

CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2022-13

AN ORDINANCE AMENDING CHAPTER 50 “FIRE PREVENTION AND PROTECTION” OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, BY ADDING A NEW SECTION 50-5, TO ADOPT THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 1194, *STANDARD FOR RECREATIONAL VEHICLE PARKS AND CAMPGROUNDS*; ADOPTING LOCAL AMENDMENTS TO SAID CODE; AMENDING THE CITY’S FIRE CODE AS TO FIRE APPARATUS ACCESS ROADS; PROVIDING FOR A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, the City of Kerrville, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, City Council finds that the regulations of the City governing the safeguarding of life and property from fire and explosion hazards within its corporate limits, and within its extraterritorial jurisdiction when authorized by law, should be updated to conform with modern fire protection methods and materials; and

WHEREAS, the Fire Chief and Fire Marshal for the City have reviewed 2018 edition of National Fire Protection Association (NFPA) 1194, *Standard for Recreational Vehicle Parks*, and have recommended that the City adopt the NFPA 1194, including local amendments; and

WHEREAS, the Fire Chief and Fire Marshal for the City also recommend amending the City’s Fire Code to revise the requirements regarding fire apparatus access roads; and

WHEREAS, City Council finds it to be in the public interest to adopt the NFPA 1194 and other amendments as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. Chapter 50 “Fire Prevention and Protection,” of the Code of Ordinances of the City of Kerrville, Texas, is amended by adding a new Section 50-5, as indicated by blue, underline (addition) as follows:

"Sec. 50-5. – National Fire Protection Association (NFPA) 1194, Standard for Recreational Vehicle Parks and Campgrounds, 2018 edition.

(a) Adoption. The 2018 edition of the *NFPA 1194* ("NFPA 1194"), as published by the National Fire Protection Association, is adopted, to the same extent as if such Code were copied verbatim in this Article, subject to amendments prescribed in this Article. Copies of the NFPA 1194 shall remain on file in the office of the City Secretary, within the Department of Development Services, and in the office of the Fire Marshal.

(b) Annexes. All annexes provided for in the NFPA 1194 are adopted.

(c) Amendments. The NFPA 1194 is amended as follows:

(1) 5.1.2 Roads. Minimum widths of recreational vehicle park and campground roads shall be 20 ft (6.0 m) and may have an additional 8 ft (2.4 m) per parallel parking lane. All park/campground roads shall also serve as fire access roads and shall be marked as per City ordinance."

SECTION TWO. Chapter 50 "Fire Prevention and Protection," of the Code of Ordinances of the City of Kerrville, Texas, Section 50-3, is amended by amending subsection (c)(13) to add new language as indicated by blue, underline (addition) as follows:

"(13) Section 202 is amended to add the following new definition:

DEVELOPMENT. As defined by the City's Subdivision Code."

SECTION THREE. Chapter 50 "Fire Prevention and Protection," of the Code of Ordinances of the City of Kerrville, Texas, Section 50-3, subsection (c) is amended by adding a new subsection (51), with new language indicated by blue, underline (addition) as follows:

"(51) Section D107.1 is deleted and replaced with a new section to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units will exceed 60 units shall be provided with two separate fire apparatus access roads, subject to approval from the fire code official.

Exceptions and conditions:

1. Where all dwelling units are or will be equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with a future development, as determined by the fire code official.
3. Where there are or will be more than 60 but less than 120 dwelling units on a single public or private fire apparatus access road and the access road is built as a collector street, as approved by the City. All single access (non-looped) streets within the subdivision must be built and approved as collector streets.”

SECTION FOUR. Chapter 50 “Fire Prevention and Protection,” of the Code of Ordinances of the City of Kerrville, Texas, Section 50-3, subsection (c) is amended by adding a new subsection (52), with new language indicated by blue, underline (addition) as follows:

“(52) Section D107.2 is deleted and replaced with a new section to read as follows:

D107.2 Remoteness. Where two fire apparatus access roads are required, such roads shall be placed a distance apart equal to not less than one-half of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between the two accesses to the development.

Exception and conditions: Where it is geographically impossible to be one-half of the maximum overall diagonal dimension apart, the secondary access road will be evaluated by the fire code official based on meeting any one of the following; however such exceptions and conditions do not apply where the development has or will have more than 120 dwelling units:

1. The owner may acquire a secondary fire apparatus access road from an adjoining property owner(s), where such access is conveyed via a legal instrument (e.g., easement) that is filed with the County in its real property records. A copy of such filing must be provided to City.
2. The two separate fire apparatus access roads must be separated as far as physically possibly. However, at a minimum, the accesses must be 150 feet apart, measured in a straight line between the center lines of the two accesses.

3. The two separate fire apparatus entrances may share a common path of travel into and/or within the development as long as a blockage in any area of this path will not block access from both the primary and secondary access simultaneously. See Addendum D 107.1, 3. above for street design specifications.

For purposes of this section, “geographically impossible” means that the area is surrounded on at least three sides (i.e., 75% of its perimeter) by natural or manmade barriers such as creeks and flood plains, a golf course, a linear park, or utility easements or its topography is such that it prohibits a designed roadway to be constructed at a maximum slope of 10% in compliance with this code.”

SECTION FIVE. The City Secretary is authorized and directed to submit this amendment to the publisher of the City’s Code of Ordinances and the publisher is authorized to amend said Code to reflect the amendments adopted herein and to correct typographical errors and to index, format, and number and letter paragraphs to the existing Code as appropriate.

SECTION SIX. The penalty for violation of this Ordinance shall be in accordance with the penalty provision contained in Section 1-7 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00). Each continuing day’s violation under this Ordinance shall constitute a separate offense.

SECTION SEVEN. The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances in direct conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION EIGHT. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION NINE. In accordance with Section 3.07 of the City Charter and Section 52.013(a) of the Texas Local Government Code, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an

alternative method of publication. The Ordinance shall then become effective in accordance with this Charter section.

PASSED AND APPROVED ON FIRST READING, this the 22 day of MARCH, A.D., 2022.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the 12 day of April, A.D., 2022.



Bill Blackburn, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:



Shelley McElhannon, City Secretary