

ORDINANCE NO. 2092

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS REPEALING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.05 GAS CODE, OF THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, AND ALL ORDINANCES, OR AMENDMENTS THERETO, THAT CONFLICT WITH THE TERMS OR CONDITIONS OF THIS ORDINANCE AND ENACTING IN LIEU THEREOF A NEW CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.05 GAS CODE ADOPTING THE INTERNATIONAL FUEL GAS CODE 2021 EDITION AS THE OFFICIAL GAS CODE OF THE TOWN OF HIGHLAND PARK, TEXAS SUBJECT TO CERTAIN AMENDMENTS CONTAINED HEREIN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, § 214.211 et seq. of the Texas Local Government Code authorizes municipalities to adopt International Codes;

**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 inconsistent 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 That, CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.05 GAS CODE, is hereby repealed.

SECTION 2. That, a new CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.05 FUEL GAS CODE, of the Code of Ordinances of the Town of Highland Park is hereby adopted and shall read as follows:

Sec. 3.05.001 Title

This article shall be known as the Town fuel gas code and may be cited as such, and will be referred to in this article as "the gas code."

Sec. 3.05.002 Adopted

The International Fuel Gas Code, 2021 edition, together with all amendments thereto, shall be and the same is hereby made a part of this article by reference, the same as if copied herein, and made a part hereof for all purposes, and copies of said International Fuel Gas Code, 2021 edition, together with all amendments thereto, shall be kept on file in the office of the Plumbing Inspector.

Sec. 3.05.003 Requirements varying from or not covered by code

Any requirement considered necessary for the safety, strength or stability of an existing or proposed gas piping installation and/or gas appliance which varies from provisions of the International Fuel Gas Code, 2021 edition, and all amendments thereto, or which is not specifically covered by the International Fuel Gas Code, 2021 edition, and all amendments thereto, shall be determined by the Plumbing Inspector subject to appeal to the Town Council.

Sec. 3.05.004 References in code

The International Fuel Gas Code, 2021 edition, is hereby amended as follows:

- (1) Throughout the International Fuel Gas Code, 2021 edition, and all amendments thereto, wherever the term "Gas Official" is used, there may be substituted therefor the term "Plumbing Inspector."
- (2) Throughout the International Fuel Gas Code, 2021 edition, and all amendments thereto, wherever the term "Board of Adjustment and Appeals" is used, there shall be substituted therefor the term "Town Council."

Sec. 3.05.005 Amendments

The following deletions, additions, and amendments to the International Fuel Gas Code, 2021 edition, contained herein, are hereby approved and adopted:

Section 102.2; add an exception to read as follows:

**Exception:** Existing dwelling units shall comply with Section 621.2.

Section 102.8; change to read as follows:

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the *National Electrical Code* shall mean the Electrical Code as adopted.

Section 106.5.3; shall be amended in part as follows:

"Every permit issued shall become invalid unless work authorized by such permit is commenced within ninety (90) days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of ninety (90) days after the time the work has commenced."

Section 106.6.2 Fee schedule; shall be deleted;

Section 106.6.3 Fee refunds; shall be deleted;

Section 106.7; shall be added as follows:

106.7 Registration of Contractors.

- (a) Any contractor engaging in the design, installation, construction, maintenance, service repair, alteration or modification of a product, or plumbing fuel gas system requiring a permit as set forth in this ordinance shall be licensed by the State of Texas to perform such work.
- (b) Plumbing contractors are required to register with the Town. Registration for plumbing contractors shall be maintained annually, corresponding with their State issued responsible master plumber's license. Registration shall be made in writing on Department of Building Inspection furnished forms for that purpose. This registration shall be accompanied by a copy of the person's State issued Master Plumber's license and driver's license.

Exception: a homeowner is not required to be licensed as a registered contractor to perform work in his own home.

Section 108.2 shall be deleted in its entirety.

Section 108.3 shall be deleted in its entirety.

Section 108.4 shall be deleted in its entirety.

Section 109, MEANS OF APPEAL, shall be deleted in its entirety.

Add Section 110 as follows: Section 110 -- LICENSING OF GAS INSTALLERS.

Subsection 110.1 - GENERAL: Any person, firm or corporation engaging in the installation of consumer's gas piping, gas appliances and related accessories, shall be qualified, as set forth herein, and a license shall be obtained from the State of Texas as required by the Plumbing License Law of 1947, Chapter 1301 Texas Occupations Code and any subsequent amendments thereto. Where any plumbing work is being done a licensed Master or Journeyman Plumber shall at all times be present on the job and in actual control, and in charge of the work being done.

Subsection 110.2 - ILLEGAL WORK, REVOCATION OF LICENSE: Any person, firm or corporation engaged in the gas installation business whose work does not conform to the rules and regulations hereinafter set out, or whose workmanship or materials are of inferior quality, shall on notice from the Plumbing Inspector make necessary changes or corrections at once so as to conform to this code, if work has not been so changed after ten (10) days' notice from the Plumbing Inspector; the Plumbing Inspector shall then refuse to issue any further permits until such work has fully complied with the rules and regulations of this code. The Plumbing Inspector may appear before the Governing Authority and request that all licenses be revoked because of continuous violations. When the revocation of any such license is to be considered at any meeting, the person, firm, company, association, or corporation to whom the license has been issued shall have at least three (3) days' notice in writing of the time and place of such meeting, together with a statement of the grounds upon which it is proposed to revoke such license. Any person violating any

provision of the Town Fuel Gas Code may be charged with a violation regardless of whether the provisions of this section have been followed.

Subsection 110.3 -- ALLOWING ONE'S NAME OR LICENSE TO BE USED TO OBTAIN PERMIT FRAUDULENTLY: No person, firm or corporation engaged in the business of gas installation shall allow its name to be used by any other person, firm, or corporation, directly or indirectly, to obtain a permit, or for the construction of any work under its name or license.

Section 306.3; change to read as follows:

306.3 Appliances in attics. Attics containing appliances shall be provided . . . {bulk of paragraph unchanged} ... side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb. (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.  
Where the passageway is not less than ... {bulk of section to read the same}.

Section 306.5; change to read as follows:

**[M] 306.5 Equipment and Appliances on Roofs or Elevated Structures.** Where *equipment* requiring *access* or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, an interior or exterior means of access shall be provided. Exterior ladders providing roof *access* need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such *access* shall . . . {bulk of section to read the same} . . . on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). ... {remainder of text unchanged}.

Section 306.5.1; change to read as follows:

**[M] 306.5.1 Sloped roofs.** Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof *access* to a level platform at the appliance. The level platform shall be provided on each side

of the appliance to which *access* is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

Section 401.5; add a second paragraph to read as follows:

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an *approved* tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING  
1/2 to 5 psi gas pressure  
Do Not Remove"

Section 404.12; change to read as follows:

**404.12 Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) top of pipe below grade,

**404.12.1 Delete in its entirety.**

Section 406.4; change to read as follows:

**406.4 Test pressure measurement.** Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure. Spring type gauges do not meet the requirement of a calibrated gauge.

Section 406.4.1; change to read as follows:

**406.4.1 Test pressure.** The test pressure to be used shall be no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½”), a set hand, 1/10 pound incrementation and pressure range not to exceed 15 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½”), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 50 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

Section 409.1; add Section 409.1.4 to read as follows:

**409.1.4 Valves in CSST installations.** Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an *approved* termination fitting, or equivalent support, suitable

for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

Section 410.1; add a second paragraph and exception to read as follows:

*Access* to regulators shall comply with the requirements for *access* to appliances as specified in Section 306.

**Exception:** A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

Section 621.2; add exception as follows:

**621.2 Prohibited use.** One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

**Exception:** Existing *approved* unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when *approved* by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

#### Sec. 3.05.006 Appendices adopted

The following appendices in the International Fuel Gas Code, 2021 edition, and all amendments thereto, are hereby adopted as follows:

- A. Appendix "A," Sizing and Capacities of Gas Piping
- B. Appendix "B," Sizing of Venting Systems
- C. Appendix "C," Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems
- D. Appendix "D," Recommended Procedure For Safety Inspection Of An Existing Appliance Installation.

#### Sec. 3.05.007 Permit required

It shall be unlawful for any person, firm or corporation to install, alter or repair any gas piping, gas appliances or gas equipment until a plumbing permit has been issued.

#### Sec. 3.05.008 Permit fees

(a) Permit fees covering the installation, alteration and repair of gas piping, gas appliances or gas equipment shall be established by Town Council resolution.

(b) All but \$50.00 of the permit fee can be refunded if work has not commenced and request for refund is made in writing no more than thirty (30) days from issuance of the permit.

SECTION 3. That, should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal, or invalid and the same shall not affect the validity of the Code of Ordinances of the Town of Highland Park as a whole.

SECTION 4. That, the penalty provision of Section 1.01.009 of The Code of Ordinances is hereby adopted for this ordinance.

SECTION 5. That, this ordinance shall be deemed to be incorporated into The Code of Ordinances of the Town of Highland Park, Texas.

SECTION 6. That, this ordinance shall become effective January 1, 2022. Permits obtained from this date forward shall adhere to the establish requirements.

PASSED AND APPROVED by the Town Council of the Town of Highland Park, Texas, on this the 7<sup>th</sup> day of December, 2021.

APPROVED AS TO FORM:



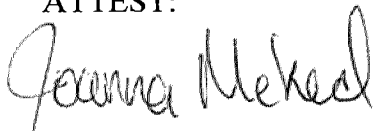
Matthew Boyle  
Town Attorney

APPROVED:



Margo Goodwin  
Mayor

ATTEST:



Joanna Mekeal  
Town Secretary