

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, REPEALING ORDINANCE NO. 00-12-17 AND ADOPTING THE 2010 EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARD NUMBER 13R (INSTALLATION OF SPRINKLER SYSTEMS), SAVE AND EXCEPT THE DELETIONS AND ADDITIONS SET FORTH HEREIN; PRESCRIBING REGULATIONS GOVERNING THE INSTALLATION OF SPRINKLER SYSTEMS IN RESIDENTIAL OCCUPANCIES UP TO AND INCLUDING FOUR STORIES IN HEIGHT; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco") to repeal Ordinance No. 00-12-17 in its entirety; and

WHEREAS, the City Council has further investigated and determined that it would be advantageous and beneficial to the citizens of Frisco to adopt the 2010 Edition of the National Fire Protection Association Standard Number 13R (Installation of Sprinkler Systems), published by the National Fire Protection Association, an International Codes and Standards Organization, and copyrighted by the International Code Council, Inc. ("2010 NFPA 13R"), save and except the deletions and additions as set forth below. A copy of the 2010 NFPA 13R is incorporated herein by reference in its entirety.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Repealing Ordinance No. 00-12-17. Frisco Ordinance No. 00-12-17 is repealed, in its entirety, and replaced by this Ordinance. The effective date of the repeal discussed in this Section shall not occur until the effective date of this Ordinance, at which time Ordinance No. 00-12-17 shall be repealed. Such repeal shall not abate any pending prosecution and/or lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of Ordinance No. 00-12-17 occurring before the effective date of this Ordinance.

SECTION 3: Adoption of the 2010 NFPA 13R. The 2010 NFPA 13R, save and except the deletions and additions set forth below, is hereby adopted as the regulations governing the installation of sprinkler systems in Frisco for residential occupancies up to and including four (4) stories in height. Three (3) copies of the 2010 NFPA 13R are on file in the office of the City Secretary of Frisco, being marked and designated as the 2010 NFPA 13R.

SECTION 4: Adoption of Deletions and Additions to the 2010 NFPA 13R. The following deletions and additions to the 2010 NFPA 13R are approved and adopted (deletions are evidenced by ~~strike through~~ and additions are evidenced by underline)¹:

Chapter 6: Installation Requirements of the 2010 NFPA 13R is amended as follows:

Section 6.6 Location of Sprinklers of the 2010 NFPA 13R is amended as follows:

6.6.2* *[Entire subsection deleted.]*

6.6.2* Sprinklers shall be required in all bathrooms regardless of size.

6.6.3 *[Entire subsection deleted.]*

6.6.3 Sprinklers shall be required in all closets, linen closets and pantries within the dwelling units.

6.6.5* *[Entire subsection deleted.]*

6.6.5* Sprinklers are required on all porches, balconies, corridors, and stairs that are open and attached.

6.6.6 *[Entire subsection deleted.]*

6.6.6 Sprinklers are required in all attics, penthouse equipment rooms, elevator machine rooms, crawl spaces, floor/ceiling spaces, elevator shafts constructed of combustible construction or containing combustible materials and other concealed spaces that are not used or intended for living purposes or storage.

6.6.7 *[Entire subsection deleted.]*

6.6.7 Sprinklers shall be required in closets (regardless of size) on exterior balconies and exterior breezeways/corridors regardless of size.

Section 6.8 Valves of the 2010 NFPA 13R is amended as follows:

6.8.2 *[Entire subsection deleted.]*

6.8.2 A listed water control valve assembly with a reliable position indication connected to a remote supervisory station shall be

¹ Other italicized and bold notations are provided throughout for informational purposes only. By way of example only, “[Entire subsection deleted.]”

permitted. Valves on connections to water supplies, sectional control and isolation valves, and other valves in supply pipes to sprinklers and other fixed water-based fire suppression systems shall be supervised in accordance with the adopted International Fire Code.

Section 6.11* Fire Department Connection of the 2010 NFPA 13R is amended as follows:

6.11.2 *[Entire subsection deleted.]*

6.11.2 At least two 2½-inch diameter fire department connections shall be provided. Connections shall be equipped with listed metal threaded caps properly secured and arranged for easy removal by the fire department.

Chapter 7: Discharge Criteria of the 2010 NFPA 13R is amended as follows:

Section 7.2 Design Criteria – Outside Dwelling Units of the 2010 NFPA 13R is amended as follows:

7.22 *[Entire subsection deleted.]*

7.2.2 The design discharge, number of design sprinklers, water demand of the system, sprinkler coverage and position of sprinklers for areas to be sprinklered outside the dwelling unit shall comply with the specifications in the 2010 NFPA 13, Standard for the Installation of Sprinkler Systems, as adopted and amended by the Frisco City Council.

SECTION 5: Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of such ordinances shall remain in full force and effect.

SECTION 6: Penalty Provision. Any person, firm, corporation or entity violating this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it under local, state and federal law.

SECTION 7: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is

expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 8: Effective Date. This Ordinance shall become effective upon its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 16th day of June, 2015.

Maher Maso

Maher Maso, Mayor

ATTESTED AND CORRECTLY RECORDED:

APPROVED AS TO FORM:

Jenny Page

Jenny Page, City Secretary



Ryan D. Pittman

Abernathy, Roeder, Boyd & Hullett, P.C.
Ryan D. Pittman, City Attorneys

Dates of Publication: June 19 & 26, 2015, *Frisco Enterprise*