

ESTIMATOR: WILL LOWETZ E-MAIL: WLOWETZ@JERICHO DEMO.COM CELL: 214-406-2288 WWW.JERICHO DEMO.COM

JERICHO IS CERTIFIED BY THE NORTH TEXAS REGIONAL CERTIFICATION AGENCY AS A DISADVANTAGE BUSINESS ENTERPRISE

Whole Environmental and Demolition



Bid Qualifications: BID- SEDC- Seagoville

Included in work:

- Scope of work is limited to items in our scope sheet.
- Work to be performed during normal work hours, no overtime
- One mobilization
- Salvage becomes our right and ownership
- This proposal to become an exhibit of any subsequent contract with all rights reserved
- We will file TX DSHS required notice of demolition with owner approval
- Concrete/pavement removal based on up to 6" thickness, asphalt at 4" thickness, and gravel at 4" thickness
- Priority placement of dumpsters/trucks and adequate space to use large machinery to load waste
- Use of motorized machinery inside the building and around the building
- Owner/contractor to provide temporary utilities (electricity, water, and lighting), water for dust control
- One million dollar occurrence based liability (two million general aggregate), one million automobile, one million worker's compensation insurance, five million umbrella, and pollution liability.
- All furniture and furnishings to be removed by others
- Waste and disposal costs

NOT included in work:

- City permit(s) or the cost thereof and/or additional city requirements (ie. rodent abatement, etc)
- Texas Department of State Health Services notification fees. **NOTE:** 10 working day waiting period to start work after
- Utilities or Utility company disconnection or termination of services
- All utility relocates or utility service moving and installation
- New cap or weatherization on walls to remain or partially demolished
- Sidewalk or driveway damage from accessing property with trucks and equipment
- Tree, shrub, or vegetation removal unless specifically in our scope sheet
- Salvage or protection of irrigation system.
- Establish, maintain, or protect grasses, landscape, or vegetation.
- Any items to be salvaged to be removed prior to our commencement of work
- Any special circumstances or requirements
- Trades work or their demolition to include cutting, capping, disconnection of utilities, including sewer
- Temporary protection of surfaces or temporary enclosures/barricades, including temporary fence or security SWPPP plan, storm water protection, and construction entrance.
- Other layers of materials or unknowns (ie. concrete under asphalt, hidden slabs/foundations, basements)
- Import of fill dirt or grading or landscaping. Area(s) to be left level or to drain.
- Asbestos survey and all hazardous materials or regulated waste, including freon recovery
- Bid does not include any contingency funds
- Sawcutting or coring that is not listed on our scope sheet

Whole Environmental

SCOPE SHEET

101 N Kaufman

structural 1	1,610	sf
structural 1	1,575	sf
structural 2	1,610	sf
structural 2	1,575	sf
slab	3,185	sf
saw slab	105	sf
conc beams	747	sf
Stairs	2	sf
Utility Relocates	0	EXCLUDE

Insulation/Storage

Structure	1,271 sf
Slab	1,271 sf
Separate	31 lf

115 N Kaufman

Structure 1 story portion	3,770 sf
Structure 2 story portion	3,900 sf
Select demo	1,680 sf
Slab	7,670 sf
Grade Beams	2,610 sf
Piers to 2' below grade	50 ea

(214) 500-6338



Whole Environmental and Demolition

BID- SEDC- Seagoville

Demolition of Structure- 101 N Kaufman- 2 story	\$25,992
Demolition of Structure- Insulation/Storage	5,592.00
Demolition of Structure- 115 N Kaufman	89,956.00

TOTAL BASE BID **\$121,540**

Alternate #1	NO BID
Alternate #2	NO BID
Alternate #3	NO BID

TOTAL WITH ALTERNATES **\$121,540**

Received Addendums

NONE

David Cross
12/14/2018
(214) 500-6338

Regular Session Agenda Item: 16

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Discuss and consider an Ordinance of the City of Seagoville, Texas providing for “all way stop sign” to be installed at the intersection of Woodhaven Drive and Hillhaven Drive; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date.

BACKGROUND OF ISSUE:

This is a request for an “all way stop sign” to be placed at the intersection of Woodhaven Drive and Hillhaven Drive. Woodhaven and Hillhaven Drive are residential streets located near a public Elementary School in a high traffic area. Due to the number of cars passing through the intersection, creating safety concerns staff recommends that the intersection of Woodhaven Drive and Hillhaven Drive should be all way stops. The “all way stop sign” would provide protection and safety to the pedestrians and those traveling to and from their homes.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

City Staff recommends approval

EXHIBITS

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS PROVIDING FOR "ALL WAY STOP SIGN" TO BE INSTALLED AT THE INTERSECTION OF WOODHAVEN DRIVE AND HILLHAVEN DRIVE; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO CAUSE THE APPROPRIATE SIGNAGE TO BE ERECTED; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Woodhaven and Hillhaven are residential streets located near a public elementary school in a high traffic area; and

WHEREAS, due to the number of cars passing through the intersection, City staff recommends that the intersection of Woodhaven Drive and Hillhaven Drive should be all way stops for the protection and safety of the pedestrians and those traveling the same; and

WHEREAS, Section 17.03.052 provides that the locations wherein stop signs are placed be designated by ordinance; and

WHEREAS, upon the recommendation of staff, the City Council has determined that it is in the best interest of the health and safety of the citizens and those traveling the area to designate the intersection of Woodhaven Drive and Hillhaven Drive as an all way stop and to direct the City Manager or his designee to cause the appropriate signage to be erected giving notice of the same;

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

SECTION 1. That the intersection of Woodhaven Drive and Hillhaven Drive be designated as an all way stop.

SECTION 2. That the City Manager or his designee is hereby directed to cause appropriate signs to be erected giving notice of the all way stop established herein and such provision shall not be effective unless such signs or markings are in place at the time of an alleged offense.

SECTION 3. That all ordinances of the City of Seagoville in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Seagoville not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two hundred dollars (\$200.00) for each offense.

SECTION 7. This ordinance shall take effect from and after its passage and the publication of the caption as the law and Charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(/cdb 01/17/2019 TM 105574)

Regular Session Agenda Item: 17

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas providing for “all way stop sign” to be installed at the intersection of Old Farm Road and Melrose Drive, at the intersection of Old Farm Road and Highgate Drive, and at the intersection of Old Farm Road at Glenrose Drive; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date.

BACKGROUND OF ISSUE:

This is a request to place “all way stop signs” at each intersection located at Old Farm Road and Melrose Drive, Old Farm Road and Highgate Drive, Old Farm Road at Glenrose Drive. All of the streets reference above are residential streets located in a high traffic area with Old Farm Road being the primary collector street for each of the others listed. The number of cars, along with speed in which they are traveling, has created safety concerns for those entering Old Farm Road from Melrose Drive, Highgate Drive, and Glenrose Drive. The “all way stop signs” would provide safety and protection to the citizens traveling the area.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

City Staff recommends approval.

EXHIBITS

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS PROVIDING FOR "ALL WAY STOP SIGN" TO BE INSTALLED AT THE INTERSECTION OF OLD FARM ROAD AND MELROSE DRIVE, AT THE INTERSECTION OF OLD FARM ROAD AND HIGHGATE DRIVE, AND AT THE INTERSECTION OF OLD FARM ROAD AT GLENROSE DRIVE; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO CAUSE THE APPROPRIATE SIGNAGE TO BE ERECTED; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, all streets referenced herein are residential streets located in a high traffic area, with Old Farm Road being the primary collector street; and

WHEREAS, the number of cars on Old Farm Road, along with the speed in which they are traveling, has created safety concerns for those entering on Old Farm Road from Melrose Drive, Highgate Drive, and Glenrose Drive; and

WHEREAS, staff recommends that these intersections as referenced herein should be all way stops for the protection and safety of those traveling the same; and

WHEREAS, Section 17.03.052 provides that the locations wherein stop signs are placed be designated by ordinance; and

WHEREAS, upon the recommendation of staff, the City Council has determined that it is in the best interest of the health and safety of the citizens and those traveling the area to designate the intersection of Old Farm Road and Melrose Drive, the intersection of Old Farm Road and Highgate Drive, and the intersection of Old Farm Road and Glenrose Drive as all way stops and to direct the City Manager or his designee to cause the appropriate signage to be erected giving notice of the same;

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

SECTION 1. That the intersection of Old Farm Road and Melrose Drive, the intersection of Old Farm Road and Highgate Drive, and the intersection of Old Farm Road and Glenrose Drive each be designated as an all way stop.

SECTION 2. That the City Manager or designee is hereby directed to cause appropriate signs to be erected giving notice of the three all way stops established herein and

such provision shall not be effective unless such signs or markings are in place at the particular intersection at the time of an alleged offense occurring at that intersection.

SECTION 3. That all ordinances of the City of Seagoville in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Seagoville not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two hundred dollars (\$200.00) for each offense.

SECTION 7. This ordinance shall take effect from and after its passage and the publication of the caption as the law and Charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(/cdb 01/15/2019 TM105575)

Regular Session Agenda Item: 18

Meeting Date: January 28, 2019

ITEM DESCRIPTION

Discuss and consider an Ordinance of the City of Seagoville, Texas amending the Code of Ordinances Chapter 17, Article 17.03, Division 3, "Speed Limits", by amending Sections 17.03.083 and 17.03.084, to provide for the established maximum prima facie speed limit of 25 mph for residential streets within the City of Seagoville; authorizing the City Manager or designee to erect the appropriate signage providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; and providing an effective date.

BACKGROUND OF ISSUE:

The TEXAS TRANSPORTATION CODE provides for the maximum prima facie speed limit of 30 miles per hour on residential streets. However, numerous citizens in multiple neighborhoods have expressed concern about the safety of their families and property due to the traffic and speeds in the respective neighborhood. Therefore, the City purchased equipment and conducted traffic counts and monitored speed in various neighborhoods. As a result of the information obtained and the concerns of the citizens, staff believes that it is in the best interest of the health, safety and welfare of the City and its citizens to lower the maximum prima facie speed limit to twenty-five (25) miles per hour on all residential streets within the City of Seagoville.

Based on the foregoing, staff is recommending the City Council approve an Ordinance amending Chapter 17, Article 17.03, Division 3, "Speed Limits", by amending Sections 17.03.083 and 17.03.084, to provide for the established maximum prima facie speed limit of 25 mph for all residential streets within the City of Seagoville and authorizing the city manager or designee to erect the appropriate signage.

FINANCIAL IMPACT:

EXHIBITS

Ordinance

THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ___-19

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 17, ARTICLE 17.03, DIVISION 3, "SPEED LIMITS", BY AMENDING SECTIONS 17.03.083 AND 17.03.084, TO PROVIDE FOR THE ESTABLISHED MAXIMUM PRIMA FACIE SPEED LIMIT OF 25 MPH FOR RESIDENTIAL STREETS WITHIN THE CITY OF SEAGOVILLE; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ERECT THE APPROPRIATE SIGNAGE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the TEXAS TRANSPORTATION CODE provides for the maximum prima facie speed limit of 30 miles per hour on residential streets; and,

WHEREAS, the TEXAS TRANSPORTATION CODE also grants authority to a municipality to alter speed limits to protect the health, safety and welfare of its citizens; and

WHEREAS, after receiving input from numerous citizens in multiple neighborhoods expressing concern about the safety of their families and property due to the traffic and speeds, the City conducted several traffic counts and speed monitoring in various neighborhoods; and

WHEREAS, as a result of the information obtained and the concerns of the citizens, the City Council has determined that the prima facie speed limit of thirty (30) miles per hour on residential streets is unreasonable and unsafe; and

WHEREAS, as a further result of the information obtained and the concerns of the citizens, the City Council has determined that it is in the best interest of the health, safety and welfare of the City and its citizens to lower the maximum prima facie speed limit to twenty-five (25) miles per hour on residential streets within the City of Seagoville;

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

SECTION 1. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

SECTION 2. That the Code of Ordinances of the City of Seagoville, Texas be, and the same is, hereby amended by amending Chapter 17, Article 17.03, Division 3, "Speed Limits", by amending Sections 17.03.083 and 17.03.084, to provide for the established maximum prima facie speed limit of 25 mph for residential streets within the City of Seagoville, which shall read as follows:

"CHAPTER 17

TRAFFIC

.....

ARTICLE 17.03 OPERATION OF VEHICLES

.....

Division 3. Speed Limits

.....

Sec. 17.03.083 Signs

In accordance with the requirements of state law, the reasonable and safe maximum prima facie speed limit has been determined for each street named in this division and within the corporate limits of the city, and the City Manager or his or her designee shall post or cause to be posted the maximum prima facie speed limits set forth in this division by appropriate signs in conspicuous places, so that every driver may be aware of the speed limits established hereby, including locations for which the maximum prima facie speed limit is twenty-five (25) miles per hour, as set out in this division.

Sec. 17.03.084 General speed limit

When no special hazards exist that would require a lower speed, having regard to the actual and potential hazards then and there existing, no person shall operate or drive any motor or other vehicle upon any public street or highway within the corporate limits of the city at a greater speed than twenty-five (25) miles per hour, unless otherwise provided in this division, and any speed in excess of twenty-five (25) miles per hour, unless otherwise provided in this division, shall be prima facie evidence that such speed is not reasonable nor prudent and is unlawful.

.....”

SECTION 3. That the City Manager or designee is hereby directed to erect or cause to be erected appropriate signage giving notice of the speed limits established herein and such provision shall not be effective unless such signs or markings are in place at the time of an alleged offense.

SECTION 4. That all resolutions, policies, and provisions of the Code of Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances, as amended hereby, shall be guilty of a misdemeanor and upon conviction in the Municipal Court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such violation is continued shall be deemed to constitute a separate offense.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville, Texas at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(:cdb 01/18/2019 TM105606)

Regular Session Agenda Item: 19

Meeting Date: **January 28, 2019**

ITEM DESCRIPTION

Discuss and consider a Resolution authorizing the City Manager to execute an Interlocal Agreement with the North Central Texas Emergency Communications District for regional 9-1-1 service; providing a savings clause; providing a severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

The City of Seagoville opted to become a part of the North Central Texas Council of Governments 911 System Service and Equipment Interlocal Agreement in 1991 ("NCTCOG 9-1-1 Program"), executing a new agreement every two (2) years. The purpose of the Interlocal Agreement ("ILA") is to allow the City to operate and maintain its Public Safety Answering Points ("PSAPs"), upgrade equipment and train personnel to operate the emergency communication system. In September of 2017, our agreement expired and we executed amendments to extend the service until the District was created. The NCTCOG 9-1-1 Program is now the North Central Texas Communications District (NCT9-1-1). NCT9-1-1 is requiring that a new ILA for service be executed to carry us through September 30, 2019, when the two (2) year agreements will be in place.

Based on the foregoing, staff is recommending the City Council authorizing the City Manager to execute the Interlocal Agreement with the North Central Texas Emergency Communications District for regional 9-1-1 service.

FINANCIAL IMPACT:

EXHIBITS

Resolution
Interlocal Agreement

THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. __-R-2019

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE NORTH CENTRAL TEXAS EMERGENCY COMMUNICATIONS DISTRICT FOR REGIONAL 9-1-1 SERVICE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council recognizes the mutual benefits of cooperative Interlocal Agreements between units of government and Councils of Government; and

WHEREAS, the City of Seagoville operates one or more Public Safety Answering Points ("PSAPs") that participate in NCT9-1-1 as authorized by the TEXAS HEALTH AND SAFETY CODE; and

WHEREAS, previously the City of Seagoville (hereinafter, "City") executed a two (2) year agreement with the North Central Texas Council of Governments 9-1-1 Program ("NCTCOG 9-1-1"), which expired in September of 2017; and

WHEREAS, upon expiration, amendments were executed to extend service until the District was created; and

WHEREAS, on or about December 3, 2018, the NCTCOG 9-1-1 Program became the North Central Texas Emergency Communications District (NCT9-1-1); and

WHEREAS, the NCT9-1-1 is now requiring a new interlocal agreement for service to be executed and has provided said agreement for review and consideration; and

WHEREAS, the term of the new agreement includes service until September 30, 2019, at which time a new two (2) year agreement will be provided; and

WHEREAS, the interlocal agreement allows the City to operate and maintain its PSAPs, upgrade 9-1-1 equipment and train its personnel to operate in the Next Generation 9-1-1 emergency communication system in the District; and

WHEREAS, the City Council authorizes the City Manager to execute the Interlocal Agreement with the North Central Texas Emergency Communications District for emergency 9-1-1 service and equipment.

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

Section 1. The City Council hereby authorizes the City Manager to execute the Interlocal Agreement with the North Central Texas Emergency Communications District, a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of the resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

Section 3. If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

Section 4. This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED by the City Council of the City of Seagoville, Texas this 28th day of January, 2019.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(:cdb 01.17.2019)



**INTERLOCAL AGREEMENT BETWEEN THE
NORTH CENTRAL TEXAS EMERGENCY COMMUNICATIONS DISTRICT AND
City of Seagoville
FOR REGIONAL 9-1-1 SERVICE**

Section 1: Parties and Purpose

- 1.1. The North Central Texas Emergency Communications District (hereinafter “NCT9-1-1”) is a regional emergency communications district and a political subdivision of the State of Texas organized under the Texas Health and Safety Code, Subchapter H, Chapter 772, as amended. NCT9-1-1 has developed an annual budget to operate and maintain 9-1-1 service within the district.
- 1.2. City of Seagoville (hereinafter “Public Agency”) is a local government that operates one or more Public Safety Answering Points (“PSAPs”) that participate in NCT9-1-1 as authorized by Texas Health and Safety Code Chapter 772.
- 1.3. This Interlocal contract is entered into between NCT9-1-1 and Public Agency pursuant to Texas Government Code Chapter 791 so that it can operate and maintain its PSAPs, upgrade 9-1-1 equipment and train its personnel to participate in the Next Generation 9-1-1 emergency communications system in the District. For purposes of carrying out NCT9-1-1’s duties and obligations under this agreement, the parties understand and agree that references to NCT9-1-1 includes its employees, officers, directors, volunteers, agents (including North Central Texas Council of Governments – hereinafter “NCTCOG”), and their representatives individually, officially, and collectively.

Section 2: Rights and Duties of the Public Agency

The Public Agency will:

2.1. Financial/Insurance

- 2.1.1. Return or reimburse NCT9-1-1 any 9-1-1 funds used in noncompliance with applicable laws and/or rules within 60 days after discovery of noncompliance, unless an alternative repayment plan is approved, in writing, by both parties.
- 2.1.2. Reimburse NCT9-1-1 for damage to 9-1-1 equipment caused by intentional misconduct, abuse, misuse, or negligence by Public Agency employees or other persons granted access to the PSAP, as well as acts of force majeure. This provision does not include ordinary wear and tear or day-to-day use of the equipment.
- 2.1.3. Maintain accurate fiscal records and supporting documentation of all 9-1-1 funds distributed to Public Agency and all 9-1-1 funds spent by such Public Agency for 9-1-1 service, with specific detail for 9-1-1 funds received.
- 2.1.4. Purchase and maintain adequate insurance policies on all 9-1-1 equipment in amounts sufficient to provide for the full replacement of such equipment in cases of loss due to anything other than daily use and normal wear-and-tear. Public Agency shall name NCT9-1-1 as an Additional Insured or equivalent for all such insurance policies.

2.2. Inventory

- 2.2.1. Report any lost or stolen equipment to NCT9-1-1 immediately upon discovery.
- 2.2.2. Notify NCT9-1-1 30 days in advance of disposition of equipment due to obsolescence, failure, or other planned replacement.

2.3. Security

- 2.3.1. Protect the Customer Premise Equipment (CPE), ancillary, and database maintenance/GIS equipment by implementing measures that secure the premises (including equipment room) of its PSAPs or addressing office against unauthorized entrance or use.
- 2.3.2. Operate within local standard procedures and take appropriate security measures as may be necessary to ensure that non-approved third-party software applications cannot be integrated into the PSAP(s)' CPE/integrated or workstations.
- 2.3.3. Not attach nor integrate any hardware device (i.e. external storage devices) or software application without prior written approval of NCT9-1-1. Further, no unauthorized person shall configure, manipulate, or modify any hardware device or software application. Such authority can only be granted by NCT9-1-1.
- 2.3.4. Adhere to Health and Safety Code, Section 772.002(C), Confidentiality of Information.
- 2.3.5. Ensure each person who is authorized to receive, store, process, and/or transmit CPE information has a unique identification login and be logged into such equipment identifying their legitimacy for use.

2.4. Maintenance

- 2.4.1. Maintain 9-1-1 equipment and areas ensuring cleanliness.
- 2.4.2. Notify NCT9-1-1's Technical Team when there is any scheduled maintenance on commercial power backup generators at least 48 hours prior to work commencing.
- 2.4.3. Notify NCT9-1-1's Technical Team immediately of any power or generator outages. If the outage affects the 9-1-1 system, trouble reporting procedures should be followed.
- 2.4.4. (If administrative telephone system is integrated with NCT9-1-1 equipment) Maintain a contingency plan identifying the back-up solution for the administrative telephone system. If a contingency plan is not provided to NCT9-1-1 within 30 days of contract execution, NCT9-1-1 reserves the right to remove the administrative phone lines from the 9-1-1 equipment.
- 2.4.5. Notify NCT9-1-1's Technical Team of technical issues immediately upon discovery. The Public Agency will utilize one of the following methods:
 - a. Via telephone by calling (888) 311-3911
 - b. Via email to Support@NCT911.org
 - c. Via the Trouble Ticket System (accessed by using the icon on the toolbar)
 - d. Via the website at <https://SCC.NCT911.org>
- 2.4.6. Test generators at least monthly and conduct a load test at least once a year, to ensure that all NCT9-1-1 equipment remains functional.

2.5. Geographic Information Systems (GIS) / Data

- 2.5.1. Meet GIS requirements (Attachment A) in order to receive reimbursement. These requirements may be revised annually. If Public Agency cannot meet these requirements, the planned funds shall be used by NCT9-1-1 to procure/provide those services for Public Agency.
- 2.5.2. Acknowledge County Addressing Offices are responsible for coordinating GIS operations, policies and procedures with the cities in their county, as well as incorporating GIS data into the county datasets.
- 2.5.3. Provide and maintain GIS maintenance functions in return for funding through NCT9-1-1 and within the guidelines of the GIS Data Maintenance Model (Attachment B). At a minimum, Public Agency agrees to:
 - a. Select a 9-1-1 Addressing Coordinator to serve as a single point of contact for NCT9-1-1.
 - b. Assign street addresses and ranges, name streets, and resolve addressing conflicts and problems. County 9-1-1 Addressing Coordinator shall not allow for duplicate street and community names anywhere in the county.
 - c. Provide a physical address to any citizen requesting it as long as doing so complies with local policies/procedures/ordinances.

- d. Establish efficient procedures for updating and maintaining all addressing data through review and revisions due to changes in Public Agency ordinances and/or subdivision regulations.
- e. Maintain addressing/database equipment and data.
- f. Adhere to Health and Safety Codes, Section 772.002 (C), Number and location identification in maintaining 9-1-1 and addressing databases.
- g. Protect the confidentiality of addressing databases and of information furnished by telecommunications providers and notify NCT9-1-1 in writing within two business days of the receipt of a request for addressing databases or information made under the Texas Public Information Act.
- h. Notify NCT9-1-1 in writing at least 30 days prior to a 9-1-1 office move.
- i. Respond to any database errors within in 72 hours of receipt.

2.6. Training

- 2.6.1. Schedule telecommunicators to receive 9-1-1 equipment training within 120 days of his/her hire date.
- 2.6.2. Ensure that telecommunicators receive TDD/TTY training every six months as mandated by the Department of Justice.
- 2.6.3. Ensure that 9-1-1 PSAP supervisory personnel or designee attend quarterly training/meetings offered by NCT9-1-1. A minimum attendance of two meetings per year are required for each PSAP.
- 2.6.4. PSAP Telecommunicators, Training Coordinators, Supervisors/Managers, and other essential personnel identified by the Supervisor/Manager are required to attend CPE training associated with the implementation of new technology software. This training will be completed during specific dates and times, but there is the option to attend at other times if PSAP scheduling does not allow personnel to attend their designated time slot.
- 2.6.5. Request the use of training facilities by sending an email to 911OperationsTeam@NCTCOG.org and specifying the date of request, time of request and type of resources needed such as Solacom or Criticall.

2.7. Facilities

- 2.7.1. Meet minimum requirement for back room requirements (Attachment C). Any expenses associated with this requirement are the responsibility of the Public Agency.
- 2.7.2. Ensure equipment room and 9-1-1 communications area maintain a temperature between 65-85 degrees Fahrenheit.
- 2.7.3. Ensure 9-1-1 equipment room and communications area complies with the Americans with Disabilities Act of 1990.
- 2.7.4. Provide access to NCT9-1-1 staff and contracted vendors that meet CJIS requirements on a 24/7/365 basis without prior notice.

2.8. Supplies

- 2.8.1. Purchase supplies such as printer paper, printer ink, cleaning materials, and other expendable items necessary for the continuous operations of its PSAPs.

2.9. Monitoring/Reporting

- 2.9.1. Maintain financial, statistical, and ANI/ALI records adequate to document performance, costs, and receipts under this contract in accordance with applicable records retention schedules. Public Agency agrees to maintain these records at Public Agency's offices and provide or make available for inspection upon request by NCT9-1-1.
- 2.9.2. Cooperate fully with all reasonable monitoring requests from NCT9-1-1 for the purposes of assessing and evaluating Public Agency's performance under this Agreement.

2.10. Media Relations

- 2.10.1. Refrain from commenting on social media, to the media, or to the public about 9-1-1 service other than that provided directly by Public Agency.
- 2.10.2. Make every effort to communicate accurate information in social media posts and/or interaction with the media, specifically as it relates to NCT9-1-1. Public Agency must first coordinate with NCT9-1-1 before making comments on social media and/or speaking to the media regarding technology and/or service concerns.
- 2.10.3. Refer media directly to NCT9-1-1 for discussions related to NCT9-1-1 technology and other NCT9-1-1 program specific questions.

2.11. Operations

- 2.11.1. Sign the contingent PSAP agreement provided by NCT9-1-1 and provide annually as part of the site visit. Changes to contingent PSAPs must be approved by NCT9-1-1.
- 2.11.2. Designate PSAP supervisory personnel or a designee and provide related contact information (to include after hour contact information) as a single point of contact for NCT9-1-1.
- 2.11.3. Provide a minimum of 120 days' prior notice of any change that affects the 9-1-1 system.
- 2.11.4. Test all 9-1-1 equipment for proper operation and user familiarity at least once per month, including tests for wireless calls, wireline calls, texts to 9-1-1 and TTYs.
- 2.11.5. Power cycles each 9-1-1 position at least once per each week.
- 2.11.6. Test all 9-1-1 TDD/TTYs for proper operation and to maintain user familiarity at least once per month.
- 2.11.7. Log all TDD/TTY calls and test calls.
- 2.11.8. Keep at least one 10-digit emergency telephone number that is not part of an automated system to be used for 9-1-1 transfer calls and default routing. These numbers shall be answered by a live person 24/7/365 and should have the ability to be call forwarded. Any change in the 10-digit emergency telephone number must be reported to NCT9-1-1 in writing. The number shall be provided to the public during 9-1-1 outages (via notification system, website, social media and/or emergency management).
- 2.11.9. Notify NCT9-1-1 in writing at least 90 days prior to changing emergency services providers including medical, law enforcement, and fire.
- 2.11.10. Submit a signed Manual ALI Request form (Attachment D) to NCT9-1-1 annually and agree to use ALI lookup feature only in the handling and processing of an emergency telephone call. Have an emergency plan for 9-1-1 communications that includes, at a minimum,
 - a. Emergency generator information and how to operate said generator
 - b. Documented procedures for the transfer of administrative lines when the call center is evacuated.
- 2.11.11. Comply with NCT9-1-1 policy and procedures for PSAP moves and changes.
- 2.11.12. Report discrepancies to NCT9-1-1 utilizing the tools in the dispatch mapping solution with 72 hours.
- 2.11.13. Ensure that each Telecommunicator logs into the 9-1-1 software at the beginning of his/her shift and logs out at the end of his/her shift.
- 2.11.14. Protect the confidentiality of 9-1-1 database information and of information furnished by telecommunications providers, and notify NCT9-1-1 in writing within two business days of the receipt of the request for 9-1-1 database information made under the Texas Public Information Act.
- 2.11.15. Be responsible for all furniture, administrative telephones, copier machines, and administrative desktop computers located within the Public Agency's operating area.

Section 3: Rights and Duties of NCT9-1-1

NCT9-1-1 will:

3.1. Financial

- 3.1.1. Develop a plan to meet Public Agency needs for the establishment and operation of 9-1-1 service throughout the region served, according to standards established and approved by the NCT9-1-1 Board of Managers.

3.1.2. Provide 9-1-1 service throughout the region as funded by emergency service fees.

3.1.3. Maintain accurate fiscal records and supporting documentation of all 9-1-1 activities including specific details of funds distributed to Public Agency.

3.2. Inventory

3.2.1. Conduct a physical inventory of critical hardware annually and reconcile inventory quarterly.

3.3. Maintenance

3.3.1. Practice preventative maintenance on all NCT9-1-1 owned or leased CPE database maintenance, software, and databases including, at a minimum, backing up data as necessary. NCT9-1-1 shall be responsible for any maintenance costs on NCT9-1-1 owned or leased equipment.

3.4. Operations

3.4.1. Inspect contingent PSAP agreements quarterly.

3.4.2. Implement upgrades of its PSAPs equipment and software, as authorized in the current annual budget, through the appropriate NCT9-1-1 processes for the purchase of new equipment and software.

Section 4: Effective Date and Term of Contract

4.1. This Interlocal contract shall take effect upon dual execution and shall continue until September 30, 2019, unless sooner terminated under 8.1 Early Termination of Contract.

Section 5: Ownership, Transference and Disposition of Equipment

5.1. NCT9-1-1 shall establish ownership of all 9-1-1 and ancillary equipment procured with 9-1-1 funds as defined herein and located within the Public Agency's jurisdiction. NCT9-1-1 may maintain ownership, or it may transfer ownership to Public Agency. Before any such transfer of ownership, NCT9-1-1 will evaluate the adequacy of controls of Public Agency to ensure that sufficient controls and security exist by which to protect and safeguard the equipment procured with 9-1-1 funds for the purpose of delivery of 9-1-1 calls. It is understood that the ancillary equipment may or may not be procured by NCT9-1-1 on behalf of Public Agency, according to NCT9-1-1's Strategic Plan.

5.2. The basic equipment categories are:

a. 9-1-1 Equipment

- Customer Premise Equipment (CPE) – telephone equipment located at the PSAPs which may include telephones, integrated workstations, servers, ANI controllers, software, monitors, gateways, routers, and any other equipment necessary for 9-1-1 call delivery to the PSAP;
- Telecommunications Device for the Deaf (TDD)/Teletypewriter (TTY)

b. Database Maintenance/GIS Equipment

- GIS workstations and software

c. Ancillary Equipment

- Uninterruptable Power Supply (UPS)
- Recorders

5.3. Transfer-of-ownership documents shall be prepared by NCT9-1-1 and signed by both parties upon transference of ownership of any ancillary equipment. NCT9-1-1 shall maintain ownership of 9-1-1 CPE.

Section 6: Relationship between the Parties, Assignment, and Subcontracting

6.1. Public Agency is not an employee or agent of NCT9-1-1, but provides services under this agreement as an independent contractor.

- 6.2. Public Agency may not assign its rights or subcontract its duties, without prior written consent of NCT9-1-1. An attempted assignment or subcontract in violation of this agreement is void.
- 6.3. If NCT9-1-1 consents to Public Agency subcontracting its duties, each subcontract is subject to all terms and conditions of this agreement and the Public Agency agrees to furnish a copy of this agreement to each of its subcontractors.

Section 7: Records and Monitoring

- 7.1. NCT9-1-1 is entitled to inspect and copy, during normal business hours at Public Agency's office, the records maintained under this contract for as long as they are maintained.
- 7.2. NCT9-1-1 is entitled to visit Public Agency's offices, talk to its personnel, and audit its applicable 9-1-1 records during normal business hours to assist in evaluating its performance under the contract.

Section 8: Early Termination of Contract

- 8.1. NCT9-1-1 reserves the right to terminate this Agreement in whole or in part. Notice of termination shall be provided to Public Agency in writing, shall set forth the reason(s) for termination, and provide for a minimum of thirty (30) days to cure the defect(s). Termination is effective only in the event Public Agency fails to cure the defect(s) within the period stated in the notice subject to any written extensions. If the Agreement is terminated, Public Agency shall fully cooperate with NCT9-1-1 to ensure an orderly transition of services. Further, all equipment shall be returned to NCT9-1-1 in working condition and NCT9-1-1 shall only be liable for payment for services rendered before the effective date of termination. Certain reporting requirements in the Agreement shall survive termination.

Section 9: Notice to Parties

- 9.1. Notice under this contract must be in writing and received by the party or his/her representative or replacement, to which the notice is addressed. Notice is considered received by a party when it is:
 - a. Delivered to the party personally;
 - b. On the date shown on the return receipt if mailed by registered or certified mail, return receipt requested, to the party's address as specified in paragraph 14.2 and signed on behalf of the party; or
 - c. Three business days after its deposit in the United States Mail, with first-class postage affixed, addressed to the party's address specified in paragraph 14.2.

- 9.2. Notices shall be sent to the following address for each party:

If to NCT9-1-1: PO Box 5888
Arlington, Texas 76005
Attn: Mike Eastland

If to Public Agency: 702 N. US Highway 175
Seagoville, Texas 75159
Attn: Patrick Stallings

Section 12: General Provisions

- 10.1. **Governing Law.** This Agreement will be governed by and construed in accordance with the laws of the State of Texas, United States of America. The mandatory and exclusive venue for the adjudication or resolution of any dispute arising out of this Agreement shall be in Tarrant County, Texas.

10.2. **Hold Harmless.** To the maximum extent permitted by law, Public Agency shall defend, indemnify, and hold harmless NCT9-1-1, NCT9-1-1's affiliates, NCTCOG and any of their respective directors, officers, employees, agents, subcontractors, successors, and assigns from any and all suits, actions, claims, demands, judgments, liabilities, losses, damages, costs, and expenses (including reasonable attorneys' fees and court costs) (collectively, "Losses") arising out of or relating to: (i) Services performed and carried out pursuant to the contract; (ii) breach of any obligation, warranty, or representation in the contract, (iii) the negligence or willful misconduct of Public Agency and/or its employees or subcontractors; or (iv) any infringement, misappropriation, or violation by Public Agency and/or its employees or subcontractors of any right of a third party.

Public Agency shall name NCT9-1-1 and NCTCOG, including their representatives and agents, as additional insured under the Public Agency's general liability insurance policy or membership agreement in any governmental risk pool or other similar entity with a duty to provide a defense, and which is provided by policy or membership agreement so that NCT9-1-1 and/or NCTCOG may seek coverage upon demand by NCT9-1-1 and/or NCTCOG in the event of a covered claim.

10.3. **Limitation of Liability.** In no event shall either party be liable for special, consequential, incidental, indirect or punitive loss, damages or expenses arising out of or relating to this Agreement, whether arising from a breach of contract or warranty, or arising in tort, strict liability, by statute or otherwise, even if it has been advised of their possible existence or if such loss, damages, or expenses were reasonably foreseeable.

Notwithstanding any provision hereof to the contrary, neither party's liability shall be limited by this agreement with respect to claims arising from breach of any confidentiality obligation, arising from such party's infringement of the other party's intellectual property rights, covered by any express indemnity obligation of such party hereunder, arising from or with respect to injuries to persons or damages to tangible property, or arising out of the gross negligence or willful misconduct of the party or its employees.

10.4. **Procurement.** Public Agency agrees to comply with all applicable federal, State and local laws, rules and regulations for purchases under this Agreement. Failure to do so may result in ineligibility and denial of reimbursement by NCT9-1-1.

10.5. **Force Majeure.** In the event that either party hereto is prevented from or delayed in the performance of any of its obligations hereunder by reason of force majeure, defined as acts of God, war, riots, storms, fires or any other cause whatsoever beyond the reasonable control of the party, the party so prevented or delayed shall be excused from the performance of any such obligation to the extent and during the period of such prevention or delay. The period of time applicable to such requirement shall be extended for a period of time equal to the period of time such Party was delayed. Each Party must inform the other in writing within reasonable time of the existence of such force majeure.

Waive any duty NCT9-1-1 owes Public Agency by virtue of this agreement in the event any act, event, or condition adversely impacts the cost of performance of, or adversely affect the ability of NCT9-1-1 to perform any obligation under this agreement and if such act, event or condition, in light of any circumstances is beyond the reasonable control and is not a result of the willful or negligent act, error, omission, or failure to exercise reasonable diligence on the part of NCT9-1-1 such action or inaction shall not be construed as a breach of this agreement or a willful or negligent act, error, omission or lack of reasonable diligence on the part of NCT9-1-1 such action or inaction shall not be construed as a breach of this agreement or a willful of negligent act, error, omission or lack of reasonable diligence of NCT9-1-1. Circumstances included above, by way of example only, are:

- a. An act of God, landslide, earthquake, fire, explosion, flood, hurricane, tornado, sabotage, or similar occurrence, actions of a public enemy, terrorism, extortion, war, blockade, insurrection, riot or civil disturbance;
- b. The failure of any appropriate governmental agency or private utility to provide and maintain utilities;

- c. Any failure of title to the facilities or any placement or enforcement of any lien, charge, or encumbrance on the facilities or on any improvements thereon that is not consented to in writing by, or arising out of any action or agreement entered into by, either party to the Agreement;
- d. The inability of NCT9-1-1 and its subcontractors to gain and maintain access to all areas of the facilities and/or adjoining the facilities to work is required to be performed hereunder;
- e. The preemption, confiscation, diversion, destructions, or other interference by, on behalf, or with authority of a governmental body relating to a declared or asserted public emergency or any condemnation or other taking by eminent domain or similar action, in the possession of property, equipment, or materials located at the facilities, or in performance of the services to be performed by NCT9-1-1 hereunder;
- f. Strikes, work stoppages, or labor disputes affecting NCT9-1-1 and any subcontractor, excluding materials suppliers, of NCT9-1-1;
- g. With respect to NCT9-1-1, damage to the facilities caused by third parties not related to or under the control of NCT9-1-1, including, but not limited to, contractors and subcontractors for the NCT9-1-1; and,
- h. The failure of any NCT9-1-1 subcontractor or supplier to furnish services, materials or equipment on the dates agreed to, but only if such failure is the result of an event that would constitute Force Majeure if it affected NCT9-1-1 directly, and the NCT9-1-1 is not able after exercising all reasonable efforts to timely maintain substitutes.

- 10.6. **Entire Agreement.** This Agreement and any attachments/addendums, as provided herein, constitute the entire agreement of the parties and supersedes all other agreements, discussions, representations or understandings between the parties with respect to the subject matter hereof.
- 10.7. **Availability of Funding.** Public Agency acknowledges that NCT9-1-1's sole source of funding for this contract is the 9-1-1 fees collected by service providers and remitted to NCT9-1-1. If fees sufficient to pay Public Agency under this contract are not paid to NCT9-1-1, the suspension of services will be effective 10 calendar days after Public Agency's receipt of notice. Upon suspension of payment, Public Agency's obligations under this contract are also suspended until NCT9-1-1 resumes receipt of funding.
- 10.8. **Amendments.** This Agreement may be amended only by a written amendment executed by both Parties, except that any alterations, additions, or deletions to the terms of this Agreement, which are required by changes in Federal and State law or regulations or required by the funding source, are automatically incorporated into this Agreement without written amendment hereto and shall become effective on the date designated by such law or regulation.
- 10.9. **Nondiscrimination and Equal Opportunity.** Public Agency shall not exclude anyone from participating under this contract, deny anyone benefits under this contract, or otherwise unlawfully discriminate against anyone in carrying out this contract because of race, color, religion, sex, age, disability, handicap, or national origin.
- 10.10. **Immunity.** It is expressly understood and agreed that, in the execution of this Agreement, no party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions, including but not limited to sovereign and governmental immunity.
- 10.11. **Attorney Fees.** If it becomes necessary for NCT9-1-1 to employ the services of any attorney(s) to enforce the provisions of this Agreement, Public Agency agrees that NCT9-1-1 shall be entitled to recover its reasonable attorney(s) fees and costs in addition to any other relief to which it may be entitled.

10.12. **Dispute Resolution.** The parties to this Agreement agree to the extent possible and not in contravention of any applicable State or Federal law or procedure established for dispute resolution, to attempt to resolve any dispute between them regarding this Agreement informally through voluntary mediation, arbitration or any other local dispute mediation process before resorting to litigation.

At the written request of either party, each party shall appoint one non-lawyer representative to negotiate informally and in good faith to resolve any dispute arising under this contract. The representatives appointed shall determine the location, format, frequency, and duration of the negotiations.

If the representatives cannot resolve the dispute within 30 calendar days after the first negotiation meeting, the parties agree to refer the dispute to a mutually designated legal mediator. Each party shall pay half the cost of the mediation services

The parties agree to continue performing their duties under this contract, which are unaffected by the dispute during the negotiation and mediation process.

	NORTH CENTRAL TEXAS EMERGENCY COMMUNICATIONS DISTRICT
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By: <u>Patrick Stallings</u> Name: <u>Patrick Stallings</u> Title: <u>City Manager</u> Date: _____	By: _____ Name: <u>Mike Eastland</u> Title: <u>Executive Director</u> Date: _____
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Date of governing body approval: _____

- Attachments:**
- Attachment A: Requirements for Database and GIS Maintenance**
 - Attachment B: GIS Data Maintenance Model**
 - Attachment C: Equipment Room and Electrical Requirement**
 - Attachment D: Manual ALI Request Form**



Attachment A
Requirements for Database and GIS Maintenance
Only applies to County Addressing Authorities

Updated: December 3, 2018

The “County” shall coordinate 9-1-1 GIS activities within the county’s jurisdictional boundaries including all municipalities to develop and enhance the 9-1-1 GIS coverage required for mapped ALI, and Next Generation 9-1-1 (NG9-1-1).

Spatial Data Layers

The 9-1-1 Addressing Coordinator must develop, compile and maintain current, seamless countywide coverage for the following layers:

- I. Address Structure Points
- II. Road Centerlines
- III. City Boundaries
- IV. County Boundaries
- V. Emergency Service Zones (ESZs)
- VI. Emergency Service Boundaries (ESBs) such as Fire, Law, EMS, and PSAP where applicable¹
- VII. MSAG Community Boundaries
- VIII. Exchange Boundaries
- IX. Fire Hydrants
- X. Mile Markers
- XI. PSAP Point locations
- XII. Zip Code Boundaries (where possible)

The County shall provide data to the NCT9-1-1 GIS Department with 100% complete attribution for all data features containing the following information:

- Road centerlines spatially accurate to within + or – 10 feet verified by GPS, or digitized over spatially accurate Satellite or Aerial Imagery, and drawn in the correct direction for the corresponding address range;
 - The following fields at a minimum need to be attributed:
 - Data Source
 - User ID
 - Date Modified
 - Range information (Left From, Left To, Right From, Right To, High and Low)
 - Pre-directional
 - Street Name
 - Road Type
 - Post Directional (Suffix)
 - Road Full Name
 - Road Class
 - ESN Left and Right
 - County Left and Right
 - State Left and Right

¹ NCT9-1-1 will discuss editing procedures for Emergency Service Boundaries (ESBs) with the counties. In certain cases, editing of these layers will be disabled on county datasets.

- MSAG Community Left and Right
- Exchange Boundary Left and Right
- Addressed Structure Points spatially accurate to within + or – 25 feet;
 - The following fields at a minimum need to be attributed:
 - Data Source
 - User ID
 - Date Modified
 - Structure Number
 - Structure address Prefix (if applicable)
 - Structure Road Name
 - Structure Type
 - Structure address Suffix (if applicable)
 - Road Full Name
 - Structure Full Name
 - Structure Class (if applicable)
 - Structure Type (if applicable)
 - ESN Number
 - MSAG Community Name
 - Community Name
 - Exchange Boundary Left and Right
- City Boundary polygons spatially accurate to within + or – 50 feet of their true location
 - The following fields at minimum need to be attributed:
 - Data Source
 - User ID
 - Date Modified
 - City Name
 - County Name
- County Boundary polygons spatially accurate to within + or – 50 feet of their true location²
 - The following fields at minimum need to be attributed:
 - Data Source
 - User ID
 - Date Modified
 - County Name
- Emergency Service Boundary (ESB) polygons
 - Based on the Next Generation 9-1-1 Requirements and Industry Standards³, accuracy is paramount when editing the spatial properties of the ESB boundaries and attributing the fields.
 - NCT9-1-1 will need to work with each county on a case-by-case basis to resolve any spatial and attribute changes to the ESB boundaries and tables.
- Emergency Service Zone (ESZ) polygons spatially accurate to within + or – 50 feet of their true location
 - The following fields at a minimum will be attributed:
 - Data Source
 - User ID
 - Date Modified
 - Emergency Service Number (ESN)
 - ESN City Name
 - ESN County Name
 - Law Responders
 - Fire Responders
 - Medical Responders

² NCT9-1-1 understands that this may not always be possible based on political decisions and surveyor error

³ NENA 08-003v1 and NENA 71-501v1

- PSAP Name
- 9-1-1 MSAG Community polygons spatially accurate to within + or – 50 feet of their true location.
 - The following fields at a minimum will be attributed:
 - Data Source
 - User ID
 - Date Modified
 - 9-1-1 Community Name
 - County Name
- Exchange Boundary polygons spatially accurate to within + or – 50 feet of their true location.
 - The following fields at a minimum will be attributed:
 - Data Source
 - User ID
 - Date Modified
 - Exchange Telco Name
 - Exchange Name
 - Exchange Tandem Name

GIS Data Update Process

The 9-1-1 Addressing Coordinator shall ensure that the 9-1-1 Child Replica Database is synchronized with the NCT9-1-1 Parent Database on a daily basis⁴ using Web / Geodata Services hosted by NCT9-1-1. The 9-1-1 Addressing Coordinator shall be responsible for updating all GIS data in the county including municipalities within their jurisdiction as frequently as possible.

Delta-MSAG Process

The counties and cities GIS data is/will be the only authoritative data source for use in the Public Safety GIS database in the NCT9-1-1 region. The counties GIS Road Centerline data is converted to a “Geo-MSAG.” Once this conversion has taken place, all updates to the MSAG are managed by the “Delta Geo-MSAG” provisioning process. Due to the 72-hour turnaround time that exists with the existing MSAG/ALI process, the same 72-hour turnaround applies to GIS Road Centerline data. I.e., once a new road is requested, within 72-hours the relevant Road Centerline and the resulting Delta-MSAG must provision to all Public Safety Systems and the Relational Database Management System (RDBMS). The success of the Delta-MSAG process is dependent on County and City staff working collaboratively and ensuring timely updates to the NCT9-1-1 GIS Databases.

Quality Control

The 9-1-1 Addressing Coordinator shall perform Quality Control on their data prior to synchronizing the 9-1-1 Child Replica Database with the NCT9-1-1 Parent Database. The County shall resolve conflicts and problems related to the 9-1-1 GIS data maintained by the County daily, and communicate issues with each of the municipalities within its jurisdiction as often as possible. If any matter arises in the GIS data which the County cannot resolve, the County must contact NCT9-1-1 within three business days to determine the best course of action to resolve the issue⁵. The 9-1-1 Addressing Coordinator shall adhere to the requirements outlined in the Enterprise Geospatial Data Management System (EGDMS) and all other NCT9-1-1 termed QA/QC methodology.

Data Backup

At a minimum, the County shall: Maintain weekly backup copies of critical 9-1-1 GIS data, stored on a removable media device within a secure location⁶.

⁴ NCT9-1-1 provides automated processes to ensure synchronization. In certain instances, the tools may not function as intended and a manual sync may need to be executed

⁵ NCT9-1-1 supplies QA/QC scripts, tools or services to assist the County

⁶ NCT9-1-1 will coordinate with each County Addressing Office to automate this backup process

GIS and Addressing Standards

The 9-1-1 Addressing Coordinator shall comply with NENA GIS and Addressing Standards, in particular, the following NENA documents can be used as a reference⁷:

- 02-014
- 02-015
- 71-501
- 08-502

The 9-1-1 Addressing Coordinator shall familiarize themselves with the following Next Generation 9-1-1 / i3 NENA Standards documentation:

- 08-002
- 08-751
- STA-004.1-2014

NCT9-1-1 will supply documentation to each County Addressing Office that will assist the County in “Workflow” processes such as Standard Operating Procedures (SOPs). This documentation will be made available to the County Addressing Office via a secure website, USB device, or email, and updated on a regular basis. The County shall review this documentation and provide updates, recommendations, or comments to NCT9-1-1 as frequently as possible and at a minimum of once per quarter of the Financial Year. It is imperative that the documentation is updated by the County Addressing Coordinator to ensure the success of the 9-1-1 operations in the counties and the safety of its citizens.

Communication and meetings

The 9-1-1 Addressing Coordinator shall attend regularly scheduled meetings at NCT9-1-1. NCT9-1-1 will aim to host a 9-1-1 GIS / Addressing meeting once per quarter, either at NCT9-1-1’s location or via virtual web technology.

The 9-1-1 Addressing Coordinator shall track County Commissioner’s Court and City Council meetings that relate to development and improvement of GIS implementation for emergency services delivery. If an issue arises where either the County commissioner’s court or City Council takes a course of action that would interfere with or be inconsistent with the data development and maintenance procedures followed by the County, the County needs to notify NCT9-1-1 personnel within two business days.

⁷ A full list of all NENA Standards documentation can be found here: <http://www.nena.org/?page=Standards>



Attachment B
GIS Data Maintenance Model
Only applies to County PSAPs

The “County Data Maintenance Model” is designed to provide additional financial incentive for NCT9-1-1 Addressing Authorities with the purpose of ensuring GIS/database integrity and accuracy in the NCT9-1-1 region.

Distribution of funds is calculated by quantifying GIS errors in the respective counties (Figure 1). Number of errors determines the “Payment Ratio Tier.”

Payment Ratio Tier	Current Errors	Payment %
I	<=100	100
II	<=250	75
III	>250	50

Figure 1

Fund allocation involves a two-step process:

Step 1) Total Annual Disbursement Potential is calculated per annum determining the total dollar amount a county is eligible to receive based on the highest Payment Ratio Tier.

Step 2) Quarterly Distribution is determined by the Payment Ratio Tier a respective county is placed once GIS errors are quantified. This step is executed at the end of each fiscal quarter.



Attachment C: Equipment Room and Electrical Requirements

Backroom Equipment:

- There should be sufficient space to remove equipment from the backroom or 911 closet in the event of an upgrade or replacement of faulty equipment i.e. Removal of the UPS battery system, or large rack mounted servers.
- There should be elevator access to backroom equipment or 911 demarcation closets located upstairs.

Fire Protection:

- Dry pipe high temperature type systems are recommended if sprinkler heads are to be located in the 9-1-1 equipment room.
- If possible, non-combustible material should be used for the room construction.

Security Precautions:

- You may need to extend and improve existing building security to provide adequate protection for the 9-1-1 equipment.
- Electric locks or push button access code or card readers are not recommended unless you provide a battery backup system.

Temperature and Humidity control:

- A stable ambient operating temperature of 72 degrees Fahrenheit is recommended. Maximum tolerances are from 59 to 86 degrees non-condensing.
- Air conditioning units must be able to handle the heat produced by the backroom equipment.
- For estimates on BTU output of the equipment, please consult with onsite installation personnel.

Static Electricity:

Static can damage circuitry permanently, interrupt system operation and cause lost data. To prevent static:

- The equipment room humidity must be constant.
- The room floor should not be carpeted.
- The room floor should be sealed, (preferably tiled), but not waxed.

Lighting:

- Lighting must not be powered from the switch room service panel.



**Attachment D
Manual ALI Request Form**

For reference only. To be sent as a separate agreement to Chief/Sheriff and Communications Supervisor.

Updated: December 3, 2018

PSAP Name: _____

Date: ____/____/____

This letter is to request that the "Manual ALI Query" feature be enabled at _____.
(PSAP NAME)

The 9-1-1 customer premises equipment (CPE) provided by NCT9-1-1 has been configured to allow manual queries, and is compatible with the manual ALI query protocol of NCT9-1-1 and the database provider. MANUAL ALI QUERY SERVICES WILL ONLY BE USED IN THE HANDLING OF EMERGENCY CALLS. All manual ALI queries must also be documented using the reason feature.

This PSAP and the Telecommunicators with access to 9-1-1 fully understand and agree to comply with the terms and conditions set forth under which this feature may be provided.

The NCT9-1-1 operations staff has access to a statistical report of Manual ALI Query per PSAP. Misuse of the proprietary ALI information may be cause for the termination of this feature for the PSAP.

Acknowledgement signatures by authorized representatives of contracting 9-1-1 agency:

Chief / Sheriff

Date

Communications Supervisor / Manager

Date

Regular Session Agenda Item: 20

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 2, Building Code, Sections 21.02.051 and 21.02.052 to provide for the adoption of the International Building Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900's the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation's three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consistent with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help property owners construct new homes, businesses, accessory and other structures.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, ARTICLE 21.02, DIVISION 2, BUILDING CODE, SECTIONS 21.02.051 AND 21.02.052 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2018 EDITION AND THE AMENDMENTS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by adding Article 21.02, Division 2, Building Code, Sections 21.02.051 and 21.02.052 to provide for the adoption of the International Building Code, 2018 Edition, which shall read as follows:

“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 2. Building Code

Sec. 21.02.051 Adopted

There is hereby adopted by the city the International Building Code, 2018 edition, including all appendix chapters, to provide standards regulating the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the city; providing for the issuance of permits and the collection of fees thereof and the inspection of all operations by the office of the building official.

Sec. 21.02.052 Amendments

The sections of the 2018 International Building Code that are changed, added, or deleted are as follows:

Section 101.1; amend to read as follows:

101.1 Title. These regulations shall be known as the *Building Code* of the City of Seagoville, hereinafter ... *{Remainder unchanged}*

Section 101.4; amend 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 ICC Electrical Code shall mean the electrical code as adopted.

Section 101.4.8; add the following:

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:

**SECTION 103
SEAGOVILLE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT**

103.1 Creation of enforcement agency. The Seagoville Community Development Department is hereby created and the official in charge thereof shall be known as the *building official*.

Section 104.2.1; delete section and replace as follows:

Section 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. Substantially improved or damaged building and structures are defined in Seagoville's Municipal Code Article 21.07 Flood Damage Prevention. Anything referencing IBC section 104.2.1 shall meet all requirements in the relevant portions of Flood Damage Prevention in the Municipal Code.

Section 104.10.1; delete section and replace as follows:

Section 104.10.1 Flood hazard areas. Flood hazard areas are defined in Seagoville's Municipal Code Article 21.07 Flood Damage Prevention. Anything referencing IBC section 104.2.1 shall meet all requirements in the relevant portions of Flood Damage Prevention in the Municipal Code.

Section 105.2; delete entire section

Section 109; add section 109.7 to read as follows:

109.7 Reinspection 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 jobsite available to the inspector;
4. The building is locked or work otherwise not available for inspection when called;
5. The jobsite is red-tagged twice for the same item;
6. The original red tag has been removed from the jobsite.
7. Failure to maintain erosion control devices or control trash.

Any reinspection fees assessed shall be paid before any more inspections are made on that jobsite.

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 110.3.5 Lath, gypsum board and gypsum panel product inspection; Delete exception

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 ~~or staff has accepted responsibility for care recipients already incapable.~~ This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers

- Colonic centers
- Psychiatric centers

Section 202; add the following definition:

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.

FIRE CODE OFFICIAL. The Fire Marshal or his/her designated employee.

Section 202; amend each of these definitions to read as follows:

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

HIGH-RISE BUILDING. A building having any floor used for human occupancy located more than ~~75~~ 55 feet (~~22 860~~ 16 764 mm) above the lowest level of fire department vehicle access.

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

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

SUPERVISING STATION. A facility that receives signals and at which personnel are in attendance at all times to respond to these signals, shall mean a licensed fire alarm company registered by the Texas Fire Commission.

SUPERVISORY SERVICE. The service required to monitor performance of guard tours and the operative condition of fixed suppression systems or other systems for the protections of life and property, shall mean a licensed fire alarm company registered by the Texas Fire Commission.

Section 303.1.3 Associated with group E occupancies; add a sentence to read as follows:

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

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; add the following sentence to the end of exception 4:

4. *{Text unchanged}* See also IFC chapter 12, Dry Cleaning Plant provisions.

Section 310.3; add new subsection to read as follows:

Section 310.3.1 Residential R-1 transient living occupancy. No cooking appliances shall be stored or used within rental unit unless an approved fire sprinkler system is installed, approved and operational.

Section 403.1, exception 3; amend to read as follows:

3. The open air portion of a building with a Group A-5 occupancy in accordance with section 303.6.

Section 403.3, exception; delete item 2.

Section 403.3.2; amend to read as follows:

403.3.2 Water supply to required fire pumps. In buildings that are more than ~~420~~ 120 feet (~~128~~ 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: *{Text unchanged}*

Section 404.5; delete exception.

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

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

Section 502.1; amend to read as follows:

502.1 Address identification. New and existing buildings shall be ... *{text unchanged}* ... Each character shall be a minimum of ~~4~~ 6 inches (~~102~~ 152 mm) high with a minimum stroke width of ~~1/2~~ 3/4-inch (~~12.7~~ 19 mm), provided the building is within 100 feet of the road. If the building sets back greater than 100 feet each character shall not be less than 12 inches in height and not less than 1 inch in width. Apartment building numbers must be 12 inches in height with unit numbers 6 inches in height on a 20-inch by 30-inch plaque with contrasting background. Plaques shall be placed on all street frontages. Where ... *{remainder unchanged}*

Table 506.2; delete sentence from table

- I. ~~The maximum allowable area for a single story non-sprinklered Group U greenhouse is permitted to be 9000 square feet or the allowable area shall be permitted to comply with Table C102.1 of Appendix C.~~

Section 506.3.1 Minimum percentage of perimeter; add sentence at end to read as follows:

506.3.1 *{Text unchanged}* 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 Minimum Requirements; add sentence at end to read as follows:

602.1.1 *{Text unchanged}* 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 Fire-blocks and draft-stops in combustible construction; amend Exception 1 to read as follows:

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 draft-stopping. ... {Remainder unchanged}

Section 718.3 Draft-stopping in floors; amend sentence in Exception to read as follows:

Exception: 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 Draft-stopping in attics; amend sentence in Exception to read as follows:

Exception: 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 back-flushed 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 are no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the *fire code official*. All FDC connections shall be equipped with 5-inch Storz connectors with caps.
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 *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; amend to read as follows:

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

Section 903.2; add paragraph to read as the follows:

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; delete the exception.

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; amend 903.2.11.3 as follows:

903.2.11.3 Buildings ~~55~~ 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more~~, other than penthouses in compliance with section 1510 of the *International Building Code*, located ~~55 35~~ feet (~~16764 10 668~~ mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

- ~~1. Open parking structures in compliance with section 406.5 of the *International Building Code*, having no other occupancies above the subject garage.~~
- ~~2. Occupancies in group F-2.~~

Section 903.2.11; add new subsections 903.2.11.7, 903.2.11.8, 903.2.11.9, and 903.2.11.10 as follows:

903.2.11.7 High-piled combustible storage. For any building with a clear height exceeding 12 feet (4572 mm), see IFC 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 6,000 sq. ft. and larger. 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 larger. For the purpose of this provision, fire walls shall not define separate buildings.

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

903.2.11.10 Vacant buildings. An automatic sprinkler system shall be installed in all vacant buildings with a building area 6,000 square feet or larger and in any existing building that is enlarged to 6,000 square feet or larger which has lost its legal nonconforming status. For the purpose of this provision, fire walls shall not define separate buildings.

Section 903.3.1.1.1; amend to read 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 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. ~~In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
5. ~~Fire service access~~ Elevator machine rooms, ~~and~~ machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. *{Delete}*

Section 903.3.1.2.3; re-name section and amend text as follows:

Section 903.3.1.2.3 Attached Garages, Breezeways, and Attics. Sprinkler protection is required in attached garages and breezeways in addition to the following attic spaces:

1. *{Text unchanged}*
2. *{Text unchanged}*
3. *{Delete and replace as follows:}* 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; amend 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; and 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:

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, pre-action, 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 Water supplies; 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 IFC section 507.4 for additional design requirements.

Section 903.4 Sprinkler system supervision and alarms; 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 Alarms; 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; amend 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 Building 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 or horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry and semi-automatic dry, 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 Location of class I standpipe hose connections; amend items 1 through 6 to read as follows and add item 7:

1. In every required ~~interior~~ exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the main floor landing between stories, unless otherwise approved by the fire code official.
2. *{Text unchanged}*
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

Exception: Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~ exit stairway hose connection by a ... *{Remainder unchanged}*

4. *{Text unchanged}*

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way a-hose connection shall be located to serve the roof or at the highest landing of an interior exit stairway with stair access to the roof provided in accordance with section 1011.12.
6. *{Text unchanged}*
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 Valve supervision; 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 an alarm signal at the central station upon tampering.

Section 907.1; add subsection 907.1.4 to read as follows:

907.1.4 Design standards. All alarm systems new or replacement shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 12 months of permit application.

Section 907.2.1; amend 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 ~~Group A~~ 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: *{Text unchanged}*

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; amend 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.

Section 907.2.3; add exception 1.1 to read as follows:

Exceptions:

1. *{Text unchanged}*

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.)

{Text unchanged for remainder of exceptions}

Section 907.2.12, Exception 3; amend 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 Manual fire alarm boxes; amend to read as follows:

{Text unchanged} ... sections 907.4.2.1 through 907.4.2.6.7

Section 907.4.2; add new subsection 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 new subsection 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 (4) feet separation horizontal and one (1) 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 907.6.6; add new subsection 907.6.6.3 to read as follows:

907.6.6.3 Communication requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a general alarm or zone condition.

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

2. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal are prohibited.
3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m*s)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal are 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 (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

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

Exception: Buildings of noncombustible construction containing only noncombustible materials.

Section 910.3; add subsection 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; amend to read as follows:

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

Section 912.2; add subsection 912.2.3 to read as follows:

912.2.3 Hydrant distance. An approved fire hydrant shall be located within 50 feet of the fire department connection as the fire hose lays along an unobstructed path.

Section 913.2.1; add subsection 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 feet in width and 6 feet 8 inches 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; add new subsection 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 Exception 7 to read as follows:

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:

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 1020.6; amend to read as follows:

1020.6 Corridor continuity. ~~Fire-resistance-rated~~ All corridors shall be continuous from the point of entry to an *exit*, and shall not be interrupted by intervening rooms. ... *{remainder unchanged}*

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 1612.3; amend to read as follows:

1612.3 Establishment of flood hazard areas. Seagoville’s Municipal Code Article 21.07 Flood Damage Prevention defines and identifies anything relating to floods, flooding, and/or areas where flooding is most likely to occur. Anything referencing IBC section 1612.3 shall meet all requirements in the relevant portions of Flood Damage Prevention in the Municipal Code. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The Flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for [insert jurisdiction],” dated [insert date], as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Section 2902.1; add a second paragraph to read as follows:

In other than Group E occupancies, the minimum number of fixtures in table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the building official.

Table 2902.1; amend 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.

Section 2902.1; add new subsection 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 Handwashing lavatory. At least one handwashing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional handwashing 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 City of Seagoville 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 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 as follows:

3005.4 Machine rooms, control rooms, machinery spaces and control spaces. Elevator machine rooms, control rooms, control spaces and machinery spaces ~~outside of but attached to a hoistway that have openings into the hoistway~~ shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. *{Remainder unchanged}*

Section 3005; add new subsections 3005.7 and 3005.8 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

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. However, smoke or heat detectors shall be provided.

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.

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 3006.1; delete and replace as follows:

3006.1 Access. An approved means of access shall be provided to elevator machine rooms and overhead machinery spaces.

Section 3006.2, Hoistway opening protection required; amend as follows:

5. The building is a high rise and the elevator hoistway is more than ~~75~~ 55 feet (~~22 860~~ 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.”

Section 3006.5; add a sentence to read as follows and delete exceptions 1 and 2:

3006.5. Machine rooms and machinery spaces: *{Text unchanged}* ... Storage shall not be allowed within the elevator machine room. Provide approved signage at each entry door to the elevator machine room stating “Elevator Machinery - No Storage Allowed.”

Section 3109.1; amend to read as follows:

3109.1 General. Swimming pools shall comply with the requirements of sections 3109.2 through 3109.5, ~~and~~ other applicable sections of this code, the adopted 2018 *International Swimming Pool and Spa Code* as amended, and all applicable state laws.”

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to

be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 28th day of January, 2019.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(:cdb 01/23/2019)

Regular Session Agenda Item: 21

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, “Technical and Construction Codes and Standards”, by adopting Division 11, “Existing Building Code”, Sections 21.02.551 and 21.02.552 to provide for the adoption of the International Existing Building Code, 2018 Edition, and to provide for the exceptions and amendments thereto; providing a penalty clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900’s the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation’s three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consist with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help staff address concerns raised by citizens and business owners about the existing buildings and structures on their property.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS BY AMENDING CHAPTER 21, ARTICLE 21.02, "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS", BY ADOPTING DIVISION 11, "EXISTING BUILDING CODE", SECTIONS 21.02.551 AND SECTION 21.02.552, TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION, AND TO PROVIDE FOR THE EXCEPTIONS AND AMENDMENTS THERETO; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated international model construction codes (known generally as the "International Codes") which includes the International Existing Building Code; and

WHEREAS, the City of Seagoville has been involved in the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the creation of the 2018 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO); and

WHEREAS, the 2018 editions of the International Codes, including the International Existing Building Code, have been reviewed by the NCTCOG and City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, with the 2018 editions of the International Codes, including the Existing Building Code, being the most current published building and construction codes for which local amendments have been developed; and

WHEREAS, the City Council of the City of Seagoville has determined that it is in the best interest of the citizens of the City of Seagoville to adopt the 2018 edition of the International Existing Building Code and to adopt local amendments to said code in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS;

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by adopting Article 21.02, Division 11, Existing Building Code, Sections 21.02.551 and 21.02.552 to provide for the adoption of the International Existing Building Code, 2018 Edition, which shall read as follows:

“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 11. Existing Building Code

Sec. 21.02.551 Adopted

A certain document, a copy of which is on file in the office of the city secretary of the city, being marked and designated as the International Existing Building Code, 2018 Edition, including appendix, as published by the International Code Council, be and is hereby adopted as the existing building code of the city. Each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the city are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertion, deletions and changes, if any, prescribed in Section 21.02.552 of this Article.

Sec. 21.02.552 Amendments

The existing building code adopted in this article shall be subject to the exceptions and amendments to the International Existing Building Code, 2018 edition, as follows:

Section 101.1; amend to read as follows:

101.1 Title. These regulations shall be known as the *Existing Building Code of the City of Seagoville*, hereinafter ... *{Remainder unchanged}*

Section 102.4; amend to read as follows:

102.4 Referenced codes and standards. The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

Section 112, add new subsection to read as follows:

112.4 Means of appeals. Any reason directly affected by a decision of the code official or a notice issued under this code shall have the right to appeal to the board of adjustment, hereinafter referred to as the “board,” provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code adequately satisfied by other means.

- (a) **Notice of meeting.** The boards shall meet upon notice from the code official within 20 days of the filing of an appeal, or at stated periodic meetings. Notice of any meeting shall be given to the public in accordance with the requirements of the Texas Open Meetings Act. All meetings shall be conducted in accordance with the Texas Open

Meetings Act.

- (b) **Open hearing.** All hearings before the board shall be open to the public. The appellant is to be given an opportunity to be heard.
- (c) **Board decision.** The board shall, only by a concurring vote of a majority of those present, either modify the order of the official by granting an extension of time to make all repairs and improvements necessary to meet code requirements, enforce the recommendations of the official, or reverse the decision of the code official.
- (d) **Court review.** Any person, whether or not a party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and within 30 days following the decision of the board.
- (e) **Stays of enforcement.** Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the board.

Section 202; amend the definitions of Existing Building and Existing Structure as follows:

EXISTING BUILDING - A building ~~erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued,~~ structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; or a change of occupancy.

EXISTING STRUCTURE - A building ~~erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued,~~ structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; or a change of occupancy.

Section 305.1; adds an exception to read 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 305.4.2; add item 7 to the list of requirements as follows:

- 7. At least one accessible family or assisted use toilet room shall be provided in accordance with Chapter 11 of the *International Building Code*.

Section 401.3 Flood Hazard Areas; delete this section.

Section 405.2.5 Flood Hazard Areas; delete this section.

Section 406.1; add a code reference to read as follows:

406.1 Material. Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

Section 502.3 Flood Hazard Areas; delete this section.

Section 504.1.2; add sentence to end as follows:

Existing fire escapes shall be permitted to be repaired or replaced.

Section 504.1.3; delete this section.

Section 507.3 Flood Hazard Areas; delete this section.

Section 701.3 Flood Hazard Areas; delete this section.

Section 702.6; add a code reference to read as follows:

702.6 Materials and methods. All new work shall comply with the materials and methods requirements in the *International Building Code*, *International Energy Conservation Code*, *International Mechanical Code*, National Electrical Code, and *International Plumbing Code*, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

Section 802.5.1; amend to read as follows:

802.5.1 Minimum requirement. Every portion of a floor, ~~such as a balcony or a loading dock,~~ open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that is more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

Section 803.1; add sentence to end to read as follows:

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

Section 803.2.4; amend Exceptions to read as follows:

Exceptions: Supervision is not required where the Fire Code does not require such for new construction for the following:

- ~~1. Underground gate valve with roadway boxes.~~
- ~~2. Halogenated extinguishing systems.~~

3. ~~Carbon dioxide extinguishing systems.~~
4. ~~Dry and wet chemical extinguishing systems.~~
5. ~~Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic and automatic sprinkler systems and a separate shutoff valve for the automatic sprinkler system is not provided.~~

Section 803.3; delete and replace as follows:

803.3 Standpipes. Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements.

Section 805.2; delete Exception #1

Section 805.3.1.2; amend as follows:

805.3.1.2 Fire Escapes required. For other than Group I-2, where more than one exit is required, an existing ~~or newly constructed~~ fire escape complying with section 805.3.1.2.1 shall be accepted as providing one of the required means of egress.

Section 805.3.1.2.1; amend items as follows:

1. *{Unchanged}*
2. Access to a ~~new~~ fire escape shall ... *{Remainder unchanged}*
3. ~~Newly constructed ... at grade level.~~
4. *{Unchanged}*
5. In all buildings of Group E occupancy up to and including the 12th grade, buildings of Group I occupancy, ~~rooming~~ boarding houses, ... *{Remainder unchanged}*

Section 805.5.2 Transoms; amend to read as follows:

805.5.2 Transoms. In all buildings of Group ~~I-1, I-2, R-1, R-2, B, E,~~ occupancy... *{Remainder unchanged}*

Section 904.1; add sentence to end to read as follows:

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

Section 904.1.1; amend to read as follows:

904.1.1 High-rise buildings. An automatic sprinkler system shall be provided in work areas ~~of where the high-rise buildings, has a sufficient municipal water supply for the design and installation of an automatic sprinkler system at the site.~~

Section 1103.3 Flood Hazard Areas; delete this section.

Section 1201.4 Flood Hazard Areas; delete this section.

Section 1301.3.2; amend to read as follows:

1301.3.2 Compliance with other codes. Buildings that are evaluated in accordance with this section shall comply with the International Fire Code, ~~and International Property Maintenance Code.~~

Section 1301.3.3 Compliance with Flood Hazard Provisions; delete this section.

Section 1402.6 Flood Hazard Areas; delete this section.”

SECTION 2. All ordinances of the City of Seagoville in conflict with the provisions of this ordinance shall be, and the same are hereby, repealed, and all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. This ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(/cdb 1.11.2019 TM105569)

Regular Session Agenda Item: 22

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 10, Property Maintenance Code, Sections 21.02.501, 21.02.502 and 21.02.504 to provide for the adoption of the International Property Maintenance Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900's the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation's three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consistent with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help with property maintenance within the City.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, ARTICLE 21.02, DIVISION 10, PROPERTY MAINTENANCE CODE, SECTIONS 21.02.501, 21.02.502 AND 21.02.504 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION, AND THE AMENDMENTS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated international model construction codes (known generally as the "International Codes") which includes the International Property Maintenance Code; and

WHEREAS, the City of Seagoville has been involved in the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the creation of the 2018 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO); and

WHEREAS, the 2018 editions of the International Codes, including the International Property Maintenance Code, have been reviewed by the NCTCOG and City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, with the 2018 editions of the International Codes, including the Property Maintenance Code, being the most current published building and construction codes for which local amendments have been developed; and

WHEREAS, the City Council of the City of Seagoville has determined that it is in the best interest of the citizens of the City of Seagoville to adopt the 2018 edition of the International Property Maintenance Code and to adopt local amendments to said code in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

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

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by amending Article 21.02, Division 10, Property Maintenance Code, Sections 21.02.501, 21.02.202, and 21.02.504 by deleting all references to the 2012 Edition and providing

for the adoption of the International Property Maintenance Code, 2018 Edition and the amendments thereto, which shall read as follows:

“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 10. Property Maintenance Code

Sec. 21.02.501 Adopted

A certain document, a copy of which is on file in the office of the city secretary of the city, being marked and designated as the International Property Maintenance Code, 2018 Edition, including appendix, as published by the International Code Council, be and is hereby adopted as the property maintenance code of the city. Each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the city are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertion, deletions and changes, if any, prescribed in Section 21.02.504 of this Article.

Sec. 21.02.502 Referenced standards adopted

International Property Maintenance Code, 2018 edition; referenced standards.

Sec. 21.02.503 Purpose

.....

Sec. 21.02.504 Amendments

Section 101.1; amend as follows:

101.1 Title. These regulations shall be known as the *Property Maintenance Code of the City of Seagoville*, hereinafter ... *{Remainder unchanged}*

Section 103.5; amend as follows:

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be ~~as indicated in the following~~ accordance with City's master fee schedule.

Section 107.1; amend as follows:

107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in section 107.2 and 107.3 herein to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall comply with Section 108.3. In the notice herein provided for the city shall have the right to inform the property owner or agent having charge that if he or she commits another violation of the same kind or nature any time within one year from original notice, the city may institute the

appropriate proceedings at law or to correct or abate such violation without further notice at the owner's expense and assess the expense against the property.

Exception: Weeds in excess of 24 inches (610 mm) in height that are a danger to the health, life or safety of any person, may be immediately abated without notice. Notice shall be not later than the tenth day after the city causes the work to be done under this section, the city shall give notice to the property owner in the manner required by this section.

Section 110.4 Salvage materials; delete this section.

Section 112.4; amend as follows:

112.4 Failure to comply. Any person ... *{bulk of paragraph unchanged}* shall be in violation of this code and guilty of a Class C misdemeanor. ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Section 201.3 Terms defined in other codes. Delete reference to ICC Electrical Code and replace with reference to adopted electrical code.

Section 202 Definitions, add definition for junked vehicle as follows:

JUNK VEHICLE. Any vehicle that is self-propelled and:

- (1) is wrecked, dismantled or partially dismantled, or discarded; or
- (2) is inoperable and has remained inoperable for more than 72 hours, if the vehicle is on public property; or 30 consecutive days, if the vehicle is on private property.

See also Motor vehicles in Property Maintenance Code Section 302.8.

Section 302.3 Sidewalks and driveways; add a sentence as follows:

Repairs and maintenance shall be the responsibility of the property owner to maintain free from obstructions, trip hazards or dilapidated conditions from the edge of street or alley pavement.

Section 302.4 Weeds; delete the first sentence and replace as follows:

302.4. Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. *{Remainder unchanged}*

Section 302.4; add new subsection 302.4.1 as follows:

302.4.1 Trees, shrubs, vegetation. It shall be unlawful for any person, firm, or corporation owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, within the corporate city limits to permit bushes, trees, shrubs, vegetation or plant substances(s) or any part(s) thereof, whether living or not, that has its roots on said real

property, to hang, overhang, grow into or grow over any street, alleyway within the city, if said growth is overhanging below fourteen (14) feet from a point on a vertical line with the starting point on a horizontal plane of the street or alleyway and no plant or tree growth be allowed within twelve (12) inches of the edge of any street or alleyway. Sidewalks shall have a clearance of eight (8) feet from a point on a vertical line with a starting point at the horizontal plane of the sidewalk. When such growth exists it shall be deemed a nuisance and a danger to public safety. It shall be the duty of the person named as owner of the property to abate the nuisance so that the overhang is not below the set minimum(s) clearances as stated above.

Section 302.8 Motor vehicles, amend as follows:

302.8 Motor vehicles. Except as provided for in other regulations, ~~an~~ inoperative, ~~or~~ unlicensed, or unregistered motor vehicles shall ~~not~~ be parked, kept or stored on any premises, and ~~no~~ vehicles shall ~~not~~ at any time be in a state of ~~major~~ disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved paint spray booth and within a zoning district where spray painting of vehicles is an allowed use.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes. Work on vehicles at a residence can only be conducted on those vehicles legally registered in the resident's name and no others. Any noise that disturbs the adjacent residential environment would not be allowed to continue.

Section 302; add subsection 302.10 as follows:

302.10 Other exterior property conditions. Unless authorized within a zoning district and under conditions thereof, or within the extraterritorial jurisdiction of the city, it shall be unlawful of any person to allow, permit, conduct or maintain objectionable, unsightly or unsanitary conditions, items, situations or events on any portion of a lot or tract, outside of an enclosed or covered patio or other projecting overhang that includes, but is not limited to:

- 1) Furniture, appliance and other items left outside that were or are not intended for outdoor use that includes broken or damaged lawn furniture, outdoor structure(s), lawn and garden accessories and sculpture.
- 2) Building materials or any item by itself used in construction that is not serving its intended purpose where there is not an active building permit.
- 3) Clothing, papers, broken glass, scrap materials, pipe, barrels, piles or stacks of unused brick or stone, uninstalled fence and/or fence materials.
- 4) Brush, trash, wood piles, fallen trees or large parts of trees such as the trunk or main branches, dead trees or other dead vegetation.

- 5) Lawn equipment in whole or in part where such is kept outside and unprotected from the elements.
- 6) Unlicensed and/or inoperable trailers.
- 7) Boats not on trailers for longer than 30 days.
- 8) Any condition, situation, event or action as described herein where items are covered by tarpaulin(s) or other such cover.
- 9) Parts typically associated with trucks, cars, motorcycles, boats, farm equipment, construction equipment or other vehicle that includes but is not limited to body parts, tires, wheels, batteries, upholstered items, engines, drive train components, plows, disks, rakes and other such items.
- 10) A boat on a trailer, car, truck, trailers or other vehicle with axle(s) not currently licensed and/or registered.
- 11) Any vehicle elevated up off the ground for a period of more than 72 hours.
- 12) Cargo containers placed on any residential property and cargo containers placed on any commercial property without an active building permit is prohibited.
- 13) Semi-trucks and/or trailers or parts thereof on a property or in front of a property used as or zoned for residential use, located on property used or zoned for nonresidential use, other than where permitted within the approved zoning district and subject to items and conditions thereof where such is not conducting business or has not conducted business for more than 24 hours.
- 14) Commercial vehicles, as that term is used and under conditions and/or terms established under section 17.04.004 of the City's Code of Ordinances parked on a property or in front of a property used as or zoned for residential use or where located anywhere where such vehicle is not conducting work at the time related to the vehicle other than where permitted within the approved zoning district and subject to terms and conditions thereof.
- 15) Construction equipment in whole or in part where the equipment is not being used for its intended purpose on the property where parked or stored unless otherwise allowed within that zoning district subject to terms and conditions thereof.
- 16) Where outdoor storage and/or display is allowed, accumulation of trash and/or debris and items or material that is not orderly stacked.
- 17) Vehicles may only be parked on those approved surfaces as outlined in section 17.04.092 of the City's Code of Ordinances.
- 18) Signs of all types not included within the approved sign ordinance 03-10.

- 19) Any vehicular sign used as a source of advertising for a business within city limits not in compliance with sign ordinance 03-10.
- 20) The placing or accumulation of any material or item in any area of a property that does or could provide nesting, harborage or feeding for vermin or pest, or that could negatively affect the environment's ecological system from runoff areas emitting an odor or odors for longer than 24 hours that a person of reasonable sensibilities may distinguish from ambient odors, seepage of fuels, oils, chemical or organic compounds into the soils and similar such events.
- 21) The accumulation of materials that emit any gases, noxious fumes, or odors to such extent that the same or any of them shall by reason of such offensive odors become a source of endangerment to the health, safety and welfare to immediate surrounding property or to persons living or passing in the vicinity within the city.
- 22) Any trailer, boat or recreational vehicle left parked on any public street or right-of-way not connected to a legally registered motor vehicle will be considered in violation.
- 23) Other situations as determined by the director of development services or their designee.

Section 303.2, Enclosures, amend follows:

Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier ~~not less than~~ at least 48 inches (1 219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Horizontal members shall not be constructed in such a manner to create a ladder effect. All such ~~Gates and doors~~ openings directly into such ~~barriers enclosure~~ shall be equipped with self-closing and latching devices designed to keep and capable of keeping doors securely closed at all times when not actually in use. It shall be unlawful to maintain a swimming pool, spa or hot tub in the city limits of Seagoville that is not properly fenced. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

Section 304.3, amend as follows:

304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property and visible from the rear alley. These numbers shall contrast with their background. Address numbers shall be Arabic numerals ~~or alphabet letters~~. Numbers ~~Each character~~ shall not be less than a

minimum of 4-6 inches (102-152 mm) in height-high with a minimum stroke width of 0.75-inch (19.1 mm), provided the building is within 100 feet of the road. If the building sets back greater than 100 feet each character shall not be less than 12 inches (51 mm) in height and not less than 1 inch (25 mm) in width. Apartment building numbers must be 12 inches (51 mm) in height with unit numbers 6 inches (12.7 mm) in height. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 304.14; amend as follows:

304.14 Insect screens. During the period from May 1 to October 31, every door, window, and ... *{Remainder unchanged}*

Section 602.3; amend as follows:

602.3 Heat supply. Every *owner and operator ... {bulk of paragraph unchanged}* ... during the period from October 1 to May 31 to maintain ... *{Remainder unchanged including exceptions}*

Section 602.4; amend as follows:

602.4 Occupiable work spaces. Indoor ... *{bulk of paragraph unchanged}* ... during the period from October 1 to May 31 to maintain ... *{Remainder unchanged including exceptions}*”

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(cdb 01.19.2019 TM105570)

Regular Session Agenda Item: 23

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 6, Plumbing Code, Sections 21.02.301 and 21.02.302 to provide for the adoption of the International Plumbing Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900's the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation's three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consistent with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will guide staff in directing citizens, plumbers, and business owners who have questions about various plumbing, piping, and drainage issues.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, ARTICLE 21.02, DIVISION 6, PLUMBING CODE, SECTIONS 21.02.301 AND 21.02.302 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL PLUMBING CODE, 2018 EDITION, AND THE AMENDMENTS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated international model construction codes (known generally as the "International Codes") which includes the International Plumbing Code; and

WHEREAS, the City of Seagoville has been involved in the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the creation of the 2018 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO); and

WHEREAS, the 2018 editions of the International Codes, including the International Plumbing Code, have been reviewed by the NCTCOG and City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, with the 2018 editions of the International Codes, including the Plumbing Code, being the most current published building and construction codes for which local amendments have been developed; and

WHEREAS, the City Council of the City of Seagoville has determined that it is in the best interest of the citizens of the City of Seagoville to adopt the 2018 edition of the International Plumbing Code and to adopt local amendments to said code in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

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

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by adding Article 21.02, Division 6, Plumbing Code, Sections 21.02.301 and 21.02.302 to provide for the adoption of the International Plumbing Code, 2018 Edition, which shall read as follows:

“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 6. Plumbing Code

Sec. 21.02.301 Adopted

There is hereby adopted by the city the International Plumbing Code, 2018 edition, including all appendix chapters, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the city and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such International Plumbing Code, 2018 edition, published by the International Code Council on file in the office of the city secretary are hereby referred to, adopted and made a part hereof as if fully set out in this section.

Sec. 21.02.302 Amendments

The sections of the 2018 International Plumbing Code that are changed, added, or deleted are as follows:

Table of Contents, chapter 7, section 714; amend as follows:

Section 714 Engineered ~~Computerized~~ Drainage Design 69

Section 101.1; amend to read as follows:

101.1 Title. These regulations shall be known as the *Plumbing Code* of the City of Seagoville, hereinafter ... *{Remainder unchanged}*

Section 102.8; amend to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.8.1 and 102.8.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the Electrical Code as adopted.

Sections 106.6.2; amend as follows:

106.6.2 Fee schedule. The fees for all plumbing work shall be ~~as indicated in the following~~ accordance with City's master fee schedule.

Sections 106.6.3; delete entirely

Section 108.4; amend as follows:

108.4 Violation penalties. Persons who ... *{bulk of paragraph unchanged}* ... shall be guilty of a Class C misdemeanor, ~~punishable by a fine of not more than [amount] dollars or by imprisonment not exceeding [number of days], or both such fine and imprisonment.~~ ... *{Remainder unchanged}*

Section 108.5; amend as follows:

108.5 Stop work orders. Upon notice ... *{bulk of paragraph unchanged}* ... to remove a violation or unsafe condition, shall be in violation of this code. ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Section 109; delete entire section and replace as follows:

Section 109

MEANS OF APPEAL

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

Section 305; amend as follows:

305.1 Protection against contact. Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material plastic. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

Section 305.4.1; amend as follows:

305.4.1 Sewer depth. ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection.~~ Building sewers shall be installed ~~not less than~~ a minimum of 12 inches (304 mm) below grade.

Section 305.7; amend to read as follows:

305.7 Protection of components of plumbing system. Components of a plumbing system installed within 3 feet along alleyways, driveways, parking garages or other locations in a

manner in which they would be exposed to damage shall be recessed into the wall or otherwise protected in an approved manner.

Section 306; add subsection 306.2.4 as follows:

306.2.4 Plastic sewer and DWV piping installation. Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16-inches (406 mm) or in a trench which has a controlled width equal to the nominal diameter of the diameter of the piping multiplied by 1.25 plus 12-inches (305 mm). The piping shall be bedded in 4-inches (102 mm) of sand and then backfilled compacting the side fill in 6-inch (152 mm) layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6-inches (152 mm) above the top of the pipe.

Section 314.2.1; amend to read as follows:

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

Section 314.2.2; amend as follows:

314.2.2 Drainpipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper and copper alloy, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC, PVC, or polypropylene pipe or tubing when exposed to ultraviolet light. All piping that will be exposed to ultraviolet light shall be painted. All components shall be selected for the pressure and temperature and exposure rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of chapter 7 relative to the material type. Condensate waste and drain line size shall not be less than 3/4-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with table 314.2.2. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope.

Section 401.1; add a sentence as follows:

The provisions of this chapter are meant to work in coordination with the provisions of the building code. Should any conflicts arise between the two chapters, the code official shall determine which provision applies.

Section 405.7; delete this section

Section 409.2; amend to read as follows:

409.2 Water connection. The water supply to a commercial dishwashing machine ...
{remainder unchanged}

Section 413.4; amend as follows:

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

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

Section 405.3.6; add as follows:

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

Section 502.3; delete section entirely and replace as follows:

502.3 Water heater locations prohibited. Water heaters shall not be permitted to be installed in any attic unless approved by the building official.

Section 502; add section 502.6, exception, and section 502.6.1 as follows:

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

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

502.6.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with section 502.1.

Section 504.6; amend to read as follows:

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief

valve, temperature relief valve or combination thereof shall:

1. *{Unchanged}*
2. Discharge through an air gap. ~~located in the same room as the water heater.~~
3. *{Unchanged}*

Note: CPVC shall be one inch in size, due to the inside diameter being smaller than the 3/4 inch required for the pressure relief valve opening.

4. *{Body unchanged}*

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

5. Discharge ~~to the floor, to the pan serving the water heater or storage tank, to a waste receptor~~ to a location approved by the building official, or to the outdoors.

{Items 6 through 9 remain unchanged}

10. Terminate not more than 6 inches (152 mm) and not less than two times the discharge diameter above the floor or flood level rim of the waste receptor.

{Items 11 through 14 remain unchanged}

Section 504.7.1; add two sentences as follows:

Multiple pan drains may terminate to a single discharge piping system when *approved* by the administrative authority and permitted by the manufacture's installation instructions and installed with those instructions. If unable to drain the pan to the outdoors, an automatic shut-off assembly shall be required (i.e. a watts system).

Section 608.1; amend as follows:

608.1 General. A ... *{bulk of body unchanged}*. Backflow preventer applications shall conform to applicable local regulations, table 608.1, ~~except~~ and as specifically stated in sections 608.2 through 608.16.10.

Section 608.17.5; amend as follows:

608.17.5 Connections to lawn irrigation systems. The ... *{bulk of body unchanged}* ... backflow by ~~an atmospheric type vacuum breaker~~, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure ... *{remainder unchanged}*

Section 608.18; amend to read as follows:

608.18 Protection of individual water supplies. An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with applicable local regulations. Installation shall be in accordance with sections 608.18.1 through 608.18.8.

Section 610.1; amend to read as follows:

610.1 General. New or repaired potable water systems ... *{remainder unchanged}*

Section 703.6; delete entire section

Section 704; add subsection 704.5 as follows:

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

Section 712; add subsection 712.5 as follows:

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

Sections 713 and 713.1; amend as follows:

SECTION 713

ENGINEERED COMPUTERIZED DRAINAGE DESIGN

713.1 Design of drainage system. The sizing, design and layout of the drainage system shall be ~~permitted to be~~ designed by a registered engineer using approved computer design methods.

Section 803; add subsection 803.3 as follows:

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

Section 903.1; amend to read as follows:

903.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least six (6) inches (152 mm) above the roof. Where ... *{remainder unchanged}*

Section 918.3; add a sentence as follows:

Air admittance valves shall only be installed with the prior approval of the building official.

Section 1003.2; add sentence as follows:

Any structure, which houses a use that prepares or processes food, shall have an approved and engineered grease interceptor or a minimum of 1,000-gallon grease trap.

Section 1106.1; amend as follows:

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

Section 1108.3; amend as follows:

1108.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with section 1106 ~~based on the rainfall rate for which the primary system is sized in tables 1106.2, 1106.3 and 1106.6.~~ Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

Section 1109; delete this section.

Section 1202.1; delete exceptions 1 and 2.”

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is

governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(:cdb 01.19.2019 TM105572)

Regular Session Agenda Item: 24

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 4, Energy Conservation Code, Sections 21.02.151 and 21.02.152 to provide for the adoption of the International Energy Conservation Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900's the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation's three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consistent with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help citizens and businesses lower their energy consumption and use.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, ARTICLE 21.02, DIVISION 4, ENERGY CONSERVATION CODE, SECTIONS 21.02.151 AND 21.02.152 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION, AND THE AMENDMENTS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated international model construction codes (known generally as the "International Codes") which includes the International Energy Conservation Code; and

WHEREAS, the City of Seagoville has been involved in the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the creation of the 2018 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO); and

WHEREAS, the 2018 editions of the International Codes, including the International Energy Conservation Code, have been reviewed by the NCTCOG and City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, with the 2018 editions of the International Codes, including the Energy Conservation Code, being the most current published building and construction codes for which local amendments have been developed; and

WHEREAS, the City Council of the City of Seagoville has determined that it is in the best interest of the citizens of the City of Seagoville to adopt the 2018 edition of the International Energy Conservation Code and to adopt local amendments to said code in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

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

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by replacing Article 21.02, Division 4, Energy Conservation Code, Sections

21.02.151 and 21.02.152 to provide for the adoption of the International Energy Conservation Code, 2018 Edition, which shall read as follows:

“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 4. Energy Conservation Code

Sec. 21.02.151 Adopted

There is hereby adopted by the city the International Energy Conservation Code, 2018 edition, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of the building envelope, mechanical, lighting and power systems in the city, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Energy Conservation Code, 2018 edition, published by the International Code Council on file in the office of the city secretary are hereby referred to, adopted and made a part hereof as if fully set out in this article.

Sec. 21.02.152 Amendments

The energy conservation code adopted in this article shall be subject to the exceptions and amendments to the International Energy Conservation Code, 2018 edition, as follows:

Sections C101.4.2 and R101.4.2; add subsections to read as follows:

C101.4.2/R101.4.2 Historic buildings. Any building or structure that is listed in the state or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a national register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the national or state registers of historic places either individually or as a contributing building to a historic district by the state historic preservation officer of the Keeper of the National Register of Historic Places, shall comply with the provisions of this code.

Exception: Whenever a provision or provisions shall invalidate or jeopardize the historical designation or listing, that provision or provisions may be exempted.

Sections C102.1 and R102.1; add subsections to read as follows:

C102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the energy systems laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the code official, be considered in compliance. The United States Environmental Protection Agency’s Energy Star Program certification of energy code equivalency shall be considered in compliance.

R102.1.2 (N1101.4.1) Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4.1.2 (N1102.4.1.2) and R403.3.3 (N1103.3.3) respectively.

Sections C202 and R202 (N1101.6); add the following definitions:

GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area, the glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

PROJECTION FACTOR. The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device.

Section R202 (N1101.6); add the following definition:

DYNAMIC GLAZING. Any fenestration product that has the fully reversible ability to change its performance properties, including U-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

Table 402.1.2 (N1102.1.2) Insulation and Fenestration Requirements by Component; the Fenestration U-factor for Climate Zone 3 is amended as follows:

CLIMATE ZONE	FENESTRATION U-FACTOR
<u>3</u>	<u>0.32 0.35</u>

Table 402.1.4 (N1102.1.4) Equivalent U-Factors; the Fenestration U-factor for Climate Zone 3 is amended as follows:

CLIMATE ZONE	FENESTRATION U-FACTOR
<u>3</u>	<u>0.32 0.35</u>

Section R402.3.2 (N1102.3.2) Glazed fenestration SHGC; amend by adding a paragraph and table following the exception to read as follows:

Where vertical fenestration is shaded by an overhang, eave, or permanently attached shading device, the SHGC required in Table R402.1.2 shall be reduced by using the multipliers in Table R402.3.2 SHGC Multipliers for Permanent Projections.

Table R402.3.2 SHGC Multipliers for Permanent Projections ^a

Projection Factor	SHGC Multiplier (all Other Orientation)	SHGC Multiplier (North Oriented)
0 - 0.10	1.00	1.00
>0.10 – 0.20	0.91	0.95
>0.20 – 0.30	0.82	0.91
>0.30 – 0.40	0.74	0.87
>0.40 – 0.50	0.67	0.84
>0.50 – 0.60	0.61	0.81
>0.60 – 0.70	0.56	0.78
>0.70 – 0.80	0.51	0.76
>0.80 – 0.90	0.47	0.75
>0.90 – 1.00	0.44	0.73

^a North oriented means within 45 degrees of true north.

Section R402.4.1.2 (N1102.4.1.2) Testing; add a last paragraph to read as follows:

Mandatory testing shall only be performed by individuals that are certified to perform air infiltration testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

Section R402.4.1; add new subsection and table to read as follows:

R402.4.1.3 (N1102.4.1.3) Testing option – ACH tradeoff. As an option to the air leakage rate set out in Section R402.4.1.2 (N1102.4.1.2), 1- and 2-family homes meeting all of the listed criteria below and the *thermal envelope* requirements in Table R402.4.1.3 (N1102.4.1.3) will be considered compliant when tested and verified as having an air leakage rate to not less than or equal to four air changes per hour when tested and reported in accordance with the testing standards and reporting criteria listed in Section R402.4.1.2 (N1102.4.1.2).

The compliance equivalency is limited as follows:

1. Limited to a conditioned floor area between 1,000 and 6,000 square feet,
2. Limited to between 2 to 6 bedrooms,
3. Assumes all ductwork and mechanical equipment is located in the unconditioned attic,
4. Assumes typical wood framing in the walls and roof, and
5. Assumes one of the following heating/cooling systems:
 - a. All electric system with a heat pump for heating, or
 - b. A system with electric cooling and natural gas heating.

Dwellings using electric resistance strip heating do not qualify for this tradeoff.

Table R402.4.1.3 (N1102.4.1.3)^a

<u>Envelope Component</u>	<u>Option #1</u>	<u>Option #2</u>
<u>R402.4 Air Leakage</u>	<u>< 4 ACH50</u>	<u>< 4 ACH50</u>
<u>Wall Insulation R-value</u>	<u>R13 + R3^b</u>	<u>R13 + R3^b</u>
<u>Fenestration U-factor</u>	<u>< 0.32</u>	<u>< 0.32</u>
<u>Fenestration SHGC</u>	<u>< 0.25</u>	<u>< 0.25</u>
<u>Ceiling R-value</u>	<u>> R49</u>	<u>> R49</u>
<u>Duct Insulation R-value</u>	<u>R8</u>	<u>R6</u>
<u>Radiant Barrier Required</u>	<u>No</u>	<u>Yes</u>

^a Except for the values listed in the table, all other mandatory code provisions are applicable.

^b The first value listed is the R-value of cavity insulation while the second value is the R-value of the continuous insulation or insulated siding.

Section R402.4.1; add new subsections to read as follows:

R402.4.1.4 Testing options for R2 multifamily dwelling units. As an option to the air leakage rate set out in Section R402.4.1.2, multifamily dwelling units will be considered compliant when tested and verified as having an air leakage rate to the air leakage rate set out in either Section R402.4.1.4.1 or Section R402.4.1.4.2 when tested and reported in accordance with the testing standards and reporting criteria listed in Section R402.4.1.2

R402.4.1.4.1 Total air leakage rate for interior multifamily dwelling units. Interior multifamily dwelling units with a measured, “unguarded” total air leakage result of 5.3 ACH50 or less shall be considered compliant.

R402.4.1.4.2 Total air leakage rate for corner multifamily dwelling units. Corner multifamily units with a measured, “unguarded” total leakage result of less than 5.0 ACH50 shall be considered compliant.

R402.4.1.5 Sampling options for R2 multifamily dwelling units. For buildings having three or more dwelling units, a minimum of 15% of the dwelling units in each building must be tested as required by Section R402.4.1.2. Prior to beginning sampling for testing, “Initial Testing” is required for each multifamily property. “Initial Testing” shall consist of the 3rd party testing contractor performing the required tests on at least three consecutive dwelling units. Test results from the “Initial Testing” must satisfy minimum code requirements before sampling is permitted. Dwelling units selected for the “Initial Testing” must be within the same building. Dwelling units selected for “Initial Testing” shall not be included in a “sample group” or counted toward the minimum 15% of dwelling units tested. The building official shall randomly select the three dwelling units for “Initial Testing.” The building official may delegate the random selection to the designated 3rd party testing contractor.

R402.4.1.5.1 Sample group Identification and Sampling. The builder shall identify a "sample group" which may be a building, floor, fire area or portion thereof. All of the dwelling units within the “sample group” must be at the same stage of construction and must be ready for testing. The building official shall randomly select at least 15% of

dwelling units from each “sample group” for testing. The building official may delegate the random selection to the designated 3rd party testing contractor.

If each tested dwelling unit within a “sample group” meets the minimum code requirements, then all dwelling units in the “sample group” are considered to meet the minimum code requirements.

Before a building may be deemed compliant with the testing as required, each “sample group” must be deemed compliant with the minimum code requirements. The sum total of all of the tested dwelling units across all “sample groups” shall not be less than a minimum of 15% of the dwelling units in a building.

R402.4.1.5.2 Failure to Meet Code Requirement(s). If any dwelling units within the identified “sample group” fail to meet a code requirement as determined by testing, the builder will be directed to correct the cause(s) of failure, and 30% of the remaining dwelling units in the “sample group” will be randomly selected for testing by the building official, or third-party testing contractor, regarding the specific cause(s) of failure.

If any failures occur in the additional dwelling units, all remaining dwelling units in the sample group must be individually tested for code compliance.

A multifamily property with three failures within a 90-day period is no longer eligible to use the sampling protocol in that community or project until successfully repeating "Initial Testing." Sampling may be reinstated after at least three consecutive dwelling units are individually verified to meet all code requirements.

A Certificate of Occupancy may not be issued for any building until testing has been performed and deemed to satisfy the minimum code requirements on the dwelling unit(s) identified for testing.

Section R403.3.3 (N1103.3.3) Duct Testing (Mandatory); add a last paragraph to read as follows:

Mandatory testing shall only be performed by individuals that are certified to perform duct testing leakage testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

Section R403.3.4; add new subsection to read as follows:

R403.3.4.1 Sampling options for R2 multifamily dwelling units. For buildings having three or more dwelling units, a minimum of 15% of the dwelling units in each building must be tested as required by Section R403.3.3. Prior to beginning sampling for testing, “Initial Testing” is required for each multifamily property. “Initial Testing” shall consist of the 3rd party testing contractor performing the required tests on at least three consecutive dwelling units. Test results from the “Initial Testing” must satisfy minimum code requirements before sampling is permitted. Dwelling units selected for the “Initial Testing” must be within the same building. Dwelling units selected for “Initial Testing” shall not be included in a “sample group” or counted toward the minimum 15% of dwelling units tested. The building official shall randomly select the three dwelling units for “Initial Testing.” The building official may

delegate the random selection to the designated 3rd party testing contractor.

R403.3.4.1.1 Sample group Identification and Sampling. The builder shall identify a "sample group" which may be a building, floor, fire area or portion thereof. All of the dwelling units within the "sample group" must be at the same stage of construction and must be ready for testing. The building official shall randomly select at least 15% of dwelling units from each "sample group" for testing. The building official may delegate the random selection to the designated 3rd party testing contractor. If each tested dwelling unit within a "sample group" meets the minimum code requirements, then all dwelling units in the "sample group" are considered to meet the minimum code requirements.

Before a building may be deemed compliant with the testing as required, each "sample group" must be deemed compliant with the minimum code requirements. The sum total of all of the tested dwelling units across all "sample groups" shall not be less than a minimum of 15% of the dwelling units in a building.

R403.3.4.1.2 Failure to Meet Code Requirement(s). If any dwelling units within the identified "sample group" fail to meet a code requirement as determined by testing, the builder will be directed to correct the cause(s) of failure, and 30% of the remaining dwelling units in the "sample group" will be randomly selected for testing by the building official, or third-party testing contractor, regarding the specific cause(s) of failure.

If any failures occur in the additional dwelling units, all remaining dwelling units in the sample group must be individually tested for code compliance.

A multifamily property with three failures within a 90-day period is no longer eligible to use the sampling protocol in that community or project until successfully repeating "Initial Testing." Sampling may be reinstated after at least three consecutive dwelling units are individually verified to meet all code requirements.

A Certificate of Occupancy may not be issued for any building until testing has been performed and deemed to satisfy the minimum code requirements on the dwelling unit(s) identified for testing.

Section C402.2.8/R402.2.14; add new subsections to read as follows:

Section C402.2.8/R402.2.14 (N1102.2.14) Insulation installed in walls. Insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the building official.

Section C403.7.4 Energy recovery ventilation systems (Mandatory); add exception #12 to read as follows:

12. Individual ventilation systems that serve an individual dwelling unit or sleeping unit.

Section C403.11.1 Duct and Plenum Insulation and Sealing (Mandatory); add second and third paragraphs after the exceptions to read as follows:

Environmental ducts and plenums installed in vertical chases, both supply and exhaust, where the ducts or plenums will not be accessible after construction completion, shall be leak tested in accordance with the SMACNA HVAC Air Leakage Test Manual to the installed ductwork class and pressure requirements.

Documentation shall be furnished demonstrating that representative sections totaling not less than 25 percent of the duct area have been tested and that all tested sections comply with the requirements of this section.

Section R404.1 (N1104.1); revised in its entirety to read as follows:

Section R404.1 (N1104.1) Lighting equipment (Mandatory). Not less than 90 75 percent of the lamps in permanently installed lighting fixtures or not less than 75 percent of the permanently installed lighting fixtures shall contain only high-efficacy lamps.

Section R405.2 (N1105.2); add exceptions to read as follows:

Exceptions:

1. For one and two family dwellings the maximum envelope leakage of 4 ACH50 is permitted provided the envelope leakage in the Standard Reference Design is 3 ACH50 and all other requirements of Section R405 are met, including all other mandatory measures. The annual energy cost or source energy usage of the Proposed Design must be equal to or less than that of the Standard Reference Design.
2. For multifamily or townhomes and buildings classified as Group R2 and Group R4 of three stories or less the maximum envelope leakage of less than 5 ACH50 is permitted provided the envelope leakage in the Standard Reference Design is 3 ACH50 and all other requirements of Section R405 are met, including all other mandatory measures. The annual energy cost or source energy usage of the Proposed Design must be equal to or less than that of the Standard Reference Design.

Section R405.6.2 (N1105.6.2); add the following sentence to the end of paragraph:

Acceptable performance software simulation tools may include, but are not limited to, REM Rate™, Energy Gauge®; ICF International Beacon Residential; Ekotrope, HERS Module; Right-Energy HERS; and IC3. Other performance software programs as listed by RESNET® and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.

Section C405.9. Voltage drop in feeders; deleted in its entirety.

Table R406.4 (N1106.4) Maximum Energy Rating Index; amend to read as follows:

Table R406.4 (N1106.4) ¹
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	<u>65</u>

¹ This table is effective until August 31, 2019.

Table R406.4 (N1106.4) ²
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	<u>63</u>

² The table is effective from September 1, 2019 to August 31, 2022.

Table R406.4 (N1106.4) ³
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	<u>59</u>

³ This table is effective on or after September 1, 2022.

Section C408.3.1 Functional Testing; amend to read as follows:

C408.3.1 Functional Testing. Prior to passing final inspection, the *registered design professional or approved agency* shall provide evidence that the lighting control systems have been tested to ensure that control hardware and software are calibrated, adjusted, programmed, and in proper working condition in accordance with the *construction documents* and manufacturer’s instructions. Functional testing shall be in accordance with Sections C408.3.1.1 through C408.3.1.3 for the applicable control type.”

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(/cdb12/28/2018 TM105567)

Regular Session Agenda Item: 25

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, “Technical and Construction Codes and Standards”, Division 7, Swimming Pool and Spa Code, Sections 21.02.351 and 21.02.352 to provide for the adoption of the International Swimming Pool and Spa Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900’s the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation’s three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consist with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help staff guide those who wish to be owners and operators of either a private or commercial swimming pool or spa.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, ARTICLE 21.02, "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS," DIVISION 7, SWIMMING POOL AND SPA CODE, SECTIONS 21.02.351 AND 21.02.352 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITION, AND THE AMENDMENTS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by adding Article 21.02, Technical and Construction Codes and Standards, Division 7, Swimming Pool and Spa Code, Sections 21.02.351 and 21.02.352 to provide for the adoption of the International Swimming Pool and Spa Code, 2018 Edition, which shall read as follows:

"ARTICLE 21.01 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 7. Swimming Pool and Spa Code

Sec. 21.02.351. Adoption

A certain document, a copy of which is on file in the office of the city secretary of the city, being marked and designated as the International Swimming Pool and Spa Code, 2018 Edition, including appendix, as published by the International Code Council, be and is hereby adopted as the existing building code of the city. Each and all of the regulations, provisions, penalties, conditions and terms of said existing building code on file in the office of the city are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in Section 21.02.352 of this article.

Sec. 21.02.352. Exceptions and Amendments

The swimming pool and spa code adopted in this article shall be subject to the exceptions and amendments to the International Swimming Pool and Spa Code, 2018 edition, as follows:

Section 101.1; amend to read as follows:

101.1 Title. These regulations shall be known as the *Swimming Pool and Spa Code of the City of Seagoville*, hereinafter ... *{Remainder unchanged}*

Section 102.9; amend to read as follows:

102.9 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, to include but not limited to;

1. Texas Department of State Health Services (TDSHS); Standards for Public Pools and Spas; §285.181 through §285.208, (TDSHS rules do not apply to pools serving one- and two family dwellings or townhouses).
2. Texas Department of Licensing and Regulation (TDLR); 2012 Texas Accessibility Standards (TAS), TAS provide the scoping and technical requirements for accessibility for swimming pools, wading pools, and spas and shall comply with 2012 TAS, Section 242. (TAS rules do not apply to pools serving one- and two family dwellings or townhouses).

Exception: Elements regulated under Texas Department of Licensing and Regulation (TDLR) and built in accordance with TDLR approved plans, including any variances or waivers granted by the TDLR, shall be deemed to be in compliance with the requirements of this Chapter.

Sections 103 and 103.1; delete and replace to read as follows:

SECTION 103

SEAGOVILLE COMMUNITY DEVELOPMENT DEPARTMENT

103.1 Creation of enforcement agency. The Seagoville Community Development Department is hereby created and the official in charge thereof shall be known as the *code official* for operation and maintenance of any public swimming pool in accordance this code, local and state law.

Section 105.6.2; amend as follows:

105.6.2 Fee schedule. The fees for work shall be ~~as indicated in the following~~ accordance with city master fee schedule.

Section 107.4; delete entire section.

Section 107.5; amend as follows:

107.5 Stop work orders. Upon notice ... *{bulk of paragraph unchanged}* ... to remove a violation or unsafe condition, shall be in violation of this code, liable to a fine of not less than

[AMOUNT] dollars or more than [AMOUNT] dollars.

Section 202; DEFINITIONS; add definition to read as follows:

HEALTH DEPARTMENT: Dallas County and Kaufman County Health Departments (respective of where a pool is located) assist the City of Seagoville in the regulating the operation of public pools. Routine inspections on pools and spas open to the public are conducted to document compliance with the standards set forth in State law.

Section 305.1; add a sentence at the end to read as follows:

305.1 General. The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. In one-and two-family dwellings and townhouses, where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.

Section 305.2; amend the end of the sentence to read as follows:

305.2 Outdoor swimming pools and spas. ... Sections 305.2.1 through 305.7 and in accordance with the Texas Administrative Code, Texas Health and Safety Code 757 for public pools.

Section 305.2; add subsection 305.2.7.1 to read as follows:

305.2.7.1 Chain link fencing prohibited. Chain link fencing is not permitted as a barrier in public pools built after January 1, 1994.

Section 305.4; amend as follows:

305.4 Structure wall as a barrier. Where a wall of a dwelling or structure of a one and two family dwelling or townhouse or its accessory structure serves as part of a barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. *{Unchanged}*
2. *{Unchanged}*
3. *{Unchanged}*

The wall of a building with windows in accordance with 2018 International Building Code, Section 1030 in Group R2 occupancies shall not be used as part of pool enclosure. Other windows that are part of a pool yard enclosure shall be permanently closed and unable to be opened for public pools.

Section 305.6; amend to read as follows:

305.6 Natural barriers used in a one and two family dwelling or townhouse. In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge ~~not less than~~ a minimum of eighteen (18) inches, a barrier is not required between the natural body of water shoreline and the pool or spa.

Section 307.1.4 Accessibility; add exception 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 310; amend to read as follows:

310.1 General. Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7 or for public swimming pools in accordance with State of Texas Rules for Public Swimming Pools and Spas, Title 25 TAC Chapter 265 Subchapter L, Rule §265.190. *{Remainder unchanged}*

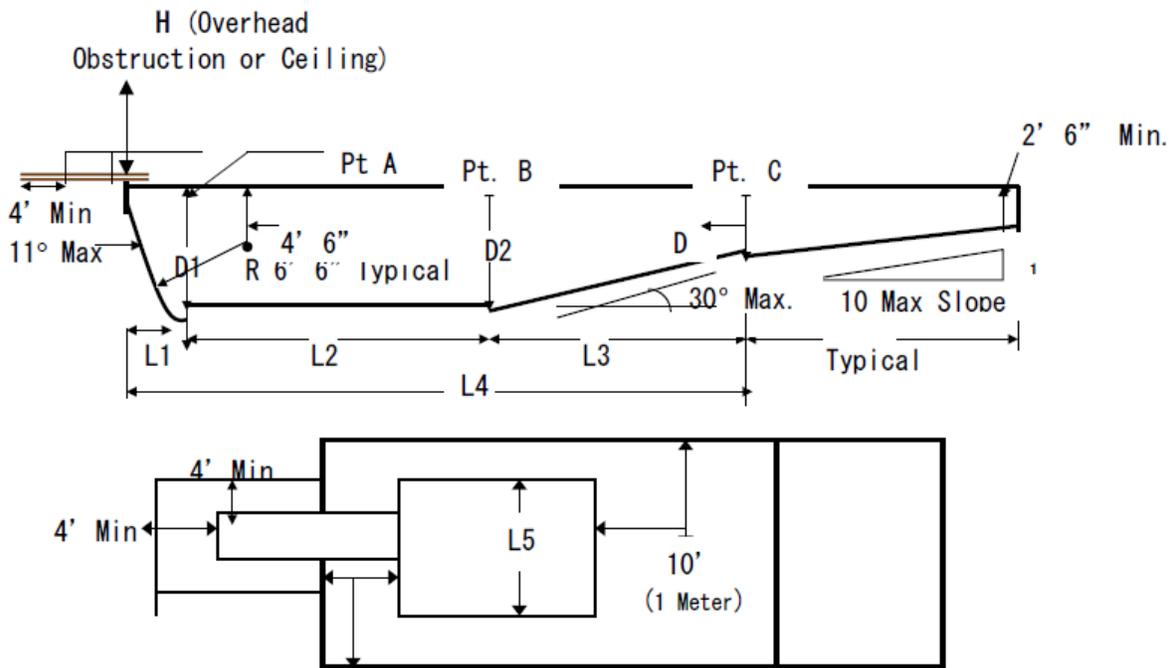
Section 313.7; delete section entirely and replace as follows:

313.7 Emergency shutoff switch for spas and hot tubs. A clearly labeled emergency shutoff or control switch for the purpose of stopping the motor(s) that provide power to the recirculation system and jet system shall be installed at a point readily accessible to the users and not less than 1.5 m (5 ft.) away, adjacent to, and within sight of the spa or hot tub. This requirement shall not apply to one and two family dwellings and townhouses.

Section 402.12; amend body, delete and replace Table 402.12, and delete and replace Figure 402.12 with Figure 25 TAC §256.186(e)(6) as follows:

Section 402.12 Water envelopes. The minimum diving water envelopes shall be in accordance with Table 402.12 Texas department of State Health services, Administrative Code Title 25, Chapter 265, Section 186(e) and Figure: 25 TAC 256.186(e)(6).

Maximum Diving Board Height Over Water	0.75-Meter	1-Meter	3-Meters
Maximum Diving Board Length	12'-0"	16'-0"	16'-0"
Minimum Diving Board Overhang	2'-6"	5'-0"	5'-0"
D1 Minimum	8'-6"	11'-2"	12'-2"
D2 Minimum	9'-0"	10'-10"	11'-10"
D3 Minimum	4'-0"	6'-0"	6'-0"
L1 Minimum	4'-0"	5'-0"	5'-0"
L2 Minimum	12'-0"	16'-5"	19'-9"
L3 Minimum	14'-10"	13'-2"	13'-11"
L4 Minimum	30'-10"	34'-7"	38'-8"
L5 Minimum	8'-0"	10'-0"	13'-0"
H Minimum	16'-0"	16'-0"	16'-0"
From Plummet to Pool Wall at Side	9'-0"	10'-0"	11'-6"
From Plummet to Adjacent Plummet	10'-0"	10'-0"	10'-0"



Section 402.13; amend as follows:

402.13 Ladders for diving equipment. Ladders shall be provided with two grab rails or two handrails. There shall be a uniform distance between ladder treads, with a 7 inch (178 mm minimum) distance and 12 inch (305 mm) maximum distance. Supports, platforms, steps, and ladders for diving equipment shall be designed to carry the anticipated loads. Steps and ladders shall be of corrosion-resistant material, easily cleanable and with slip-resistant tread.

Exception: ~~The distance between treads for the top and bottom riser can vary.~~

Section 411.2.1 & 411.2.2; amend as follows:

411.2.1 Tread dimensions and area. Treads shall have a minimum unobstructed horizontal depth (i.e., horizontal run) of 12 inches and a minimum width of 20 inches. not be less than 24 inches (607mm) at the leading edge. Treads shall have an unobstructed surface area of not less than 240 square inches (154838mm²) and an unobstructed horizontal depth of not less than 10 inches (254 mm) at the center line.

411.2.2 Risers. Risers for steps shall have a maximum uniform height of 10 inches, with the bottom riser height allowed to taper to zero. except for the bottom riser, shall have a uniform height of not greater than 12 inches (305 mm) measured at the center line. The bottom riser height is allowed to vary to the floor.

Section 411.5.1 & 411.5.2; amend to read as follows:

411.5.1 Swimouts. *{Body unchanged}*

1. *{Unchanged}*
2. *{Unchanged}*
3. *{Unchanged}*
4. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least 1 (one) inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.

411.5.2 Underwater seats and benches. *{Body unchanged}*

1. *{Unchanged}*
2. *{Unchanged}*
3. *{Unchanged}*
4. *{Unchanged}*
5. The leading edge shall be visually set apart and provided with a horizontal solid or broken stripe at least 1 (one) inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.
6. *{Unchanged}*

7. {Unchanged}

Section 603.2; amend as follows:

603.2 Class D-2 pools. ~~Where a Class D-2 pool has a bather-accessible depth greater than 4 1/2 feet (1372 mm), the floor shall have a distinctive marking at the 4 1/2 feet (1372 mm) water depth.~~ **Class A and B pools.** Where Class A and B pools are over 5 feet deep, the transition point of the pool from the shallow area to the deep area of the pool shall be visually set apart with a 4-inch minimum width row of floor tile, a painted line, or similar means using a color contrasting with the bottom; and a rope and float line shall be provided between 1 foot and 2 feet on the shallow side of the 5-foot depth along and parallel to this depth from one side of the pool to the other side. The floats shall be spaced at not greater than 7-foot intervals; and the floats shall be secured so they will not slide or bunch up. The stretched float line shall be of sufficient size and strength to offer a good handhold and support loads normally imposed by users. If the owner or operator of the pool knows or should have known in the exercise of ordinary care that a rope or float is missing, broken, or defective, the problem shall be promptly remedied.

Section 610.5.1; amend as follows:

610.5.1 Uniform height of 9-10 inches. Except for the bottom riser, risers at the centerline shall have a maximum uniform height of ~~9~~ 10 inches (~~229~~ 254 mm). The bottom riser height shall be permitted to vary from the other risers.

Section 804; amend to read as follows:

804.1 General. The minimum diving water envelopes shall be in accordance with Table 804.1 and Figure 804.1, or the manufacturer's specifications, whichever is greater. Negative construction tolerances shall not be applied to the dimensions of the minimum diving water envelopes given in Table 804.1.”

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of

said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Midlothian, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 28th day of January, 2019.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(:cdb 01.18.2019)

Regular Session Agenda Item: 26

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 8, Mechanical Code, Sections 21.02.401 and 21.02.402 to provide for the adoption of the International Mechanical Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900's the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation's three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consistent with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help staff address concerns raised by citizens and business owners about the heating, air conditioning, refrigeration, exhaust, and ventilation systems of buildings and structures on their property.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, ARTICLE 21.02, DIVISION 8, MECHANICAL CODE, SECTIONS 21.02.401 AND 21.02.402 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, AND AMENDMENTS TO THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by adding Article 21.02, Division 8, Mechanical Code, Sections 21.02.401 and 21.02.402 to provide for the adoption of the International Mechanical Code, 2018 Edition, which shall read as follows:

“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 8. Mechanical Code

Sec. 21.02.401. Adopted

There is hereby adopted by the city the International Mechanical Code, 2018 edition, including all appendix chapters, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the city and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Mechanical Code, 2018 edition, published by the International Code Council on file in the office of the city secretary are hereby referred to, adopted and made a part hereof as if fully set out in this division.

Sec. 21.02.402 Amendments

The sections of the 2018 International Mechanical Code that are changed, added, or deleted are as follows.

Section 101.1; amend to read as follows:

101.1 Title. These regulations shall be known as the *Mechanical Code* of the City of Seagoville, hereinafter ... *{Remainder unchanged}*

Section 102.8; change to read as follows:

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

Section 106.5.2; amend to read as follows:

106.5.2 Fee schedule. The fees for mechanical work shall be ~~as indicated in the following~~ accordance with city master fee schedule.

Section 106.5.3; delete entirely

Section 108.4; amend to read as follows:

108.4 Violation penalties. Persons who ... *{bulk of paragraph unchanged}* ... shall be guilty of a Class C misdemeanor, ~~punishable by a fine of not more than [amount] dollars or by imprisonment not exceeding [number of days], or both such fine and imprisonment.~~ ... *{Remainder unchanged}*

Section 108.5; amend to read as follows:

108.5 Stop work orders. Upon notice ... *{bulk of paragraph unchanged}* ... to remove a violation or unsafe condition, shall be in violation of this code. ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Section 304.6; delete this section

Section 306.3; amend to read as follows:

306.3 Appliances in attics. Attics containing appliances requiring access 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~~ 36 inches (508 mm by ~~762~~ 914 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. A walkway 48-inches in width.

Exceptions: *{unchanged}*

Section 306.5; amend to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. Where equipment requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, ~~an~~ a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 12 feet (3038 mm) to the finish grade or floor level below and shall extend to the equipment and appliance's level service space. Such access shall... {bulk of section to read the same} ... on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope) ... {bulk of section to read the same}.

Section 306; add subsection 306.6 to read as follows:

306.6 Water heaters above ground or floor. When the mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairwell to the mezzanine or platform of a commercial building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder. No hot water heater shall be installed in any attic.

306.6.1. Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with section 306.3.1.

Section 307.2.3; amend item 2 to read as follows:

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

Section 403.2.1; add item #5 to read as follows:

5. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

Section 501.3; amend body and exceptions to read as follows:

501.3 Exhaust discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a nuisance and not less than the distances specified in section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, ~~or~~ crawl space, or be directed onto walkways.

Exceptions:

1. *{Delete}*

~~2~~1. *{Text unchanged}*

~~3~~2. *{Text unchanged}*

3. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

Section 607.5.1; add sentence to end to read as follows:

For hazardous exhaust systems see section 510.1–510.9 IMC."

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said

ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 28th day of January, 2019.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(:cdb 01.18.2019)

Regular Session Agenda Item: 27

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, “Technical and Construction Codes and Standards”, by adopting Division 9, “Fuel Gas Code”, Sections 21.02.451 and 21.02.452 to provide for the adoption of the International Fuel Gas Code, 2018 Edition, and the amendments thereto; providing a penalty clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900’s the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation’s three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consist with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help staff address concerns raised by citizens and business owners about the various types of fuel gas systems to be located in residential and commercial buildings and structures.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS BY AMENDING CHAPTER 21, ARTICLE 21.02, “TECHNICAL AND CONSTRUCTION CODES AND STANDARDS”, BY ADOPTING DIVISION 9, “FUEL GAS CODE”, SECTIONS 21.02.451 AND SECTION 21.01.452, TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION, AND THE AMENDMENTS THERETO; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to adopt regulations and guidelines concerning the safety and construction of the existing buildings located within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS;

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by adopting Article 21.02, Division 9, Fuel Gas Code, Sections 21.02.451 and 21.02.452 to provide for the adoption of the International Fuel Gas Code, 2018 Edition, which shall read as follows:

“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 9. Fuel Gas Code

Sec. 21.02.451 Adopted

There is hereby adopted by the city the International Fuel Gas Code, 2018 edition, including all appendix chapters, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of fuel gas systems in the city and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Fuel Gas Code, 2018 edition, published by the International Code Council on file in the office of the city secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this division.

Sec. 21.02.452 Amendments

The following sections of the International Fuel Gas Code, 2018 edition, are hereby amended to read as follows.

Section 101.1; amend to read as follows:

101.1 Title. These regulations shall be known as the *Mechanical Code* of the City of Seagoville, hereinafter ... *{Remainder unchanged}*

Section 102.2; add an exception to read as follows:

Exception: Existing dwelling units shall comply with section 621.2.

Section 102.8; amend 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.

Section 106.6.2; amend to read as follows:

106.6.2 Fee schedule. The fees for mechanical work shall be ~~as indicated in the following~~ accordance with city master fee schedule.

Section 106.6.3; delete entirely

Section 108.4; amend to read as follows:

108.4 Violation penalties. Persons who ... *{bulk of paragraph unchanged}* ... shall be guilty of a Class C misdemeanor, punishable by a fine of not more than [amount] dollars or by imprisonment not exceeding [number of days], or both such fine and imprisonment. ... *{Remainder unchanged}*

Section 108.5; amend to read as follows:

108.5 Stop work orders. Upon notice ... *{bulk of paragraph unchanged}* ... to remove a violation or unsafe condition, shall be in violation of this code, liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

Section 306.3; amend to read as follows:

306.3 Appliances in attics. Attics containing appliances requiring access 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~~ 36 inches (508 mm by ~~762~~ 914 mm), ~~and or~~ larger where such dimensions are not large enough to allow removal of the largest appliance. A

walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. A walkway 48-inches in width.

Exceptions: *{unchanged}*

Section 306.5; amend to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. Where *equipment* requiring *access* or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, ~~an~~ a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 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 not require ... {remainder unchanged}

Section 306; add subsection 306.7 to read as follows:

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

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder. No hot water heater shall be installed in any attic.

306.7.1. Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with section 306.3.1.

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”

Section 404.2; add subsection 404.2.1 to read as follows:

404.2. Pipe material. CSST cannot be used in lieu of black pipe for a main gas line.

Section 404.12; amend to read as follows:

404.12. Minimum burial depth. Underground piping systems shall be installed a minimum depth of ~~12~~ 18 inches (~~305~~ 458 mm) top of pipe below grade, ~~except as provided for in section 404.12.1.~~

Section 404.12.1; delete this subsection

Section 406.4; amend 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.~~

Section 406.4.1; amend to read as follows:

406.4.1 Test pressure. ~~The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 3 psig (20 kPa gauge), or at the discretion of the code official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or diaphragm 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, fuel gas 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.

Section 406.4.2; amend to read as follows:

406.4.2 Test duration. Test duration shall be ~~not less than ½ hour for each 500 cubic feet (14 m³) of pipe volume or fraction thereof. When testing a system having a volume less than 10 cubic feet (0.28m³) or a system in a single family dwelling, the test duration shall not be held for a length of time satisfactory to the code official, but in no case for less than 10 fifteen (15) minutes. The duration of the test shall not be required to exceed 24 hours.~~ For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the code official, but in no case for less than thirty (30) minutes.

Section 409.1; add subsection 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.

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.

Section 624.1.1; amend to read as follows:

624.1.1 Installation requirements. The requirements for water heaters relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with the *International Plumbing Code*.”

SECTION 2. All ordinances of the City of Seagoville in conflict with the provisions of this ordinance shall be, and the same are hereby, repealed, and all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. This ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 28th day of January, 2019.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(:cdb 01.18.2019)

Regular Session Agenda Item: 28

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 21, Article 21.02, Division 3, Residential Code, Sections 21.02.101 and 21.02.102 to provide for the adoption of the International Residential Code for One- and Two-Family Dwellings, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900's the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation's three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consistent with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help citizens and businesses lower their energy consumption and use.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, ARTICLE 21.02, DIVISION 3, RESIDENTIAL CODE, SECTIONS 21.02.101 AND 21.02.102 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2018 EDITION AND AMENDMENTS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated international model construction codes (known generally as the "International Codes") which includes the International Residential Code; and

WHEREAS, the City of Seagoville has been involved in the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the creation of the 2018 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO); and

WHEREAS, the 2018 editions of the International Codes, including the International Residential Code, have been reviewed by the NCTCOG and City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, with the 2018 editions of the International Codes, including the Residential Code, being the most current published building and construction codes for which local amendments have been developed; and

WHEREAS, the City Council of the City of Seagoville has determined that it is in the best interest of the citizens of the City of Seagoville to adopt the 2018 edition of the International Residential Code and to adopt local amendments to said code in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

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

SECTION 1. That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by adding Article 21.02, Division 3, Residential Code, Sections 21.02.101 and 21.02.102 to provide for the adoption of the International Residential Code for One- and Two-Family Dwellings, 2018 Edition, and the amendments thereto, which shall read as follows:

“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

....

Division 3. Residential Code

Sec. 21.02.101 Adopted

The International Residential Code for One- and Two-Family Dwellings, 2018 edition, including all appendix chapters, a copy of which is on file in the office of the city secretary, is hereby adopted as the city residential code and is made a part hereof by reference, except as modified or amended in this Code.

Sec. 21.02.102 Amendments

The residential code adopted in this article shall be subject to the exceptions and amendments to the International Residential Code for One- and Two- Family Dwellings, 2018 edition, as follows:

Section 101.1; amend to read as follows:

R101.1 Title. These provisions shall be known as the *Residential Code for One- and Two-Family Dwellings* of the City of Seagoville, and shall be ... *{remainder unchanged}*

Section R102.4; amend to read as follows:

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

Section R103 and R103.1; amend to insert the correct department name

SECTION R103

**~~DEPARTMENT OF BUILDING SAFETY~~
SEAGOVILLE COMMUNITY DEVELOPMENT**

103.1 Creation of enforcement agency. The ~~department of building safety~~ Seagoville Community Development Department is hereby created and the official in charge thereof shall be known as the *building official*.

Section R104.10.1 Flood Hazard areas; delete this section.

Section R105.2, Work exempt from permits; delete this section.

Section R105.3.1.1; delete this section.

Section R106.1.4; delete this section.

Sections R110.1 through R110.5; delete all of these sections.

Section R202; add the following definition:

HOMEOWNERS PERMIT. A homeowner permit is a permit applied for by the property owner of record that owns and resides at the address the applicant is making a permit application for, to perform a particular construction project.

Section R202; amend definition of "Townhouse" as follows:

TOWNHOUSE. A single-family *dwelling unit* constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with a *yard* or public way on ~~not less than~~ at least two sides.

Table R301.2(1); complete table as follows, delete Manual J Design Criteria portion of table, and delete footnote N:

Ground Snow Load	WIND DESIGN				Seismic Design Category ^f	SUBJECT TO DAMAGE FROM			Winter Design Temperature ^e	Ice Shield Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temperature ^j
	Speed (mph) ^d	Topographic Effects ^k	Special Wind Region ^L	Windborne Debris Zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c					
<u>5 lbs. per sq. ft.</u>	<u>115 (3-sec gust) or 76 fastest mile</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>A</u>	<u>moderate</u>	<u>6"</u>	<u>very heavy</u>	<u>22° F</u>	<u>No</u>	<u>local code</u>	<u>150</u>	<u>64.9° F</u>

Section R302.1; add exception #6 as follows:

6. Open noncombustible carport structures may be constructed when also approved within adopted ordinances.

Section R302.2, exception; amend to read as follows:

Exception: A common two-hour fire-resistance-rated wall assembly, or one-hour fire-resistance-rated wall assembly when equipped with a sprinkler system ...
{remainder unchanged}

Section R302.3; add exception #3 to read as follows:

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

Section R302.5.1; amend as follows:

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors ~~equipped with a self-closing device.~~

Section R303.3 Exception; add a sentence to the end as follows:

Spaces containing only a water closet or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

Section R303.4 Mechanical ventilation; amend as follows:

R303.4 Mechanical ventilation. Where the air infiltration rate of a *dwelling unit* is 5 air changes per hour ~~or less~~ when tested with a blower ... *{remainder unchanged}*.

Section R313.2; delete this section, exception, and subsection.

Section R315.2.2; amend Exception 2 to read as follows:

2. Installation, alteration or repairs of plumbing appliances or all electrically powered mechanical systems.

Section R322.1.4; deleted section and replace as follows:

R322.1.4 Establishing the design flood elevation. Seagoville's Municipal Code Article 21.07 Flood Damage Prevention defines and identifies anything relating to floods, flooding, and/or areas where flooding is most likely to occur. Anything referencing IBC section R322.1.4 shall meet all requirements in the relevant portions of Flood Damage Prevention in the Municipal Code.

Section R322.2.1; deleted section and replace as follows:

R322.2.1 Elevation requirements. Seagoville's Municipal Code Article 21.07 Flood Damage Prevention defines and identifies anything relating to floods, flooding, and/or areas where flooding is most likely to occur. Anything referencing IBC section R322.2.1 shall meet all requirements in the relevant portions of Flood Damage Prevention in the Municipal Code.

Section R322.3.2; deleted section item 1 and replace as follows;

1. Seagoville's Municipal Code Article 21.07 Flood Damage Prevention defines and identifies anything relating to floods, flooding, and/or areas where flooding is most likely to occur. Anything referencing IBC section R322.3.2 shall meet all requirements in the relevant portions of Flood Damage Prevention in the Municipal Code.

Section R401.2; add two paragraphs as follows:

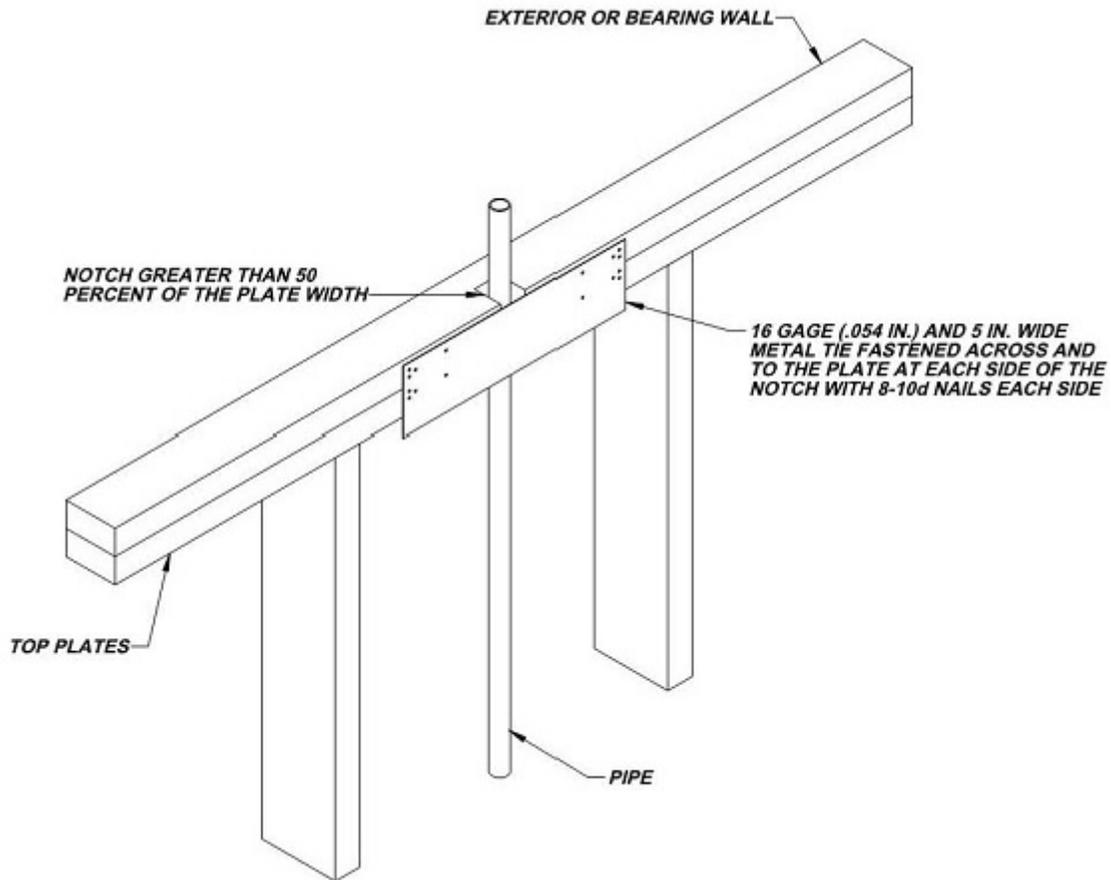
Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.

All foundation repairs shall be engineered designed, signed, and stamped prior to submittal for review.

Section R602.6.1; amend as follows:

R602.6.1 Drilling and notching of top plate. When piping or ... *{bulk of paragraph unchanged}* ... than 50 percent of its width shall be required to have a 2x6 wall and a galvanized metal tie not less than 0.054-inch thick (1.37 mm) (16 ga) and ~~4-1/2~~ 5-inches (38 127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148-inch diameter) nails having a minimum length of 1-1/2 inches (38 mm) at each side or equivalent. Fasteners shall be offset to prevent splitting of the top plate material. The metal tie must extend ~~not less than~~ a minimum of 6-inches (152 mm) past the opening. See Figure R602.6.1. *{exception unchanged}*

Figure R602.6.1; delete the figure and insert the following figure:



Section R703.1; add two sentences as follows:

All exterior trim shall be cementitious materials only. Wood shall not be permitted.

Section R703.7.4.1; add subsection R703.7.4.1.2 as follows:

R703.8.4.1.2 Veneer Ties for Wall Studs. In stud framed exterior walls, all ties shall be anchored to studs as follows:

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

Section R902.1; amend body and add Exception 5 as follows:

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

Exceptions:

{1 through 4: Unchanged}

5. Non-classified roof coverings shall be permitted on one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 square meters).

Chapter 11; delete entire chapter and replace with sentence as follows.

All references to Chapter 11 shall meet the requirements of the 2018 IECC for energy code provisions and amendments as adopted.

Section M1305.1.2; amend as follows:

M1305.1.2 Appliances in attics. Attics containing appliances shall be provided... *{bulk of paragraph unchanged}* ... along all sides of the appliance ~~where access is required~~. The clear access opening dimensions shall be a minimum of 20 inches by ~~30~~ 36 inches (508 mm by ~~762~~ 914 mm), and large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. A walkway 48-inches in width.

Exceptions: *{unchanged}*

Section M1411.3; amend as follows:

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

Section M1411.3.1, items 3 and 4; amend to read as follows:

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

Section M1411.3.1.1; add sentence to end to read as follows:

A water level detection device may be installed only with prior approval of the *building official*.

Section M1503.6; amend body and exception as follows:

M1503.6 Makeup air required. Where one or more gas, liquid or solid fuel-burning appliance that is neither direct-vent nor uses a mechanical draft venting system is located within a dwelling unit's air barrier, each exhaust system capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be mechanically or passively provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with not fewer than one damper complying with Section M1503.6.2.

Exception: Makeup air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open. Where all appliances in the house are of sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m³/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m³/s) shall be provided with a makeup air at a rate approximately equal to the difference between the exhaust air rate and 600 cubic feet per minute.

Section M2005.2; amend as follows:

M2005.2 Prohibited locations. Fuel-fired water heaters shall not be installed in a room used as a bedroom, storage closet, or installed in any attic unless approved by the building official. Water heaters located in a ~~bedroom or~~ bathroom shall be installed in a sealed enclosure so that *combustion air* will not be taken from the living space. Access to such enclosure may be from the bathroom when through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an *approved self-closing device*. Installation of direct-vent water heaters within an enclosure is not required.

Section G2408.3 (305.5); delete this section.

Section G2415.2.1 (404.2.1); add paragraph 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”

Section G2415.12 (404.12); amend as follows:

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

Section G2415.12.1 (404.12.1); amend as follows:

G2415.12.1 Individual outside appliances. Individual lines to outside lights, grills, and other appliances shall be installed a minimum of ~~8~~18-inches (~~203 457~~ mm) below finished grade, ... *{remaining text unchanged}*

Section G2417.1 (406.1); add following sentences to end:

The permit holder shall make the applicable tests prescribed in sections 2417.1.1 through 2417.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the building official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

Section G2417.4.1; amend as follows:

G2417.4.1 (406.4.1) Test pressure. ~~The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 3 psig (20 kPa gauge), or at the discretion of the code official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3-1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3-1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.~~

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

Section G2417.4.2; amend as follows:

G2417.4.2 (406.4.2) Test duration. The test duration shall be held for a length of time satisfactory to the *building official*, but in no case for ~~be not~~ less than ~~10~~ fifteen (15) minutes. For welded *pipng*, and for *pipng* carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the *building official*, but in no case for less than thirty (30) minutes.

Section G2420.1 (406.1); add subsection G2420.1.4 as follows:

G2420.1.4 Valves in CSST installations. Shutoff *valves* installed with corrugated stainless steel (CSST) *pipng 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 *pipng*, 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 *pipng*.

Section G2420.5.1 (409.5.1); add sentence as follows:

A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

Section G2421.1 (410.1); add sentence and exception as follows:

Access to *regulators* shall comply with the requirements for access to *appliances* as specified in section M1305.

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

Section G2422.1.2.3 (411.1.3.3); delete exception 1 and exception 4.

Section G2445.2 (621.2); add exception as follows:

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

Section G2448.1.1 (624.1.1); amend to read as follows:

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

Section P2603.3; amend as follows:

P2603.3 Protection against corrosion. Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material plastic. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

Section P2603.5.1; amend as follows:

P2603.5.1 Sewer depth. *Building sewers* that connect to private sewage disposal systems shall be ~~not less than~~ a minimum of 48 inches (1219 mm) below finished grade at the point of septic tank connection. *Building sewers* shall be ~~not less than~~ a minimum of 12 inches (304 mm) below grade.

Section P2604.2; add subsection P2604.2.1 as follows:

P2604.2.1 Plastic sewer and DWV piping installation. Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches (406 mm) or in a trench which has a controlled width equal to the nominal diameter of the piping multiplied by 1.25 plus 12 inches (305 mm). The piping shall be bedded in 4-inches (102 mm) of sand and then backfilled compacting the side fill in 6-inch (152 mm) layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6-inches (152 mm) above the top of the pipe.

Section P2801.6; amend as follows:

P2801.6 Required pan. Where a storage tank-type water heater or a hot water storage tank is installed in a location where water leakage from the tank will cause damage, the tank shall be installed in a pan constructed of one of the following:

1. Galvanized steel or aluminum of not less than 0.0236 inch (0.6010 mm) in thickness.
2. ~~Plastic not less than 0.036 inch (0.9 mm) in thickness.~~
3. Other *approved* materials.

~~A plastic pan beneath a gas-fired water heater shall be constructed of material having a flame spread index of 25 or less and a smoke developed index of 450 or less when tested in accordance with ASTM E84 or UL 723.~~

Section P2801.6.1; amend as follows:

Section P2801.6.1 Pan size and drain. The pan shall be not less than 1-1/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the

tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than $\frac{3}{4}$ 1-inch (49 25 mm). Piping for safety pan drains shall be of those materials listed in Table P2906.5.

Multiple pan drains may terminate to a single discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions. Where a pan drain was not previously installed, a pan drain shall ~~not~~ be required for a replacement water heater installation.

Section P2804.6.1; amend as follows:

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

1. *{Unchanged}*
2. Discharge through an *air gap* ~~located in the same room as the water heater.~~
3. *{Unchanged}*
4. *{Body unchanged}*

Exception: Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions. The T&P shall be either $\frac{3}{4}$ -inch copper or 1-inch CPVC.

5. Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor an approved location or to the outdoors.

{Remaining items 6 through 14 unchanged}

Section P2902.5.3; amend as follows:

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

Section P3003.9.2; amend to read as follows:

P3003.9.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer, ~~or other approved primer~~, that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2, or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is

wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

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

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

Section P3111; delete this section.

Section P3112.2; delete and replace with the following:

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

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to

be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA TW. HOMAS, CITY ATTORNEY
(:cdb 01.19.2019 TM105571)

Regular Session Agenda Items: 29

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 9, Article 9.03, Fire Code, by repealing Sections 9.03.001, 9.03.002, and 9.03.003 in their entirety, and replacing with new Sections 9.03.001, 9.03.002, and 9.03.003 to delete all references to the 2012 Edition and provide for the adoption of the International Fire Code, 2018 Edition, and the amendments thereto; providing a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00); providing for severability; providing a savings clause; providing a repealing clause; and providing for an effective date.

BACKGROUND OF ISSUE:

Since the early 1900's the system of building regulations in the United States were based on model building codes developed by three regional model code groups: codes developed by the Building Officials Code Administrators (BOCA) were used on the east coast and Midwest; codes from the Southern Building Code of Congress International (SBCCI) were used in the southeast; and codes published by the International Conference of Building Officials (ICBO) covered the west coast and across most of the midwest. The nation's three model code groups combined their efforts and formed the International Code Council (ICC) to develop codes that would have no regional limitations. After several years of extensive research and development, the first edition of international codes was published in 1997. New codes are now produced every three years.

Following the publication of new codes, NCTCOG assists metroplex cities by offering recommendations regarding current code adoptions with amendments specific to our region. Due to the complexity of the codes, metroplex cities commonly adopt NCTCOG amendments to allow cities to be consistent with one another.

Enforcement of building code can have a major influence on the economic well-being of a municipality and the safety of its citizens. Municipalities that adopt up-to-date codes and rigorously enforce them using trained and certified professionals minimizes damage from natural hazards, fire, and other perils. The currently adopted codes are from 2012.

The adoption of the 2018 International Codes with amendments will assist the City of Seagoville in acquiring a lower ISO rating, thereby providing a lower insurance cost to our citizens and businesses alike.

This code, in particular, will help property owners reduce their home and business insurance rates through the lower ISO ratings that the City of Seagoville earns by having the most recent fire and building codes adopted and enforced.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Adoption of the 2018 code with revisions as provided in the adopting ordinance.

EXHIBIT:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, ARTICLE 9.03, FIRE CODE, BY REPEALING SECTIONS 9.03.001, 9.03.002, AND 9.03.003, IN THEIR ENTIRETY, AND REPLACING WITH NEW SECTIONS 9.03.001, 9.03.002, AND 9.03.003 TO DELETE ALL REFERENCES TO THE 2012 EDITION AND PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2018 EDITION, AND THE AMENDMENTS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated international model construction codes (known generally as the "International Codes") which includes the International Fire Code; and

WHEREAS, the City of Seagoville has been involved in the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the creation of the 2018 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO); and

WHEREAS, the 2018 editions of the International Codes, including the International Fire Code, have been reviewed by the NCTCOG and City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, with the 2018 editions of the International Codes, including the Fire Code, being the most current published building and construction codes for which local amendments have been developed; and

WHEREAS, the City Council of the City of Seagoville has determined that it is in the best interest of the citizens of the City of Seagoville to adopt the 2018 edition of the International Fire Code and to adopt local amendments to said code in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

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

SECTION 1. That Chapter 9 of the Seagoville Code of Ordinances be, and the same is, hereby amended by repealing Sections 9.03.001, 9.03.002, and 9.03.003, in their entirety, and replacing with new Sections 9.03.001, 9.03.002, and 9.03.003 to delete all references to the 2012 Edition and provide for the adoption of the International Fire, 2018 Edition, and the amendments thereto, which shall read as follows:

“ARTICLE 9.03 FIRE CODE

Sec. 9.03.001 Adopted

The International Fire Code, 2018 edition, including appendices B - N. and amendments are hereby adopted by reference. A copy of the code, with approved amendments, shall be kept on file in the office of the fire marshal for reference and inspection, and the same are hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling within the limits of the city.

Sec. 9.03.002 Definitions

Building official. Whenever the words “building official” are used in the International Fire Code, 2018 edition, they shall be held to mean the fire marshal.

Bureau of fire prevention. Whenever the words “bureau of fire prevention” are used in the International Fire Code, 2018 edition, they shall be held to mean the City of Seagoville Fire Department.

Chief of the bureau of fire prevention. Whenever the words “chief of the bureau of fire prevention” are used in the International Fire Code, 2018 edition, they shall be held to mean the fire marshal or his/her designated representative.

City. Whenever the word “city” is used in the International Fire Code, 2018 edition, it shall be held to mean the City of Seagoville.

Corporate counsel. Whenever the words “corporate counsel” are used in the International Fire Code, 2018 edition, they shall be held to mean the city attorney.

Fleet vehicle. Whenever the words “fleet vehicle” are used in the International Fire Code, 2018 edition, they shall be held to mean a motor vehicle which is one (1) of a group of motor vehicles owned or operated as a unit and used in the ongoing course of business.

Jurisdiction. Whenever the word “jurisdiction” is used in the International Fire Code, 2018 edition, it shall be held to mean the corporate limits of the City of Seagoville.

Police chief. Whenever the words “police chief” are used in the International Fire Code, 2018 edition, they shall be held to mean the chief of police for the City of Seagoville.

Sec. 9.03.003 Amendments

The sections of the International Fire Code are changed, added, or deleted as follows. Underlined type is added. Lined-through type is deleted text.

Section 101.1; amend as follows:

101.1 Title. These regulations shall be known as the *Fire Code* of the City of Seagoville, hereinafter ... *{Remainder unchanged}*

Section 102.1; amend item 3 as follows:

3. Existing structures, facilities and conditions when required in chapter 11 or in specific sections of this code.

Section 102.7; amend as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in chapter 80, and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in sections 102.7.1 and 102.7.2.

102.7.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

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

Section 105.3.3; amend as follows:

105.3.3 Occupancy prohibited before approval. The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.

Section 105.7; add subsection 105.7.26 as follows:

105.7.26 Electronic access control systems. Construction permits are required for the installation or modification of an electronic access control system, as specified in section 503 and section 1008. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Section 110.4; amend as follows:

110.4 Violation penalties. Persons who ... *{bulk of paragraph unchanged}* ... shall be guilty of a Class C misdemeanor, ~~punishable by a fine of not more than [amount] dollars or by imprisonment not exceeding [number of days], or both such fine and imprisonment.~~ ... *{remainder unchanged}*

Section 112.4; amend as follows:

112.4 Failure to comply. Any person ... *{bulk of paragraph unchanged}* ... to remove a violation or unsafe condition, shall be in violation of this code. liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

Section 202; amend definitions as follows:

AMBULATORY CARE FACILITY. Buildings or ...*{bulk of paragraph unchanged}* ... already incapable. This group may include but not be limited to the following:

- Dialysis centers

- Procedures involving sedation

- Sedation dentistry

- Surgery centers

- Colonic centers

- Psychiatric centers

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

Section 202; add definition as follows:

DEFEND IN PLACE. A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

Section 202; amend definitions as follows:

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the *fire code official*, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, ~~or detonation~~, and/or activated by ignition with a match, electronic match, or other heat producing device that meets the definition ... *{remainder unchanged}*

Section 202; add a second paragraph to amend definition as follows:

HIGH-PILED COMBUSTIBLE STORAGE:

Any building classified as a group S Occupancy or Speculative Building exceeding 6,000 square feet (464.5 square meters) that has a clear height in excess of 14 feet (4267 mm), making it possible to be used for storage in excess of 12 feet (3658 mm), shall be considered to be high-piled storage. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

Section 202; amend definitions as follows:

HIGH-RISE BUILDING: A building with an occupied floor located more than ~~75~~ 55 feet (~~22~~ 860 16,764 mm) above the lowest level of fire department vehicle access.

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

Section 202; add definitions as follows:

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

STANDBY PERSONNEL. Qualified fire service personnel approved by the fire chief. When utilized, the number required shall be as directed by the fire chief. Charges for utilization shall be as normally calculated by the jurisdiction.

UPGRADED OR REPLACED FIRE ALARM SYSTEM. A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices.

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware

Section 307.1.1; amend as follows:

307.1.1 Prohibited open burning. Open burning shall be prohibited within the territorial limits of the City of Seagoville ~~when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.~~

Exception: {Unchanged}

Section 307.2; amend as follows:

307.2 Permit Required. A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or open burning ~~a bonfire~~. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality (TCEQ) guidelines and/or restrictions.
2. State, County, or Local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.

Section 307.3; amend as follows:

Extinguishment Authority. ~~When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.~~ The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

Section 307.4; amend as follows:

307.4 Location. The location for open burning shall not be less than 50-300 feet (~~15-240-91,440~~ mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50-300 feet (~~15-240-91,440~~ mm) of any structure.

Exceptions: {Unchanged}

Section 307.4.3, Exceptions; add exception #2 as follows:

2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system.

Section 307.4; add subsections 307.4.4 and 307.4.5 as follows:

307.4.4 Permanent outdoor firepit. Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet (3048 mm) of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the International Building Code.

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

Section 307.5; amend as follows:

307.5 Attendance. *Open burning, trench burns, bonfires, recreational fires,* and use of portable outdoor fireplaces shall be constantly attended until the... *{remainder unchanged}*

Section 308.1.1; add sentence as follows:

Unmanned free-floating devices containing an open flame or other heat source, such as but not limited to sky lanterns shall be prohibited.

Section 308.1.4; amend as follows:

308.1.4 Open-flame cooking devices. ~~Charcoal burners and other~~ Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be operated located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 lbs. (5 containers).
2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs. (2 containers).
3. *{Unchanged}*

Section 308.1.6.2, Exception 3; amend as follows:

3. Torches or flame-producing devices in accordance with section ~~308.4~~ 308.1.3.

Section 308.1.6.3; amend as follows:

308.1.6.3 Sky Lanterns. A person shall not release or cause to be released an ~~untethered~~ unmanned free-floating device containing an open flame or other heat source, such as but not

limited to a sky lantern.

Section 311.5; amend as follows:

311.5 Placards. ~~Any~~ The fire code official is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to section 110 of this code relating to structural or interior hazards, shall be marked as required by section 311.5.1 through 311.5.5.

Section 401.3.2; amend as follows:

401.3.2 Alarm activations. Upon activation of a fire alarm, signal ~~employees or staff shall immediately notify the fire department~~ shall communicate directly to a licensed fire alarm company and upon receipt of said notification shall contact the local fire department.

Section 401; add subsection 401.9 as follows:

401.9 False alarms and nuisance alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

Section 403.5; amend as follows:

403.5 Group E Occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.5.1 through 403.5.3.

Section 404.2.2; add Number 4.10 as follows:

4.10 Fire extinguishing system controls.

Section 405.4; amend as follows:

405.4 Time. The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

Section 501.4; amend as follows:

501.4 Timing of installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure. ~~such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with section 505.2.~~

Section 503.1.1; add sentence as follows:

Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten foot (10') (3 048 mm) wide unobstructed pathway around the external walls of the structure.

Section 503.2.1; amend as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than ~~20~~ 24 feet (~~6096 mm~~ 7315 mm), exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than ~~13 feet 6 inches (4115 mm)~~ 14 feet (4267 mm). Fire apparatus access roads shall be located outside the collapse zone, equal to no less than the full height of the building plus ten (10) feet.

Section 503.2.2; amend as follows:

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

Section 503.2.3; amend as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support imposed loads of 80,000 lbs. (36 287 kg) for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Note: All fire lanes shall meet fire lane design per TCSS standards.

Section 503.3; amend as follows:

503.3 Marking. ~~Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING FIRE LANE~~ Striping, signs, or other markings, when approved by the fire code official, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping - Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four inch (4") white letters at 25-foot (7.50 meters) intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) Signs - Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12" wide and 18" high. Signs shall be painted on a white background with letters and borders in red, using not less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be 6 feet 6 inches (2 meters) above finished grade. Signs shall be spaced not more than 50 feet (15 meters) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the fire chief.

Section 503.4; amend as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in section 503.2.1 and any area marked as a fire lane as described in section 503.3 shall be maintained at all times.

Section 505.1; amend as follows:

505.1 Address identification. New and existing buildings ... *{text unchanged}* ... be not less than ~~4-~~ 6-inches (152 mm) high with a minimum stroke width of ~~½-~~ 0.75-inch (19 mm), provided the building is within 100 feet of the road. If the buildings sets back greater than 100 feet, each character shall not be less than 12-inches (305 mm) in height and not less than 1-inch (25 mm) in width. Where required by the *fire code official*, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Apartment building numbers must be 12-inches (305 mm) in height with unit numbers 6-inches (152 mm) in height on a 20-inch by 30-inch (508 mm by 762 mm) plaque with contrasting background. Plaques shall be placed on all street frontages. Address identification shall be maintained.

Section 507.4; amend as follows:

507.4 Water supply test date and information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*, ~~as required or approved documentation of the test shall be provided to the *fire code official* prior to final approval of the water supply system.~~ The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as approved by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference section 903.3.5 for additional design requirements.

Section 507.5.4; amend as follows:

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

Section 509.1; add new section 509.1.2 as follows:

509.1.2 Sign requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as approved by the fire code official. The letters shall be of a color that contrasts with the background.

Section 603.3.2.1, Exception; amend as follows:

Exception: The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356 L) in accordance with all requirements of chapter 57. ~~of class II or III liquid for storage in protected above-ground tanks...~~ *{delete remainder}*

Sections 603.3.1 through subsection 603.3.2.1; amend as follows:

603.3.1 Fuel oil storage in outside, above-ground tanks. Where connected to a fuel-oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660 gallons (2498 L). The storage of fuel oil above ground in quantities exceeding 660 gallons (2498 L) shall comply with NFPA 31 and Chapter 57.

603.3.2 Fuel oil storage inside buildings. Fuel oil storage inside buildings shall comply with Sections 603.3.2.1 through 603.3.2.5 ~~or~~ and Chapter 57.

603.3.2.1 Quantity limits. *{Body unchanged}*

1. 660 gallons (2498 L) in unsprinklered buildings, where stored in a tank complying with UL 80, UL 142 or UL 2085 for Class III liquids, and also listed as a double-wall/secondary containment tank for Class II liquids.
2. 1,320 gallons (4996 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in a tank complying with UL 142 or UL 2085 as a double-walled or secondary containment tank.
3. *{Unchanged}*

Section 603.3.2.2; amend as follows:

603.3.2.2 Restricted use and connection. Tanks installed in accordance with section 603.3.2 shall be used only to supply fuel oil to fuel-burning ~~or generator~~ equipment installed in accordance with section 603.3.2.4. Connections between tanks and equipment supplied by such tanks shall be made using closed piping systems.

Section 807.5.5.2; amend as follows:

807.5.5.2 Artwork in corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material

suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with section 903.3.1.1 shall be limited to 50 percent of the wall area.

Section 807.5.5.3; amend as follows:

807. 5.5.3 Artwork in classrooms. Artwork and teaching materials shall be limited on the walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with section 807 or be noncombustible.

Section 901.6.1; add new subsection 901.6.1.1 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. All FDC connections shall be equipped with 5-inch Storz connectors with caps.
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 *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 901.6.4; add new subsection 901.6.4 as follows:

901.6.4 False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

Section 901.7; amend as follows:

901.7 Systems out of service. Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service. ... *{remainder unchanged}*

Section 903.1.1; amend as follows:

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

Section 903.2; add paragraph as follows:

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 subsection 903.2.9.3 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; amend as follows:

903.2.11.3 Buildings ~~55~~ 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, with an occupant load of 30 or more located ~~55~~ 35 feet (~~16,764~~ 10.5 m) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

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

2. {Delete}

Section 903.2.11; add subsections 903.2.11.7, through 903.2.11.10 as follows:

903.2.11.7 High-piled combustible storage. For any building with a clear height exceeding 12 feet (4572 mm), see chapter 32 to determine if those provisions apply.

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 6,000 sq. ft. (557 sq. m) and larger. An *automatic sprinkler system* shall be installed throughout all buildings with a building area of 6,000 square feet (557 square meters) or greater and in all existing buildings that are enlarged to be 6,000 square feet (557 square meters) 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*.

903.2.11.10 Vacant buildings. An *automatic sprinkler system* shall be installed in all vacant buildings with a building area of 6,000 square feet (557 square meters) or more and in all existing buildings that are enlarged to be 6,000 square feet (557 square meters) or greater which have lost their legal nonconforming status. For the purpose of this provision, fire walls shall not define separate buildings.

Section 903.3.1.1.1; amend as follows:

Section 903.3.1.1.1 Exempt locations. When approved by the fire code official, automatic sprinklers ... {remainder of body unchanged}.

1. {Unchanged}

2. *{Unchanged}*
3. Generator and transformer rooms, under the direct control of a public utility, separated ... {remainder unchanged}.
4. *{Delete}*
5. ~~Fire service access~~ 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; amend as follows:

Section 903.3.1.2.3 Attached Garages and Attics. Sprinkler Attic protection is required in attached garages, and in the following attic spaces shall be provided as follows:

1. *{Unchanged}*
2. *{Unchanged}*
3. Attic spaces of buildings that are 2 or more stories in height above grade plane or above the lowest level of fire department vehicle access.

~~34. Where located in a building of Type III, Type IV, or Type V construction designed in accordance with Section 510.2 or 510.4 of *International Building Code*, Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following if the roof assembly is located more than 55 feet (16 764 mm) above the lowest level of required fire department vehicle access:~~

~~34.1~~ *{Text unchanged}*

~~34.2~~ *{Text unchanged}*

~~34.3~~ *{Text unchanged}*

~~34.4~~ *{Text unchanged}*

~~34.5~~ Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.

Section 903.3.1.3; amend as follows:

Section 903.3.1.3 NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings, group R-3; and 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; add new subsection 903.3.1.4 as follows:

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 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 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 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; add sentence as follows:

Manual dry standpipes shall be supervised with a minimum of 10 psig and a maximum 40-psig-air pressure with a high/low alarm.

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

905.3.9 Building area. In buildings exceeding 10,000 square feet (929 square meters) in area per story and where any portion of the building's interior area is more than 200 feet (61 m) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14 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, amend as follows:

1. In every required ~~interior~~ exit stairway, a ... *{remainder unchanged}*.
2. *{Unchanged}*
3. *{Unchanged}*

Exception: Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~-exit stairway ... *{remainder unchanged}*.

4. *{Unchanged}*
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way a hose connection ~~shall be~~ located to serve the roof or at the highest landing of an ~~interior~~ exit stairway ... *{remainder unchanged}*.
6. *{Unchanged}*

7. When required by this chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at 200 feet (61 m) intervals along major corridors thereafter, or as otherwise approved by the *fire code official*.

Section 905.9; add a second paragraph after Exceptions 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 new subsection 907.1.4 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.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 12 months of permit application.

Section 907.2.1; amend as follows:

Section 907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with section 907.5 shall be installed in Group A occupancies ~~where the having an occupant load due to the assembly occupancy is of 300 or more persons,~~ or where the ~~Group A~~ occupant load ... *{remainder unchanged}*.

Exception: *{Unchanged}*

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; amend as follows:

907.2.3 Group E. A manual fire ... *{bulk of text unchanged}* ... 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 alarms system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100 feet (30 m) open space, all buildings, whether portable or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Section 907.2.3; delete Exception 1 and replace as follows:

1. Residential in-home day care with not more than 12 children may use hard-wired interconnected single station detectors with battery backup in all habitable rooms. (For care of more than five children 2-1/2 or less years of age, see section 907.2.6.)

Section 907.2.13; amend Exception 3 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 skyboxes, restaurants and similarly enclosed areas.

Section 907.4.2; add new subsection 907.4.2.7 as follows:

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

Section 907.6.1; add new subsection 907.6.1.1 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 4 feet (1219 mm) separation horizontal and one foot vertical (305 mm) 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 10 feet (3048 mm) or less.

Section 907.6.3; delete all four Exceptions.

Section 907.6.6; add sentence as follows:

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

Section 909; add new subsection 909.22 as follows:

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

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

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

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

Exceptions:

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

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

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

Section 910.2; amend Exception 2 and 3 follows:

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

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

Section 910.2; add subsection 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 square meters) 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 subsection 910.3.4 as follows:

Section 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.

Section 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.

Section 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 degrees F (56 degrees C) and 220 degrees F (122 degrees C) above ambient.

Exception: Listed gravity-operated drop out.

Section 910.4.3.1; amend as follows:

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be ~~manual or~~ automatic. The ... {remainder unchanged}.

Section 912.2; add subsection 912.2.3 as follows:

912.2.3 Hydrant distance. An approved fire hydrant shall be located within 25 feet (7620 mm) of the fire department connection as the fire hose lays along an unobstructed path.

Section 913.2.1; add second paragraph and exception as follows:

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3-feet (1 m) in width and 6 feet 8 inches (2 m) in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by section 506.1.

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

Section 914.3.1.2; amend as follows:

Water Supply to required Fire Pumps. In buildings that are more than ~~420~~ 120 feet (~~128~~ 37 m) in building height, required ... {remainder unchanged}.

Section 1006.2.2; add subsection 1006.2.2 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 Exception 7 as follows:

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:

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

Section 1020.1 Construction; add exception 6 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 1031.2; amend as follows:

Reliability. Required *exit accesses, exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency ~~where the building area served by the means of egress is occupied.~~ An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.

Section 1103.3; add sentence to end of paragraph as follows:

Provide emergency signage as required by section 606.3.

Section 1103.5.1; add sentence to read as follows:

Fire sprinkler system installation shall be completed within 24 months from date of notification by the fire code official.

Section 1103.5.3; amend as follows:

1103.5.3 Group I-2, Condition 2. In addition to the requirements of Section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1. The *automatic sprinkler system* shall be installed as established by the adopting ordinance of this amendment to the *International Fire Code*.

Section 1103.5; add subsection 1103.5.5 as follows:

1103.5.5 Spray booths and rooms. New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with section 2404.

Section 1103.7; add subsections 1103.7.7 and 1103.7.7.1 as follows:

1103.7.7 Fire Alarm System Design Standards. Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

Exception: Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

1103.7.7.1 Communication requirements. Refer to Section 907.6.6 for applicable requirements.

Section 1203; amend as follows:

1203.1 {Unchanged}

1203.1.1 {Unchanged}

1203.1.2 {Unchanged}

1203.1.3 Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

1203.1.4 through **1203.1.9** {Unchanged}

1203.1.10 Critical Operations Power Systems (COPS). For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

1203.2 Where Required. Emergency and standby power systems shall be provided where required by Sections 1203.2.1 through 1203.2.18 or elsewhere identified in this code or any other referenced code.

1203.2.1 through **1203.2.3** {Unchanged}

1203.2.4 Emergency Voice/alarm Communications Systems. Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

Covered and Open Malls, Section 907.2.19 and 914.2.3

Group A Occupancies, Sections 907.2.1 and 907.5.2.2.4.

Special Amusement Buildings, Section 907.2.11

High-rise Buildings, Section 907.2.12

Atriums, Section 907.2.13

Deep Underground Buildings, Section 907.2.18

1203.2.5 through **1203.2.13** {Unchanged}

1203.2.14 Means of Egress Illumination. Emergency power shall be provided for *means of egress* illumination in accordance with Sections 1008.3 and 1104.5.1. (90 minutes)

1203.2.15 Membrane Structures. Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the *International Building Code*. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4.

1203.2.16 {*Unchanged*}

1203.2.17 Smoke Control Systems. Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.1.1:

Covered Mall Building, *International Building Code*, Section 402.7

Atriums, *International Building Code*, Section 404.7

Underground Buildings, *International Building Code*, Section 405.8

Group I-3, *International Building Code*, Section 408.4.2

Stages, *International Building Code*, Section 410.2.5

Special Amusement Buildings (as applicable to Group A), *International Building Code*, Section 411.1

Smoke Protected Seating, Section 1029.6.2.

1203.2.18 {*Unchanged*}

1203.2.19 Covered and Open Mall Buildings. Emergency power shall be provided in accordance with Section 907.2.19 and 914.2.3.

1203.2.20 Airport Traffic Control Towers. A standby power system shall be provided in airport traffic control towers more than 65 feet (19 meters) in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

1203.2.21 Smokeproof Enclosures and Stair Pressurization Alternative. Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.6.2.

1203.2.22 Elevator Pressurization. Standby power shall be provided for elevator pressurization

system as required by the *International Building Code*, Section 909.21.5.

1203.2.23 Elimination of Smoke Dampers in Shaft Penetrations. Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

1203.2.24 Common Exhaust Systems for Clothes Dryers. Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code*, Section 504.10, Item 7.

1203.2.25 Hydrogen Cutoff Rooms. Standby power shall be provided for mechanical ventilation and gas detection systems of Hydrogen Cutoff Rooms in accordance with the *International Building Code*, Section 421.

1203.2.26 Means of Egress Illumination in Existing Buildings. Emergency power shall be provided for means of egress illumination in accordance with Section 1104.5 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

1203.3 through 1203.6 {*Unchanged*}

1203.7 Energy Time Duration. Unless a time limit is specified by the fire code official, in this chapter or elsewhere in this code, or in any other referenced code or standard, the emergency and standby power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.

Section 2304.1; amend to read as follows:

2304.1 Supervision of dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be conducted by a qualified attendant or shall be under the supervision of a qualified attendant at all times or shall be in accordance with section 2204.3 the following:

1. Conducted by a qualified attendant; and/or
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with section 2304.3

At any time the qualified attendant of item number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with section 2304.3.

Section 2401.2; delete this section.

Section 3103.3.1; delete this section.

Table 3206.2 footnote h; amend as follows:

h. ~~Not required~~ Where storage areas are protected by either early suppression fast-response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of $50 (m*s)^{1/2}$ or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

Table 3206.2; add footnote j to row titled 'High Hazard' and 'Greater than 300,000'; footnote text as follows:

j. High hazard high-piled storage areas shall not exceed 500,000 square feet (4.6 hectares). A 2-hour fire wall constructed in accordance with Section 706 of the *International Building Code* shall be used to divide high-piled storage exceeding 500,000 square feet (4.6 hectares) in area.

Section 3310.1; add sentence to end of paragraph as follows:

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

Section 5601.2.4; amend as follows:

5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall, at the time of making application, furnish proof that he/she carries workers' compensation insurance for his/her employees. The applicant shall also file with the city secretary of the City of Seagoville a corporate surety bond in the principal sum of ~~\$100,000~~ not less than one million dollars (\$1,000,000) issued by an authorized surety company to transact business in the state, listing the City of Seagoville as the bond holder or a certificate of insurance evidencing the carrying of public liability insurance policy issued by an insurance carrier authorized to transact business in the state for the same amount as the certificate holder or beneficiary?, for the purpose of payment of all damages to persons or property that arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgement results. The *fire code official* is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Section 5703.6; add a sentence to read as follows:

5703.6 Piping systems. Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with section 5703.6.1 through 5703.6.11. An approved method of secondary containment shall be provided for underground tank and piping systems.

Section 5704.2.9.6.1; amend as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits ~~established by laws as the limits of districts in which such storage is prohibited~~ of the City of Seagoville.

Section 5704.2.11.4; amend as follows:

5704.2.11.4 Leak prevention. Leak prevention for underground tanks shall comply with sections 5704.2.11.4.1 and ~~5704.2.11.4.2~~ through 5704.2.11.4.3. An approved method of secondary containment shall be provided for underground tank and piping systems.

Section 5704.2.11.4.2; amend as follows:

5704.2.11.4.2 Leak detection. Underground storage tank systems shall be provided with an approved method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in section 5704.2.11.4.3.

Section 5704.2.11.4; add subsection as follows:

5704.2.11.4.3 Observation wells. Approved sampling tubes of a minimum 4-inches (102 mm) in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12-inches (305 mm) below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet (3048 mm) of the tank excavation and one every 50 feet (15 240 mm) routed along product lines towards the dispensers, a minimum of two are required.

Section 5704.2.14.3; add subsection as follows:

5704.2.14.3 Observation wells. Approved sampling tubes of a minimum 4-inches (102 mm) in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12-inches (305 mm) below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet (3048 mm) of the tank excavation and one every 50 feet (15 240 mm) routed along product lines towards the dispensers, a minimum of two are required.

Section 5706.2.4.4; amend as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits ~~established by laws as the limits of districts in which such storage is prohibited~~ of the City of Seagoville.

Section 5707.4; add paragraph to read as follows:

Mobile fueling sites shall be restricted to commercial, industrial, governmental, or manufacturing, where the parking area having such operations is primarily intended for employee vehicles. Mobile fueling shall be conducted for fleet fueling or employee vehicles only, not the general public. Commercial sites shall be restricted to office-type or similar occupancies that are not primarily

intended for use by the public.

Section 5806.2; amend as follows:

5806.2 Limitations. Storage of flammable *cryogenic fluids* in stationary containers outside of buildings is prohibited within the limits established by laws as the limits of districts in which such storage is prohibited of the City of Seagoville.

Section 6104.2; amend as follows:

6104.2 Maximum capacity within established limits. Within the limits of the City of Seagoville, established by laws restricting the storage of liquified petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2000 gallons (7570 L).

Exception: *{Unchanged}*

Section 6104.3; add subsection 6104.3.3 as follows:

6104.3.3 Spas, Pool Heaters, and Other Listed Devices. Where natural gas service is not available, an LP-gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 6104.3 for location of containers.

Exception: Lots where LP-gas can be off-loaded wholly on the property where the tank is located may install up to 500 gallon above ground or 1,000 gallon underground approved containers.

Section 6107.4; amend as follows:

6107.4 Protecting Containers from Vehicles. Where ... *{bulk of paragraph unchanged}* ... with NFPA-58 Section 312.

Section 6109.13; delete exception.

Table B105.2; amend footnote a as follows:

a. The reduced fire-flow shall be not less than ~~1,000~~ 1,500 gallons per minute.

Section D102.1; amend as follows:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to the fire department apparatus by way of an approved fire apparatus access road with an ~~asphalt, approved engineered concrete, or other approved~~ driving surface capable of supporting the imposed load of fire apparatus weighing 80,000 pounds (36 287 kg). See City of Seagoville General Design Standards for roads."

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(:cdb 01.23.2019 TM105573)

Regular Session Agenda Item: 30

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Receive Councilmember Reports/ Items of Community Interest

BACKGROUND OF ISSUE:

Section 551.0415 of the Texas Government Code authorizes a quorum of the governing body of a municipality or county to receive reports about items of community interest during a meeting without having given notice of the subject of the report if no action is taken. Section 551.0415 defines an “item of community interest” to include:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person’s public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 31

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Future Agenda Items

BACKGROUND OF ISSUE:

Council provides direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 32

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Executive Session

Recess into Executive Session in compliance with Texas Government Code:

(A) Section § 551.071 Consultation with City Attorney: receive legal advice related to legal representation.

(B) Section § 551.071 Consultation with City Attorney: Woodside Lane project

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 33

Meeting Date: January 28, 2019

ITEM DESCRIPTION:

Reconvene into Regular Session

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

(A) Section § 551.071 Consultation with City Attorney: receive legal advice related to legal representation.

(B) Section § 551.071 Consultation with City Attorney: Woodside Lane project

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A