

ORDINANCE NO. 2115

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS (“TOWN”) AMENDING ARTICLE 5.04 FIRE PREVENTION CODE, PROVIDING AMENDMENTS REGARDING CODES AND STANDARDS, PERMITS AND ENERGY RATINGS; PROVIDING A VALIDITY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO THE TOWN’S CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Park is committed to providing the highest level of protection against fires for its residents; and

WHEREAS, on December 7, 2021, the Town Council of the Town of Highland Park, Texas (the “Town Council”) adopted the 2021 International Fire Code via Ordinance 2097; and

WHEREAS, all constitutional, statutory, and legal prerequisites for the passage of this Ordinance have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the Town is a Home Rule municipality having full powers of self-government and may enact ordinances relative to its citizens’ health, safety, and welfare that are not inconstant with the Constitution and laws of the State of Texas; and

WHEREAS, the Town Council has determined that it is in the best interest of the health, safety, and welfare of the public to adopt this Ordinance.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS:

SECTION 1. That all matters stated hereinabove are found to be true and correct are incorporated herein by reference in their entirety

SECTION 2. That, Ordinance No. 2097, adopting the 2021 International Fire Code and certain amendments thereto, and which was later codified in the Code of Ordinances of the Town of Highland Park as **Article 5.04 Fire Prevention Code**, is hereby amended with certain amendments thereto as provided for herein.

SECTION 3. That, Chapter 5 Fire Prevention and Protection , **Article 5.04.004 Fire Prevention Code**, of the Code of Ordinances of the Town of Highland Park to include the following amendments:

Section 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 and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated by Sections 102.7.1 and 102.7.2.

Any revisions or successors of any referenced codes and standards outlined in Chapter 80. Shall be evaluated by the Fire Code Official. The most restrictive codes, standards, or requirements shall govern.

Section 1207.1.2 Permits. Permits shall be obtained for ESS as follows:

All ESS shall be permitted and installed in accordance with the current Highland Park Fire Code. The Fire Code Official or his designee is the final interpretive authority of code interpretation, permitting, and installation requirements.

Sections 1207.11.4 Energy ratings. Individual ESS units shall have a maximum of rating of 20kWh. The Maximum allowed kWh capacity for each occupancy, property or open area is 80 kWh. The aggregate rating per site shall not exceed:

1. 40 kWh within utility closets and storage or utility spaces
2. 80 kWh in attached or detached garages and detached accessory structures
3. 80 kWh on exterior walls
4. 80 kWh on the ground
5. Maximum energy ratings and quantities exceeding those outlined in Chapter 1207.11.4 Energy ratings., are subject to approval by the Fire Code Official or his designee.
6. Where approved by the Fire Code Official, maximum energy ratings and quantities may exceed the energy ratings listed in 1207.11.4 based on the below factors:
 1. Proof of compliance with the current UL 9540 edition, its revisions, or its successor
 2. Proof of compliance with the current UL 9540A test method, its revisions, or its successor
 3. Proof of a successful cell level testing result for each ESS
 4. Proof of testing laboratories certification to perform the current UL 9540A test method, its revisions, or its successor
 5. A detailed hazard mitigation analysis
 6. Compliance with the Highland Park fire suppression and fire alarm systems requirements

Section 4. Penalty. That, where the penalty provision is not specifically cited, the penalty provision of Chapter 1, Section 1.01.009 of The Code of Ordinances is hereby adopted for this ordinance.

Section 5. Validity. That, all ordinances of the Town of Highland Park in conflict with the provisions of this ordinance be and the same are hereby superseded and all other provisions of the ordinances of the Town of Highland Park not in conflict with the provisions of this ordinance shall remain in full force and effect.


Section 6. Severability. That, any portion of a prior ordinance which failed to preserve the requirements for the fire sprinkler installation in all residential structures, including one- and two-family structures, is hereby deemed repealed and shall be treated as if same had not been adopted. That, should any paragraph, sentence, clause, phrase, or word of this ordinance shall not be affected.

Section 7. Incorporation. That, this ordinance shall be deemed to be incorporated into the Code of Ordinances of the Town of Highland Park, Texas.

Section 8. Effective Date. That, this ordinance shall take effect immediately following its passage, approval, and publication as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED this the 7th day of February 2023.

APPROVED AS TO FORM:



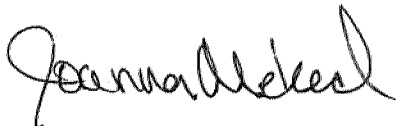
Matthew C. G. Boyle
Town Attorney

APPROVED:



Will C. Beecher
Mayor

ATTEST:



Joanna Mekeal
Town Secretary