

**ORDINANCE NO.: 2017-31**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 20, FIRE PREVENTION AND PROTECTION, TO ADOPT AND APPLY THE INTERNATIONAL FIRE CODE, 2015 EDITION WITH LOCAL AMENDMENTS AND TO UPDATE THE CHAPTER; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Lockhart Building Official and the Lockhart Fire Chief recommend that the Lockhart Code of Ordinances, Chapter 20, Fire Prevention and Protection, be updated to adopt and apply the International Fire Code, 2015 Edition with local amendments, and to further update the Chapter to provide for more efficient fire prevention and protection; which edition and amendments are generally used in building trades and practices in Texas; and

**WHEREAS**, the Lockhart City Council desires to amend Chapter 20, Fire Prevention and Protection Code, to change, add, and delete certain sections as requested by the Lockhart Building Official and the Lockhart Fire Chief; and

**WHEREAS**, the Lockhart City Council finds that proposed changes, additions and deletions of the City's Fire Prevention and Protection Code are necessary for the health, safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS THAT:**

**I. Sections 20-1, 20-3 through 20-5, 20-7 & 20-8, 20-31 through 20-35, 20-61, and 20-63 through 20-65, of Chapter 20, Fire Prevention and Protection, are hereby amended to change section numbers, delete certain sections, and add amendments as follows, and all other sections shall remain unchanged:**

**Chapter 20 - FIRE PREVENTION AND PROTECTION ARTICLE I. - IN GENERAL**

**Sec. 20-1. Fire marshal.**

(a) The fire marshal shall be appointed and removed by the fire chief, with the approval of the city manager. The State Fire Marshal Office or other qualified contract person shall be used in the absence of a Fire Marshal.

**Sec. 20-3. Duty to investigate fires.**

Section 104.10, International Fire Code, 2015 Edition, shall be adopted by reference as written.

**Sec. 20-4. Powers and duty of fire marshal.**

Section 104.1, International Fire Code, 2015 Edition, shall be amended as follows.

The Code Official of the City of Lockhart shall have all powers enumerated by the International Fire Code, 2015 Edition as existing or as subsequently amended, so long as those powers enumerated in the

68

International Fire Code do not conflict with the laws of the United States, or the State of Texas, or with ordinances passed by the City Council of the City of Lockhart.

Section 110, International Fire Code, shall be adopted by reference as written.

**Sec. 20-5. Inspection of premises, removal or repair of dangerous conditions.**

Section 106, International Fire Code, 2015 Edition, shall be adopted by reference as written.

**Sec. 20-7. - Fire code board of appeals.**

Section 108 together with Appendix A, International Fire Code, 2015 Edition, Board of Appeals shall be adopted by reference with the below amendments:

Section 108.1 Board of appeals established shall be amended to add the following sentence at the beginning of that section.

The Construction Boards of Appeals shall serve as the Fire Code of Appeals.

Section 108.3 Qualifications shall be amended to read as follows:

Section 108.3 Qualifications and Appeal of Decisions. Board members shall be qualified to examine the fire code and to make decisions as to the validity of interpretations of the fire code by the fire code official, but shall not have the authority to waive fire code requirements. Any appeal to the decision of the Fire Code Board of Appeals shall be to City Council in writing addressed to the City Secretary within ten (10) days of such decision by the Board of Appeals. The appeal shall appear as a City Council agenda item within a reasonable time frame of such notice of appeal. The City Council shall decide the validity of the interpretation by the fire code official of the fire code issues being appealed, but shall not have the authority to waive fire code requirements except as may be duly amended by ordinance.

## **ARTICLE II. - FIRE PREVENTION CODE**

**Sec. 20-31. - Adopted; violations and penalties.**

(a) The International Fire Code, 2015 Edition, together with Appendices is adopted by reference, as hereafter amended and/or revised, to the same extent as though such code were copied at length herein, all as recommended by the International Code Council, and is designated as the fire prevention and protection code of the city, a copy of which is on file in the office of the Fire Code Official of the City of Lockhart Fire Department.

(b) The Life Safety Code (NFPA 101), 2015 Edition, together with Annexes is adopted by reference, as hereafter amended and/or revised, to the same extent as though such code were copied at length herein, all as recommended by the National Fire Protection Association, and is designated as the life safety code of the city, a copy of which is on file in the office of the Fire Code Official of the City of Lockhart Fire Department.

**Sec. 20-32. - Definitions.**

*As the fire hose is laid of the truck* means the distance along the route the fire truck will travel from the principal entrance(s) of the structure (the driveway entrance to the property for buildings within 150

feet of a public right-of-way) to the nearest fire hydrant. The total distance shall include the radial distance from said entrance and may utilize public and private streets, approved fire lanes and/or drive access ways, parking lot lanes and other access roadways, but in no case shall the truck travel route be measured across grass, wooded or landscaped areas, over curbs, through fences or ditches.

*(all other definitions remain unchanged)*

**Sec. 20-34. - International Fire Code amendments.**

*Section 107.5. Rendering equipment inoperable.*

(a) Portable or fixed fire-extinguishing systems or devices and fire-warning systems shall not be rendered inoperative or inaccessible except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.

(b) No fire protection system may be taken out of service or allowed to remain out of service beyond normal working hours without the prior approval of the fire code official. The fire code official shall be notified prior to any fire sprinkler or standpipe system being temporarily or permanently removed from service. No operation protected by a fire suppression system may be used or operated while the fire suppression system is out of service.

*Sec. 108, International Fire Codes, Board of Appeals, together with Appendix A, shall be adopted by reference as written except as provided in Sec. 20-7 of the Code of Ordinances.*

*Section 111.4. Failure to comply.* Any person who continues work after having been served with a stop work order, except such work the Fire Code Official has directed to be performed to remedy a violation or unsafe condition, shall be liable for a fine not to exceed \$2,000.00. Each day that a violation continues after notice of violation has been served shall be deemed a separate offense.

*Sec. 503.3, International Fire Code, Marking, shall have new sections added to read as follows:*

*Sec. 503.3.1 Marking of Fire Lanes (No Curb Areas).*

In areas where fire lanes are required but no continuous curb is available, the following method will be used to mark the fire lanes.

From the point the fire lane begins to the point at which the fire lane ends, including the area of the parking surface behind designated parking spaces which adjoin a fire lane, there shall be marked a continuous eight (8") inch red stripe with the wording "FIRE LANE — TOW AWAY ZONE" in white letters at least three inches tall at intervals not exceeding fifty (50') feet.

*Sec. 503.3.2 Destruction of Fire Lane or Tow Away Signs.*

"It is hereby unlawful for any person, without lawful authority to alter, destroy, deface, injure, knock down, or remove any sign designating a fire lane or tow away zone erected under the terms of this code, or to deface a curb marking in any manner".

*Section 503.6.1 Gates.* All gates that obstruct emergency access roads or drives, whether on public or private property, must be permitted by the Fire Code Official. All gates or obstructions must comply with written installation standards and maintenance requirements as set forth by the Fire Code Official.

*Section 503.6.2 Access.* All gates that have access codes, locks, key controls, or other obstructions shall be maintained in an operable condition so that they can be opened by the fire department or other emergency service when needed. Failure to maintain these gates in an operable condition may result in the imposition of a fine and/or revocation of the gate permit.

*Sec. 505, International Fire Code, Premises Identification (Addresses), shall be amended by adding new Sections 505.1.2; and 505.1.3 to read as follows:*

*Sec. 505.1.2 Addresses for Multiple Building Complexes.*

For the purposes of life safety protection, approved building numbers shall be required for all new/existing building complexes composed of multiple structures so that the number is plainly visible and legible from the parking surface roadway after upon entering the complex. Arabic numerals or Alphabet letters on individual buildings shall not be smaller than twelve (12") inches, and shall be in contrasting colors to the background to which they are attached. Signs are also to be affixed to the exterior of each building denoting the individual unit numbers and/or letters assigned to each building, or side of a building within the complex. Numbers and/or letters are to be a minimum of four (4") inches in height. All residential structures which provide for rear vehicular access from a dedicated public street and/or alleyway shall conspicuously post the designated number so that it is visible from the alleyway.

*Sec. 505.1.3 Responsibility to Maintain Addresses.*

It shall be the responsibility of the person in charge or owner of the premises to maintain all numbers and/or letters required under the provisions of this ordinance.

*Section 506 is amended by adding the following subsection to read as follows:*

*Section 506.3. Location.* Lock boxes approved by the Fire Code Official shall be installed in all new buildings that have fire sprinkler systems, alarm systems, or other fire protection systems that are connected to an alarm service.

*Section 507.2.1 is amended to read as follows:*

*Section 507.2.1. Private fire service mains.* Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 and local jurisdiction construction standards.

*Section 507.3 is amended to read as follows:*

*Section 507.3. Fire flow.* The purpose of this section is to provide direction for the design and installation of fire service and water utilities. This section shall be used in conjunction with all other adopted and referenced codes and standards. If this section conflicts with other codes or standards, the most restrictive shall apply.

*507.3.1. Definitions.* For the purposes of this section, the following words shall have the meanings shown herein:

*Commercial* means the use of a building or structure for commercial operations including, but not limited to, hotels, motels, apartments, and dwellings excluding one- and two-family dwellings.

*Residential* means a one- or two-family dwelling.

*507.3.2. Fire flows required.*

(a) Every fire hydrant shall be capable of providing a minimum flow of 500 gpm in areas used for residential and 1,500 gpm in areas used for commercial or industrial.

(b) Fire hydrant flows determined by the Insurance Services Organization's (ISO) Fire Suppression Rating Schedule shall be provided for all new buildings and changes of occupancy classification in existing buildings. Calculations are in Appendix B.

(c) Fire hydrant flows for buildings provided with fire sprinkler systems shall either meet the requirements of subsection (b) or not be less than the required flow of the sprinkler system plus 500 gpm.

(d) The flow requirements listed in this section shall be met with a minimum of 20 pounds per square inch residual. This residual must be maintained in residential, commercial, and industrial areas. Flow in residential areas is to be calculated at 1.5 gpm per living unit.

(e) If the Fire Code Official determines that an occupancy is of a hazardous nature, or if special hazards exist in addition to the normal hazard of the occupancy, section 901 of the International Fire Code, 2009 Edition shall apply.

Section 507.5 is amended to read as follows:

*Section 507.5. Fire hydrant systems.*

(a) A fire hydrant is an approved national standard three-way hydrant connected to six-inch or larger water mains.

(b) A two-way hydrant is not recognized unless it was installed before January 1, 1985, or it was installed in conjunction with nationally approved sprinkler systems.

(c) Fire hydrants shall conform to the latest version of the AWWA Standard for Dry Barrel Fire Hydrants.

(d) Fire hydrants shall have one, 4.5 inch steamer and two, 2.5 inch side connections with National Standard threads. The centerline of the steamer connection shall be a minimum of 18 inches above the ground surface.

(e) Hydrants must be located so that no portion of any new structure is more than 500 feet, as the hose lies, on accessible approved roadways.

(f) Hydrants shall be spaced no less than every 500 feet in residentially zoned areas and no less than one every 300 feet in commercially and industrially zoned areas.

(g) The City of Lockhart Water Department shall have the authority to develop and approve new fire hydrant installation methods and standards consistent with the application of this section.

(h) Hydrants shall be installed in accordance with local jurisdiction construction standards.

Section 507.5.2 is amended by adding the following:

*Section 507.5.2.1. Cost.* The cost of maintaining fire hydrants on private property will be the burden of the occupant and/or owner of that property.

Section 507.5.3 is amended by adding the following:

*Section 507.5.3.1. Water mains required.*

(a) Water mains shall be at least eight inches and large enough to supply the required fire flows. All developers shall provide an engineer certified computer model or hand calculation to the fire and engineering departments. The model or calculation shall indicate the minimum fire flows that will be met. Existing mains shall come into compliance with this requirement when they undergo major repairs or when the fire flow demands of new construction or new occupancy classifications in existing construction exceed the existing fire flows.

(b) New eight-inch dead-end main more than 1,320 feet long must be looped.

(c) New eight-inch looped main shall not exceed 2,500 feet, unless approved by the fire and engineering departments.

(d) Any six-inch lead lines for hydrants cannot exceed 100 feet and, in no case, reduce the amount of required fire flow. Six-inch lines are not permitted for use as a utility line or fire line for fire hydrants for commercial structures.

(e) Private fire service mains and water tanks shall be periodically inspected, periodically tested, and maintained in accordance with NFPA 25. Reports for the inspection or test shall be on a form as specified by the fire code official.

Section 507.5.4 is amended to read as follows:

*Section 507.5.4. Obstruction.* Posts, fences, vehicles, growth, trash, storage, and other materials or objects shall neither be placed within five feet of nor 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. No person shall place or maintain an obstruction near fire protection equipment or a fire hydrant so that the fire department is deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

Section 507.5.5 is amended to read as follows:

*Section 507.5.5. Clear space around hydrants.* A 5-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

Section 507 is amended by adding the following:

*Section 507.5.7. Marking.* The location of all fire hydrants shall be identified with a blue reflective road dot placed near the center of the roadway in front of the hydrant.

*Sec. 508, International Fire Code, Fire Protection Water Supplies*, together with Appendix B and C, and Texas Transportation Code, Subchapter G, Stopping, Standing and Parking, Section 545.302, shall be adopted by reference as written.

Exception 1 to Section 603.4 is amended to read as follows:

*Exceptions:*

1. Unvented fuel-fired heaters that are listed and approved for installation in one- and two-family dwellings may be used therein.

Section 605 is amended by adding the following:

*Section 605.13. Labels for disconnecting means.* Each disconnecting means for each service feeder, or branch circuit shall be legibly marked to indicate its purpose at the point where it originates. Where the service feeder or branch is located on a building or other structure, a description of the device and address of the building must be prominently displayed utilizing a marking of sufficient durability to withstand the environment involved. A list of acceptable marking devices and labels can be obtained through the electric utility department.

Section 903.2.14 is amended as follows:

*Section 903.2.14. Additions and Expansions.* Any building constructed after July 26, 2013, which with attached construction, alteration, or addition to an existing structure of any group that causes the structure to exceed 15,000 sq. ft. For purposes of this section, an automatic fire sprinkler system is to be installed in the non-conforming or existing structure in addition to the new construction area.

Section 903.3.1.2 is amended by adding the following:

*Section 903.3.1.2.3. Exterior closets.* Sprinkler protection shall be provided in closets (regardless of size) that are accessible from the exterior of the building.

Sec. 906. International Fire Code, Portable Fire Extinguishers, shall be adopted by reference as written.

Section 906.3.1.2.1 is added.

*Section 906.3.1.2.1 Fire Extinguishers minimum standards* - Fire extinguishers are required for all multifamily dwellings new and existing.

A. Outside - if fire extinguishers are located outside the individual unit(s), one shall be on each level (if a multi-level building). The maximum travel distance (the furthest point to reach the extinguisher) shall not exceed 75 feet. If this distance is exceeded, another extinguisher shall be provided. The size and type of these extinguishers shall be a minimum 2A-10BC (≈5 lb.).

B. Inside - if fire extinguishers are located inside each unit, only one 1A-5BC (≈2½ lb.) is required.

1. When mounting extinguishers, they must be no less than 4 inches from the floor, nor higher than 5 feet from the ground. The recommended height is about 3½ feet, measured to the top of the extinguisher. If located outside, an approved container is required.

2. The property owner shall be responsible for the inspection, maintenance, and recharging or refilling of the extinguishers located on their property. Units shall be mounted per NFPA standards. This inspection and maintenance shall be completed each year by a trained licensed technician.

Section 907.2.6.1.1 is amended by adding the following:

Where more than one smoke alarm is required to be installed in an existing dwelling unit, existing units interconnection is required based the year of the original installation. In occupancies where new fire alarms are being installed based on code required upgrades or to new building code standards, they must meet interconnectivity standards in the residential and building codes respectively.

Sec. 1003, International Fire Code, 2015 Edition, General Means of Egress, Sections 1003.2.2.5.1; and 1003.2.2.5.2 shall be removed.

Section 503 is amended to add as follows: (Applies to buildings under construction).

Section 503.4.2 Required access. Approved vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 50 feet of temporary or permanent fire department connections. Vehicle access shall be provided to within 150 feet of all portions of the exterior wall of the first story of each building prior to the erection of combustible material within that building. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

Section 507.1 is amended to read as follows: (Applies to buildings under construction).

Section 507.1.1 When required. Water supply complying with Section 507 shall be provided within 500 feet of all portions of the exterior wall of the first story of each building prior to the erection of combustible material for that building.

Section 610.1 is amended to add as follows:

Section 601.1.1 Operations such as the warming of foods, cooking demonstrations, and similar operations that use solid flammables, butane, or other similar devices which do not pose an ignition hazard may be approved by the fire code official.

Sec. 1004, International Fire Code, General Means of Egress, shall be amended by adding new Sections 1004.3.1; and 1004.3.2 to read as follows:

Sec. 1004.3.1.

Such sign shall read as follows: OCCUPANCY BY MORE THAN \_\_\_\_\_ PERSONS IS DANGEROUS AND UNLAWFUL.

It shall be unlawful to remove or deface this Notice.

Sec. 1004.3.2.

When the code official determines that any building or other structure is in violation of the posted capacity, he shall temporarily order the establishment closed, and may obtain the assistance of other law enforcement agencies to enforce his order. The temporary closure of such a building or structure shall be limited to a period of time sufficient to evacuate the building and count the total number of

occupants therein (including employees), and to reduce the actual number of occupants to constitute compliance with the building and fire codes.

Chapter 37 International Fire Code, Combustible Fibers, shall be amended by adding a new Section 3703.4.1 (Agricultural Products) to read as follows:

- a. Storage of agricultural bales shall not be located within 25 feet to a structure or building;
- b. Storage of agricultural bales shall not be located within 25 feet to any property line, easement or right-of-way;
- c. Hay, straw or similar agricultural products stored in open fields or lots shall be stored in the following manner:
  1. Storage of agricultural bales shall be limited in stack or pile size where the dimensions are limited to no more than 7 feet in height, 12 feet in width, and 100 feet in length (8,400 cubic feet);
  2. Storage arrangements of stacks or piles shall be such where there is a separation of at least 25 feet between stacks or piles.
- d. Seed cotton, baled cotton, mote baled cotton, sisal, or similar agricultural products stored in open fields or lots shall be stored in the following manner:
  1. Storage of mote bale cotton shall be limited in stack or pile size where the dimensions are limited to no more than 8 feet in height, 8 feet in width, and 40 feet in length (2,560 cubic feet). Storage arrangements of stacks or piles shall be such where there is a separation of at least 10 feet between stacks or piles.
  2. Storage of module baled cotton shall be limited in stack or pile size where the height is limited to no more than 8 feet and the length is no more than 33 feet, and the storage arrangements of stacks or piles shall be such where there is a separation of at least 10 feet between stacks or piles.

Chapter 33, International Fire Code, Explosives and Fireworks shall be adopted by reference as written.

**Sec. 20-35. - Life Safety Code amendments.**

*Sec. 4.6.4.1, Life Safety Code (NFPA 101)* shall be amended to read "Rehabilitation projects in historic buildings may comply with the provisions of Chapter 43".

*Sec. 12.3.5, Life Safety Code, NFPA 101, Existing Assembly Occupancies, Sprinkler Requirements*, shall be removed as a reference is hereby amended to read as follows:

*Sec. 12.3.5, Life Safety Code, NFPA 101, Existing Assemblies* shall not be made to comply unless modifications are made to the existing building which in the opinion of the Fire Code Official constitutes a threat to Life Safety.

*Sec. 24.1.3.2.1 Life Safety Code, (NFPA 101), One and Two Family Dwellings, is hereby amended to read as follows:*

A requirement of this state or of an ordinance or order of a political subdivision that an automatic fire sprinkler system be installed in a new one-family or two-family dwelling may not be enforced with respect to a dwelling under 7,500 square feet in size.

A prospective owner of a one-family or two-family dwelling under 7,500 square feet in size in a jurisdiction in which an automatic fire sprinkler system would otherwise be required to be installed in the home may choose whether or not to have the system installed.

A builder in a jurisdiction in which an automatic fire sprinkler system is required to be installed in any new one-family or two-family dwelling shall offer a person with whom the builder contracts for the construction of a new one-family or two-family dwelling under 7,500 square feet in size the option of installing an approved automatic fire sprinkler system in accordance with the International Residential Code applicable to the construction under V.T.C.A., Property Code § 430.001.

### **ARTICLE III. - LIQUEFIED PETROLEUM GAS[2]**

#### **Sec. 20-61 . - Definitions.**

*Sec. 5801.2 of the International Fire Code 2015 Edition shall be amended to include the following:*

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Equipment* shall mean and include all that equipment designed to use as a fuel any form of manufactured or liquefied petroleum gases.

*Standard grade* shall mean that grade of article which is accepted by dealers in such equipment and recognized as complying with all fire and life safety regulations.

*Liquefied petroleum gas (LP—Gas)* shall mean a material which is composed predominantly of the following hydrocarbons or mixtures of them: propane, propylene, butane (normal butane or isobutene) and butylenes.

**Reference**—Chapter 58 , Definitions, International Fire Code, 2015 Edition

**Cross reference**— Definitions generally, § 1-2.

#### **Sec. 20-63. - Installation, use of equipment.**

(a) Any equipment shall be installed or repaired in a workman like manner which shall comply with the provisions of the Texas Liquefied Petroleum Gas Code (V.C.T.A., Natural Resources Code, 113.001 et seq.), International Fuel Gas Code, Chapter 38, Section 3803, International Fire Code, and NFPA 58, International Fire Code 2015 Edition.

(b) When any equipment is installed, it shall not be placed in operation or used unless and until such installation has been approved by the city inspector.

(c) Any person installing any equipment shall, upon requesting such inspection for approval, pay an inspection fee as established by ordinance or resolution for each piece of equipment, to cover cost of inspection.

**State Law reference**— Liquefied Petroleum Gas Code, V.T.C.A., Natural Resources Code § 113.001 et seq.; rules and standards, V.T.C.A., Natural Resources Code § 113.051 et seq.

**Sec. 20-64. - Storage, prohibited locations.**

Sec. 6104.2 of the International Fire Code, 2015 Edition shall be amended to include Sec. 6104.2.1 as follows:

(a) No equipment using liquefied petroleum gases shall be permitted within the established fire limits of the city.

(b) Equipment used for the purposes of storing wholesale quantities of such gases within the city for the specific purposes of resale to the general public, shall meet all requirements as outlined in Chapter 58, 2015 International Fire Code, Liquefied Petroleum Gases.

(c) All persons who reside in areas within the city that are served by the company providing natural gas service, may as an option have liquefied petroleum gas service only if such installations are underground.

**Sec. 20-65. - Construction, operation, inspection and maintenance of tank trucks and trailers.**

(a) All tank trucks and tank trailers used for the transportation of liquefied petroleum gases within the city shall be so constructed and operated so as to comply with the provisions of the Texas Liquefied Petroleum Gas Code (V.C.T.A., Natural Resources Code 113.001 et seq.), International Fuel Gas Code and NFPA 58.

(b) Any person who shall operate or cause to be operated any such tank truck or tank trailer within the city shall keep such equipment in good condition at all times, and upon the development of any defect(s) that would create a hazard to persons or property, such tank truck or tank trailer shall be removed from the streets of the city until such defect(s) have been repaired or faulty equipment replaced. Any such tank trucks and tank trailers shall be subject to inspection by the proper authorities at any time.

(c) Parking and Garaging of tank trucks and/or tank trailers shall comply with all requirements as specified in Section 3811, International Fire Code, and NFPA 58.

**State Law reference**— Liquefied Petroleum Gas Code, V.T.C.A., Natural Resources Code § 113.001 et seq.; motor vehicles and testing laboratories, V.T.C.A., Natural Resources Code § 113.131 et seq.

**II. Penalty:** Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code. Nothing in this ordinance will limit the ability of the city to pursue any and all claims and

78

remedies available to it in law or equity in regard to the subject matter of this ordinance.

**III. Severability:** If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid or unenforceable, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall be inoperative or fail by way of reason of unconstitutionality or invalidity of any other portion, provision, or regulation.

**IV. Repealer:** All other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

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**V. Publication:** That the City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.

**VI. Effective Date:** That this ordinance shall become effective thirty (30) days after passage.

Passed, approved and adopted this \_\_\_\_\_ day of September, 2017.

**CITY OF LOCKHART, TEXAS**

\_\_\_\_\_  
Lew White, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Connie Constancio, City Secretary

\_\_\_\_\_  
Peter Gruning, City Attorney