AN ORDINANCE 2015-11-12-0946

AMENDING CHAPTER 11, FIRE PREVENTION, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY ADOPTING APPENDIX M AS AMENDED OF THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE AND PROVIDING FOR PENALTIES, PUBLICATION AND AN EFFECTIVE DATE.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 11, *Fire Prevention Code* of the City Code of San Antonio, Texas, is hereby amended by adding the underlined (added) language and deleting the stricken (~~deleted~~) language:

SECTION 2. Section 11-32 is amended by adding Appendix M to read as follows:

Sec. 11-32. Adoption of the International Fire Code.

The 2015 edition of the International Fire Code, including Appendices B, C, D, F, I and M [~~and I~~] developed by the International Code Council is hereby adopted by the City of San Antonio, Texas, as the fire code for the City from the effective date hereof and shall govern all activities specified therein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion. The 2015 edition of the International Fire Code as adopted is incorporated by reference in this article.

SECTION 3. Section 11-40 is amended by adding Appendix M to read as follows:

Sec. 11-40. Amendments made to the 2015 International Fire Code.

Appendix M High-Rise Buildings – Retroactive Automatic Sprinkler Requirement *is hereby amended to read as follows:*

APPENDIX M
HIGH-RISE BUILDINGS-[~~RETROACTIVE~~]
AUTOMATIC SPRINKLER RETROFIT REQUIREMENT

SECTION M101
SCOPE

M101.1 Scope. An *automatic sprinkler system* shall be installed in all existing *high-rise buildings* in accordance with the requirements and compliance schedule of this appendix.

SECTION M102
DEFINITION

M102.1 Definition. *High-rise building* is defined in Chapter 2 of the *International Fire Code.*

SECTION M103 [~~M102~~]
WHERE REQUIRED

M103.1 [~~M102.1~~] High-rise buildings. An *automatic sprinkler system* installed in accordance with Section 903.3.1.1 of the adopted *International Fire Code* shall be provided throughout existing high-rise buildings.

Exceptions:

1. Airport Control Towers
2. Open Parking Structures
3. Group U occupancies
4. Occupancies in Group F-2
5. Buildings with an occupancy in Assembly Group A-5
6. Individually-owned *dwelling units* in *high-rise buildings*

SECTION M104 [~~M103~~]
COMPLIANCE

M104.1 Letter of Intent. Within one year of the effective date of this Ordinance, owners of existing *high-rise buildings* must submit to the *fire code official* a letter expressing the owner's intent to comply with this section.

M104.2 [~~M104.1~~] Compliance schedule. Building owners shall file a compliance schedule with the *fire code official* not later than three (3) years [~~365 days~~] after the first effective date of this Ordinance. The compliance schedule shall not exceed twelve (12) years for an *automatic sprinkler system* retrofit and shall comply with the following schedule for installation.

1. Not later than six (6) years after the first effective date of this Ordinance, the building owner shall install a water supply for the *automatic sprinkler system* on

all floors of the high-rise building in accordance with the adopted standards of the *International Fire Code*.

2. Not later than nine (9) years after the first effective date of this Ordinance, the building owner shall install an *automatic sprinkler system* in accordance with the adopted standards of the *International Fire Code* on 50% of the floors of the building.
3. Not later than twelve (12) years after the first effective date of this Ordinance, the building owner shall install an *automatic sprinkler system* in accordance with the adopted standards of the *International Fire Code* on all floors of the building.

M104.3 Alternate Compliance Schedule for Multi-Building Owners. Owners of multiple *high-rise buildings* are considered to have met the requirements of Appendix M if a fire sprinkler system has been installed on all floors of:

1. at least 33 percent of the owner's *high-rise buildings* not later than six (6) years after the effective date of this Ordinance;
2. at least 66 percent of the owner's *high-rise buildings* not later than nine (9) years after the effective date of this Ordinance; and
3. all of the owner's *high-rise buildings* within twelve (12) years after the effective date of this Ordinance.

M104.4 Compliance with state law. Owners of applicable residential high-rise buildings must comply with Health and Safety Code, Chapter 766, Subchapter B. *Fire Protection Sprinkler Systems in Certain Residential High-Rise Buildings in Certain Counties.*

SECTION M105
REFERENCED STANDARDS

ICC IFC-15 International Fire Code M102.1

SECTION 4. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision in this Ordinance be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 5. Funds generated by this Ordinance will be deposited into Fund 11001000, Internal Order 220000000043 and General Ledger 4404121.

SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to

concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 7. Penalties for violation of this Appendix M shall be in accordance with Chapter 11, Fire Prevention.

SECTION 8. No other provision of the City Code is amended by this Ordinance. All other provisions remain in effect.

SECTION 9. The City Clerk for the City of San Antonio is directed to publish notice of this Ordinance in a newspaper published in the City of San Antonio, Texas, as required by Article 2, Section 17 of the City Charter of San Antonio, Texas.

SECTION 10. The publishers of the City Code of San Antonio are authorized to amend the City Code to reflect the changes adopted in this Ordinance, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 11. This Ordinance is effective January 1, 2016.

PASSED AND APPROVED this 12th day of November, 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

Attest:

Leticia M. Vacek, City Clerk

Approved As To Form:

Martha G. Sepeda, Acting City Attorney

Agenda Item:	**17**
Date:	11/12/2015
Time:	12:44:47 PM
Vote Type:	Motion to Approve
Description:	An Ordinance amending the existing fire code to require all non-sprinklered high-rise buildings to have fire sprinklers installed within twelve years. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				x
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

Item 17

11/12/2015

City Council Meeting

San Antonio Fire Department

"High-rise Sprinkler Retrofit"

San Antonio City Council

November 2015

High-rise Sprinkler Systems

- Wedgewood Fire Dec 2014
  - 6 Civilian Deaths
  - 20 Hospitalizations
  - *<u>No sprinklers</u>
- San Antonio has 35 unsprinklered high-rises
  - 8 Residential (4 are condos)
    - More than 1,200 residents
      - 700(+) elderly/disabled
  - 27 Commercial buildings

High-rise Sprinkler Systems

- Fire Sprinkler Efficiency (State Fire Marshal)
  - Multi-family 2002 and 2013:
    - 114 fire deaths (non-sprinklered)
    - No fire deaths (sprinklered)

- 1977 to 2009:
  - 25 firefighter deaths

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High-rise Sprinkler Systems

- SAFD and Stakeholders
- Pros/cons of retrofit
  - *COST
- Sprinkler response time
- Ordinance for ALL high-rise buildings

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High-rise Sprinkler Systems

- Retrofit Costs (San Antonio)
  - Average $2.50-$4.00 sq.ft.
  - Standpipe and Fire Pump: $60-$100K
- Riverview Fire 2011
  - Cost to COSA **$1,577,100.77**
    - *$1,275,122.19 insurance recovered*
  - Estimated cost to retrofit with fire sprinklers = $1,100,000 (based on 248,000 square feet)

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Proposed Ordinance

- Adopt an amended appendix "M" from current fire code
- Allow 12 year "phase in"
  - 1 year : Letter of Intent
  - 3 years : Submit Plan
  - 6 years : Water Supply
  - 9 years : Half of the Building
  - 12 years : Full Compliance
- Enforcement
  - SAFD Fire Marshal's Office/ Fire Prevention
  - High-rise inspector approved FY16 budget (Jan)

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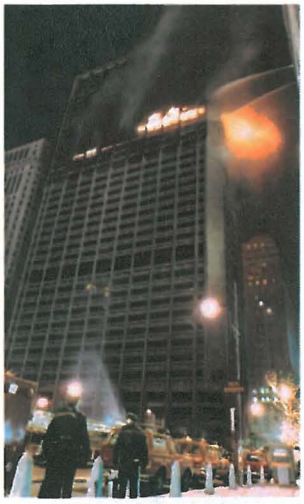
High-rise Sprinkler Systems

- Sample of cities/states with retroactive High-rise sprinkler requirements:
  - State of Nevada (1982)
  - Atlanta (1989)
  - San Jose (1990)
  - Phoenix (1991)
  - San Diego (1992)
  - Chicago (2004)
  - New York City (2004)
  - Houston (2005)

* Compliance timelines vary



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High-rise Sprinkler Systems

- HB 3089 (became law September 1, 2015)
  - Affects 4 Residential Buildings
- Fire Sprinkler Incentive Act (114th Congress)
  - Filed Sept 22, 2015
  - Depreciation from 39 years and 27 ½ years down to 15 years.

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SAFD Continued Efforts

- High-rise Inspection Program
  - Added High-rise Inspector FY16
  - Fire Drills and "Warden Training"
  - Community outreach for senior fire safety
  - Pre-fire Planning
  - Work with County and adjacent Municipalities
    - Reported 16 high-rise buildings (3 without sprinklers)

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STAFF RECOMMENDS APPROVAL OF THIS ITEM

"Our Family Protecting Your Family"

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11/12/2015

Item 17
City Council
Meeting

	Name	Address	Flrs	Yr	TYPE
1	Wurzbach Towers	7701 WURZBACH RD	23	1983	APT/CONDO
2	Four Thousand One Condos	4001 North New Braunfels Avenue	14	1978	APT/CONDO
3	Olmos Tower Condominiums	702 E Hildebrand Avenue	15	1970	APT/CONDO
4	Northview Tower (Condos)	7039 San Pedro Avenue	11	1967	APT/CONDO
5	Aurora Apartments	509 Howard Street	10	1929	APT/CONDO
6	Fair Avenue Apartments	1215 FAIR AVE	11	1971	APT/CONDO
7	Villa Tranchese Apartments	307 MARSHALL ST	12	1967	APT/CONDO
8	Victoria Plaza	411 BARRERA	9	1959	APT/CONDO
9	Frost Bank Tower	100 W. Houston	22	1975	Business Occ
10	Milam Building	115 E TRAVIS ST	21	1928	Business Occ
11	Riverview Towers - West Tower	111 SOLEDAD ST	20	1982	Business Occ
12	AT&T Building	105 AUDITORIUM CIR	14	1930	Business Occ
13	AT&T Building	1010 N SAINT MARY'S	16	1985	Business Occ
14	Medical Center Tower I (St. Luke's Baptist Hospital)	7950 FLOYD CURL	12	1985	Healthcare
15	ChristUS Santa Rosa He.. [ChristUS Santa Rosa He..]	333 N Santa Rosa Street	12	1955	Healthcare
16	Riverview Towers - East	111 E COMMERCE ST	12	1918	Business Occ
17	Rosa Verde Tower (Christus Santa Rosa)	343 W HOUSTON ST	10	1977	Business Occ
18	Spectrum Building	613 NW LOOP 410	10	1982	Business Occ
19	Travis Building	405 N SAINT MARY'S	10	1924	Business Occ
20	Alamo Towers West	901 NE LOOP 410	9	1974	Business Occ
21	Alamo Towers East	909 NE LOOP 410	9	1980	Business Occ
22	San Antonio Express News Building	301 AVENUE E	8	1929	Business Occ
23	Oak Hills Medical Building	7711 LOUIS PASTEUR DR	9	1968	Business Occ
24	Guaranty Bank Building	1100 Loop 410 NE	9	1978	Business Occ
25	Catholic Life Building	1635 NE Loop 410	9	1974	Business Occ
26	Rand Building	100 W HOUSTON ST	8	1913	Business Occ
27	One Alamo Center	106 S SAINT MARY'S	8	1982	Business Occ
28	Crown Tower	8700 CROWNHILL BLVD	8	1973	Business Occ
29	10010 San Pedro	10010 SAN PEDRO AVE	8	1982	Business Occ
30	Broadway National Bank Building	425 SOLEDAD ST	8	1976	Business Occ
31	Commerce Building	314 E COMMERCE	8	1902	Business Occ
32	Petroleum Towers I	8626 TESORO DR	8	1975	Business Occ
33	Petroleum Towers II	8700 TESORO DR	8	1975	Business Occ
34	ATT	4119 Broadway	8	1960	Business Occ
35	7461 Callaghan Building	7461 Callaghan	8	1982	Business Occ
1	Energy Plaza I	8610 N NEW BRAUNFELS AVE	7	1981	Business Occ
2	Energy Plaza II	8620 N NEW BRAUNFELS AVE	7	1981	Business Occ
3	Broadway Bank Headquarters	1177 NE LOOP 410	7	1968	Business Occ
4	Central Texas Detention Facility	218 S. Laredo	7	1970	Institutional
5	Travelers Hotel	220 Broadway	7	1910	HOTEL
6	Physician's Plaza II	8042 WURZBACH RD	6	1978	Business Occ
7	Physician's Plaza I	8038 WURZBACH RD	6	1973	Business Occ
8	Madison Square Medical Building	311 Camden Street	6	1973	Business Occ
9	San Antonio FCU	6061 IH 10 W	6	1976	Business Occ
10	Humana Hospice	8119 Datapoint	6		Healthcare
11	N.E. Medical Center	8711 Village Dr	6		Healthcare