

**NOTICE OF MEETING OF THE GOVERNING BODY OF THE
CITY OF NAVASOTA, TEXAS
JANUARY 18, 2022**

Notice is hereby given that a Special Meeting of the governing body of the City of Navasota will be held on the 18th of January, 2022 at 6:00 PM at the City Hall in the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street, Navasota, Texas 77868, at which time the following subjects will be considered, to wit:

To watch the City Council meeting live please visit the City of Navasota's Youtube here: <https://www.youtube.com/channel/UCltnx7BQt0TCIYJRiZ14g5w>.

- 1 Call to Order.
- 2 Invocation
Pledge of Allegiance
- 3 Remarks of visitors: Any citizen may address the City Council on any matter. Registration forms are available on the podium and/or table in the back of the city council chambers. This form should be completed and delivered to the City Secretary by 5:45 p.m. Please limit remarks to three minutes. The City Council will receive the information, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager.
- 4 Conduct a public hearing for the purpose of receiving public comments and testimony regarding establishing an Enterprise Zone Ordinance and the City of Navasota's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating the qualified business known as Champion Home Builders, Inc., for the property located at 9601 Industrial Drive, Navasota, Grimes County, Texas 77868, legally described as A0046 J Moore, Tract 72, Acres 20.00, as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development Bank ("Bank").
- 5 Consideration and possible action on the first reading of Ordinance No. 990-22, authorizing the City of Navasota's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating the qualified business known as Champion Home Builders, Inc., for the property located at 9601 Industrial Drive, Navasota, Grimes County, Texas 77868, legally described as A0046 J Moore, Tract 72, Acres 20.00, as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development Bank ("Bank").

- 6 Consent Agenda: The following items may be acted upon with one motion and vote. No separate discussion or action is necessary unless requested by the Mayor or City Councilmember, in which event the item will be removed from the Consent Agenda for separate discussion and/or action by the City Council as part of the regular agenda.

Consent Items are:

A. Consideration and possible action on the second reading of Ordinance No. 988-22, amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, of the City of Navasota Code of Ordinances, adopting 2021 International Building Codes & 2020 National Electrical Code (NEC); and

B. Consideration and possible action on the second reading of Ordinance No. 989-22, amending Chapter 5 Fire Prevention and Protection, Article 5.04 Fire Prevention Code, of the City of Navasota Code of Ordinances, adopting 2021 International Fire Codes.

- 7 Adjourn.

DATED THIS

/JW/

BY: JASON WEEKS, CITY MANAGER

I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the CITY OF NAVASOTA, is a true and correct copy of said notice and that I posted a true and correct copy of said notice in the glass bulletin board, in the foyer, on the south side of the Municipal Building as well as in the bulletin board on the north side of the Municipal Building of the City of Navasota, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on the 4th of January, 2022 at 12:20 PM and will remain posted continuously for at least 72 hours preceding the scheduled time of said meeting. Agendas may be viewed at www.navasotatx.gov.

The City Council reserves the right to convene in Executive Session at any time deemed necessary for the consideration of confidential matters under the Texas Government Code, Sections 551.071-551.089.

DATED THIS THE 4TH OF JANUARY, 2022

/SMH/

BY: SUSIE M. HOMEYER, CITY SECRETARY

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT(936) 825-6475 OR (936) 825-6408 OR BY FAX AT (936) 825-2403.

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 4

AGENDA DATE: January 18,
2022

PREPARED BY: Rayna Willenbrink, Economic Development
Specialist

APPROVED BY: BS

ITEM: Conduct a public hearing for the purpose of receiving public comments and testimony regarding establishing an Enterprise Zone Ordinance and the City of Navasota’s participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating the qualified business known as Champion Home Builders, Inc., for the property located at 9601 Industrial Drive, Navasota, Grimes County, Texas 77868, legally described as A0046 J Moore, Tract 72, Acres 20.00, as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development Bank (“Bank”).

ITEM BACKGROUND:

Texas Enterprise Zone Program is an economic development tool that allows local communities to partner with the state of Texas to encourage job creation and capital investment in economically distressed areas. Local communities can nominate a new or expanding business as an 'enterprise project.' Approved projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund depends on the capital investment and jobs created at the qualified business site. There is no monetary contribution required by the City for participating in the nomination of an enterprise zone project.

Jason Rosales with CFO Services has been working with Champion Homes, Inc. on a project which they are requesting the City nominate this project as a Texas Enterprise Project. Scott Isom, General Manager for Champion Home Builders, Inc. will be present at the public hearing to provide details about the job creation and capital investment of Champion Home Builders, Inc. This public hearing is part of the nomination process. The purpose of this hearing is to receive public input on the consideration of a City ordinance nominating the qualified business known as "Champion Home Builders, Inc." operating at the business site located at 9601 Industrial Drive, Navasota, Grimes County, Texas, 77868, legally described as A0046 J Moore, Tract 72, Acres 20.00, to the Economic Development & Tourism division of the Governor's Office as a Texas Enterprise Project.

Public hearing opened at _____p.m.

Public hearing closed at _____p.m.

BUDGETARY AND FINANCIAL SUMMARY:

None

STAFF RECOMMENDATION:

Staff recommends conducting a public hearing for the purpose of receiving public comments and testimony regarding establishing an Enterprise Zone Ordinance and the City of Navasota's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating the qualified business known as Champion Home Builders, Inc., for the property located at 9601 Industrial Drive, Navasota, Grimes County, Texas 77868, legally described as A0046 J Moore, Tract 72, Acres 20.00, as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development Bank ("Bank").

ATTACHMENTS:

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 5

AGENDA DATE: January 18,
2022

PREPARED BY: Rayna Willenbrink, Economic Development
Specialist

APPROVED BY: BS

ITEM: Consideration and possible action on the first reading of Ordinance No. 990-22, authorizing the City of Navasota's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating the qualified business known as Champion Home Builders, Inc., for the property located at 9601 Industrial Drive, Navasota, Grimes County, Texas 77868, legally described as A0046 J Moore, Tract 72, Acres 20.00, as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development Bank ("Bank").

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Jason Rosales with CFO Services has been working with Champion Homes, Inc. on a project which they are requesting the City nominate this project as a Texas Enterprise Project. Scott Isom, General Manager for Champion Home Builders, Inc. will be present at the public hearing to provide details about the job creation and capital investment of Champion Home Builders, Inc. This public hearing is part of the nomination process. The purpose of this hearing is to receive public input on the consideration of a City ordinance nominating the qualified business known as "Champion Home Builders, Inc." operating at the business site located at 9601 Industrial Drive, Navasota, Grimes County, Texas, 77868, legally described as A0046 J Moore, Tract 72, Acres 20.00, to the Economic Development & Tourism division of the Governor's Office as a Texas Enterprise Project.

BUDGETARY AND FINANCIAL SUMMARY:

None

STAFF RECOMMENDATION:

Staff recommends approving the first reading of Ordinance No. 990-22, authorizing the City of Navasota's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating the qualified business known as Champion Home Builders, Inc., for the property located at 9601 Industrial Drive, Navasota, Grimes County, Texas 77868, legally described as A0046 J Moore, Tract 72, Acres 20.00, as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development Bank ("Bank").

ATTACHMENTS:

1. Ordinance No. 990-22

ORDINANCE NO. 990-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, APPROVING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT"); PROVIDING FOR TAX INCENTIVES; DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES; NOMINATING CHAMPION HOME BUILDERS, INC. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM ("EDT") THROUGH THE ECONOMIC DEVELOPMENT BANK ("BANK") AS AN ENTERPRISE PROJECT ("PROJECT"); PROVIDING FOR AN EFFECTIVE DATE; AND FINDING OF PROPER NOTICE AND MEETINGS.

WHEREAS, the City Council of the **City of Navasota**, Texas (City) desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the City and to provide employment to residents of such area; and

WHEREAS, the project or activity is located in an area designated as an enterprise zone; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Act, **Champion Home Builders, Inc.** has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that **Champion Home Builders, Inc.** meets the criteria for tax relief and other incentives adopted by the City on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, a public hearing to consider this Ordinance was held by the City Council on **January 18, 2022**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS THAT:

SECTION 1. The City nominates **Champion Home Builders, Inc.** for enterprise project status.

SECTION 2. The following local incentives, at the election of the governing body, are or will be

made available to the nominated project or activity of the qualified business:

- a) The City may abate taxes on the increase in value of real property improvements and eligible personal property that locate at a qualified business site. The level of abatement shall be based upon the extent to which the business receiving the abatement creates and/or retains jobs, in accordance with the **City of Navasota** Economic Development Policy.
- b) The City may provide regulatory relief to businesses, including:
 - 1) zoning changes or variances;
 - 2) exemptions from unnecessary building code requirements, or inspection fees; or
 - 3) streamlined permitting.
- c) The City may provide enhanced municipal services to businesses, including:
 - 1) improved police and fire protection;
 - 2) institution of community crime prevention programs; or
 - 3) special public transportation routes or reduced fares.
- d) The City may provide improvements in community facilities, including:
 - 1) capital improvements in water and sewer facilities;
 - 2) road repair; or
 - 3) creation or improvement of parks.
- e) The City may provide improvements to housing, including:
 - 1) low-interest loans for housing rehabilitation, improvement, or new construction; or
 - 2) transfer of abandoned housing to individuals or community groups.
- f) The City may provide business and industrial development services, including:
 - 1) low-interest loans for business;
 - 2) local sales tax refunds or other tax deferrals, refunds, or incentives allowed under Chapter 380 of the Texas Local Government Code;
 - 3) economic development Type B contributions;
 - 4) tax increment financing;

- 5) special utility rates for large users;
- 6) use of surplus school buildings or other underutilized publicly owned facilities as small business incubators;
- 7) provision of publicly owned land for development purposes, including residential, commercial, or industrial development;
- 8) creation of special one-stop permitting and problem resolution centers or ombudsmen; or
- 9) promotion and marketing services.

- g) The City may provide job training and employment services to businesses, including:
 - 1) retraining programs;
 - 2) literacy and employment skills programs;
 - 3) vocational education; or
 - 4) customized job training.

SECTION 3. The proposed project is located in an area designated as an enterprise zone.

SECTION 4. The **City of Navasota** City Council directs and designates its **City Manager** as the City's liaison to communicate and negotiate with the EDT through the Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.

SECTION 5. The City finds that **Champion Home Builders, Inc.** meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- a) **Champion Home Builders, Inc.** is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction, located inside of an enterprise zone and at least twenty-five percent (25%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals or veterans; and
- b) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area; and
- c) The designation of **Champion Home Builders, Inc.** as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

SECTION 6. The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate not less than five (5) years after the date of enterprise zone designation by the Governor’s Office.

SECTION 7. This Ordinance shall take effect from and after its passage as the law and charter in such case provides.

SECTION 8. It is hereby officially found and determined that the meetings at which this Ordinance was passed were open to the public as required and that public notice of the time, place and purpose of said meetings were given as required by the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON FIRST READING THIS THE 18TH DAY OF JANUARY, 2022.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED AND APPROVED ON SECOND READING THIS THE 24TH DAY OF JANUARY, 2022.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

Approved as to form:

CARY BOVEY, CITY ATTORNEY

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 6 **AGENDA DATE:** January 18,
2022

PREPARED BY: Susie M. Homeyer, City Secretary

APPROVED BY: BS

ITEM: Consent Agenda: The following items may be acted upon with one motion and vote. No separate discussion or action is necessary unless requested by the Mayor or City Councilmember, in which event the item will be removed from the Consent Agenda for separate discussion and/or action by the City Council as part of the regular agenda.

Consent Items are:

A. Consideration and possible action on the second reading of Ordinance No. 988-22, amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, of the City of Navasota Code of Ordinances, adopting 2021 International Building Codes & 2020 National Electrical Code (NEC); and

B. Consideration and possible action on the second reading of Ordinance No. 989-22, amending Chapter 5 Fire Prevention and Protection, Article 5.04 Fire Prevention Code, of the City of Navasota Code of Ordinances, adopting 2021 International Fire Codes.

ITEM BACKGROUND:

BUDGETARY AND FINANCIAL SUMMARY:

STAFF RECOMMENDATION:

Staff recommends approval of the consent agenda items which includes (a) the second reading of Ordinance No. 988-22, amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, of the City of Navasota Code of Ordinances, adopting 2021 International Building Codes & 2020 National Electrical Code (NEC); and (b) the second reading of Ordinance No. 989-22, amending Chapter 5 Fire Prevention and Protection, Article 5.04 Fire Prevention Code, of the City of Navasota Code of Ordinances, adopting 2021 International Fire Codes.

ATTACHMENTS:

1. Ordinance No. 988-22
2. Ordinance No. 989-22

ORDINANCE NO. 988-22

AN ORDINANCE OF THE CITY OF NAVASOTA, TEXAS AMENDING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, OF THE CITY OF NAVASOTA CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; FINDING PROPER NOTICE OF MEETING; AND PROVIDING FOR CERTIFICATION OF ADOPTION.

WHEREAS, the City Council of the City of Navasota previously adopted certain provisions relating to technical construction codes and standards; and

WHEREAS, the City Council desires to amend the adopted technical construction codes and standards; and

WHEREAS, the City Council finds and determines that it is in the best interest of the City to adopt the technical construction codes and standards as set forth herein;

NOW THEREFORE, be it ordained by the City Council of the City of Navasota, 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.

Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, of the Code of Ordinances of the City of Navasota is hereby amended in its entirety to read as follows:

ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

Division 1. Generally

Secs. 3.02.001–3.02.050 Reserved

Division 2. Building Code

Sec. 3.02.051 Adopted

The *International Building Code*, particularly the 2021 edition, and any future amendments, editions or derivatives beginning sixty (60) days after printing, except such portions as may hereinafter be amended, is hereby adopted. The provisions therein shall be controlling in the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of all buildings and structures within the area of jurisdiction of the City.

Sec. 3.02.052 Conflicting regulations; adoption of permit fees

(a) The provisions of this division shall supersede other local ordinances to the extent that such ordinances are inconsistent with the provisions of this division; provided that nothing herein contained shall be construed to prevent the adoption and enforcement of an ordinance which is more restrictive or establishes a higher standard than those provided in this division, and such more restrictive requirement or higher standard shall govern during the period in which it is in effect.

(b) The City Council may, from time to time, set, by resolution, fees for permits under this division.

Sec. 3.02.053 Safety to persons and property

(a) Installations, alterations and repairs to residential premises, mobile homes and mobile home courts, and materials, assemblies, and equipment utilized in connection therewith, shall be reasonably safe to persons and property, and in conformity with applicable statutes of the City.

(b) Alterations and repairs of residential premises, mobile homes, mobile home court buildings, and their accessory structures, and of material, assemblies and equipment utilized in connection with such buildings and structures, that conform with the applicable requirements of the building code shall be prima facie evidence that such work, material, assembly or equipment is reasonably safe to persons and property, except as otherwise provided in this division.

Sec. 3.02.054 Relief

It is not the intent of this division to declare anything to be a nuisance which is not such in fact. Any person to whom any order is directed or against whose property is taken or proposed to be taken under the terms and provisions of this division shall have the right to appeal such order or action to any court having competent jurisdiction.

Sec. 3.02.055 Penalty

Any person who shall violate any of the provisions of this division or the *International Building Code* adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed two thousand dollars (\$2,000.00). Each day such a violation is committed or permitted to continue shall be considered a separate offense.

Sec. 3.02.056 Local amendments to International Building Code

The following local amendments are made to the *International Building Code*, 2021 edition, as adopted by the City:

Section 101.1 is hereby amended by inserting the following: City of Navasota.

Section 103.1 is deleted in its entirety.

Section 113 is deleted in its entirety.

Secs. 3.02.057–3.02.100 Reserved

Division 3. Residential Code

Sec. 3.02.101 Adopted

The *International Residential Code*, particularly the 2021 edition, and any future amendments, editions or derivatives beginning sixty (60) days after printing, except such portions as may hereinafter be amended, is hereby adopted. The provisions therein shall be controlling in the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of all buildings and structures within the area of jurisdiction of the city.

Sec. 3.02.102 Conflicting regulations; adoption of minimum size for residences and permit fees

(a) The provisions of this division shall supersede other local ordinances to the extent that such ordinances are inconsistent with the provisions of this division; provided that nothing herein contained shall be construed to prevent the adoption and enforcement of an ordinance which is more restrictive or establishes a higher standard than those provided in this division, and such more restrictive requirement or higher standard shall govern during the period in which it is in effect.

(b) The minimum square footage for residential structures shall be 750 square feet of heated area that will include a bathroom and designated kitchen area per the requirement of this code.

Sec. 3.02.103 Safety to persons and property

(a) Installations, alterations and repairs to one and two-family residential premises, and materials, assemblies, and equipment utilized in connection therewith, shall be reasonably safe to persons and property, and in conformity with applicable statutes of the City.

(b) Alterations and repairs of one and two-family residential premises, and their accessory structures, and of material, assemblies and equipment utilized in connection with such buildings and structures, that conform with the applicable requirements of the building code shall be prima facie evidence that such work,

material, assembly or equipment is reasonably safe to persons and property, except as otherwise provided in this division.

Sec. 3.02.104 Relief

It is not the intent of this division to declare anything to be a nuisance which is not such in fact. Any person to whom any order is directed or against whose property is taken or proposed to be taken under the terms and provisions of this division shall have the right to appeal such order or action to any court having competent jurisdiction.

Sec. 3.02.105 Penalty

Any person who shall violate any of the provisions of this division or the International Residential Code adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed two thousand dollars (\$2,000.00). Each day such a violation is committed or permitted to continue shall be considered a separate offense.

Sec. 3.02.106 Local amendments to International Residential Code

The following local amendments are made to the *International Residential Code*, 2021 edition, as adopted by the City:

Section 101.1 is hereby amended by inserting the following: City of Navasota.

Section R103.1 is deleted in its entirety.

Section R112 is deleted in its entirety.

Secs. 3.02.105–3.02.150 Reserved

Division 4. Existing Building Code

Sec. 3.02.151 Adopted

The *International Existing Building Code*, particularly the 2021 edition, and any future amendments, editions or derivatives beginning sixty (60) days after printing, except such portions as may hereinafter be amended, is hereby adopted. The provisions therein shall be controlling in the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of all buildings and structures within the area of jurisdiction of the city.

Sec. 3.02.152 Penalty

Any person who shall violate any of the provisions of this division or the *International Existing Building Code* adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed two

thousand dollars (\$2,000.00). Each day such a violation is committed or permitted to continue shall be considered a separate offense.

Sec. 3.02.153 Local amendments to International Existing Building Code

The following local amendments are made to the *International Existing Building Code*, 2021 edition, as adopted by the City:

Section 101.1 is hereby amended by inserting the following: City of Navasota.

Section 103.1 is deleted in its entirety.

Section 112 is deleted in its entirety.

Secs. 3.02.154–3.02.200 Reserved

Division 5. Electricity

Part I. In General

Sec. 3.02.201 Penalty

Any person who shall violate any of the provisions of this division or the 2020 National Electrical Code adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed two thousand dollars (\$2,000.00). Each day such a violation is committed or permitted to continue shall be considered a separate offense.

Sec. 3.02.202 Installation of equipment in streets

(a) Only persons or public service companies that operate under a franchise granted by the City shall have the right to install any electrical equipment of any kind for the transmission of intelligence on, over or under the streets in the city. Any such installation made under franchise or grant shall be in strict conformity with all rules and regulations and ordinances of the city.

(b) Any installation of duct tube, conduit or wires under the public streets shall be in accordance with this division and other city ordinances covering the use of public places and streets.

Sec. 3.02.203 Interference with wiring installations

It shall be unlawful for any person to interfere with any electrical wiring installed or being installed in any structure or building.

Secs. 3.02.204–3.02.230 Reserved

Part II. Electrical Inspectors

Sec. 3.02.231 Duties

Electrical inspectors shall issue building permits for the installation and alteration of electrical wiring and equipment and shall be responsible for inspection of all new electrical installations and reinspections of all electrical installations. They shall keep complete records of all building permits issued and inspections and reinspections made.

Sec. 3.02.232 Authority

City electrical inspectors shall have the right from 8:00 a.m. to 5:00 p.m. to enter any building in the discharge of their official duties or for the purpose of making any inspection or test of the installation of electric wiring and electrical equipment contained therein, and shall have the authority to disconnect in cases of emergency any wiring where such electrical currents are dangerous to life and property or where such wires may interfere with the work of the fire department. Electrical inspectors are hereby empowered in emergencies to disconnect and to order the discontinuance of electrical service to any electric wiring or equipment found to be dangerous to life or property or not in conformity with the provisions of this division until such wiring and equipment and their installation have been made safe.

Secs. 3.02.233–3.02.260 Reserved

Part III. Inspections and Certificates of Approval

Sec. 3.02.261 Required

(a) When any part of a wiring installation is to be hidden from view, the master electrician or his authorized representative shall notify a City electrical inspector that an inspection is necessary. Upon the completion of the work which has been authorized by the issuance of a building permit, it shall be the duty of the master electrician or his authorized representative to whom the building permit has been issued to immediately notify a City electrical inspector, who shall inspect such installations within three days, exclusive of Sundays and holidays, of the time such notice is given.

(b) If the work is found to be in compliance with the provisions of this division, the City electrical inspector shall issue a final inspection release to the public utility corporation furnishing the electrical service. This notice shall authorize connection of approved work to the electrical service. No connection shall be made until such authorization and final release is issued.

Sec. 3.02.262 Inspection of existing installations; correction of unsafe conditions

A city electrical inspector shall make, upon belief that faulty conditions exist, a thorough inspection of any electrical wiring and equipment installed within the City.

When the installation of such wiring and equipment is found to be in an unsafe condition, or if it is found that the electrical measuring device has been tampered with so as to create a dangerous condition, the person owning, using or operating the same shall be notified in writing and shall, within fifteen days, make the necessary repairs to place such wiring and equipment in safe condition. If conditions are deemed to be dangerous, a City electrical inspector can order the immediate disconnection of the electrical service.

Sec. 3.02.263 Notice of release required prior to connection to electrical service

(a) It shall be unlawful for any person to make connection from a source of electrical energy to any electrical wiring or equipment for which a permit is required until they shall have received a notice of release issued by a City electrical inspector authorizing such connection and the use of such wiring and equipment.

(b) It shall be unlawful for any person to make connection for a source of electrical energy to any electric wiring or equipment which has been disconnected by a city electrical inspector or ordered to be disconnected until a notice of release has been issued by a city electrical inspector.

Secs. 3.02.264–3.02.300 Reserved

Part IV. Licenses and Permits

Sec. 3.02.301 License required; exception

(a) Except as otherwise provided herein, no person, firm or corporation shall install, repair or alter electrical wiring unless licensed as a master electrician, journeyman electrician, apprentice electrician or maintenance electrician with the state, and, having paid the proper fee, and obtained a building permit.

(b) A person performing electrical work with his own hands in a dwelling (or on the premises) owned by him and that is his homestead is exempt from licensing requirements and may be issued a permit to do electrical work on his homestead, upon demonstration of competence by the homeowner's electrical test and payment of the required inspection fee. His work shall in all respects be in accordance with the minimum standards established by this division and shall be subject to inspection by a City electrical inspector. Failure or refusal on the part of such owner to remedy the deficiencies found by such electrical inspector within ten days shall constitute a violation of this division.

Sec. 3.02.302 Classifications of electrical installers

Classifications of electrical installers shall be recognized as those outlined by the state department of licensing and regulation for electricians.

Sec. 3.02.303 Application for license

Applications for licenses may be obtained from a City electrical inspector.

Sec. 3.02.304 Permit required; exceptions

(a) Except as otherwise specifically provided in this division, it shall be unlawful for any person to install, or to permit any person to install, any electrical wiring system without first having procured a building permit issued by the city.

(b) No building permit shall be required for:

(1) Minor maintenance work, such as replacement of lamps, fuses, drop cords or other similar minor repairs.

(2) The connection of portable electrical equipment (including room air conditioners, ranges, etc.) to suitable existing permanently installed receptacles.

(3) The replacement of a motor by another motor of the same horsepower and rating, and installation of pressure and other similar controls, when the electrical supply for same has been properly installed.

Sec. 3.02.305 Elimination of hazardous conditions in existing wiring

It is the policy of the City to upgrade electric wiring so as to eliminate as rapidly as possible hazards which have developed in many installations in the city, due to the lack of a means of controlling electrical work prior to incorporation of the City or the adoption of this division. Therefore, it is the policy of the City that, whenever an electrician shall apply for a building permit to make an addition to an existing wiring installation, he shall certify that he has examined all of the wiring on the premises and has included as part of the job for which the permit is requested the elimination of all hazardous conditions in the existing wiring.

Sec. 3.02.306 Building permit fees

It is the policy of the City that fees associated with building permits under this division shall be set from time to time by resolution of the City Council.

Sec. 3.02.307 Notification that work is ready for inspection

It shall be the responsibility of the person who purchases a building permit to notify the inspection department of the city when ready for rough-in and final electrical inspections. Such notice will be considered to mean that all work is ready for its respective inspection. If reinspections are needed, additional fees may be added to the building permit and shall be paid prior to further work being commenced.

Sec. 3.02.308 Work performed without permit or inspection

In the event electrical work of any kind has taken place without the purchase of a

building permit, and the safe condition of such wiring has not been inspected by the City inspector, the City, after notifying the occupant either in person, by phone or by certified mail, may discontinue all electrical service to said structure until such time as said wiring is found to be safe by the City inspector.

Secs. 3.02.309–3.02.340 Reserved

Part V. Electrical Code and Technical Requirements

Sec. 3.02.341 Electrical code adopted

The National Electrical Code, particularly the 2020 edition, and any future amendments, editions or derivatives beginning sixty (60) days after printing, except such portions as may hereinafter be amended, is hereby adopted. The provisions therein shall be controlling in the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of all buildings and structures within the area of jurisdiction of the City.

Sec. 3.02.342 Amendments to electrical code

The following amendments are hereby enacted which exceed the adopted 2020 National Electrical Code, hereafter said to be the electrical code of the City:

- (1) When using twenty-ampere breakers with no. 12 wire on branch circuits, no more than twelve (12) outlets shall be permitted on those circuits.
- (2) Type NM or NMC (commonly referred to as Romex) with aluminum or copper-clad aluminum is not authorized.
- (3) No. 14 copper AWG type NM or NMC is approved for switch leg purposes.
- (4) Each commercial building service shall have, as an integral part of the entrance equipment, a main disconnect means located at a readily accessible point immediately adjacent to the meter outside the building or in a separate electrical room, convenient to a person standing on the ground.
- (5) All commercial, assembly and multiple-family structures over two (2) stories tall shall have all wiring installed in conduit.
- (6) On appliance circuits, no more than three (3) outlets shall be permitted.
- (7) All new wiring in the Central Business District (CBD), also known as the fire district, shall be installed in approved conduit, busways or wireways.

Sec. 3.02.343 Approved materials, fixtures and equipment

(a) No electrical materials, apparatus, devices, appliances, fixtures or equipment shall be sold or installed in the city unless they are in conformity with the provisions of this division, the statutes of the state and the rules and regulations issued by the

industrial commission of the state under authority of the state statutes.

(b) The maker's name, trademark or other identification symbol shall be placed on all electrical materials and equipment used or installed under the provisions of this division.

Sec. 3.02.344 Special requirements

(a) Types of wiring systems. In general, any type of wiring system may be used within the city limits as approved by the National Electrical Code adopted in [section 3.02.341](#) of this division, except where specifically prohibited.

(b) Aluminum conductors. Aluminum conductors shall not be used in any wiring within buildings, on the meter side of services or in underground services, except for that portion of the underground service entrance installed by the public utility company. Aluminum conductors may only be used pole to pole; or weatherhead to weatherhead; or weatherhead to pole.

(c) Wiring in commercial or commercial-residential buildings. Wiring in all new commercial or new combination commercial and residential buildings shall be enclosed in rigid conduit, metallic tubing, BX or BXL. This shall include expansions, additions or rewiring of existing structures. Existing structures being converted to commercial use where such use is not a hazard to the electrical system and no expansion to the system is required shall not be required to comply with this section.

(d) Services and interior feeders. All services and interior feeders shall be installed in rigid metal conduit, electric metallic tubing or approved busways, except that underground services, feeders and branch circuits may be installed in approved ducts or plastic conduit. Overhead services or feeders between two buildings less than six feet apart shall be installed in rigid metal conduit, electric metallic tubing, approved busways or ducts. Where wiring is installed in approved nonmetallic duct conduit, a continuous ground wire, sized per the National Electrical Code, shall be installed within the duct to ensure continuity of ground, and the entire wiring system must be installed in a manner approved by the electrical inspectors. Where approved underground duct is used it shall in no case be smaller than two inches inside diameter, buried at least eighteen inches below the ground surface. The portion of the service ahead of the meter cabinet shall not be run through attic spaces. Where conduit fittings are used ahead of meter cabinets, they shall be of sealable type and shall be plainly visible. Subfeeders in residential (single and multiple) buildings less than three stories tall may be nonmetallic sheath cable (Romex) grounded type.

(e) Meter cabinets, service outlet and metering equipment. Service requirements shall comply with the requirements of Entergy Corporation's customer service requirement handbook. Where space limitations will not permit placing of meter cabinets as outlined above, the electric public service company, subject to the approval of the chief electrical inspector, may determine the arrangement to be used. All service outlets shall be located so as to permit placing the electric public service company's service wire on the wall of the building next to the supply. The electric public service company shall never require the placing of meters on the front of the building or street side of a building without the written consent of the owners, and, where not practical in the opinion of the chief electrical inspector to place

metering devices on the exterior of the building, said location shall be at the service company's service as determined by the chief electrical inspector.

(f) Point of attachment of service drop. The point of attachment of the service drop shall meet requirements as outlined in the customer service handbook as published by Entergy.

(g) Equipment installed on exterior of buildings. Service switches and other electrical equipment installed on the exterior of a building or outside any building shall be considered as being exposed to the weather, and all switches and equipment shall be of a type approved for the prevailing conditions. Switches and equipment installed on the outside of the building in a recess in the outside wall and covered by a door as a part of the building structure shall be considered as being on the exterior of the building and exposed to the weather.

Secs. 3.02.345–3.02.400 Reserved

Division 6. Plumbing

Sec. 3.02.401 Adopted

The *International Plumbing Code*, particularly the 2021 edition, and any future amendments, editions or derivatives beginning sixty (60) days after printing, except such portions as may hereinafter be amended, is hereby adopted. The provisions therein shall be controlling in the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of all buildings and structures within the area of jurisdiction of the City.

Sec. 3.02.402 Penalty

Any person who shall violate any of the provisions of this division or the *International Plumbing Code* adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed two thousand dollars (\$2,000.00). Each day such a violation is committed or permitted to continue shall be considered a separate offense.

Sec. 3.02.403 Plumber's license and bond

(a) License. All persons who engage in or work at actual installations, alterations or repair of pipes, fittings and fixtures for water, sewage or gas in all buildings and structures and on all property now erected or to be erected, changed, constructed, reconstructed, repaired or altered in the City, and outside the City if same be connected to either City water, gas or sewer systems, shall possess either a master or journeyman's plumber's license or an apprentice registration card in accordance with Chapter 1301 of the Texas Occupations Code, as amended.

(b) Insurance. Every licensed master plumber must have on file with the Texas State Board of Plumbing Examiners a certificate of insurance. The City will verify through the Board's website or by contacting the Board by telephone that the

insurance is on file. The certificate of insurance must:

- (1) be written by an insurer authorized to engage in the business of insurance in this state or an eligible surplus lines insurer, as defined by Section 981.002, Insurance Code;
- (2) provide for commercial general liability insurance for the responsible master plumber for a claim for property damage or bodily injury, regardless of whether the claim arises from negligence or on a contract; and
- (3) provide coverage of not less than \$300,000 for all claims arising in a one-year period.

Sec. 3.02.404 Special requirements

Table 702.3 of the *International Plumbing Code*, 2021 edition, titled "Building Sewer Pipe," is hereby amended by deleting Acrolonitrile butadiene styrene (ABS) plastic pipe and asbestos-cement pipe concrete, coextruded composite ABS DWV schedule 40 IPS pipe solid, coextruded composite ABS DWV schedule 40 IPS cellular core, coextruded composite PVC DWV schedule 40 IPS pipe solid, coextruded composite PVC DWV schedule 40 IPS pipe cellular core, coextruded composite PVC IPS, DR-PS DWV PS140, PS200, coextruded composite ABS sewer drain DR-PS in PS35, PS50, P5100, PS140, P5200 and concrete the use of which is prohibited, and by conditioning the use of other materials outside the slab. Outside the slab only polyvinyl chloride (PVC) plastic (type DWV), schedule 40 or SDR 26 is allowed.

Sec. 3.02.405 Local amendments to International Plumbing Code

The following local amendments are made to the *International Plumbing Code*, 2021 edition, as adopted by the city:

Section 101.1 is hereby amended by inserting the following: City of Navasota.

Section 103.1 is deleted in its entirety.

Secs. 3.02.406–3.02.440 Reserved

Division 7. Gas Code

Sec. 3.02.441 Adopted

The *International Fuel Gas Code*, particularly the 2021 edition, and any future amendments, editions or derivatives beginning sixty (60) days after printing, except such portions as may hereinafter be amended, is hereby adopted. The provisions therein shall be controlling in the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of all buildings and structures within the area of jurisdiction of the City.

Sec. 3.02.442 Permit fees

Fees for permits under this division shall be set by resolution from time to time by the City Council.

Sec. 3.02.443 Penalty

Any person who shall violate any of the provisions of this division or the *International Fuel Gas Code* adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed two thousand dollars (\$2,000.00). Each day such a violation is committed or permitted to continue shall be considered a separate offense.

Sec. 3.02.444 Local amendments to International Fuel Gas Code

The following local amendments are made to the *International Fuel Gas Code*, 2021 edition, as adopted by the City:

Section 101.1 is hereby amended by inserting the following: City of Navasota.

Section 103.1 is deleted in its entirety.

Secs. 3.02.445–3.02.475 Reserved

Division 8. Mechanical Code

Sec. 3.02.476 Adopted

The *International Mechanical Code*, particularly the 2021 edition, and any future amendments, editions or derivatives beginning sixty (60) days after printing, except such portions as may hereinafter be amended, is hereby adopted. The provisions therein shall be controlling in the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of all buildings and structures within the area of jurisdiction of the City.

Sec. 3.02.477 Conflicting regulations

(a) The provisions of this division shall supersede other local ordinances to the extent that such ordinances are inconsistent with the provisions of this division; provided that nothing herein contained shall be construed to prevent the adoption and enforcement of an ordinance which is more restrictive or establishes a higher standard than those provided in this division, and such more restrictive requirement or higher standard shall govern during the period in which it is in effect.

(b) In a case where a provision of this division is found to be in conflict with a provision of a zoning, electrical, plumbing, fire, safety, health, water supply or sewage disposal ordinance, the provision or requirement that is more restrictive or establishes the higher standard shall prevail.

Sec. 3.02.478 Penalty

Any person who shall violate any of the provisions of this division or the *International Mechanical Code* adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed two thousand dollars (\$2,000.00). Each day such a violation is committed or permitted to continue shall be considered a separate offense.

Sec. 3.02.479 Local amendments to International Mechanical Code

The following local amendments are made to the *International Mechanical Code*, 2021 edition, as adopted by the City:

Section 101.1 is hereby amended by inserting the following: City of Navasota.

Section 103.1 is deleted in its entirety.

Secs. 3.02.480–3.02.500 Reserved

Division 9. Energy Conservation Code

Sec. 3.02.501 Adopted

The *International Energy Conservation Code*, particularly the 2021 edition, and any future amendments, editions or derivatives beginning sixty (60) days after printing, except such portions as may hereinafter be amended, is hereby adopted. The provisions therein shall be controlling in the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of all buildings and structures within the area of jurisdiction of the City.

Sec. 3.02.502 Permit fees

Fees for permits under this division shall be set by resolution from time to time by the City Council.

Sec. 3.02.503 Penalty

Any person who shall violate any of the provisions of this division or the *International Energy Conservation Code* adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed two thousand dollars (\$2,000.00). Each day such a violation is committed or permitted to continue shall be considered a separate offense.

Sec. 3.02.504 Local amendments to International Energy Conservation Code

The following local amendments are made to the *International Energy Conservation Code*, 2021 edition, as adopted by the City:

Section 101.1 is hereby amended by inserting the following: City of Navasota.
Section C110 is deleted in its entirety.

SECTION 3. CUMULATIVE EFFECT

This Ordinance shall be cumulative of all laws of the State of Texas and the United States governing the subject matter of this Ordinance, now existing or as hereafter amended.

SECTION 4. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 5. REPEALER CLAUSE

Any provision of any prior ordinance of the City whether codified or uncoded, which are in conflict with any provision of this Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncoded, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective from and after its passage, approval and adoption on second reading, and its publication as may be required by law.

SECTION 7. NOTICE OF MEETING

Notice of the time and place, where and when said Ordinance would be considered by the City Council at a public meeting was given in accordance with applicable law, prior to the time designated for meeting.

PASSED ON FIRST READING THIS THE 10TH DAY OF JANUARY, 2022.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED ON SECOND READING THIS THE 18TH DAY OF JANUARY, 2022.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

ORDINANCE NO. 989-22

AN ORDINANCE OF THE CITY OF NAVASOTA, TEXAS AMENDING CHAPTER 5 FIRE PREVENTION AND PROTECTION, ARTICLE 5.04 FIRE PREVENTION CODE OF THE CITY OF NAVASOTA CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; FINDING PROPER NOTICE OF MEETING; AND PROVIDING FOR CERTIFICATION OF ADOPTION.

WHEREAS, the City Council of the City of Navasota previously adopted 2012 edition of the *International Fire Code*; and

WHEREAS, the City Council desires to amend the fire prevention regulations of the City of Navasota by adopting the 2021 edition of the *International Fire Code*; and

WHEREAS, the City Council finds and determines that it is in the best interest of the City to adopt the regulations as set forth herein;

NOW THEREFORE, be it ordained by the City Council of the City of Navasota, 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.

Chapter 5 Fire Prevention and Protection, Article 5.04 Fire Prevention Code, of the City of Navasota Code of Ordinances is hereby amended in its entirety to read as follows:

ARTICLE 5.04 FIRE PREVENTION CODE

Sec. 5.04.001 Adopted

The 2021 edition of the *International Fire Code*, including appendix chapters B, C, D, E, F, and G, as published by the International Code Council is hereby adopted to the same extent as though such code were copied at length herein, subject however to the omissions, additions, supplements, and amendments contained in this article.

Sec. 5.04.003 Local Amendments to the International Fire Code 2021 Edition

Section 101.1 (Title) is amended by deleting “[NAME OF JURISDICTION]” and replacing with “The City of Navasota”.

Section 102.1 (Applicability) is amended to read as follows: 3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of the code.

Section 105.5.42.1 is amended by adding this section: The possession, storage, sale, use or explosion of fireworks is hereby declared to be a nuisance and, therefore, except as herein provided, it shall be unlawful for any person to possess, store, offer for sale, sell, or use or explode any fireworks within the corporate limits of the city and within the area immediately adjacent and contiguous to the city limits. The fire code official shall permit the use of fireworks/pyrotechnics for public or private displays when all of the provisions of NFPA 1123 are met and after all necessary permits have been issued. Every such use or display shall be handled by a competent and qualified operator approved by the fire code official and shall be of such character and so located, discharged or fired so as not to be hazardous to property or endanger any persons.

Section 111 (Means of Appeals) is amended in its entirety to read as follows: Whenever the fire code official disapproves an application for a permit, or a building owner or occupant has code violations that they believe the true intent and meaning of the code has been misconstrued or wrongly interpreted, said building owner or occupant may appeal the decision in writing to the city manager within ten (10) days from the date of the fire code official’s decision. If no timely written appeal is filed with the city manager, the fire code official’s decision shall be deemed to be final.

Section 112.4 (Violation Penalties) is amended by deleting “[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment” and adding with “misdemeanor punishable by a fine pursuant to section 1.01.009 of the City of Navasota” in its place.

Section 307.1 (General) is amended in its entirety to read as follows: Except as otherwise allowed by this section, no person shall burn or authorize the burning of any rubbish, trash, waste, leaves, weeds, grass, lumber or any other combustible materials in the city. Such materials may be burned in containers or incinerators subject to the approval by the fire code official. Outdoor burning shall be authorized for fires used solely for recreational or ceremonial purposes, or in the preparation of

food, or used exclusively for the purpose of supplying warmth during cold weather. Such burning shall be subject to the requirements of title 30, Texas Administrative Code, section 111.219(7) which states that electrical insulation, treated lumber, plastics, nonwood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned. Containers such as chimeneas, patio fireplaces, covered metal fire pits, or other approved commercially manufactured fire pits must be used for recreational burning and warmth. After submitting written documentation to the fire code official evidencing the consent of all owners of property and occupants of structures located within 300 feet of the proposed burn site and after issuance of the proper permit by the fire code official, a person may conduct on-site burning of trees, brush, grass, leaves, branch trimmings, or other plant growth, by the owner of the property or any other person authorized by the owner, and when the material is generated only from that property. Such burning shall be constantly attended by a competent and qualified person until such fire is extinguished. Such person shall have adequate fire extinguishing equipment readily available at the site of the burning.

Section 307.3 (Extinguishment authority) is amended by adding: ..., "the fire code official, officer of the fire department, or officer of the police department" ...

Section 308.1.6.3 (Sky Lanterns) is amended in its entirety to read as follows: A person shall not release or cause to be released an unmanned free-floating device containing an open flame or other heat source such as but not limited to a sky lantern.

Section 501.4 (Timing of installation) is amended in its entirety to read as follows: Where 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.

Section 503.2.1 (Dimensions) is amended by replacing: "20 feet" with "25 feet" and "13 feet 6 inches" with "14 feet."

Section 503.3 (Marking) is amended in its entirety to read as follows: The owner, manager, or person in charge of any building or property to which fire lanes have been approved or required by the fire code official shall mark and maintain said fire lanes in the following manner: All curbs and curb ends shall be painted red with four inch (4") white lettering stating "FIRE LANE - NO PARKING - TOW AWAY ZONE." The phrase should be spaced fifteen feet (15') apart continuously. Example: FIRE LANE (15 foot space) NO PARKING (15 foot space) TOW AWAY ZONE (15 foot space) FIRE LANE

In areas where fire lanes are required but no continuous curb is available, one of the following methods shall be used, in conjunction with the curb markings, to indicate

that the fire lane is continuous:

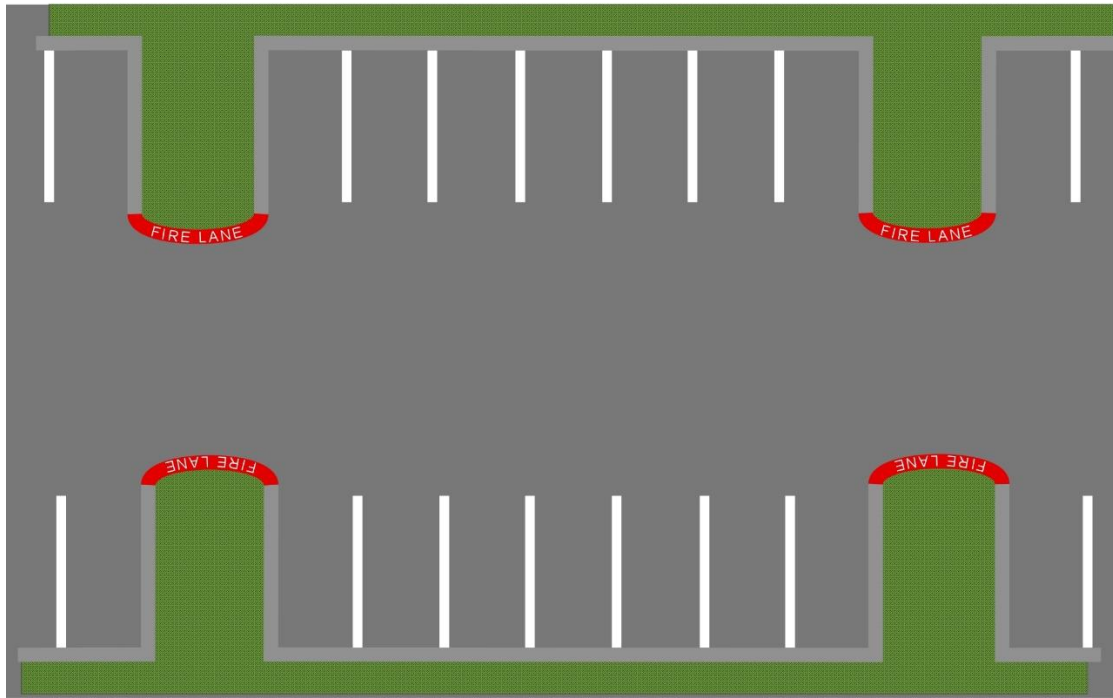
Option #1: A sign twelve inches (12") wide and eighteen inches (18") in height stating "FIRE LANE DESIGNATED PARKING ONLY" with a companion sign twelve inches (12") wide and six inches (6") in height stating "TOW AWAY ZONE" shall be mounted in a conspicuous location at each entrance to the property. The bottom of the sign shall be permanently affixed to a stationary post at 6ft above grade. (See sign Detail and Option 1 below for painting detail)

Option #2: Where there is no curb including behind parking spaces a continuous eight inch (8") red stripe with four inch (4") white lettering stating "FIRE LANE – NO PARKING – TOW AWAY ZONE" Each phrase should be spaced no more than 15ft apart. Example: FIRE LANE (15ft space) NO PARKING (15ft space) TOW AWAY ZONE (15ft space) FIRE LANE (15ft space)...(See option 2 below for painting detail)



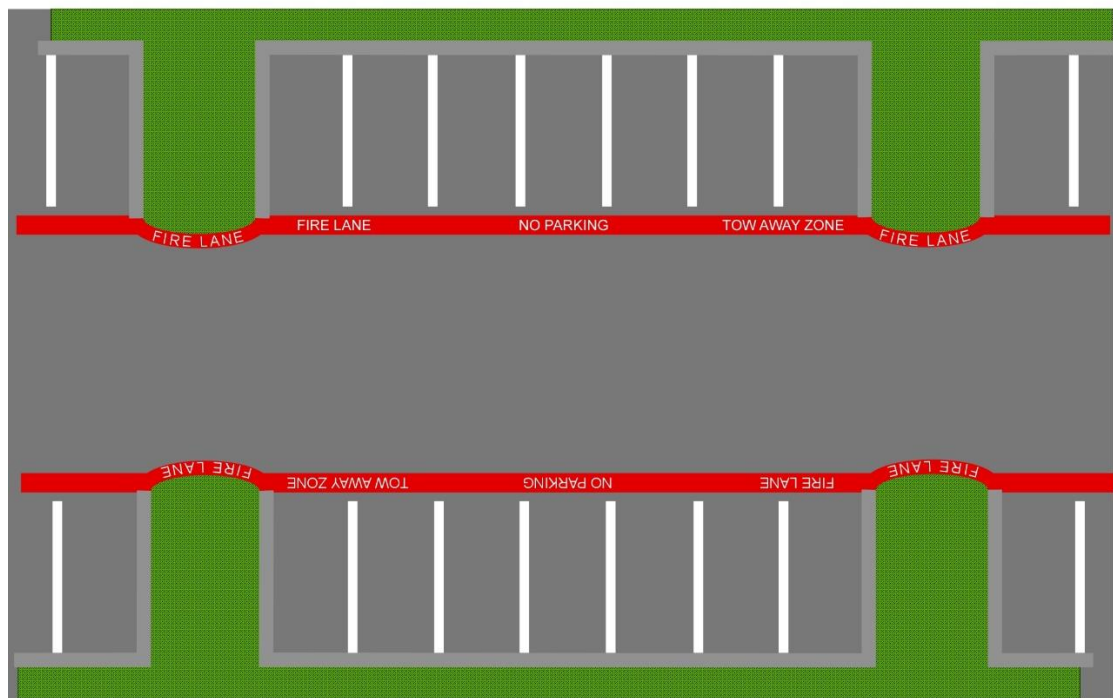
Option #1

FIRE LANE WITH DESIGNATED PARKING ONLY SIGN



Option #2

TYPICAL FIRE LANE WITHOUT SIGN AT ALL ENTRANCES



Section 503 (Fire apparatus access roads) is amended by adding section 503.3.1, section 503.3.2, and 503.3.3 to read as follows:

Section 503.3.1 (Destruction of Fire Lane or Tow Away Signs)

It is hereby unlawful for any person without lawful authority to attempt to or 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 way.

Section 503.3.2 (Abandonment or Closing)

No owner, manager, or person in charge of any premises served by a required fire lane shall abandon or close such fire lane without written permission of the fire marshal of the City of Navasota.

Section 503.3.3 (Authority Under Emergency Conditions)

The fire marshal is hereby authorized to establish fire lanes during any fire, and to exclude all persons other than those authorized to assist in extinguishing the fire or the owner or occupants of the burning property from within such lanes.

Section 503.4 (Obstruction of Fire Apparatus Access Roads) is amended in its entirety to read as follows:

No person shall park, place, allow, permit, or cause to be parked or placed, any motor vehicle, trailer, boat, or similar obstruction within or upon an area designated as a fire lane and marked by an appropriate sign or curb marking.

Section 503 (Fire Apparatus Access Roads) is amended by adding section 503.4.2 and section 503.4.3 to read as follows:

Section 503.4.2 (Obstructing Fire Lanes): Any motor vehicle, boat, or similar obstruction found parked within an area designated as a fire lane as required by this section is hereby declared a nuisance per se and any such motor vehicle, trailer, boat, or similar obstruction parked or unoccupied in such a manner as to obstruct in whole or in part any such fire lane shall be prima facie evidence that the registered owner unlawfully parked, placed, or permitted to be parked or placed such obstruction within a fire lane.

Section 503.4.3 (Enforcement; Issuance of Citations; Impoundment of Obstructions)

The Fire Official or any member of the fire department designated by the Fire Chief, the Chief of Police, or any member of the police department designated by the Chief of Police, are hereby authorized to issue parking citations for any motor vehicle, trailer, boat, or similar obstruction found parked or unattended in or upon a designated fire lane and may have such obstruction removed by towing it away. Such vehicle or obstruction may be redeemed by payment of the towage and

storage charges at the owner's expense. No parking citations shall be voided, nor shall the violator be relieved of any penalty assessed by a judge of the municipal court for any provision by the redemption of the obstruction from the storage facility.

Section 505.1 (Address identification) is amended in its entirety to read as follows:

Section 505.1 (Address identification) New and existing buildings shall be provided with approved address identification.

(a) An official address, assigned by the county addressing administrator, or his or her designee, shall be provided and placed pursuant to this section in such a position as to be plainly legible and clearly visible from the public street or roadway fronting the property. All address numbers shall be composed of a durable material and of a color that provides a contrast to the background itself. Durable materials used for the official address shall include, but not be limited to, wood, plastic, metal, weather resistant paint, weather resistant vinyl, or weather resistant material designed for outside use on a glass surface. Address numbers shall not be obstructed by landscaping, vegetation, or other permanent objects.

(b) Addresses must be temporarily posted for a structure under construction as soon as work commences on the property.

(c) Residential Homes. Addresses placed pursuant to this section shall be a minimum of four (4) inches in height and stroke of no less than 0.5 inch. The official address shall be placed a minimum of three (3) feet and a maximum of twelve (12) feet in height measured from the ground level. Buildings or structures located more than fifty (50) feet from the street curb shall have an official address at least five (5) inches in height. Residential structures, which provide for rear vehicular access from a dedicated public alley, street or designated fire lane, shall conspicuously post an official address at least three (3) inches in height so that it is visible from the public alley, street or designated fire lane.

(d) Single Commercial Structures. Addresses placed pursuant to this section shall be a minimum of four (4) inches in height and stroke of no less than 0.5 inch. The official address shall be placed a minimum of three (3) feet and a maximum of thirty (30) feet in height measured from the ground level. Buildings or structures located more than fifty (50) feet from the street curb shall have an official address at least five (5) inches in height. Single commercial structures, which provide for rear vehicular access from a dedicated public alley, street or designated fire lane, shall conspicuously post an official address at least 4 inches in height so that it is visible from the public alley, street or designated fire lane.

(e) Commercial & Residential Building Complexes. A building complex

composed of multiple buildings and/or multiple dwellings or units shall have an approved building and unit number plan. There may be a main address assigned with building and unit numbers or, if there is sufficient street frontage, each building, suite, or tenant, may also be assigned an official address number.

(1) Building Numbers

A complex with multiple buildings shall have a building number posted in a location that is plainly legible and clearly visible from the fire lane and access road. The building number shall be a minimum of 6 inches in height with a 1/2 inch stroke. If a building contains four (4) or more commercial or residential units, unit numbers shall be posted and maintained at each end of said building indicating the units contained therein. The residential unit numbers shall be at least four (4) inches in height and shall be permanently affixed to the outside of the building. Building and residential unit numbers shall be of a color that is in contrast to the background. If the residential unit numbers posted at one end of the building are clearly visible from a public street or private driveway, and the opposite end of the building is not visible from either a public street or a private driveway, residential unit numbers shall be required only on the end of the building that is clearly visible from the public street or private driveway. Building numbers should be externally or internally illuminated by a sufficient light source or made from material with a reflective finish.

Please reference Exhibits A and B below:

Exhibit A.



Exhibit B.



(2) Unit Numbers

Each suite or unit number shall be posted and maintained on or within 18 inches of the primary entrance to the unit, or such greater distance as the chief building official or fire marshal may approve. Posted suite or unit numbers must be a minimum 3 inches in height with a 1/4 inch stroke. The unit number will follow the following standard:

- i. first character/s will be the building number,
- ii. second character/s will be the floor number,
- iii. third character/s will be the individual space.

- (3) Commercial buildings with side or rear access in addition to the main entrance shall also display the business name and official address and suite number on each side or rear door with characters at least 3 inches in height.
- (4) The owner or manager of a building complex, which contain enclosed suites accessed from a main entrance door with individual entry doors located internally, shall submit, for approval by the chief building official or fire code official, a diagram or floor plan of the entire complex, indicating the location and number of each unit or suite. When making a change in a business name or location, the owner or manager shall notify the chief building official or fire marshal in writing.
- (5) Two or more entrances are considered primary entrances if the person in control of the property so desires. Where two or more entrances are considered primary entrances, all numbers must be posted and maintained at each such entrance as though it were the only primary entrance. When required by the chief building official or fire marshal, address numbers shall be provided in additional approved locations to facilitate emergency response.

(f) Variations from these standards will require approval by the chief building official or fire code official.

Section 506.1 (Where required) is amended in its entirety to read as follows: Knox-boxes are required on all new construction that will have secured openings and/or immediate access is necessary for life-saving and/or firefighting purposes. The Knox-box shall be located within ten (10) feet of the main entrance of the building or other locations approved by a fire code official, and must contain keys to access all areas of the building. Exemption: Group R

Section 507.5.1 (Where required) is amended by deleting "400" and replacing with "300", by deleting "600" and replacing with "500" in exception 1 and deleting exception 2 in its entirety.

Section 507.5.3 is amended by adding Section 507.5.3.1 (Painting Requirements for Private Hydrants) which will read as follows:

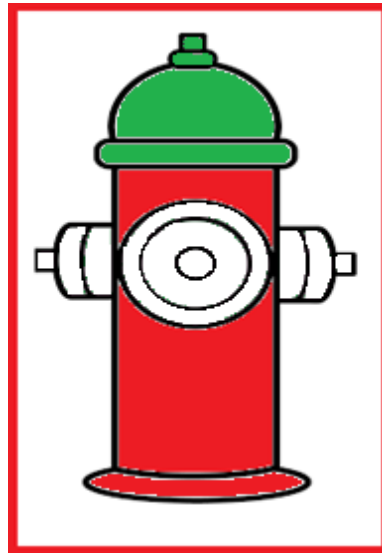
Section 507.5.3.1 A private hydrant within the City of Navasota will be painted according to the requirements in this section. The hydrant body will be painted "Safety Red", the caps will be painted "Reflective White", and the bonnet will be painted according to their flow capability listed below.

Bonnet Color Coding

- a. Less than 500 GPM - Safety Red
- b. 500 GPM to 999 GPM - Safety Yellow
- c. 1000 GPM to 1499 GPM - Safety Green

d. 1500 GPM or greater - Safety Blue

(See example below showing a hydrant that should flow between 1000 and 1499 gallons per minute)



Section 901 is amended by adding 901.6.4 to read as follows:

Section 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 (System Out of Service) is amended to read as follows: 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... (remaining text unchanged)

Section 903.2 (Where required) is amended in its entirety to read as follows: An automatic sprinkler system shall be provided throughout all buildings where the total building area exceeds 12,000 square feet and/or all structures exceeding two (2) stories in height. Also, any building that a sprinkler system is required must also provide sprinklers in attic areas.

In addition to the requirements of this section, an automatic sprinkler system shall be provided throughout all new buildings and structures as follows:

1. Where the total building area exceeds 12,000 square feet in area.
2. Where the height exceeds two (2) stories, regardless of area.

Section 903.2.4 (Group F-1) is amended by replacing "three" with "two in item "2" deleting item "3".

Section 903.2.7 (Group M #2) is amended by replacing "three" with "two" and by deleting item 3.

Section 903.2.8 (Group R) is amended by adding the following exception:

1. Boarding houses (transient), rooming houses (transient), bed and breakfast inns, and other similar occupancies (not including hotels or motels) containing not more than four guest rooms for which rent is paid and that are occupied by transient guests only.

Section 903.2.9 (Group S-1) is amended by replacing "three" with "two" in item "2" and deleting item "3".

Appendix C (Fire Hydrant Locations and Distribution) Section C103.1 (Hydrant Spacing) is amended by adding the following to the end of said section: "...or be approved by the fire code official."

Appendix D (Fire Apparatus Access Roads) Section D102.1 (Access and Loading) is amended by replacing "75,000" with "84,000".

SECTION 3. CUMULATIVE EFFECT

This Ordinance shall be cumulative of all laws of the State of Texas and the United States governing the subject matter of this Ordinance, now existing or as hereafter amended.

SECTION 4. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 5. REPEALER CLAUSE

Any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of this Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective from and after its passage, approval and adoption on second reading, and its publication as may be required by law.

SECTION 7. NOTICE OF MEETING

Notice of the time and place, where and when said Ordinance would be considered by the City Council at a public meeting was given in accordance with applicable law, prior to the time designated for meeting.

PASSED ON FIRST READING THIS THE 10th DAY OF JANUARY, 2022.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED ON SECOND READING THIS THE 18TH DAY OF JANUARY, 2022.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY