



# **TARRANT COUNTY FIRE CODE**

AS

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**TARRANT COUNTY FIRE MARSHAL'S  
OFFICE**

# TARRANT COUNTY FIRE CODE

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## **PREFACE**

The Commissioners Court of Tarrant County, Texas, is aware that fires are likely to occur within its jurisdiction in the future, potentially causing damage to property and loss of life. The Commissioners Court desires to prevent or minimize such damages and losses caused by fires. Chapter 233 of the Texas Local Government Code authorizes the Tarrant County Commissioners Court to adopt a fire code and the regulations necessary to administer and enforce the fire code. As the governing body of Tarrant County, the Commissioners Court finds that adopting a fire code, requiring permits for the construction of commercial establishments, public buildings and multi-family residences in the unincorporated areas of Tarrant County, and the conducting of inspections of such structures will serve to help protect the health, safety and welfare of property and life of the general public.

Accordingly, the Commissioner's Court of Tarrant County, Texas, does ordain as follows:

# TARRANT COUNTY FIRE CODE

## CHAPTER 1. GENERAL PROVISIONS

### § 1.001. Title

These regulations adopted by the Tarrant County Commissioners Court will be known as the Tarrant County Fire Code, hereinafter referred to as the "Code" unless otherwise noted.

### § 1.002. Authority

- a) The Tarrant County Commissioners Court is authorized to adopt this Code under Chapter 233 of the Texas Local Government Code.
- b) Unless otherwise provided herein, the Tarrant County Commissioners Court delegates the powers and duties to direct and enforce this Code to the Tarrant County Fire Marshal's Office. The Fire Marshal and his designee, if any, have the authority and function as the Fire Code Officials for the unincorporated areas of Tarrant County. The Code Official or his designee is authorized to receive applications, review construction documents and issue permits for construction regulated by this Code, issue permits for operations regulated by this Code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code.
- c) As part of this Code the Tarrant County Commissioners Court establishes the Department of Fire Prevention, which is constituted as a division of the Tarrant County Fire Marshal's Office under the direction of the Tarrant County Fire Marshal.

### § 1.003. Definitions

- a) "**Building**," unless otherwise noted, refers to a commercial establishment, a public building, or a multifamily dwelling consisting of four or more units.
- b) "**Certificate of Compliance**" means a certificate issued by the Fire Code Official indicating Construction or Substantial Improvement is in compliance with this Code as of a specific date and for a specific occupancy. The Certificate may be filed in the Official Records of Tarrant County as outlined in Section 5.001 of this Code. A Certificate of Compliance shall not be construed as authorizing the owner or operator of any Building to afterward operate or maintain such Building in such a way as to create, cause or allow the existence of a fire or life safety condition, which condition shall be subject to the independent enforcement authority of the Tarrant County Fire Marshal.
- c) "**Fire Code Official**" means the Tarrant County Fire Marshal or a designee of such individual; however, only the duly appointed Tarrant County Fire Marshal has the authority to overrule his or her subordinates or grant variances before applicants for permits or

variances may make written objections (appeals) to the Tarrant County Commissioners Court.

- d) **"Tarrant County Fire Marshal"** means the holder of the statutory office of County Fire Marshal for Tarrant County, Texas, or employee(s) designated by the Tarrant County Fire Marshal to perform a task required by this Code.
- e) **"Person"** means any individual or group of individuals, corporation, partnership, association, limited liability company, or any other organized group of persons. "Person" does not include a State Agency that is authorized to prevent and extinguish forest and grass fires.
- t) **"Substantial Improvement"** means:
  - 1) the repair, restoration, reconstruction, improvement, or remodeling of a Building for which the cost exceeds 50 percent of the Building's value according to the certified tax appraisal roll for the county for the year preceding the year in which the work was begun; or
  - 2) a change in occupancy classification involving a change in the purpose or level of activity in a Building, including the renovation of a warehouse into a loft apartment.
- g) For purposes of this Code, a Substantial Improvement begins on the date that the repair, restoration, reconstruction, improvement, or remodeling or the change in occupancy classification begins or on the date materials are first delivered for that purpose.
- h) For purposes of this code, **"Construction"** begins on the date that ground is broken for a Building, or if no ground is broken, on the date that:
  - 1) the first materials are added to the original property;
  - 2) foundation pilings are installed on the original property; or
  - 3) a manufactured building or relocated structure is placed on a foundation on the original property.

**§ 1.004. Application and Purpose of Code**

- a) This Code is intended to provide minimum requirements, with due regard to function, for the design and Construction or Substantial Improvements of a Building covered by this Code in order to reduce the risk to life and property from fire and other hazards.
- b) This Code does not apply to an industrial facility having a fire brigade that conforms to requirements of the Occupational Health and Safety Administration.
- c) Fire safety in regard to operation and use of buildings and structures after construction, whether or not their construction was subject to this Code, shall be enforced independent of this Code by the Tarrant County Fire Marshal in accordance with applicable law, including but not limited to the Fire Marshal's authority to inspect for the presence of fire

and life safety hazards and order their correction under Chapter 352 of the Texas Local Government Code. The Tarrant County Fire Code is not intended in any way to limit the statutory authority of the Tarrant County Fire Marshal, and it is intended that such authority be retained to the fullest extent that the law would authorize.

**CHAPTER 2. CODE ADOPTION AND CONTENT**

**§ 2.001. Code Adoption**

- a) The Tarrant County Fire Code applies to the unincorporated areas of Tarrant County, Texas as of the date the Code is adopted by the Tarrant County Commissioners Court.
- b) The Tarrant County Fire Code is comprised of the provisions contained in:
  - 1) this document titled the "Tarrant County Fire Code" as adopted by the Tarrant County Commissioners Court and any subsequent amendments to this document that may be made from time-to-time by the Tarrant County Commissioners Court;
  - 2) the provisions of the *International Fire Code*, 2015 Edition, including Chapter 47 Referenced Standards, and Appendices B, C, D, E, F, G, H, I and J as published by the International Code Council, except for the portions that have been made as additions, insertions, deletions or changes in the Amendments to the *International Fire Code* and any other referenced codes and standards that apply to unincorporated areas; and
  - 3) this code recognizes the *International Building Code*, 2015 Edition, as the standard for establishing the minimum requirements om design and construction through structural strength, means of egress facilities and stability of new buildings to safeguard for fire and life safety and other hazards attributed to the built environment and provide safety to firefighters and emergency responders during emergency operations, therefore the *International Building Code*, 2015 Edition is made part of this code in full volume and reference including Chapter 35 Referenced Standards and Appendices C,E,F,G,H,J, andK.
  - 4) the National Fire Protection Association's *NFPA 101 Life Safety Code*, most current, with respect to existing structures.
- c) To the extent any differences occur between the terms, conditions, or provisions contained in this Order and any terms, conditions, or provisions contained in the various codes identified in Subsection (a) of this Section, the provisions of this Order apply.
- d) Any references contained in the *International Fire Code*, 2015 Edition, to the International Code Council's *International Electric Code* are hereby replaced by the Tarrant County Fire Code with the National Fire Protection Association's *NFPA 70 Electric Code*® that has been adopted by the State of Texas and is recognized as a part of this code.

**CHAPTER 3. PERMITS FOR AND INSPECTIONS OF NEW BUILDINGS AND SUBSTANTIAL IMPROVEMENTS MADE TO EXISTING BUILDINGS**

**§ 3.001. Building Permit Required**

No person may begin Construction or make Substantial Improvements to a Building as defined in Section 1.003 of this Code in the unincorporated area of Tarrant County unless and until that person obtains a Building permit issued in accordance with this Code.

**§ 3.002. Application for Building Permit**

- a) To obtain a building permit for the Construction or Substantial Improvement of a Building in the unincorporated area of Tarrant County the applicant must:
  - (1) complete an application on a form prescribed by the Fire Code Official;
  - (2) provide the Fire Code Official with construction documents and/or plans of the proposed Building or Substantial Improvement, either of which must contain the following information:
    - 1. the proposed access for fire apparatus;
    - ii. the location of fire lanes, if applicable;
    - iii. the types of construction, including fire-resistance rated construction;
    - iv. the location of fire hydrants, fire protection systems, and the hydraulic calculations for fire hydrant systems and fire protection systems; and
    - v. identification of fire hazards and the means of egress; and
  - (3) pay an application fee in the amount set by the Fee Schedule of this Code.
- b) Within thirty (30) days after the date the Fire Code Official receives an application, construction documents and/or plans, and the application fee in accordance with this Chapter, the Fire Code Official must:
  - (1) Issue the building permit if the application and required attachments comply with the Fire Code; or
  - (2) Deny the building permit because of noncompliance with the Fire Code.
- c) If the Fire Code Official receives the required application, documents and fee in accordance with Subsection (a) and the Fire Code Official does not issue the building permit or deny the application within thirty (30) days after receiving the required items, the Construction or Substantial Improvement of the Building that is the subject of the application is approved for the purposes of this Code.
- d) The applicant may submit the construction documents and/or plans to a third party for review that is licensed in the State of Texas, specializing in fire protection plan review services that are not associated with the applicant or the applicant's designer, architect or contractor. One (1) copy that has been reviewed by a third party must be submitted to the Fire Code Official for final review and approval prior to Construction. This part does not waive or exempt any fees or charges that are associated with the Fee Schedule of this Code.
- e) The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, provided that any such alteration has been approved by the Fire Code Official. The Fire Code Official is authorized to approve an alternative material or method of construction where the Fire Code Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for



the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability and safety. *See* Section 104.9 of the *International Fire Code*, 2015.

**§ 3.003 Term of Permits**

Construction of a Building or a Substantial Improvement must be started within 180 days of the date the Building permit is issued or approved in accordance with Section 3.002 (c). Otherwise, the Building permit shall be null and void and a new Building permit is required.

**§ 3.004. Inspections**

- a) The Fire Code Official is authorized to inspect a Building subject to this Code to determine whether the Building complies with this Code.
- b) The Fire Code Official may enter and perform the inspection of a Building at a reasonable time at any stage of the Building's Construction or Substantial Improvement and after completion of the Building. On or before the date that Construction or Substantial Improvement of a Building subject to this Code is completed, the owner of the Building shall request in writing that the Fire Code Official inspect the Building for compliance with the Fire Code.
- c) The Fire Code Official shall begin the inspection of the Building within (5) five business days after the date of the receipt of the written inspection request. If the Fire Code Official is properly requested and the Fire Code Official does not begin the inspection within the time permitted by this subsection, the Building that is the subject of the request is considered approved for the purposes of this subchapter.
- d) The Fire Code Official shall issue a final Certificate of Compliance to the owner of a Building inspected under this section if the inspector determines, after an inspection of the completed Building, that the Building complies with the Fire Code.
- e) If the Fire Code Official determines, after an inspection of the completed Building, that the Building does not comply with the Fire Code, the Fire Code Official may:
  - 1) deny the Certificate of Compliance; or
  - 2) issue a Conditional Certificate of Compliance and allow the Building to be occupied.
- f) Both a Building constructed prior to the effective date of this Code and a Building constructed after the effective date of this Code may be inspected by the Fire Code Official for fire and life safety hazards. The inspection of the structure will be for any conditions that endanger the safety of the structure or its occupants and promote or cause fire or combustion, which shall include:
  - (1) the presence of a flammable substance;

- (2) a dangerous or dilapidated wall, ceiling, or other structural element;
- (3) improper electrical components, heating or other building services or facilities;
- (4) the presence of a dangerous chimney, flue, pipe, main, or stove, or of dangerous wiring;
- (5) dangerous storage, including storage or use of hazardous substances or;
- (6) inappropriate means of egress, fire protection, or other fire-related safeguards.

The inspection of a Building will be subject to a fee as prescribed by the fee schedule that is a part of this Code.

- g) Any building constructed prior to the effective date of this Code for which Substantial Improvements will be made after the effective date of this Code will be subject to the requirements of the *International Fire Code*, any references per Chapter 47, and any adopted amendments of this Code when:
  - (1) there is a change in the occupancy status;
  - (2) there is a change in the design or construction of the structure due to restoration, reconstruction, improvements, or remodeling for which the cost exceeds 50 percent of the Building's value according to the certified tax appraisal roll for the county for the year preceding the year in which the work was begun;
  - (3) the structure undergoes any alteration, movement or enlargement due to construction or renovation, horizontal or vertical, that increases the size of the structure in net square footage from the original construction of the structure; or
  - (4) there is a condition that constitutes a hazard to life safety or danger to property.
- h) If Fire Code Official issues a Conditional Certificate of Compliance under Subsection (e) (2), the Fire Code Official shall notify the owner of the Building of the violations of the Fire Code and establish a reasonable time for the owner to remedy the violations. The Fire Code Official may revoke a Conditional Certificate of Compliance if the owner does not remedy the violations within the time specified on the Conditional Certificate of Compliance.
- i) A Building may not be occupied until the Fire Code Official issues a Certificate of Compliance or a Conditional Certificate of Compliance for the Building.
- j) The issuance of a building permit or Certificate of Compliance does not imply that the Building can be insured for fire coverage.

### § 3.005. FEES

Fees for permits and inspections are set by the Tarrant County Commissioners Court. Fees must be paid by exact cash, cashier's check, money order, or personal check. Should payment be made by personal check and the check be returned for insufficient funds, the permit(s) issued becomes null and void. Fees shall be paid at the time plans are submitted for review unless other arrangements have been made and approved by the County Auditor. The County shall deposit all fees received under this section in a special fund in the County treasury, pursuant to section

233.065 (c) of the Texas Local Government Code, and money in that fund may only be used for the administration and enforcement of this Code.

## **CHAPTER 4. APPEALS AND HEARING PROCEDURES**

### **§ 4.001. APPEALS**

- a) If a permit applicant is denied a permit, the applicant may appeal the denial as provided in this Section. The term "appellant" is used to refer to the appealing party. An appellant must seek a remedy or relief under this procedure before seeking a remedy or relief in a court of law. Application for a permit is deemed to be a waiver by the Applicant of the right to challenge this Code in a court of law before exhausting the relief or remedies provided for in this Code.
- b) To appeal the denial of a permit application by an appointee of the Tarrant County Fire Marshal, an appellant must submit a written statement to the Tarrant County Fire Marshal within 10 days of the denial setting forth the reasons why the permit application should be approved. If the Tarrant County Fire Marshal sustains the appointee's denial of the permit and the appellant desires an appeal, the appellant must seek review of the decision by the Tarrant County Commissioners Court pursuant to Section 4.002.
- c) If the permit application is denied by the Tarrant County Fire Marshal personally, an appellant must seek review of the decision by the Tarrant County Commissioners Court pursuant to Section 4.002.

### **§ 4.002. REVIEW BY COMMISSIONERS COURT**

If an appellant wishes to appeal the Tarrant County Fire Marshal's decision to deny a permit application, a written objection (appeal) must be filed with the Commissioners Court Administrator within ten (10) days of the date the Tarrant County Fire Marshal, not an appointee, provides the appellant with a written denial of the permit. The Commissioners Court Administrator will place the matter on the Agenda of the Commissioners Court for review at a regularly scheduled meeting of Commissioners Court within thirty (30) days of receiving the written objection (appeal). Notice that the matter is on the Agenda will be sent to the appellant by regular First Class U.S. mail at the appellant's address shown on the permit, application or written objection (appeal). The Commissioners court will review the matter. The commissioners Court may either affirm or reverse the decision of the Tarrant County Fire Marshal. The decision of the Tarrant County Fire Marshal shall remain in full force and effect pending review and action by the Commissioners Court.

## **CHAPTER 5. ENFORCEMENT**

### **§ 5.001. Enforcement**

If any person violates any provision of this Code, the Fire Code Official may notify the Criminal District Attorney and request that the Criminal District Attorney take whatever action is necessary to remedy the violation, including but not limited to filing suit to enjoin the violation and/or seek a civil penalty under Sections 233.066 or 233.067 of the Texas Local Government Code of up to \$200 for each day that a violation exists. If a violation continues, the Fire Code Official may file a Certificate of Non-Compliance in the Real Property Records of Tarrant County. Once the violation has been resolved, any individual may request that a Certificate of Compliance be filed in the Real Property Records of Tarrant County. A fee for this action will be charged in accordance with Section 3.004 of this Code. The violator will bear this and all other costs of effecting compliance. Should the Building be occupied without final occupancy inspection as required under this Code, or in violation of an order of the Fire Marshal under Section 352.016 of the Texas Local Government Code, the County Fire Marshal may submit a case for review to the Criminal District Attorney's Office of alleged violations punishable under Section 352.022 of the Texas Local Government Code.

### **§ 5.002. Disclaimer of Liability**

This Code does not imply that any Building or the uses permitted within any Building will be free from a fire or other hazards. This Code shall not create liability on the part of Tarrant County or any officer or employee thereof for any damages that result from reliance on this Code or any administrative decision lawfully made based on this Code. The granting of a permit or issuance of a Certificate of Occupancy does not imply that the Building can be insured for fire coverage.

## **CHAPTER 6. MISCELLANEOUS**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Commissioners Court of Tarrant County hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

# ADDENDUM 1

## Tarrant County Fire Code Amendments to *International Fire Code*

**AMENDMENTS TO THE  
INTERNATIONAL FIRE CODE**

The Tarrant County Fire Code includes the following additions, insertions, and deletions and changes to the *International Fire Code*, 2015 Edition. All other provisions of the *International Fire Code*, 2015 Edition apply as stated.

**CHAPTER 1 ADMINISTRATION**

**101.1 Title.** These regulations shall be known as the Tarrant County Fire Code, hereinafter may be referred to as "this code".

**102.5 Application of residential code.**  
Deleted in its entirety.

**CHAPTER 2 DEFINITIONS**

**SECTION 202 GENERAL DEFINITIONS**

**APPROVED CONTAINER.** Any non-combustible receptacle of sufficient integrity to maintain contents and fire in a controlled state.

**BUILDING.** Any structure used or intended for supporting or sheltering any use or occupancy.

**CUL-DE-SAC.** A dead-end street with a turnaround at the closed end.

**DEAD-ENDS.** A street or alley that has no regular exit or outlet. A closed end street.

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

**NO BURN DAY.** When atmospheric and/or ground conditions are unfavorable for controlled burning, for a 24 hour period beginning at sunrise, as determined by the Tarrant County Fire Marshal Office or a duly authorized agency.

**ORDER OF RESTRICTING OUTDOOR BURNING.** When the Tarrant County Commissioner's Court has determined that the circumstances present in the unincorporated area of the county create a public safety hazard that would be exacerbated by outdoor burning. The Order bans all outdoor burning in the unincorporated area of the county for ninety (90) days from the date of adoption. Thereafter, the burn ban order is reviewed every ninety days for consideration of continuing the burn ban or ceasing burning restrictions. This order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for (1) firefighter training; (2) public utility, natural gas pipeline or mining operations; or (3) harvesting of agricultural crops.

## CHAPTER 9 FIRE PROTECTION SYSTEMS

### SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

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

**Exception:**

1. Open parking structures in compliance with Section 406.3 of the *International Building Code*.

**903.2.11.7 High-Piled Combustible Storage.** For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 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.

### SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

**907.2.13 High-rise buildings.** Buildings with a floor used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

## CHAPTER 10 MEANS OF EGRESS

### SECTION 1022 EXIT ENCLOSURES

**1022.9 Smokeproof enclosures and pressurized stairways.** In buildings required to comply with Section 403 or 405 of the *International Building Code*, each of the exit enclosures serving a story with a floor surface located more than 55 feet (16 764 mm) above the lowest level of fire ...  
*{remainder of section unchanged}*.

## CHAPTER 23 HIGH-PILED COMBUSTIBLE STORAGE

### SECTION 2302 DEFINITIONS

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

Any building classified as a group S Occupancy or Speculative Building exceeding 12,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage.. When a specific product cannot be identified, a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

## CHAPTER 46 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

**4604.23 Egress path markings.** Existing buildings of Groups A, B, E, I, M, and R-1 having occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with luminous *egress* path markings in accordance with Section 1024.

**Exception:**

Open, unenclosed stairwells in historic buildings designated as historic under a state or local historic preservation program.

## APPENDIX D FIRE APPARATUS ACCESS ROADS

### D103.6 Signs and Striping.

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. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and repainted, replaced or repaired when necessary to provide adequate visibility.

Where required by the fire code official, fire apparatus access roads shall be marked with signs and/or striping as follows:

**Signs.** Permanent signs with the words "NO PARKING FIRE LANE" complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

**Striping.** Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO



PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four inch (4") white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

The amendments to the 2015 International Building Code are recognized in this Code to avoid conflicts between the International Fire Code (IFC) and the International Building Code (IBC). Technical sections of the fire code and building code are duplicated to maintain their compatibility and similarity in specific chapters regarding fire protection.

[END OF AMENDMENTS TO *INTERNATIONAL FIRE CODE*]

# ADDENDUM2

## **Permit Fee Schedule**

[Established and set by separate Tarrant County Commissioners Court Order]