

AGENDA

**Regular Meeting of the Bedford City Council
Tuesday, March 22, 2011
2000 Forest Ridge Drive
Bedford, Texas**

**Council Chambers Work Session 5:30 p.m.
Council Chambers Regular Session 6:30 p.m.**

**COMPLETE COUNCIL AGENDAS AND BACKGROUND INFORMATION ARE AVAILABLE FOR REVIEW
ONLINE AT <http://www.bedfordtx.gov>**

WORK SESSION

- Review and discuss items on the regular agenda and consider placing items for approval by consent.
- Presentation by Robert Hinkle with NTE regarding the S.H. 183 expansion.
- Presentation regarding amendment to the following sections of the City of Bedford Sign Ordinance: Chapter 6, "Advertising," Section 6-6 "Definitions," Section 6-69 "General Regulations," Section 6-70 "Special Sign Types," and Section 6-71 "Permanent Sign."

EXECUTIVE SESSION:

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Pastor Kevin Smith, Faith Christian Fellowship Church)

PLEDGE OF ALLEGIANCE

OPEN FORUM

(The public is invited to address the Council on any topic that is posted on this agenda. Citizens desiring to speak on Public Hearing(s) must do so at the time the Public Hearing(s) are opened. In order to speak during Open Forum a person must first sign in with the City Secretary prior to the Regular Session being called to order. Speakers will be called upon in the order in which they sign in. Any person not signing in prior to the commencement of the Regular Session shall not be allowed to speak under Open Forum. Further, Open Forum is limited to a maximum of 30 minutes. Should speakers not use the entire 30 minutes Council will proceed with the agenda. At the majority vote of the Council the Mayor may extend the time allotted for Open Forum.)

CONSIDER APPROVAL OF ITEMS BY CONSENT

COUNCIL RECOGNITION

1. Proclamation declaring March 2011 as March for Meals Awareness Month.
2. Proclamation declaring April 2011 as Child Abuse Prevention Month.
3. Proclamation recognizing the week of April 10 – 16, 2011 as National Crime Victims' Rights Week.

4. Proclamation recognizing the week of April 10 – 16, 2011 as National Public Safety Telecommunicators Week.
5. Recognition of Detention Officer Teresa McGill for a Bedford Employee Commitment Award (BECA).
6. Employee Service Recognition.

PERSONS TO BE HEARD

7. The following individuals have requested to speak to the Council tonight under Persons to be Heard.
 - Rickey E. Thompson, 2136 Murphy Drive, Apt 1603, Bedford, TX 76021- Requested to speak to the council regarding code compliance and Windmill Terrace Apartments.

APPROVAL OF THE MINUTES

8. Consider approval of the following City Council minutes:
 - a) March 8, 2011 regular meeting

NEW BUSINESS

9. Consider an ordinance amending Chapter 22 by repealing Article III “International Building Code”, Article IIIa “International Residential Code for One and Two Family Dwellings,” Article IIIb “International Energy Conservation Code,” Article IV “Plumbing; Irrigation,” Article V “Gas Code,” Article VI “Mechanical Systems” of Chapter 22 “Buildings and Building Regulations,” and replacing it with Article III International Codes/Amendments inclusive of the International Building Code 2009 Edition, International Residential Code 2009 Edition, International Mechanical Code 2009 Edition, International Plumbing Code 2009 Edition, International Fuel Gas Code 2009 Edition, International Energy Conservation Code 2009 Edition, International Property Maintenance Code 2009 Edition; making local amendments to each of the International Codes adopted; providing a savings clause and an effective date.
10. Consider an ordinance amending Chapter 22 of the City of Bedford Code of Ordinances, “Building and Building Regulations” by repealing Ordinance No. 08-2914 entitled “Article VII Electrical Code” and creating a new “Article IV National Electrical Code” providing for the adoption of the National Electrical Code, 2011 edition.
11. Consider an ordinance amending Chapter 2 “Administration,” Article IV “Boards, Commissions, and Committees” of the City of Bedford Code of Ordinances by the addition of Division 5 hereby named the “Cultural Commission;” repealing all ordinances in conflict herewith; containing a savings clause and declaring an effective date.
12. Consider a resolution authorizing the City Manager to enter into a contract with Western Enterprises for the 2011 4thFest Fireworks Program in the amount of \$29,000.
13. Consider a resolution authorizing the City Manager to enter into a lease agreement for one year with the Tejanos Soccer Club for the purposes of conducting practices at the Stormie Jones soccer fields.
14. Consider a resolution authorizing the City Manager to enter into a lease agreement for one year with Tri-Cities Baseball for the purposes of having league games at the baseball fields at the Boys Ranch Park.
15. Consider a resolution authorizing the addition of the following employee personnel policy:
 - VI (While at Work) Social Media

16. Report on most recent meeting of the following Boards and Commissions:

- ✓ **Animal Control Board- Councilman Griffin**
- ✓ **Animal Shelter Advisory Board- Councilman Griffin**
- ✓ **Beautification Commission- Councilman Turner**
- ✓ **Community Affairs Commission- Councilman Fisher**
- ✓ **Library Board- Councilman Brown**
- ✓ **Parks & Recreation Board- Councilman Griffin**
- ✓ **Senior Citizen Advisory Board- Councilman Savage**
- ✓ **Teen Court Advisory Board- Councilman Champney**

17. Council member reports

- ✓ **Councilman Brown- Report on Tarrant County Day.**

18. City Manager report

19. Take any action necessary as a result of the Executive Session.

(Any item on this posted agenda may be discussed in executive session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.)

ADJOURNMENT

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window in a display cabinet at the City Hall of the City of Bedford, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Friday, March 18, 2011 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.

Michael Wells, City Secretary

Date Notice Removed

(Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in City functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight (48) hours prior to the scheduled starting time of a posted council meeting by calling 817.952.2101.)



Council Work Session

PRESENTER:

Robert Hinkle, NTE

ITEM:

Presentation by Robert Hinkle with NTE regarding the S.H. 183 expansion.

DISCUSSION:

Robert Hinkle from NTE Mobility Partners will present an update regarding the S.H. 183 expansion project.

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A



Council Work Session

PRESENTER:

William Syblon, Development Director
Dan Boutwell, MPRG

ITEM:

Presentation regarding amendment to the following sections of the City of Bedford Sign Ordinance: Chapter 6, "Advertising," Section 6-6 "Definitions," Section 6-69 "General Regulations," Section 6-70 "Special Sign Types, and Section 6-71 "Permanent Sign."

DISCUSSION:

Recently, concerns of the business community and encouragement from the City Council prompted staff to re-examine the Sign Ordinance relative to the flexibility of the Ordinance to permit additional advertising for major shopping centers.

Staff agrees that flexibility added to the Sign Ordinance will benefit local commerce and may also limit the need for other signage that is less preferred, such as portable signs or other types of temporary signs.

The suggested changes to the Sign Ordinance are directed to "stand-alone" signs such as monument signs, pylon signs, and pole signs. The significant changes to the Ordinance are as follows:

- Monument, pole, and pylon signs may now exist simultaneously on the same parcel with a minimum spacing of 50 feet between any of these signs.
- The definition of monument, pole, and pylon signs has been amended to allow pylon signs to have no maximum area requirements, allowing for signage from top to bottom (examples are provided in the sign ordinance).
- The width of a sign may not exceed 50% of the sign height.
- Monument signs have been allowed an additional foot of height, to eight feet.

Staff believes these changes will provide existing and future businesses with much more flexibility for advertising signage in the City of Bedford, without affecting the aesthetics of our corridors.

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Revised Draft Ordinance

**CITY OF BEDFORD, TEXAS
ORDINANCE NO. ____**

AN ORDINANCE OF THE CITY OF BEDFORD, TEXAS, AMENDING CHAPTER 6, ADVERTISING (ORDINANCE NO. 949), WHICH HAS BEEN AMENDED BY ORDINANCE NO. 08-2877, BEING THE SIGN ORDINANCE OF THE CITY OF BEDFORD ARTICLE III-SIGNS, SECTION 6-6 DEFINITIONS; SECTION 6-69 GENERAL REGULATIONS; SECTION 6-70 SPECIAL SIGN TYPES; SECTION 6-71 PERMANENT SIGN; REPEALING AND REPLACING THE CITY OF BEDFORD SIGN ORDINANCE BEING ORDINANCE NO. 2536 AS AMENDED; PROVIDING FOR AN EXHIBIT 'A' BEING THE CITY OF BEDFORD SIGN ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 216, Regulation of Signs by Municipalities by the Texas Local Government; and

WHEREAS, the City Council of the City of Bedford deems it necessary, in order to provide for the health, safety, and general welfare of the residents of the City of Bedford, to establish the provisions of this ordinance regarding the regulation of signs as authorized by the State of Texas; and

WHEREAS, The City Council has established, in *Chapter 6, Advertising (ordinance No. 949), Article III-Signs, Section 6 of the Code of Ordinances* of the City of Bedford, which have been amended by *Ordinance No. 08-2877*, being the *Sign Ordinance of the City of Bedford*; and,

WHEREAS, the City Council of the City of Bedford has noticed, according to the requirements of public meetings by State Law, the proposed amendments to Ordinance; and,

WHEREAS, the City Council of the City of Bedford has after thoughtful deliberation voted to approve these Sign Ordinance amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS: That

Section 1

Ordinance No. 08-2877, being the *Sign Ordinance of the City of Bedford* be amended in accordance with the following:

Section 2

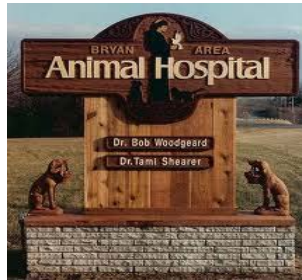
Section 6-67. Definitions be amended to add a new item (a) as follows:

- (a) *Applicability of Definitions*: For the purpose of this ordinance the definitions contained herein shall apply. Where the meaning of a term is contested, the interpretation of the term by the authorized administrative official shall apply

Section 3

Section 6-67. Definitions be amended to add a revised definition for Monument Sign and new definitions for Highway Pole Sign, Non-Highway Pole Sign, Highway Pylon Sign, and Non-Highway Pylon Sign, as follows:

Monument Sign: A permanent freestanding ground sign constructed out of brick, stone, or cast concrete foundation across the entire base of the structure.



Pole Sign Highway A freestanding sign supported by a single pole, multiple poles, or other support(s) having no guys or braces to the ground or to any other structure and is independent from any building or other structures. A Freeway Pole Sign is located along S.H. 183, S.H. 121, or F.M 157.

Pole Sign Non-Highway: A freestanding sign supported by a single pole, multiple poles, or other support(s) having no guys or braces to the ground or to any other structure and is independent from any building or other structures. A Non-Freeway Pole Sign is not located along S.H. 183, S.H. 121, or F.M. 157.



Pylon Sign, Highway: A freestanding sign erected with one or more poles, shafts, piers, which are solidly affixed to the ground and not attached to a building. The supports, columns, or poles are generally located on the outside of the sign structure with the contents of the sign affixed between the columns. The structure and the sign extend the entire length of the adjoining side supports to the ground or decorative sign structure located at ground level. A Freeway Pole Sign is located along S.H. 183, S.H. 121, or F.M.157.

Pylon Sign, Non-Highway: A freestanding sign erected with one or more poles, shafts, piers, which are solidly affixed to the ground and not attached to a building. The supports, columns, or poles are generally located on the outside of the sign structure with the contents of the sign affixed between the columns. The structure and the sign extend the entire length of the adjoining side supports to the ground or decorative sign structure located at ground level. A Non-Freeway Pole Sign is not located along S.H. 183, S.H. 121, or F.M. 157.



Section 4

Section 6-67. *Definitions* be amended to add a new item (b) as follows:

- (a) **Determination of Sign Type:** The authorized administrative official shall determine whether or not any sign shall constitute a type defined herein. Many signs may meet the definition of more than one sign type. The ruling sign type according to these regulations shall be determined by the authorized administrative official.

Section 5

Section 6-69. *General Regulations* be amended to add a new item (l) as follows:

- (l) **Signs Located in the CSED, HC, or PUD Zoning Districts.** Sign regulations provided in those specific districts shall apply as written in the district or when such sign regulations are provided as part of the planned development at the time of approval. When regulations within those districts are silent to an issue, the regulations provided in the sign ordinance shall apply for the sign type proposed in the development.

Section 6

Section 6-70. *Special Sign Types* is amended by adding a new item (g) *Monument signs* as follows:

- (a) **Monument Signs:** are subject to the following restrictions and standards.
 1. **Permitted Districts:** Monument signs are permitted in the S, L, H, I, CBD, CSED, and HC zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards. A residential subdivision or multifamily development, in the R-1500, R9,000, R7,500, R-6500, MD-1,MD-2, MD-3, MD-4, MF, and M zoning districts, may have a monument sign dedicated to identifying the designated subdivision entrance or multifamily complex entrance. Such sign shall meet the requirements provided for monument signs in this ordinance

2. *Maximum Area of Sign:* The maximum area of a monument sign shall be seventy-five (75) square feet per side, and shall be measured at the sign face not including the monument structural elements of the monument sign.
3. *Maximum Height and Clearance:* A monument sign including the structural elements, shall not exceed a height of eight (8) feet, measured from the ground at the highest grade of the ground along the base of the monument sign.
4. *Construction Material:* Monument signs shall be constructed out of brick, stone, or cast concrete foundation across the entire base of the structure. The face of the sign may be metal, wood, or other material as approved by the administrative official.
5. *Number of Signs:* Within the S, L, H, I, CBD, SCED, and HC zoning districts one (1) monument sign is permitted per each increment of one-hundred (100) feet of street frontage. A residential subdivision or multifamily development, in the R-1500, R9,000, R7,500, R-6500, MD-1,MD-2, MD-3, MD-4, MF, and M zoning districts, may have a monument sign located at each major entrance accessing the subdivision. In addition, a sign incorporated into the face of a perimeter wall feature shall be exempt from the regulations.
6. *Other:* The following additional regulations shall apply to all monument signs where applicable.
 - a. A monument sign may not be located within fifty (50) feet of another monument sign, pylon sign or pole sign on the same parcel.
 - b. Illumination of all subdivision or multifamily development signs shall be externally provided. No neon or internal illumination is permitted

Section 7

Section 6-70. Special Sign Types is amended by adding a new *item (h) Pole Signs* as follows:

(h) Pole Signs: There shall be two categories of pole signs within the City of Bedford: Highway Pole Signs and Non-Highway Pole signs. Both types are subject to the following restrictions and standards.

1. *Permitted Districts:* Pole signs are permitted in the S, L, H, I, CBD, CSED, and HC zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
2. *Maximum Area of Sign:* The maximum area of a non-highway pole sign is one-hundred and twenty (120) square feet per sign face. The maximum area of a highway pole sign is two-hundred (200) square feet per sign face.
3. *Maximum Height and Clearance:* A non-highway pole sign shall not exceed a height of thirty-five (35) feet, measured from the ground at the highest grade of the ground adjacent to the pole of the sign. A highway pole sign shall not exceed a height of fifty (50) feet, measured from the ground at the highest grade of the ground adjacent to the pole of the sign. There shall be a minimum of ten (10) feet of clearance from the ground to the bottom of the suspended sign face for all pole signs.
4. *Number of Signs:* One (1) pole sign is permitted per each increment one-hundred (100) feet of street.

5. *Other:* The following additional regulations shall apply to pole signs.
 - a. Pole signs may not be located within fifty (50) feet of a monument, pylon or another pole sign on the same parcel.
 - b. The supporting pole of all pole signs must be setback five (5) feet from any property line and may not overhang into adjacent private property. The sign may overhang into the public right-of-way upon receiving permission of the responsible authority governing the right-of-way.
 - c. The supporting pole of a highway pole sign must be located within twenty-five feet of the highway right-of-way line.

Section 8

Section 6-70. Special Sign Types is amended by adding a new item (i) *Pylon Signs* as follows:

(i) Pylon Signs: There shall be two categories of pylon signs within the City of Bedford: Highway Pylon Signs and Non-Highway Pylon signs. Both types are subject to the following restrictions and standards.

1. *Permitted Districts:* Pylon signs are permitted in the S, L, H, I, CBD, CSED, and HC zoning districts. In addition all non-residential uses which are permitted in any residentially zoned district shall be required to meet these restrictions and standards.
2. *Maximum Area of Sign:* A pylon sign shall not have a maximum area requirement. Area is limited by the height and clearance permitted according to this section. However, the width of the sign and supporting structure shall not exceed fifty (50) percent of the height of the sign.
3. *Maximum Height and Clearance:* A non-freeway pylon sign shall not exceed a height of thirty-five (35) feet, measured from the ground at the highest grade of the ground adjacent to the pole of the sign. A highway pylon sign shall not exceed a height of fifty (50) feet, measured from the ground at the highest grade of the ground adjacent to the pole of the sign. There shall be no minimum clearance from the ground to the bottom of the suspended sign face for all pylon signs.
4. *Number of Signs:* One (1) pylon sign is permitted per each increment of one-hundred (100) feet of street frontage.
5. *Other:* The following additional regulations shall apply to pylon signs.
 - a. Pylon signs may not be located within fifty (50) feet of a monument, pole or another pylon sign on the same parcel.
 - b. The supporting structure of all pylon signs must be setback five (5) feet from any property line and may not overhang into adjacent private property. The sign may overhang into the public right-of-way upon receiving permission of the responsible authority governing the right-of-way.
 - c. The supporting structure of a freeway pylon sign must be located within twenty-five feet of a freeway right-of-way line.

Section 9

Section 6-71. Permanent Signs—the Permanent Sign Table is amended as follows:

PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
Highway Pole	See Sec. 6-70 (h)	See Sec. 6-70 (h)	See Sec. 6-70 (h)	See Sec. 6-70 (h)	See Sec. 6-70 (h)
Non-Highway Pole	See Sec. 6-70 (h)	See Sec. 6-70 (h)	See Sec. 6-70 (h)	See Sec. 6-70 (h)	See Sec. 6-70 (h)
Highway Pylon	See Sec. 6-70 (i)	See Sec. 6-70 (i)	See Sec. 6-70 (i)	See Sec. 6-70 (i)	See Sec. 6-70 (i)
Non-Highway Pylon	See Sec. 6-70 (i)	See Sec. 6-70 (i)	See Sec. 6-70 (i)	See Sec. 6-70 (i)	See Sec. 6-70 (i)
Monument	See Sec. 6-70 (g)	See Sec. 6-70 (g)	See Sec. 6-70 (g)	See Sec. 6-70 (g)	See Sec. 6-70 (g)

Section 10

That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

Section 11

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portion of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 12

This Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

PASSED AND APPROVED this ____ day of _____, 2011.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney



Council Agenda Background

PRESENTER:

Jim Story, Mayor

ITEM:

Proclamation declaring March 2011 as March for Meals Awareness Month.

DISCUSSION:

Paula Clark with Meals on Wheels will be on hand to accept this proclamation.

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Proclamation
Letter of Request



CITY OF
BEDFORD

Proclamation

WHEREAS, Meals On Wheels, Inc. prepares and delivers meals to elderly and disabled persons who are unable to prepare meals for themselves; and

WHEREAS, for the past 38 years the citizens of Tarrant County have benefited from the delivery of over 14 million meals to our homebound neighbors; and

WHEREAS, this organization has a volunteer force of over 5,000 persons who donate their time, vehicle, gasoline, and energy to deliver over 985,000 hot meals to Tarrant County residents annually; and

WHEREAS, Meals On Wheels case managers make over 13,000 home visits annually to act as advocates for clients; and

WHEREAS, no client is ever refused service because of inability to pay; and

WHEREAS, these efforts have resulted in the improvement in the lives of the homebound and disabled in Tarrant County with continued personal independence, daily visits by caring volunteers, well-balanced meals, and the assistance of professional case managers.

NOW, THEREFORE, let it be known that I, Jim Story, Mayor of the City of Bedford, and the City Council do proclaim March 2011 as:

March for Meals Awareness Month

in the City of Bedford, Texas, and ask the citizens of Bedford to join me in supporting the Meals On Wheels program.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this 22nd day of March, 2011.

JIM STORY MAYOR


Jakubik, Megan

From: Wells, Michael
Sent: Monday, March 07, 2011 2:24 PM
To: Jakubik, Megan
Subject: FW: Meals On Wheels Proclamation
Attachments: Proclamation Mayors For Meals 2011.pdf

From: Alejandra Morado
Sent: Monday, March 07, 2011 2:20 PM
To: Wells, Michael
Subject: Meals On Wheels Proclamation

Hello Michael,

Per our conversation, I have attached the proclamation for this year's March for Meals event. Below is the information about our Mayors for Meals event that is part of our March for Meals campaign. Will Mayor Story be participating in meal delivery and/or the luncheon?

Join us for Mayors for Meals
A national initiative
Wednesday, March 23, 2011

Help us end senior hunger in Tarrant County by supporting this event. The goal is to bring media attention to the frail population that is often forgotten because they are homebound and alone. With your help, people will respond to this need by offering to donate their time or money.

Mayors for Meals
Wednesday, March 23, 2011
Preliminary Agenda

10:30 a.m. Meet volunteer at designated meal-distribution site near you

Noon Lunch at Meals On Wheels office with other mayors and elected officials

Thank you.

Alejandra Morado

Alejandra Morado
Marketing Coordinator
Meals On Wheels, Inc. of Tarrant County
320 South Freeway
Fort Worth, TX 76104
(817) 258-6414
Alley@mealsonwheels.org

Our Mission: To promote the dignity and independence of older adults, persons with disabilities, and other homebound persons by delivering nutritious meals and providing or coordinating needed services.



Council Agenda Background

PRESENTER:

Jim Story, Mayor

ITEM:

Proclamation declaring April 2011 as Child Abuse Prevention Month.

DISCUSSION:

Kim Rocha, Center Coordinator for the Northeast Center of Alliance for Children, will be on hand to accept this proclamation.

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Proclamation
Letter of Request



CITY OF
BEDFORD

Proclamation

WHEREAS, 169,583 investigations regarding reports of child abuse or neglect were completed in Texas in 2010, with 13,046 of those being completed in Tarrant County; and

WHEREAS, 6,222 cases of child abuse and neglect were confirmed in Tarrant County in 2010; and

WHEREAS, Alliance For Children provided child-focused services to 2,513 children in 2010; which included 452 children in the Northeast community; and

WHEREAS, child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and

WHEREAS, communities must make every effort to promote programs that benefit children and their families; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among agencies, schools, religious organizations, law enforcement agencies, and the business community; and

WHEREAS, everyone in the community should become more aware of child abuse prevention and consider helping parents raise their children in a safe, nurturing environment.

NOW, THEREFORE, let it be known that I, Jim Story, Mayor of the City of Bedford, and the City Council do hereby proclaim the month of April 2011 as:

Child Abuse Prevention Month

in the City of Bedford and urge all citizens to work together to help reduce child abuse and neglect significantly in the years to come.

*In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this
22nd day of March, 2011.*

JIM STORY MAYOR


Jakubik, Megan

From: Wells, Michael
Sent: Tuesday, February 22, 2011 3:51 PM
To: Jakubik, Megan
Subject: FW: April 2011 Child Abuse Prevention Month Proclamation
Attachments: Proclamation 2011.doc

From: Helen Ortega
Sent: Tuesday, February 15, 2011 11:00 AM
To: Wells, Michael
Subject: April 2011 Child Abuse Prevention Month Proclamation

Dear Mr. Wells:

Once again, we are asking to show support by supporting a city proclamation. We ask your city to proclaim April to be Child Abuse Prevention Month. As the Children's Advocacy Center in Tarrant County, Alliance For children leads this effort in the community. I have attached a sample proclamation and I would appreciate it if you could let me know if it can be read at a city council meeting. A representative from Alliance For Children will attend to accept the proclamation.

Again, thank you so much for your past support and we look forward to working with you again this year. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Helen Ortega
Community Liaison - N.E. Center
625 Grapevine Hwy.
Hurst, TX 76054
(817) 427-3110
(817) 427-3113 fax

Breaking the Cycle of Abuse One Child at a Time
To report suspected child abuse, call 1-800-252-5400



Council Agenda Background

PRESENTER:

Mayor Story

ITEM:

Proclamation recognizing the week of April 10 – 16, 2011 as National Crime Victims' Rights Week.

DISCUSSION:

National Crime Victims' Rights Week began in 1981. This weeklong annual observance is used to build public awareness about the realities of crime victimization and to mobilize support for expanding reforms that brought more crime victims into the criminal justice system. In response to urging from victims and advocates, states began to amend their state constitutions to enshrine victims' rights in a meaningful way. Thirty-two states, including the state of Texas, have constitutional victims' rights amendments, all grounded in the ideals of fairness, dignity and respect for victims of crime.

Interim Police Chief Roger Gibson and Kathy Haecker, Crime Victim's Coordinator, will be accepting this proclamation.

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

WHEREAS, 20 million Americans are victims of crime each year and each crime affects many more, including families, friends and communities; and

WHEREAS, crime exacts an emotional, physical, psychological and financial toll on victims as they have lost loved ones, life savings, physical and mental health, and often their sense of security that has the potential to irrevocably change the course of their lives forever; and

WHEREAS, more than 30 years of progress for crime victims stand on the shoulders of dedicated advocates and brave victims who overcame shame, isolation, and indifference to gain a voice, rights and respect; and

WHEREAS, victim assistance programs across the country are reaching more victims and criminal justice officials are honoring victims' rights more consistently, public understanding of victims' rights remains minimal; and

WHEREAS, more work remains to be done to address the mental health impact of crime, and to meet the needs of victims of non-violent crime, victims of terrorism, and other underserved victims; and

WHEREAS, National Crime Victims' Rights Week, April 10-16, 2011, provides an opportunity for us to reshape the future for victims by honoring the past and reflecting on hard-won victories, and to recommit to working together to insist on better treatment for victims to help them overcome the harm caused by crime; and

WHEREAS, the City of Bedford is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout Tarrant County, the state of Texas and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week.

NOW, THEREFORE, let it be known that I, Jim Story, Mayor of the City of Bedford, and the City Council do hereby proclaim the week of April 10–16, 2011, as:

National Crime Victims' Rights Week

and reaffirm the City of Bedford's commitment to respect and enforce crime victims' rights and address their needs during Crime Victims' Rights Week and throughout the year; and express our appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community.

*In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this
22nd day of March, 2011.*

JIM STORY MAYOR




Council Agenda Background

PRESENTER:

Mayor Story

ITEM:

Proclamation recognizing the week of April 10 – 16, 2011 as National Public Safety Telecommunicators Week.

DISCUSSION:

Each year, the second full week of April is dedicated to the men and women who serve as public safety telecommunicators (dispatchers). It was first conceived by Patricia Anderson of the Contra Costa County California Sheriff's Office in 1981 and was observed only at that agency for three years. Members of the Virginia and North Carolina chapters of the Association of Public-Safety Communications Officials (APCO) became involved in the mid-1980s. By the early 1990s, the national APCO organization convinced Congress of the need for a formal proclamation.

The official name of the week when originally introduced in Congress in 1991 was "National Public Safety Telecommunicators Week." In the intervening years, it has become known by several other names, including "National Public-Safety Telecommunications Week" and "International Public Safety Telecommunicator's Week."

Interim Police Chief Roger Gibson and Amy James, Communications Supervisor over the Dispatch Division, will be accepting this proclamation.

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

WHEREAS, each day, millions of Americans dial 9-1-1 for help in emergencies ranging from house fires and automobile accidents to heart attacks, burglaries and missing children. The men and women who answer these calls for help, gathering essential information and dispatching the appropriate response, can make the difference between life and death and property loss for persons in need. The City of Bedford dispatchers are among the more than 500,000 telecommunications specialists nationwide, who work daily to protect and to promote public safety; and

WHEREAS, public safety telecommunicators are more than a calm and reassuring voice on the other end of the phone – they are knowledgeable and highly trained individuals who work closely with police, fire and medical personnel. They coordinate and manage the vital communications in areas that affect the health and safety of our citizens. Because emergencies occur around the clock, we rely on the vigilance and the preparedness of these individuals 24-hours a day, 365 days a year; and

WHEREAS, Public Safety Telecommunicator's Week, April 10–16, 2011, allows us an opportunity to raise awareness about the important role telecommunicators play in protecting lives and property.

NOW, THEREFORE, let it be known that I, Jim Story, Mayor of the City of Bedford, and the City Council do hereby proclaim the week of April 10–16, 2011, as:

Public Safety Telecommunicator's Week

in honor and recognition of our municipality's Telecommunicators and the vital contributions they make to the safety and well being of our citizens.

*In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this
22nd day of March, 2011.*

JIM STORY MAYOR




Council Agenda Background

PRESENTER:

Beverly Queen Griffith, City Manager

ITEM:

Recognition of Detention Officer Teresa McGill for a Bedford Employee Commitment Award (BECA).

DISCUSSION:

The BECA is part of the City of Bedford's Employee Recognition Program. In order for an employee to receive a BECA, he/she must display "above and beyond the call of duty" conduct or actions in their daily job function or other types of meritorious actions or conduct.

Any citizen, business owner or employee may nominate a City employee for a BECA by completing a form. The nominations are reviewed on a periodic basis by the City's senior management team. The senior management team then votes on the nominations.

Teresa McGill was nominated by a fellow employee, Barbette Quigley in the Customer Service Division, for her work coordinating a clothing and household items drive for victims of an apartment fire located in the City of Bedford in January of this year. Teresa coordinated the drive that benefited six families using her own time, gas and resources. The nomination in part reads, "Teresa not only picked up and delivered the donations, but she also held a garage sale with all proceeds going to the stricken families. She will continue to collect needed items for these Bedford citizens who lost so much. For her unselfish efforts on behalf of our Bedford families, I nominate Teresa McGill for a BECA."

RECOMMENDATION:

Staff recommends the following:

That the Mayor and City Council formally recognize Detention Officer Teresa McGill for her outstanding contribution to the City of Bedford.

FISCAL IMPACT:

Funds are budgeted in FY 10/11 budget account 01-20-22-8135.

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER:

Beverly Queen Griffith, City Manager

ITEM:

Employee Service Recognition

DISCUSSION:

The following employees have completed a service period and are eligible for recognition:

- Robert Carrizales 5 yrs. Public Works
- Robert “Bobby” LaPenna 10 yrs. Police
- Kim Bruno 10 yrs. Administrative Services

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER AND ITEM:

- Rickey E. Thompson, 2136 Murphy Drive, Apt 1603, Bedford, TX 76021- Requested to speak to the council regarding code compliance and Windmill Terrace Apartments.

DISCUSSION:

N/A

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Letter of Request

3-04-2011

I would like to
speak at March 22, 2011

under person to be heard

about CODE COMPLIANCE
AND Windmill TERRACE Apt

Rickey E Thompson
2136 Murphy Dr Apt 1603
Bedford TX 76021
361-318-0515



Council Agenda Background

PRESENTER:

Michael Wells, City Secretary

ITEM:

Consider approval of the following City Council minutes:
a) March 8, 2011 regular session

DISCUSSION:

N/A

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Minutes

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in regular session at 6:30 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 8th day of March, 2011 with the following members present:

Jim Story	Mayor
Chris Brown	Council Members
Ray Champney	
Roger Fisher	
Jim Griffin	
Roy Savage	
Roy W. Turner	

Constituting a quorum.

Staff present included:

Beverly Queen Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Megan Jakubik	Assistant City Secretary
Cliff Blackwell	Administrative Services Director
Roger Gibson	Interim Police Chief
James Tindell	Fire Chief
John Kubala	Public Works Director
Bill Syblon	Development Director
Mirenda McQuagge-Walden	Managing Director of Community Services

WORK SESSION

Mayor Story called the Work Session to order at 6:01 p.m.

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following items on consent: 3, 9, and 10.

- **Discussion regarding the creation of a Bedford Cultural Commission. ***Item requested by Councilman Champney**

Councilman Champney requested that this item be placed on the agenda for discussion. Councilman Champney presented information regarding this commission. The City of Bedford submitted an application for a cultural designation, but we did not receive the designation. In the rejection of the applications, hints and tips were included for future submissions.

The initial resolution endorsing the application for a Cultural District was passed on June 8, 2010. The resolution highlights include addressing that Bedford is rich in heritage and cultural assets; that the district would encompass the Old Bedford School, the new Bedford Library, and the Boys Ranch (the area could also be expanded as future developments occur); many components of the cultural district already exist; it would provide a culture and arts destination for residents and tourists; new events and programs such as the Arts walk would link venues in the district; and the district would serve as an economic engine to attract new businesses.

If the cultural district was granted, a board would be created of seven members with a chairman, who would be a representative of the City of Bedford; the remaining six members would include three City of Bedford representatives, and two Arts Council Northeast representatives, comprised of the president and a board member. Councilman Champney would like to amend the district area to include City Hall and the former Library. He would also like to establish the Cultural District Board or Cultural Commission now rather than after the designation is received. One of the criticisms of the original submission included a comment that the governing board of the cultural district is unclear as to the duties of the board or commission. Councilman Champney would like to create a board or commission now to start supporting the cultural district by creating community awareness, oversee planning and development, and assist in identification of likely candidates of businesses that would be attracted to the district. Examples of businesses include schools for art or dance, theatre schools, antique shops, and boutiques, etc. Those are the type of businesses that would likely be attracted to a cultural district.

Councilman Champney suggested several duties for this board, including:

- Create an identity and awareness for the Cultural District.
- Identify various types of artists and their associations and encourage the use of the Bedford Cultural District for their diverse artistic activities and work with staff member Billie Yahne, Economic Development, to continue and strengthen the relationship already established within the art community. Billie Yahne has done an outstanding job in working with the arts and Jim Bob McMillan with the Texas Commission on the Arts.
- Coordinate with ARTSNET, On Stage, the local/regional art community, and the School District.
- Work with staff and outside groups to develop a plan and flow chart of activities that will take place during the year.
- Continuously communicate, on Facebook or newsletter, Cultural District Activities to the general public and Council, mayor and staff
- Explore and seek out federal, state and local grant opportunities
- Provide input on the types of business ideally suited for the Cultural District
- Assist Economic Development, as directed, in research to identify target businesses likely to locate in a cultural district.

These duties are simply a suggestion that can be modified as needed.

Councilman Champney believes the original resolution could be amended to strengthen the deficiencies identified by the review committee from the original submission. This will allow the re-application to proceed.

Councilman Champney generally fielded questions regarding the establishment of a new Bedford Cultural Commission. Council discussed whether a new commission is warranted or whether the duties of the proposed Cultural Commission could be added to a current board or commission, such as Community Affairs. Councilman Champney believes a freestanding committee is necessary to address the criticisms of the review committee. Development Director Bill Syblon indicated that the designation of the Cultural District would not place any restrictions on future development. Mr. Syblon also indicated that the district does not have to be contiguous.

Council was of the consensus to continue pursuing the application for a cultural district. Staff will have to bring an ordinance to create a commission and there will need to be a staff liaison with the commission. Council wanted to study the current boards and commissions to see if the goals and duties outlined for the proposed commission could be rolled into one of them. With the proposed coordination with the Arts Council to pursue grant funding utilizing their 501(c)3 status, Council wanted to see if the same collaboration could be run through an existing board.

Council elected to continue this discussion after the regular session.

Council returned to this discussion at 7:41 p.m.

Council was of the consensus to move forward in a manner to strengthen the application for the Cultural District. Council was of the consensus to begin the creation of a new commission dedicated to the Cultural District. City Manager Beverly Queen Griffith asked for clarification on the vision of the

Commission, including composition and duties of the Commission. The ordinance could be completed by the next Council meeting in two weeks if the details are determined tonight.

Councilman Champney reiterated the composition and duties he had listed earlier in the meeting. It was discussed that in the composition of the Commission, Bedford representatives should be changed to citizens. The community member could be a member of the Chamber of Commerce. The ordinance will need to assign a Council liaison but a staff liaison will not necessarily be listed in the ordinance. Council was of the consensus to move forward with those duties. City Attorney Stan Lowry recommended adding language that the duties are “included, but not limited to” and as a final duty, “other duties as directed by the City Council from time to time.” Council agreed with those recommendations. As the Commission encounters grant opportunities, they should bring them to Council for approval. Everything must be a recommendation to the Council; the Commission would serve in an advisory function and cannot pursue grants under their own authority.

- **Presentation by Brenda Harris regarding the HEB Prom Closet.**

Brenda Harris, 3712 Hillwood Way, Bedford, TX 76021, presented information regarding the HEB Prom Closet. The idea for the Prom Closet came about recently, when a friend, Dr. Robin Witt, was contacted to ask if a prom dress could be borrowed. This began a discussion of a use for prom and banquet dresses that are hanging unused in closets. From there, the idea of the HEB Prom Closet was born. There is now a leadership board of six local residents including Holley Hendrickson, Melody Davenport, Arlissa Schober, Sissy Smyer, Dr. Robin Witt, and Brenda Harris. The mission is to provide special occasion attire to students and their families regardless of financial need. The board wants to assist both students and parents. The goal is to function as a lending closet and to recycle the dresses and suits. The eventual goal will be a year-long program that will expand to include banquets, homecomings, quinceaneras, weddings, job interviews and other special events. Depending on space, graduation gowns may also be offered. The slogan is “Lending a Hand for those special occasions.”

Ms. Harris generally fielded questions pertaining to her presentation. The future of the program will depend on community support and would be open limited hours after prom season. It would be time to drop off borrowed dresses and for those who need to select a dress. Marketing initiatives include Facebook, email, newspaper, flyers and announcements through the schools. There are not any similar programs in the HEB area, but there is one for Birdville ISD. There is a plan to have a \$10 deposit that would cover the cost of cleaning when the dress is returned. This agreement will provide a period to operate and allow for continuing development of the program. There is a national organization called donatemydress.org that is an umbrella organization. This organization would fall under this organization purely for advertising purposes.

Mayor Story recessed the Work Session at 6:52 p.m.

Mayor Story adjourned the Work Session at 8:02 p.m.

EXECUTIVE SESSION:

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- **Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.**

Council convened into Executive Session pursuant to the Texas Government Code regarding Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments at approximately 8:02 p.m.

Council reconvened from Executive Session at approximately 8:34 p.m.

Any necessary action to be taken as a result of the Executive Session will occur during the regular session of the Bedford City Council Meeting.

REGULAR SESSION 6:30 P.M.

The Regular Session began at 6:52 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Story called the meeting to order.

INVOCATION (Pastor Kevin Smith, Faith Christian Fellowship Church)

Mayor Story gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

OPEN FORUM

Nobody chose to speak under tonight's Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilman Champney, seconded by Councilman Turner, to approve the following items by consent: 3, 9, and 10.

Motion approved 7-0-0. Mayor Story declared the motion carried.

COUNCIL RECOGNITION

1. Proclamation declaring February 19, 2011 as National AMBUCS Service Day.

Mayor Story read a proclamation declaring February 19, 2011 as National AMBUCS Service Day.

Ralph Thompson, a past president, and Greg Russ, treasurer, accepted the proclamation.

Mr. Russ shared that the Mid-Cities chapter has been ranked number one nationally for the past two years in community service. Councilman Turner shared that he has spoken at local AMBUCS meetings and feels their best work is in scholarship therapy awards.

2. Proclamation declaring March 2011 as Texas Smartscape® Month.

Mayor Story read a proclamation declaring March 2011 as Texas Smartscape® Month.

Stephanie Corso, Environmental Specialist, accepted the proclamation. Ms. Corso announced that a landscaping irrigation series will be presented in the City. Representatives from Texas Agrilife will be in the City once a month from April until July to present information on ways to improve your irrigation system that can be done yourself.

APPROVAL OF THE MINUTES

3. Consider approval of the following City Council minutes:

a) February 22, 2011 regular meeting

This item was approved by consent.

NEW BUSINESS

4. Public hearing and consider a resolution authorizing the City Manager to pursue grant funding from the Tarrant County Community Development Block Grant (CDBG) 37th Year Program for the sanitary sewer improvements in Winchester Way from Schumac Lane to Savannah Way, Memphis Drive from Winchester Way to Central Drive, Central Drive from Schumac Lane to Knoxville Drive and the cul-de-sac on Savannah Way between Schumac Lane and Winchester Way.

Public Works Director John Kubala presented information regarding this resolution. Staff previously had proposed street improvements in this area. Tarrant County had rejected that project as ineligible because it did not completely rebuild the street. Staff has identified this region as needing sanitary sewer line improvements to prevent future breaks. The total cost of the project is estimated at \$157,000. Staff does not expect to receive the total amount in one year. The program will be structured to fund the improvements over two years based on the amount of allocated funding from this year.

Mr. Kubala generally fielded questions regarding this project. The area is in an eligible area, these lines have been checked and the need for repairs has been identified. The future of CDBG funding is uncertain, staff has not been notified of any reductions as of yet. The only City match requirement is the engineering, which is approximately \$10,000. If the grant is not approved, then the project would eventually be incorporated in capital bonds.

Mayor Story opened the public hearing at 7:07 p.m.

Nobody chose to speak at tonight's public hearing.

Mayor Story closed the public hearing at 7:07 p.m.

Motioned by Councilman Turner, seconded by Councilman Champney. to approve a resolution authorizing the City Manager to pursue grant funding from the Tarrant County Community Development Block Grant (CDBG) 37th Year Program for the sanitary sewer improvements in Winchester Way from Schumac Lane to Savannah Way, Memphis Drive from Winchester Way to Central Drive, Central Drive from Schumac Lane to Knoxville Drive and the cul-de-sac on Savannah Way between Schumac Lane and Winchester Way.

Motion approved 7-0-0. Mayor Story declared the motion carried.

5. Consider an ordinance amending Chapter 50, Article II "Alarm Systems;" amending definitions; providing for alarm system permits and that permit required; providing for proper alarm system operation and maintenance; providing that direct alarm reporting prohibited with certain exceptions; providing for protection of financial institutions; providing for permit; providing for appeals; providing for false alarm notification; establishing a penalty; providing for exceptions; providing a severability clause; and declaring an effective date.

Deputy Police Chief Les Hawkins presented information regarding this ordinance. Staff began reviewing the current ordinance several months ago. The current ordinance is outdated in relation to the fees and permit process procedures. The other issue was the inclusion of fire alarm permits. The Police Department is not involved in the enforcement of fire alarms and has never issued permits for fire alarms. Police staff discussed with the Fire Department how it would affect them to remove such references. The Fire Department desired to implement their own ordinance concerning fire alarm permits, so this revision for the Police Department deletes references to fire alarm permits. This ordinance and the Fire Department ordinance were written in conjunction with the City Attorney's office.

Council discussed items 6 and 7 prior to voting on this item.

Motioned by Councilman Fisher, seconded by Councilman Griffin, to approve an ordinance amending Chapter 50, Article II "Alarm Systems;" amending definitions; providing for alarm system permits and that permit required; providing for proper alarm system operation and maintenance; providing that direct alarm reporting prohibited with certain exceptions; providing for protection of financial institutions;

providing for permit; providing for appeals; providing for false alarm notification; establishing a penalty; providing for exceptions; providing a severability clause; and declaring an effective date.

Motion approved 7-0-0. Mayor Story declared the motion carried.

6. Consider an ordinance amending Chapter 58, "Fire Prevention and Protection" by adopting provisions relating to fire alarm ordinances in the city limits of the City of Bedford.

Fire Chief James Tindell presented information regarding this ordinance. Realistically, there has never been a fire alarm ordinance enforced in the City. The Fire Department runs approximately 150 false alarms a year. The definition of a false alarm is not when a smoke detector goes off because food overheated; a false alarm is when a system fails or it is a malfunction of the system. There are several businesses that the Fire Department is constantly responding to because of a malfunction of their system. When a fire truck responds to an alarm, it responds utilizing lights and sirens with three firefighters on board. It is not currently a huge problem in Bedford, but the intent of the ordinance is to prevent this from becoming a problem. The 150 false alarms currently experienced per year are solely system malfunction or lack of preventative maintenance.

Chief Tindell generally fielded questions regarding this ordinance. This ordinance is targeted on commercial businesses. Residents that have a smoke detector tied into their burglar alarm system will not be required to obtain another permit. Fire alarm systems are different from smoke detectors, and are typically monitored systems. A fire alarm system is required if the business is larger than 6,000 square feet. Staff will be able to monitor who is responsible for the systems through permitting.

Council discussed item 7 prior to voting on this item.

Motioned by Councilman Brown, seconded by Councilman Turner, to approve an ordinance amending Chapter 58, "Fire Prevention and Protection" by adopting provisions relating to fire alarm ordinances in the city limits of the City of Bedford.

Motion approved 7-0-0. Mayor Story declared the motion carried.

7. Consider an ordinance amending the City of Bedford Code of Ordinances Appendix A, Schedule of Fees by updating fees imposed by the City for Fire False Alarms; containing a savings clause; repealing all ordinances in conflict herewith; and providing for an effective date.

Administrative Services Director Cliff Blackwell presented information regarding this ordinance. As addressed in the previous items, this ordinance addresses the fees that will be added as a result of the adoption of the Fire False Alarm Ordinance. The Police alarm permit fees were already a part of the fee ordinance.

For Fire false alarms, the alarms will be split between the residential and non-residential response and will escalate on a sliding scale. The first three false alarms will not carry any charge; beginning with the fourth alarm charges will be assessed. In the residential category, the fourth and fifth alarms will be assessed at \$75 per call, the sixth and seventh are \$250 per call and eight and above are assessed at \$500 per call. For the non-residential permits, those fees are doubled; fourth and fifth at \$150 per call, sixth and seventh at \$500 per call, and eight or more at \$1000 per call. These fees are calculated on a 12-month rolling period.

Motioned by Councilman Champney, seconded by Councilman Savage, to approve an ordinance amending the City of Bedford Code of Ordinances Appendix A, Schedule of Fees by updating fees imposed by the City for Fire False Alarms; containing a savings clause; repealing all ordinances in conflict herewith; and providing for an effective date.

Motion approved 7-0-0. Mayor Story declared the motion carried.

8. Consider a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2010.

Administrative Services Director Cliff Blackwell and Chris Pruitt from Pattillo, Brown & Hill, L.L.P. presented information regarding this resolution. The audit committee met this evening to discuss the Comprehensive Annual Financial Report (CAFR), Management Letter and Statement for Auditing Standards Number 114 (SAS 114), addressing communication between the auditing entity and the governmental body. Mr. Pruitt explained that this is the third year that Pattillo, Brown & Hill, L.L.P. has completed the audit. Mr. Pruitt is appreciative of the assistance and support given by the Finance Department during the audit process.

Mr. Pruitt highlighted several points regarding the CAFR. Last year was the 14th year in a row that the City of Bedford received the award from the Government Finance Officers Association for Excellence in Financial Reporting. This CAFR meets all of the same requirements, and so the City should be receiving another award in the fall. In the independent auditor's report, the City received an unqualified opinion, meaning without qualifications. This is a clean opinion meaning the report is free of material misstatement. The City also received a single audit this year. When the City receives more than \$500,000 per year in grants, a single audit is required. There were no findings associated with that process. The CAFR has two letters in the back, one for the overall City audit, and one for the single report. Neither report yielded any findings.

Mr. Pruitt generally fielded questions relating to this item. The Management Discussion and Analysis is a required part of the report. It must be completed by the Financial Director and is a good place to find a summary of the report for the year.

Motioned by Councilman Savage, seconded by Councilman Champney, to approve a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2010.

Motion approved 7-0-0. Mayor Story declared the motion carried.

9. Consider a resolution authorizing the purchase of ten sets of firefighting protective clothing and five helmets from Casco Industries at a cost of \$18,666 through an Interlocal Purchasing Agreement with the City of North Richland Hills.

This item was approved by consent.

10. Consider a resolution authorizing the City Manager to purchase rescue equipment and related components from Advanced Rescue Systems, for TNT Rescue Tool products, in the amount of \$25,000.

This item was approved by consent.

11. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Brenda Harris relative to 1725 Bedford Road.

Deputy City Manager David Miller presented information regarding this resolution. The key provisions include a short term agreement that will expire on July 1, 2011; Ms. Harris will be required to pay for all utilities during the duration of the agreement; Ms. Harris cannot attach any signage to the building and any other signs must conform to City ordinances; and, there will be no displays in the window or outside. Ms. Harris has requested that the first page be amended to include language for students "and their families" in order to broaden the service to family members of HEB students. The City Attorney has approved this addition.

Council was of the consensus to allow language reflecting that a family member or date of a HEB student could also utilize the services of the Prom Closet. The agreement is a Memorandum of Understanding because of the short term duration of the agreement. If approved, the agreement will go into effect the next day to enable the Prom Closet to begin prep for the prom season.

Motioned by Councilman Griffin, seconded by Councilman Brown, to approve a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Brenda Harris relative to 1725 Bedford Road, including the amendment to the agreement recommended by staff.

Motion approved 7-0-0. Mayor Story declared the motion carried.

12. Report on most recent meeting of the following Boards and Commissions:

- ✓ **Animal Control Board- Councilman Griffin**

No report was given.

- ✓ **Animal Shelter Advisory Board- Councilman Griffin**

No report was given.

- ✓ **Beautification Commission- Councilman Turner**

Councilman Turner reported that Beautification is continuing with the Community Garden. Plans are advancing to be in place prior to this year's growing season. Crud Day and Chunk Your Junk Day is on March 26. Councilman Turner encourages all residents to take advantage of those opportunities.

- ✓ **Community Affairs Commission- Councilman Fisher**

Councilman Fisher reported that the Community Affairs Commission will be hosting the first quarterly Homeowner Roundtable meeting at 7:00 p.m. on March 30 in the Meeting Room at the new Library.

- ✓ **Library Board- Councilman Brown**

No report was given.

- ✓ **Parks & Recreation Board- Councilman Griffin**

No report was given.

- ✓ **Senior Citizen Advisory Board- Councilman Savage**

No report was given.

- ✓ **Teen Court Advisory Board- Councilman Champney**

Councilman Champney reported that he attended the Teen Court meeting last Thursday. The banquet is scheduled for April 28 and the award recipients have been selected for their scholarships. The new chairperson is doing an excellent job.

Councilman Champney reported he also attended the Tarrant Regional Transportation Coalition (TRTC) meeting last Wednesday in Fort Worth. Councilman Brown and Champney attended the Trinity Arts guild on Sunday while they were awarding prizes to children for their artwork.

13. Council member reports

- ✓ **Mayor Story- Report on the 49th Anniversary MPA Alumni-Student Conference held at the University of North Texas.**

Mayor Story gave a report on the 49th Anniversary MPA Alumni-Student Conference held at the University of North Texas. The event was very nice. The keynote speaker was Mary Suhm, from the City of Dallas. The City of Dallas has over 200 people working on the budget each year. Megan Jakubik, Assistant City Secretary, was inducted into the National Honor Society for the Society for Public

Administrators. Beverly Queen Griffith was named the Public Administrator of the Year award at the banquet. This award is well deserved for Ms. Griffith. Ms. Suhm is also a past recipient of this award.

Councilman Fisher reminded everyone that the Community Powered Revitalization (CPR) will be on April 8 and 9. Local businesses are stepping up to help with defraying the cost for the City for expenses relating to CPR. Classic Chevrolet in Grapevine, the Thompson Group specifically, will donate \$25 to 6 Stones if you test drive a car between March 1 and April 30. If you decide to buy a car, they will donate an additional \$200 to CPR. Jason's Deli will donate a percentage of the total receipt to CPR for anyone who eats there on Tuesday nights in March from 4:00 p.m. until 9:00 p.m. Councilman Fisher thanked both businesses for their contribution to CPR. To volunteer for CPR, you may find information on the City website or go to www.6stones.org for more information. Mayor Story explained that CPR is a partnership between the Cities of Bedford, Hurst, and Euless with 6 Stones to assist homeowners who need help with improving their homes. The homeowners must apply and be selected for the program.

14. City Manager report

✓ Report on upcoming events for the City.

City Manager Beverly Queen Griffith reported that she, Deputy City Manager David Miller and Mirenda McQuagge-Walden, Managing Director of Community Services, attended a conference called the Great Exchange event in Bryan, Texas, this past week. They will be incorporating what they learned throughout the year.

Council recessed back to the work session at 7:41 p.m.

15. Take any action necessary as a result of the Executive Session.

No action was necessary as a result of Executive Session.

ADJOURNMENT

Mayor Story adjourned the meeting at 8:34 p.m.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER:

Russell Hines, Building Official

ITEM:

An ordinance amending Chapter 22 by repealing Article III “International Building Code”, Article IIIa “International Residential Code for One and Two Family Dwellings,” Article IIIb “International Energy Conservation Code,” Article IV “Plumbing; Irrigation,” Article V “Gas Code,” Article VI “Mechanical Systems” of Chapter 22 “Buildings and Building Regulations,” and replacing it with Article III International Codes/Amendments inclusive of the International Building Code 2009 Edition, International Residential Code 2009 Edition, International Mechanical Code 2009 Edition, International Plumbing Code 2009 Edition, International Fuel Gas Code 2009 Edition, International Energy Conservation Code 2009 Edition, International Property Maintenance Code 2009 Edition; making regional amendments to each of the International Codes adopted; providing a savings clause and an effective date.

DISCUSSION:

The 2009 International Codes are revised and published in a three-year code cycle. They provide and establish minimum standards and regulations for buildings and systems to safeguard the public health and safety in the built environment. The City of Bedford has operated on the same building codes and code amendments from the 2001 adoption of the 2000 edition International Codes. The City of Bedford has coordinated with Hurst and Euless for the past several years to adopt the same edition of these codes, as well as ensure that our amendments coincide. The previous code edition was recommended for adoption from the North Central Texas Council of Governments (NCTCOG) on January 31, 2008. So that codes and amendments could be uniform across the three cities, the Cities of Bedford, Hurst and Euless decided to continue discussions and pursue the 2009 International Codes. The City will maintain efforts to adopt current code editions, such as the 2012 International Codes, that would be recommended for adoption by NCTCOG in early 2014.

NCTCOG has actively promoted the standardization of model construction codes since 1967, when the Regional Codes Strategy Committee first documented the wide disparity in codes used by cities in the region. The goal of the Regional Codes Coordinating Committee (RCCC), NCTCOG's present model codes advisory committee, is to standardize the model codes used throughout North Central Texas. Composed of public and private sector code professionals, the RCCC and its four code advisory boards encourage the adoption of NCTCOG's recommended model codes and regional amendments to reduce the variation of local construction codes in the region. NCTCOG recommended on January 31, 2011 that jurisdictions in North Central Texas adopt the 2009 International model construction codes, along with their respective regional amendments.

Building codes provide protection from tragedy caused by fire, structural collapse and general deterioration in our homes, schools, stores and manufacturing facilities. Safe buildings are achieved through proper design and construction practices and a code administration program that ensures compliance. The International Codes keep construction costs down and provide uniformity in the construction industry.

Codes establish predictable and consistent minimum standards that are applied to the quality and durability of construction materials, a practical balance between reasonable safety, and cost to protect life and property. The term “minimum requirements” means that construction meets the criteria of being both practical and adequate for protecting the

life, safety and welfare of the public.

Permit fees will not be changed or impacted with the adoption of the 2009 International Codes. Staff deems it beneficial to the community to adopt the 2009 Edition of the International Codes and amendments recommended by the North Central Texas Council of Governments.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance amending Chapter 22 by repealing Article III "International Building Code", Article IIIa "International Residential Code for One and Two Family Dwellings," Article IIIb "International Energy Conservation Code," Article IV "Plumbing; Irrigation," Article V "Gas Code," Article VI "Mechanical Systems" of Chapter 22 "Buildings and Building Regulations," and replacing it with Article III International Codes/Amendments inclusive of the International Building Code 2009 Edition, International Residential Code 2009 Edition, International Mechanical Code 2009 Edition, International Plumbing Code 2009 Edition, International Fuel Gas Code 2009 Edition, International Energy Conservation Code 2009 Edition, International Property Maintenance Code 2009 Edition; making regional amendments to each of the International Codes adopted; providing a savings clause and an effective date.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance

ORDINANCE NO. 11-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BEDFORD, TEXAS, BY REPEALING ARTICLE III "INTERNATIONAL BUILDING CODE", ARTICLE IIIA "INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS", ARTICLE IIIB "INTERNATIONAL ENERGY CONSERVATION CODE", ARTICLE IV "PLUMBING;IRRIGATION", ARTICLE V "GAS CODE", ARTICLE VI "MECHANICAL SYSTEMS" OF CHAPTER 22 "BUILDINGS AND BUILDING REGULATIONS", AND REPLACING IT WITH ARTICLE III INTERNATIONAL CODES/AMENDMENTS INCLUSIVE OF THE INTERNATIONAL BUILDING CODE 2009 EDITION, INTERNATIONAL RESIDENTIAL CODE 2009 EDITION, INTERNATIONAL MECHANICAL CODE 2009 EDITION, INTERNATIONAL PLUMBING CODE 2009 EDITION, INTERNATIONAL FUEL GAS CODE 2009 EDITION, INTERNATIONAL ENERGY CONSERVATION CODE 2009 EDITION, INTERNATIONAL PROPERTY MAINTENANCE CODE 2009 EDITION; MAKING REGIONAL AMENDMENTS TO EACH OF THE INTERNATIONAL CODES ADOPTED HEREBY; PROVIDING A PENALTY OF UP TO \$2,000 PER DAY FOR VIOLATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Texas Legislature allows all Texas municipalities adopt the most current editions of the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, International Energy Conservation Code and International Property Maintenance Code; and,

WHEREAS, that legislation also allows municipalities to make regional amendments to said International Codes; and,

WHEREAS, the City Council of the City of Bedford, Texas, desires to adopt the most current editions of the International Codes as allowed by the Texas Legislature, and further desires to adopt and enact certain local amendments to said International Codes; and,

WHEREAS, the Bedford City Council finds and determines that the codes and amendments adopted hereby will promote the health, safety and general welfare of the citizens of the City of Bedford, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That Chapter 22 "Buildings and Building Regulations" of the Bedford Code of Ordinances is hereby amended by repealing Article III "International Building Code", Article IIIa "International Residential Code for One and Two Family Dwellings", Article IIIb "International Energy Conservation Code", Article IV "Plumbing;Irrigation", Article V "Gas Code", and Article VI "Mechanical Systems" and replacing it with Article III "International Codes/Amendments which shall hereafter be and read as follows:

ARTICLE III INTERNATIONAL CODES / AMENDMENTS

Sec. 22-51 International Building Code Adopted.

The International Building Code, 2009 Edition and appendix chapters G and J as published by the International Code Council, Inc., a copy of which is on file in the office of the City secretary is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

Sec. 22-52 Amendments to the International Building Code.

1. Section 101.1; Insert: City of Bedford

2. ***Section 101.4; change to read as follows:
101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. 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 Electrical Code shall mean the Electrical Code as adopted.

3. *** Section 103.1; Delete

4. Section 105.2 (1); change to read as follows:

105.2 (1): Playhouses and similar uses, provided the floor area does not exceed 50 square feet.

5. Section 105.2 (2.); Delete

6. ***Section 109.7; add Section 109.7 to read as follows:

109.7 Re-inspection Fee. A fee as established by City Council resolution may be charged when:

- The inspection called for is not ready when the inspector arrives;
- No building address or permit card is clearly posted;
- City approved plans are not on the job site available to the inspector;
- The building is locked or work otherwise not available for inspection when called;
- The job site is red-tagged twice for the same item;
- The original red tag has been removed from the job site.
- Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

7. ***Sections 109.8 and 109.9; add Section 109.8, 109.8.1, 109.8.2 and 109.9 to read as follows:

109.8 Investigation Fee. Work without a permit.

109.8.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

109.8.2 Fee. An investigation fee, in addition to the permit fee, shall be equal to the amount of the permit fee required by this code or the City fee schedule as applicable. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law.

109.9 Unauthorized cover up fee.

109.9.1 Any work concealed without first obtaining the required inspection in violation of section 110 shall be assessed a fee as established by the City fee schedule.

8. **Section 110.3.5; delete.

9. ***Section 202; amend definition to read as follows:

HIGH-RISE BUILDING. A building with an occupied floor located more than ~~75 55~~ feet ~~(22-860 mm)~~ (16 764 mm) above the lowest level of fire department vehicle access.

10. ***Section 202; amend definition of Ambulatory Health Care Facility and Fire Watch as follows:

[B] Ambulatory Health Care Facility {add to existing definition – matches Fire Advisory Board definition}

This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

11. **Section 304.1; add the following to the list of occupancies:

- Fire stations
- Police stations with detention facilities for 5 or less

12. ***Section 307.1; add the following to Exception 4:

- 4. Cleaning establishments... {language unchanged}. See also IFC chapter 12, Dry Cleaning Plant provisions.

13. **Section 310.1; amend second paragraph under R-3 as follows:

Adult care and child care facilities with 5 or fewer unrelated persons that are within a single-family home are permitted to comply with the *International Residential Code*.

14. ***Section 403.1, exception #3; change to read as follows:

- 3. Open air portions of buildings ~~Buildings~~ with a Group A-5 occupancy in accordance with Section 303.1.

15. **Section 403.3, exception #2; delete the exception.

16. **Section 404.1.1; change definition of "Atrium" as follows:

ATRIUM. An opening connecting ~~two~~ three or more stories . . . {Balance remains unchanged}

17. ***Section 404.5; delete exception.

18. **Section 406.1.2; add item #3 to read as follows:

- 3. A separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048 mm)

19. ***Section 406.6.1; add a second paragraph to read as follows:

This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

20. Section 501.2; Change 501.2 to read as follows:

501.2 Address Identification. Approved numerals of minimum 8 inch height and of a color contrasting with the background designating the address shall be placed on all new and existing buildings or structures in a position as to be plainly visible and legible from the street or road fronting the property and from all rear alleyways / access. Where buildings do not immediately front a street, approved 8 inch height building numerals or addresses and 3 inch height suite / apartment numerals of a color contrasting with the background of the building shall be placed on all new and existing buildings or structures. Numerals or addresses shall be posted on a minimum 20 inch by 30 inch background on border. Address numbers shall be Arabic numerals or alphabet letters. The minimum stroke width shall be 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

21. **Section 506.2.2; add a sentence to read as follows:

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway meeting fire department access from the street or approved fire lane shall be provided.)

22. ***Section 508.2.5, add a sentence at the end of paragraph:

508.2.5 Separation of Incidental accessory occupancies. (Sentence remains unchanged.) An incidental accessory occupancy shall be classified in accordance with the occupancy of that portion of the building in which it is located.

23. ***Section 708.2, Exception 7; amend subsection 7.3 and delete subsections 7.4 and 7.5 and renumber as follows:

7.1. Does not connect more than two stories.

7.2. Is not part of the required means of egress system except as permitted in Section 1022.1.

7.3. Is not concealed within the building construction of a wall or a floor/ceiling assemble.

~~7.4. Is not open to a corridor in Group I and R occupancies.~~

~~7.5. Is not open to a corridor on nonsprinklered floors in any occupancy.~~

~~7.6.~~ 7.4 Is separated from floor openings and air transfer openings serving other floors by construction conforming to required shaft enclosures.

~~7.7.~~ 7.5 Is limited to the same smoke compartment.

24. **Section 903.1.1; amend to read as follows:

[F] 903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted ~~in lieu of~~ in addition to automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

25. ***Section 903.2; add the following to the end of the paragraph:

903.2 Where required. *{Language unchanged}* Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

26. ***Section 903.2; delete the exception.

27. **Add Section 903.2.9.3 to read as follows:

[F] 903.2.9.3 Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

Exception: One-story self-service storage facilities that have no interior corridors, with a one-hour fire barrier separation wall installed between every storage compartment.

28. **Section 903.2.11; amend 903.2.11.3 and add 903.2.11.7 and 903.2.11.8 as follows:

[F] 903.2.11.3 Buildings more than 55 feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the *International Building Code*, having an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

Exception:

1. ~~Airport control towers.~~

2. Open parking structures in compliance with Section 406.3.

~~3. Occupancies in Group F-2.~~

[F] 903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 to determine if those provisions apply.

[F] 903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

29. **Section 903.2.11; amend 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:

903.2.11.3 Buildings more than 55 35 feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, ~~other than penthouses in compliance with Section 1509 of the *International Building Code*, having an occupant load of 30 or more~~ that is located ~~55 35 feet (46 764 10 668mm)~~ or more above the lowest level of fire department vehicle access.

Exception:

- ~~1. Airport control towers.~~
2. Open parking structures in compliance with Section 406.3.
- ~~3. Occupancies in Group F-2.~~

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

903.2.11.9 Buildings Over 6,000 sq.ft. An automatic sprinkler system shall be installed throughout all buildings with a building area over 6,000 sq.ft. For the purpose of this provision, fire walls shall not define separate buildings.

Exceptions:

Open parking garages in compliance with Section 406.3 of the *International Building Code*.

30. ***Section 903.3.1.1.1; change to read as follows:

903.3.1.1.1 Exempt locations. ~~When approved by the fire code official, automatic~~ Automatic sprinklers shall not be required in the following rooms or areas where such . . . ~~{language unchanged}~~ . . . because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
- ~~4. In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
- ~~5. Fire service access elevator machine rooms and machinery spaces.~~

31. ***Section 903.3.1.2; add the following:

[F] 903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including four stories in height, *automatic sprinkler systems* shall be installed throughout in accordance with NFPA 13R or in accordance with state law.

32. ***Section 903.3.1.3; add the following:

[F] 903.3.1.3 NFPA 13D sprinkler systems. Where allowed, *automatic sprinkler systems* installed in one- and two-family *dwelling*s and *townhouses* shall be installed throughout in accordance with NFPA 13D or in accordance with state law.

33. **Section 903.3.5; add a second paragraph to read as follows:
Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor.

34. **Section 903.4; add a second paragraph after the exceptions to read as follows:

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

35. **Section 903.4.2; add second paragraph to read as follows:

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

36. **Section 905.2; change to read as follows:

905.2 Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

37. **Add Section 905.3.8 and exception to read as follows:

905.3.8 Building Area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

Exception: Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.

38. **Section 905.4, item #5; change to read as follows:

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either . . .
{*remainder of language unchanged*}.

39. ***905.4; add the following item #7:

7. Class I standpipes shall also be required in all occupancies in which the distance from accessible points for Fire Department ingress to any point in the structure exceeds two hundred fifty feet (250') along the route that a fire hose is laid as measured from the fire lane. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter.

40. **Section 905.9; add a second paragraph after the exceptions to read as follows:

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45

seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

41. **Add Section 907.1.4 to read as follows:

[F] 907.1.4 Design Standards. All alarm systems new or replacement shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 18 months of permit application.

42. **Section 907.2.1; change to read as follows:

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy. Activation of fire alarm notification appliances shall:

1. Cause illumination of the means of egress with light of not less than 1 foot-candle (11 lux) at the walking surface level;
2. Stop any conflicting or confusing sounds and visual distractions.

43. **Section 907.2.3; change to read as follows:

907.2.3 Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.
 - 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)
{Remainder of exceptions unchanged}

44. Section 907.2.11.1; Change to read as follows and add item #4 and #5 to read as follows:

Section 907.2.11.1 Group R-1. Single-or multiple-station smoke alarms and carbon monoxide alarms shall be installed and maintained in all the following locations in Group R-1:

4. For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units that have a attached garage.
5. Where work requiring a permit occurs in existing dwellings that have attached garages carbon monoxide alarms shall be provided.

45. Section 907.2.11.2; Change to read as follows and add item #4 and #5 to read as follows:

Section 907.2.11.2 Groups R-2, R-3, R-4 and I-1. Single-or multiple-station smoke alarms and carbon monoxide alarms shall be installed and maintained in Groups R2, R-3, R-4 and I-1 regardless of occupant load at all the following locations:

4. For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units that have a attached garage.
5. Where work requiring a permit occurs in existing dwellings that have attached garages carbon monoxide alarms shall be provided.

46. **Section 907.2.13; change to read as follows:

907.2.13 High-rise buildings. Buildings with a floor used for human occupancy located more than ~~75 55~~ feet (~~22-860~~ 16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.6.2.2.

47. **Section 907.2.13, exception #3; change to read as follows:

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.

48. ***Section [F] 907.4.2.6; add new Section 907.4.2.6; to read as follows:

[F] 907.4.2.6 Type. Manual alarm initiating devices shall be an approved double action type.

49. ***Section [F] 907.6.1.1; add Section [F] 907.6.1.1 to read as follows:

[F] 907.6.1.1 Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All initiating circuit conductors shall be Class "A" wired with a minimum of six feet separation between supply and return circuit conductors. IDC – Class "A" Style D; SLC - Class "A" Style 6; NAC - Class "B" Style Y. The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the distance from the addressable device is within 10-feet of the suppression system device.

50. ***Section [F] 907.6.5.2; add new Section 907.6.5.2 to read as follows:

[F] 907.6.5.2 Communication Requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.

51. **Section 910.1; amend exception 2 to read as follows:

2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, automatic-only manual smoke and heat vents shall ~~not~~ be required within these areas. Automatic smoke and heat vents are prohibited.

52. ***Section 910.2; add subsections 910.2.3 with exceptions and 910.2.4 to read as follows:

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exceptions:

1. Buildings of noncombustible construction containing only noncombustible materials.
2. In areas of buildings in Group H used for storing Class 2, 3 and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

910.2.4 Exit access travel distance increase. Buildings and portions thereof used as a Group F-1 or S-1 occupancy where the maximum exit access travel distance is increased in accordance with Section 1016.3.

53. ***Table 910.3; change the title of the first row of the table to read as follows:

[F] TABLE 910.3
REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS^a

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (feet)	MINIMUM DRAFT CURTAIN DEPTH (feet)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet)	VENT-AREATO-FLOOR-AREA RATIO ^c	MAXIMUM SPACING OF VENT CENTERS (feet)	MAXIMUM DISTANCE TO VENTS FROM WALL OR DRAFT CURTAINS ^b (feet)
Group F-1, H and S-1	—	0.2 × Hd but ≥ 4	50,000	1:100	120	60
{Balance of table remains unchanged}						

54. **Section 910.3.2.2; add second paragraph to read as follows:

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees (F) (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

55. ***Section [F] 912.2; add Section [F] 912.2.3 to read as follows:

[F] 912.2.3 Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays.

56. **Section 913.1; Add second paragraph and exception to read as follows:

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as

approved by the fire code official. Access keys shall be provided in the key box as required by IFC Section 506.1.

57. **Section 1004.1.1; delete exception:

1004.1.1 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.1. For areas without fixed seating, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant per unit of area factor assigned to the occupancy as set forth in Table 1004.1.1. Where an intended use is not listed in Table 1004.1.1, the building official shall establish a use based on a listed use that most nearly resembles the intended use.

Exception: Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

58. ***Section 1007.1; add the following exception #4:

Exceptions:

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.

59. ***Section 1008.1.9.3; Locks and Latches; add section as follows:

1008.1.9.3, Locks and latches.

(3.1) Where egress doors are used in pairs and positive latching is required, approved automatic flush bolts shall be permitted to be used, provided that both leaves achieve positive latching regardless of the closing sequence and the door leaf having the automatic flush bolts has no doorknobs or surface mounted hardware.

60. ***Section 1008.1.9.4; amend exceptions #3 and #4 as follows:

Exceptions: {Text of Exceptions 1 and 2 unchanged}

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy, [remaining text unchanged]
4. Where a pair of doors serves a Group B, F, M or S occupancy, [remaining text unchanged]

61. ***Section 1008.1.9.8; change to read as follows:

1008.1.9.8. Electromagnetically locked egress doors. Doors in the *means of egress* that are not otherwise required to have panic hardware in buildings with an occupancy in Group A, B, E, I-1, I-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with *listed* hardware that incorporates a built-in switch and meet the requirements below: [remaining text unchanged]

62. ***Section 1015.7; add new section 1015.7 to read as follows:

1015.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

63. ***Section 1016.3; add new section 1016.3 to read as follows:

1016.3. Roof Vent Increase. In buildings that are one story in height, equipped with automatic heat and smoke roof vents complying with Section 910 and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the maximum exit access travel distance shall be 400 feet for occupancies in Group F-1 or S-1.

64. ***Section 1018.1; add exception #5 to read as follows:

(5.) In Group B office buildings, corridor walls and ceilings need not be of fire-resistive construction within office spaces of a single tenant when the space is equipped with an approved automatic fire alarm system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor.

65. ***Section 1018.6; amend to read as follows:

1018.6, Corridor Continuity. ~~Fire-Resistance-Rated~~ All corridors shall be continuous from the point of entry to an *exit*, and shall not be interrupted by intervening rooms.
{Exception unchanged}

66. ***Section 1022.1; add exceptions #8 and #9 to read as follows:

8. In other than occupancy Groups H and I, a maximum of 50 percent of egress stairways serving one adjacent floor are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Any two such interconnected floors shall not be open to other floors.

9. In other than occupancy Groups H and I, interior egress stairways serving only the first and second stories of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 are not required to be enclosed, provided at least two means of egress are provided from both floors served by the unenclosed stairways. Such interconnected stories shall not be open to other stories.

67. ***Section 1022.9; amend section to read as follows:

1022.9. Smokeproof enclosures and pressurized stairways. In buildings required to comply with Section 403 or 405, each of the exit enclosures serving a story with a floor service not more than ~~75 feet (22 860 mm)~~ 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9 144 mm) below... *{remaining language unchanged}*

68. ***Section 1024.1; change to read as follows:

1024.1; General. *Approved* luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than ~~75 feet (22 860 mm)~~ 55 feet (16 764 mm) above the lowest level of fire department vehicle access in accordance with... *{Remaining language unchanged}*

69. ***Section 1026.6; amend exception #4 to read as follows:

Exceptions: *{Exceptions 1 – 3 unchanged}*

4. Separation from the interior ~~open-ended corridors~~ of the building... *{remaining language unchanged}*

70. ***Section 1101.2; add an exception to read as follows:

Exception: Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of this Chapter.

71. Section 1405.14; add an exception to read as follows:

Exception: Vinyl siding shall not be an approved material for installation on new and/or existing Group R-2, I-1, I-2, I-3 and I-4 occupancies.

72. **Table 1505.1; replace footnotes b and c with the following:

~~b. All individual replacement shingles or shakes shall be in compliance with the rating required by this table.~~

eb. Non-classified roof coverings shall be permitted on buildings of U occupancies having not more than 120 sq.ft. of projected roof area. When exceeding 120 sq.ft of projected roof area, buildings of U occupancies may use non-rated non-combustible roof coverings.

73. **Section 1505.7; delete the section.

74. **Section 1510.1; add a sentence to read as follows:

All individual replacement shingles or shakes shall be in compliance with the rating required by Table 1505.1.

75. Section 1612.3; Insert: City of Bedford

76. Section 1612.3; Insert: 09/25/2009

77. Section 1803.1.1; add Section 1803.1.1 to read as follows:

1803.1.1; Excavation and Grading Guidelines: Where it is practical, 80 percent of a lot or tract shall be graded to the fronting street gutter. Drainage on the portion of a lot or tract below curb level shall not drain across more that one lot or tract before entering an approved drainage way.

78. **Section 2308.4.3; add Section 2308.4.3 to read as follows:

2308.4.3 Application to engineered design. When accepted by the Building Official, any portion of this section is permitted to apply to buildings that are otherwise outside the limitations of this section provided that:

1. The resulting design will comply with the requirements specified in Chapter 16;
2. The load limitations of various elements of this section are not exceeded; and
3. The portions of this section which will apply are identified by an engineer in the construction documents.

79. **Section [P]2901.1; add a sentence to read as follows:

The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

80. **Section 2902.1; change to read as follows and add sub sections:

[P]2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as follows:

1. Assembly Occupancies: At least one drinking fountain shall be provided at each floor level in an approved location.
Exception: A drinking fountain need not be provided in a drinking or dining establishment.
2. Groups A, B, F, H, I, M and S Occupancies: Buildings or portions thereof where persons are employed shall be provided with at least one water closet for each sex except as provided for in Section 2902.2.
3. Group E Occupancies: Shall be provided with fixtures as shown in Table 2902.1.
4. Group R Occupancies: Shall be provided with fixtures as shown in Table 2902.1.

It is recommended, but not required, that the minimum number of fixtures provided also comply with the number shown in Table 2902.1. Types of occupancies not shown in Table 2902.1 shall

be considered individually by the building code official. The number of occupants shall be determined by this code. Occupancy classification shall be determined in accordance with Chapter 3.

81. ***Section [P]2902.2; change Exception 3 as follows:

3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is ~~50~~ 100 or less.

82. ***Section 3006.1; add Section 3006.1 to read as follows and renumber remaining sections:

3006.1. General. Elevator machine rooms shall be provided.
{Renumber remaining sections.}

83. ***Section [F] 3006.4 {[F] 3006.5 if previous amendment adopted}; add a sentence to read as follows and delete exceptions #1 and #2.:

[F] 3006.4. Machine Rooms: {language unchanged}... Storage shall not be allowed within the elevator machine room. Provide approved signage at each entry door to the elevator machine room stating "Elevator Machinery – No Storage Allowed."

84. ***Section 3109.1; change to read as follows:

3109.1 General. Swimming pools shall comply with the requirements of this section and other applicable sections of this code as well as also complying with applicable state laws.

85. Section 3412.2; Insert: the adoption date of this ordinance

Sec. 22-53 International Residential Code Adopted.

The International Residential Code, 2009 Edition and appendix chapters G and J as published by the International Code Council, Inc., a copy of which is on file in the office of the City secretary is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

Sec. 22-54 Amendments to the International Residential Code.

1. ***Section R101.1; Insert jurisdiction name as follows:

R101.1 Title. These regulations shall be known as the *Residential Code for One- and Two-family Dwellings* of the City of Bedford hereinafter referred to as "this code."

2. **Section R102.4; change to read as follows:

R102.4 Referenced codes and standards. The *codes, when specifically adopted,* and standards referenced in this *code* shall be considered part of the requirements of this *code* to the prescribed extent of each such reference. 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 made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

Where differences occur between provisions of this *code* and referenced *codes* and standards, the provisions of this *code* shall apply.

Exception: Where enforcement . . . {remainder of language unchanged}. . .

3. Section R105.2 (1); change to read as follows:

R105.2 (1): Playhouses and similar uses, provided the floor area does not exceed 50 square feet.

4. Section R105.2 (2); Delete
5. ***Section 108.7; add Section 108.7 to read as follows:

108.7 Re-inspection Fee. A fee as established by City Council resolution may be charged when:

1. The inspection called for is not ready when the inspector arrives;
2. No building address or permit card is clearly posted;
3. Approved plans are not on the job site available to the inspector;
4. The building is locked or work otherwise not available for inspection when called;
5. The job site is red-tagged twice for the same item;
6. The original red tag has been removed from the job site and/or,
7. Violations exist on the property including failure to maintain erosion control, trash control or tree protection.
8. Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

6. **Section R109.1.3; change to read as follows:

R109.1.3 Floodplain inspections. For construction permitted in areas prone to flooding as established by Table R301.2(1), upon . . . *{language unchanged}* . . . construction, the building official ~~may shall~~ require submission . . . *{language unchanged}*.

7. **Section R110 (R110.1 through R110.5); delete the section.
8. **Section R112.2.1 & R112.2.2; delete the sections.
9. **Section R202; change definition of "Townhouse" to read as follows:

TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

10. ***Table R301.2(1); fill in as follows:

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f
	SPEED ^d (mph)	Topographic Effects ^k	
<u>5 lb/ft²</u>	<u>90 (3-sec-gust)/76 fastest mile</u>	<u>No</u>	<u>A</u>

SUBJECT TO DAMAGE FROM		
Weathering ^a	Frost line depth ^b	Termite ^c
<u>moderate</u>	<u>6"</u>	<u>very heavy</u>

WINTER DESIGN TEMP ^e	ICE BARRIER UNDER-LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
<u>22°F</u>	<u>No</u>	<u>local code</u>	<u>69°F</u>	<u>64.9°F</u>

{No change to footnotes}

11. **Section R302.1; add exception #6 to read as follows:

Exceptions: *{previous exceptions unchanged}*

6. Open metal carport structures may be constructed when also approved within adopted ordinances.

12. ***Section R302.2, Exception; change to read as follows:

Exception: A common two-hour fire-resistance-rated wall assembly, or one-hour fire-resistance-rated wall assembly when equipped with a sprinkler system... *{remainder unchanged}*

13. ***Section R302.2.4, Exception 5; change to read as follows:

Exception:

5. Townhouses separated by a common two-hour fire-resistance-rated wall, or one-hour fire resistant rated wall when equipped with an automatic sprinkler system, *{remainder unchanged}*

14. ***Section R302.3; add Exception #3 to read as follows:

Exceptions:

1. {existing language unchanged}

2. {existing language unchanged}

3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

15. ***Section 302.5.2; change to read as follows:

R302.5.2 Duct penetration. Ducts in the garage ... {language unchanged} ... and shall have no openings into the garage and shall be protected as required by Section 302.11, Item 4.

16. ***Section R302.5.3; amend the section as follows:

R309.5.3 Other penetrations. Penetrations through the separation required in Section ~~R309.2 R302.6~~ shall be protected as required by Section R302.11, Item 4.

17. **Section R302.7; change to read as follows:

R302.7 Under stair protection. Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch (15.8 mm) fire-rated 1/2-inch (12.7 mm) gypsum board or one-hour fire-resistive construction.

18. **Section R303.3, Exception; change to read as follows:

Exception: The glazed areas shall not be required where artificial light and a mechanical ventilation system, complying with one of the following, are provided.

1. The minimum ventilation rates shall be 50 cfm (24 L/s) for intermittent ventilation or 20 cfm (10 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside.

2. Bathrooms that contain only a water closet, a lavatory, or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

19. Section R401.3.1; add Section R401.3.1 to read as follows:

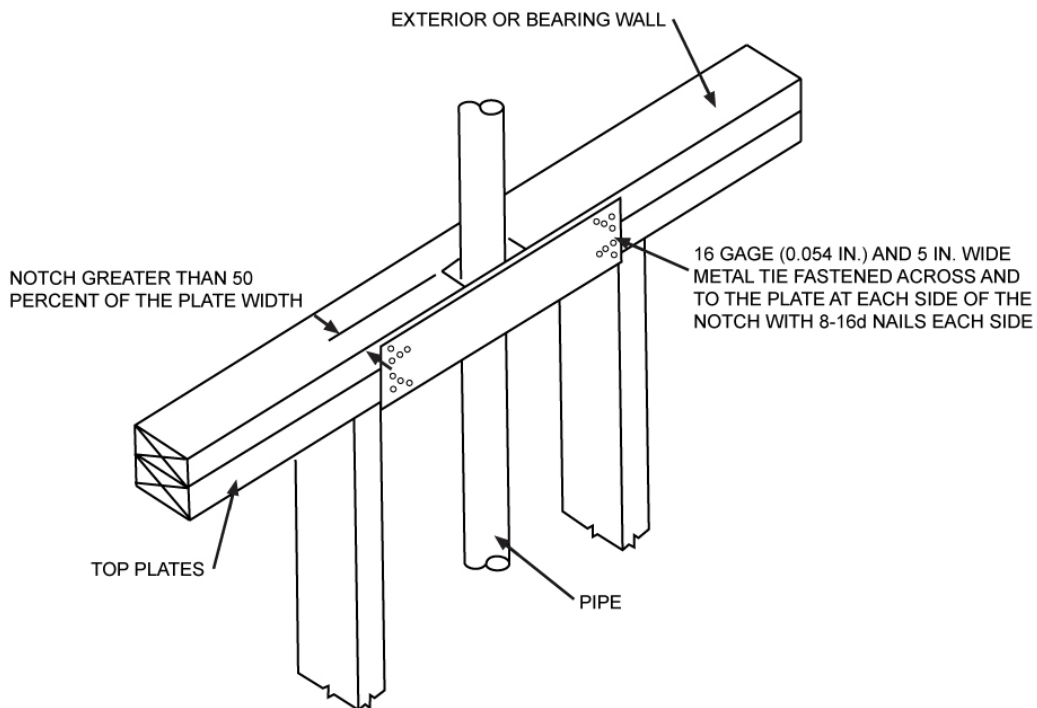
R401.3.1; Excavation and Grading Guidelines: Where it is practical, 80 percent of a lot or tract shall be graded to the fronting street gutter. Drainage on the portion of a lot or tract below curb level shall not drain across more that one lot or tract before entering an approved drainage way.

20. Section R602.6.1; amend the following:

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, construction shall not be less than 2x6, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and 4 ½ inches (38 mm) 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1.

***Figure R602.6.1; delete the figure and insert the following figure:

WALL CONSTRUCTION



For SI: 1 inch = 25.4 mm

FIGURE R602.6.1
TOP PLATE FRAMING TO ACCOMMODATE PIPING

21. **Section R703.7.4.1; add a second paragraph to read as follows:

In stud framed exterior walls, all ties shall be anchored to studs as follows:

1. When studs are 16 in (407 mm) o.c., stud ties shall be spaced no further apart than 24 in (737 mm) vertically starting approximately 12 in (381 mm) from the foundation; or
2. When studs are 24 in (610 mm) o.c., stud ties shall be spaced no further apart than 16 in (483 mm) vertically starting approximately 8 in (254 mm) from the foundation.

22. ***Section R902.1; Amend and add exception #3 to read as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed ~~in areas designated by law as requiring their use or when the edge of the roof is less than 3 feet from a property line.~~
{remainder unchanged}

Exceptions:

1. {unchanged}
 2. {unchanged}
 3. Non-classified roof coverings shall be permitted on playhouses and similar uses, provided the floor area does not exceed 50 square feet.
23. **Section R907.1; add a sentence to read as follows:

All individual replacement shingles or shakes shall comply with Section R902.1.

24. ***Section N1101.2; add Section N1101.2.2 to read as follows:

N1101.2.2 Compliance software tools. Software tools used to demonstrate energy code compliance utilizing the UA alternative approach shall be approved by the building official. The PNL program **REScheck**[™] is not acceptable for residential compliance.

Exception: When **REScheck**[™] “UA Trade-off” compliance approach or the UA Alternate compliance approach method is used, the compliance certificate must demonstrate that the maximum glazed area does not exceed 15% of the conditioned floor area.

25. ***Section N1102.1; change to read as follows:

N1102.1 Insulation and fenestration criteria. The building thermal envelope shall meet the requirements of Table N1102.1 based on the climate zone specified in Table N1101.2. The use of Tables N1102.1 and N1102.1.2 are limited to a maximum glazing area of 15% window area to floor area ratio.

26. **Section N1102.2.12; add Section N1102.2.12 to read as follows:

N1102.2.12. Insulation installed in walls. Insulation batts installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the *building official*.

27. ***Section M1305.1.3; change to read as follows:

M1305.1.3 Appliances in attics. Attics containing *appliances* requiring access shall be provided . . . {bulk of paragraph unchanged} . . . sides of the *appliance* where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger and large enough to allow removal of the largest *appliance*. As a minimum, 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 items 1, 2, and 3 with prior approval of the *building official* due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the *appliance* can be serviced and removed through the required opening.
 2. Where the passageway is unobstructed...{remainder unchanged}
28. ***Section M1305.1.3.1; add text to read as follows:

M1305.1.3.1 Electrical requirements. A luminaire controlled by a switch located at the required passage-way opening and a receptacle outlet shall be installed at or near the *appliance* location in accordance with Chapter 39. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

29. **Section M1305.1.4.1; change to read as follows:

M1305.1.4.1 Ground clearance. *Equipment and appliances* supported from the ground shall be level and firmly supported on a concrete slab or other *approved* material extending above the adjoining ground a minimum of 3 inches (76 mm). Appliances suspended from the floor shall have a clearance of not less than 6 inches (152 mm) above the ground.

30. **Section M1305.1.4.3; add text to read as follows:

M1305.1.4.3 Electrical requirements. A luminaire controlled by a switch located at the required passage-way opening and a receptacle outlet shall be installed at or near the *appliance* location in accordance with Chapter 39. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

31. **Section M1307.3.1; delete.

32. ***Section M1411.3; change to read as follows:

M1411.3 Condensate disposal. Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to ~~an approved place of disposal~~ a sanitary sewer through a trap, by means of a direct or indirect drain. {remainder unchanged}

33. **Section M1411.3.1, Items 3 and 4; add text to read as follows:

M1411.3.1 Auxiliary and secondary drain systems. {bulk of paragraph unchanged}

1. {text unchanged}

2. {text unchanged}

3. An auxiliary drain pan... {bulk of text unchanged}... with Item 1 of this section. A water level detection device may be installed only with prior approval of the *building official*.

4. A water level detection device... {bulk of text unchanged}... overflow rim of such pan. A water level detection device may be installed only with prior approval of the *building official*.

34. ***Section M1411.3.1.1; add text to read as follows:

M1411.3.1.1 Water-level monitoring devices. On down-flow units... {bulk of text unchanged} ...installed in the drain line. A water level detection device may be installed only with prior approval of the *building official*.

35. ***Section M1501; add new Section M1501.2 to read as follows:

M1501.2 Material and size. Exhaust ducts shall have a smooth interior finish and shall be constructed of metal a minimum 0.016-inch (0.4mm) thick. The exhaust duct size shall be 4 inches (102 mm) nominal in diameter. Duct size shall not be reduced along its developed length or at termination.

36. ***Section M1501; add new Section M1501.3 to read as follows:

M1501.3 Specified length. The maximum length of the exhaust duct shall be 35 feet (10668 mm) from the connection to the transition duct from the *appliance* to the outlet terminal. Where

fittings are used, the maximum length of the exhaust duct shall be reduced in accordance with Table M1502.4.4.1.

37. **Section M2005.2; change to read as follows:

M2005.2 Prohibited locations. Fuel-fired water heaters shall not be installed in a room used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that *combustion air* will not be taken from the living space. Access to such enclosure may be from the bedroom or bathroom when through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an *approved self-closing device*. Installation of direct-vent water heaters within an enclosure is not required.

38. **Section G2408.3 (305.5); delete.

39. **Section G2412.5 (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"

40. **Section G2413.3 (402.4.3); add an exception to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EDH).

41. **Section G2415.9.1 (404.9.1); delete.

42. **Section G2415.10 (404.10); change to read as follows:

G2415.10 (404.10) Minimum burial depth. Underground *piping systems* shall be installed a minimum depth of ~~42 inches (305 mm)~~ 18 inches (457 mm) below grade, except as provided for in Section G2415.10.1.

43. **Section G2417.1 (406.1); change to read as follows:

G2417.1 (406.1) General. Prior to acceptance and initial operation, all *piping* installations shall be inspected and *pressure tested* to determine that the materials, design, fabrication, and installation practices comply with the requirements of this *code*. The *permit* holder shall make the applicable tests prescribed in Sections 2417.1.1 through 2417.1.5 to determine compliance with the provisions of this *code*. The *permit* holder shall give reasonable advance notice to the *building official* when the *piping system* is ready for testing. The *equipment*, material, power and labor necessary for the inspections and test shall be furnished by the *permit* holder and the *permit* holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

44. **Section G2417.4; change to read as follows:

G2417.4 (406.4) Test pressure measurement. Test pressure shall be measured with a manometer 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~~ Gauges used to measure... {*remainder unchanged*}

45. **Section G2417.4.1; change to read as follows:

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be not less than ~~one and one-half times the proposed maximum working pressure, but not less than 3 psig (20 kPa gauge),~~ or at the discretion of the *Building Official*, the *pipng* 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. ~~irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the *pipng* greater than 50 percent of the specified minimum yield strength of the *pipe*. For tests requiring a pressure of 3 psig, mechanical gauges used to measure test pressures shall utilize a dial with a minimum diaphragm diameter of three and one half inches (3 ½”), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, mechanical 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 20 psi. have a range such that the highest end of the scale is not greater than five times the test pressure.~~ For welded *pipng*, and for *pipng* 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 *pipng* 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.

46. **Section G2417.4.2; change to read as follows:

G2417.4.2 (406.4.2) Test duration. The test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for ~~be not~~ less than ~~40-fifteen~~ (15) minutes. For welded *pipng*, and for *pipng* carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for less than thirty (30) minutes.

47. **Section G2420.1 (406.1); add Section G2420.1.4 to read as follows:

G2420.1.4 Valves in CSST installations. Shutoff *valves* installed with corrugated stainless steel (CSST) *pipng 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 *pipng*, 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 *pipng*.

48. ***Section G2420.5.1 (409.5.1); add text to read as follows:

G2420.5.1 (409.5.1) Located within the same room. The shutoff valve... *{bulk of paragraph unchanged}*... in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

49. **Section G2421.1 (410.1); add text and Exception to read as follows:

G2421.1 (410.1) Pressure regulators. A line *pressure regulator* shall be ... *{bulk of paragraph unchanged}*... approved for outdoor installation. Access to *regulators* shall comply with the requirements for access to *appliances* as specified in Section M1305.

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.

50. ***Section G2422.1.2.3 (411.1.3.3); delete Exception 1 and Exception 4.

G2422.1.2.3 (410.1) Pressure regulators. A line *pressure regulator* shall be ... *{bulk of paragraph unchanged}*... *approved* for outdoor installation. Access to regulators shall comply with the requirements for access to appliances as specified in Section M1305.

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.

51. **Section G2439.5 (614.6); change text to read as follows:

G2439.5 (614.6) Domestic clothes dryer exhaust ducts. Exhaust ducts for domestic *clothes dryers* shall conform to the requirements of Sections ~~G2429.5.4~~G2439.5.1 through G2429.5.7~~G2439.5.7~~. The size of duct shall not be reduced along its developed length nor at the point of termination.

52. **Section G2445.2 (621.2); add Exception to read as follows:

G2445.2 (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 room heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Building Official unless an unsafe condition is determined to exist as described in International Fuel Gas Code Section 108.7 of the Fuel Gas Code.

53. **Section G2448.1.1 (624.1.1); change to read as follows:

G2448.1.1 (624.1.1) Installation requirements. The requirements for *water heaters* relative to access, sizing, *relief valves*, drain pans and scald protection shall be in accordance with this code.

54. **Section P2503.6; change to read as follows:

P2503.6 Shower liner test. Where shower floors and receptors are made water tight by the application of materials required by Section P2709.2, the completed liner installation shall be tested. The pipe from the shower drain shall be plugged water tight for the test. ~~The floor and receptor area shall be filled with potable water to a depth of not less than 2 inches (51 mm) measured at the threshold. Water shall be held in the section under test for a period of 15 minutes. The system shall prove leak free by visual inspection.~~

55. Section P2603.6.1; Insert: 12 inches, 12 inches

56. **Section P2709.2; add Exception to read as follows:

Exception: Showers designed to comply with ICC/ANSI A117.1.

57. **Section P2717.2; change text to read as follows:

P2717.2 Sink and dishwasher. A sink and dishwasher are permitted ... *{bulk of text unchanged}* ... wye fitting to the sink tailpiece. ~~The dishwasher waste line shall rise and be securely fastened to the underside of the counter before connecting to the sink tailpiece. The waste line of a domestic dishwashing machine discharging into a kitchen sink tailpiece shall connect to a deck mounted air break.~~

58. **Section P2717.3; change text to read as follows:

P2717.3 Sink, dishwasher and food grinder. The combined discharge ... *{bulk of text unchanged}* ... head of the food grinder. ~~The dishwasher waste line shall rise and be securely fastened to the underside of the counter before connecting to the sink tailpiece or the food~~

~~grinder.~~ The waste line of a domestic dishwashing machine discharging into a kitchen sink tailpiece or food waste grinder shall connect to a deck mounted *air break*.

59. Section 2801.4.1; Add Section 2801.4.1 to read as follows:

2801.4.1 Installation in new construction. For new construction, water heaters shall not be installed in attics.

60. **Section P2801.6; add Exception to read as follows:

Exceptions:

1. Elevation of the ignition source is not required for water heaters that are listed as flammable vapor resistant and for installation without elevation.
2. Electric Water Heater.

61. **Section P2902.5.3; change to read as follows:

P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

62. Section P2902.5.3.1; Add section to read as follows:

P2902.5.3.1: Irrigation System Rain and Freeze Sensors.

1. Any irrigation system installed within the City on or after March 1, 2008 must be equipped with rain and freeze sensors.
2. For commercial, multifamily and homeowner association common areas, no irrigation system may be operated after March 1, 2010 without being equipped with rain and freeze sensors.

63. **Section P3005.2.6; change to read as follows:

~~P3005.2.6 Base of stacks Upper Terminal.~~ ~~A cleanout shall be provided at the base of each waste or soil stack.~~ Each horizontal drain shall be provided with a cleanout at its upper terminal.

Exception: Cleanouts may be omitted on a horizontal drain less than five (5) feet (1524 mm) in length unless such line is serving sinks or urinals.

64. **Section P3111; delete.

65. **Section P3112.2; delete and replace with the following:

P3112.2 Installation. Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six (6) inches (152 mm) above the flood level rim of the fixtures served. Drainage

fittings shall be used on all parts of the vent below the floor level and a minimum slope of one-quarter (1/4) inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drainboard shall be a one (1) piece fitting or an assembly of a forty-five (45) degree (0.79 radius), a ninety (90) degree (1.6 radius) and a forty-five (45) degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this Code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

Sec. 22-55 International Mechanical Code Adopted.

The International Mechanical Code, 2009 Edition as published by the International Code Council, Inc., a copy of which is on file in the office of the City secretary is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

Sec. 22-56 Amendments to the International Mechanical Code.

1. Section 101.1; Insert: City of Bedford
2. **Section 102.8; change to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 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 ICC *Electrical Code* shall mean the Electrical Code as adopted.

3. Section 106.5.2; insert "Appendix A Schedule of fees"
4. Section 106.5.3; Change to read as follows:

106.5.3: Fee refunds. The code official shall authorize the refunding of fees as provided for in the "Appendix A Schedule of fees"

5. Section 108.4; Change to read as follows:

108.4: Violation Penalties. Any person violating or failing to comply with any provision or requirement of this article shall be subject to the penalties provided for in Article I, Chapter 22 of the code of ordinances.

6. **Section 304.6; delete.
7. ***Section 306.3; change to read as follows:

306.3 Appliances in attics. Attics containing appliances requiring access 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. As a minimum, for access to the attic space, provide one of the following:

5. A permanent stair.
6. A pull down stair with a minimum 300 lb (136 kg) capacity.
7. An access door from an upper floor level.
8. 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... *{remainder of section unchanged}*
8. ***Section 306.5; change to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. Where *equipment* requiring access and appliances are installed on roofs or elevated structures at a an aggregate height exceeding 16 feet (4877 mm), such access shall be provided by a permanent *approved* means of access, ~~the extent of which shall be from~~ Permanent exterior ladders providing roof access need not extend closer than 8- 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 . . . *{language unchanged}*. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... *{remaining language unchanged}*.

9. ***Section 306.5.1; change to read as follows:

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~~ on roofs having slopes greater than 4 units vertical in 12 units horizontal 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*.

10. **Section 306.6; add Section 306.6 to read as follows:

306.6 Water heaters above ground or floor. When the mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

306.6.1 Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

11. **Section 307.2.2; change to read as follows:

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, ~~and temperature, and exposure~~ rating of the installation. *{Remaining language unchanged}*

12. **Section 307.2.3; amend # 2 to read as follows:

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the

conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

13. **Section 403.2.1; add an item #5 to read as follows:

5. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

14. **Section 501.2; add an exception to read as follows:

501.2 Exhaust discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a nuisance and not less than the distances specified in Section 501.2.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic or crawl space.

Exceptions:

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.
2. Commercial cooking recirculating systems.
3. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

15. **Section 504.6; add a sentence at the end of the paragraph to read as follows:

The size of duct shall not be reduced along its developed length nor at the point of termination.

16. **Section 607.5.1; change to read as follows:

607.5.1 Fire Walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1-510.9 IMC.

Sec. 22-57 International Plumbing Code Adopted.

The International Plumbing Code, 2009 Edition and appendix chapters B, C, D, E, F and G as published by the International Code Council, Inc., a copy of which is on file in the office of the City secretary is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

Sec. 22-58 Amendments to the International Plumbing Code.

1. Section 101.1; Insert: City of Bedford

2. **Table of Contents, Chapter 7, Section 714; change to read as follows:

Section 714 Engineered Computerized Drainage Design 67

3. **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 13 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. 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 ICC *Electrical Code* shall mean the Electrical Code as adopted.

4. Section 106.6.2; insert "Appendix A Schedule of fees"

5. Section 106.6.3; Change to read as follows:

106.6.3: Fee refunds. The code official shall authorize the refunding of fees as provided for in the "Appendix A Schedule of fees"

6. Section 108.4; Change to read as follows:

108.4: Violation Penalties. Any person violating or failing to comply with any provision or requirement of this article shall be subject to the penalties provided for in Article I, Chapter 22 of the code of ordinances.

7. **Section 109; Delete entire section and insert the following:

SECTION 109 **MEANS OF APPEAL**

109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

8. **Section 305.6.1; change to read as follows:

305.6.1 Sewer depth. ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (304 mm) below grade.~~

9. **Section 305.9; change to read as follows:

305.9 Protection of components of plumbing system. Components of a plumbing system installed within 3 feet along alleyways, driveways, parking garages or other locations in a manner in which they would be exposed to damage shall be recessed into the wall or otherwise protected in an *approved* manner.

10. **Section 310.4; delete.

11. **Section 310.5; delete.

12. **Sections 312.10.1 and 312.10.2; change to read as follows:

312.10.1 Inspections. Annual inspections shall be made of all backflow prevention assemblies and air gaps to determine whether they are operable. In the absence of local provisions, the owner is responsible to ensure that testing is performed.

312.10.2 Testing. Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, pressure vacuum breaker assemblies, reduced pressure detector fire protection backflow prevention assemblies, double check detector fire protection backflow prevention assemblies, hose connection backflow preventers, and spill-proof vacuum breakers shall be tested at the time of installation, immediately after repairs or relocation and at least annually. The testing procedure shall be performed in accordance with applicable local provisions. In the absence of local provisions, the owner is responsible to ensure that testing is done in accordance with one of the following standards:

{list of standards unchanged}

13. ***Section 314.2.1; change to read as follows:

314.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. ... {language unchanged} ... Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

14. ***Section 314.2.2; change to read as follows:

314.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, ~~polybutylene,~~ polyethylene, ABS, CPVC, or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, ~~and temperature~~ and exposure rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 relative to the material type. Condensate waste and drain line size shall not be less than ¾-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 314.2.2. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope.

15. **Section 401.1; add a sentence to read as follows:

The provisions of this Chapter are meant to work in coordination with the provisions of the Building Code. Should any conflicts arise between the two chapters, the Code Official shall determine which provision applies.

16. **Section 403.1; change to read as follows:

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as follows:

5. Assembly Occupancies: At least one drinking fountain shall be provided at each floor level in an approved location.
Exception: A drinking fountain need not be provided in a drinking or dining establishment.
6. Groups A, B, F, H, I, M and S Occupancies: Buildings or portions thereof where persons are employed shall be provided with at least one water closet for each sex except as provided for in Section 403.2.
7. Group E Occupancies: Shall be provided with fixtures as shown in Table 403.1.
8. Group R Occupancies: Shall be provided with fixtures as shown in Table 403.1.

It is recommended, but not required, that the minimum number of fixtures provided also comply with the number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be considered individually by the code official. The number of occupants shall be determined by the International Building Code. Occupancy classification shall be determined in accordance with the International Building Code.

17. **Section 403.1.2; add Section 403.1.2 to read as follows:

403.1.2 Finish material. Finish materials shall comply with Section 1209 of the International Building Code.

18. **Section 405.6; delete.

19. **Section 409.2; change to read as follows:

409.2 Water connection. The water supply to a commercial dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608.

20. **Section 410.1; change to read as follows:

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1M, ASME A112.19.2M or ASME A112.19.9M, and water coolers shall conform to ARI 1010. Drinking fountains and water coolers shall conform to NSF 61, Section 9. ~~Where water is served in restaurants or where bottled water coolers are provided in other occupancies, drinking fountains shall not be required. In other occupancies, where drinking fountains are required, bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required drinking fountains.~~

Exception: A drinking fountain need not be provided in a drinking or dining establishment.

21. **Section 412.4; change to read as follows:

412.4 Required location Public laundries and central washing facilities. Floor drains shall be installed in the following areas.

1. In public coin-operated laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.
2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the code official may accept floor sinks.

22. **Section 417.5; change to read as follows:

417.5 Shower floors or receptors. Floor surfaces shall be constructed of impervious, noncorrosive, nonabsorbent and waterproof materials.

Thresholds shall be a minimum of 2 inches (51 mm) and a maximum of 9 inches (229 mm), measured from top of the drain to top of threshold or dam. Thresholds shall be of sufficient width to accommodate a minimum twenty-two (22) inch (559 mm) door.

Exception: Showers designed to comply with ICC/ANSI A117.1.

23. ***Section 417.5.2; change to read as follows:

417.5.2 Shower lining. Floors under shower compartments, except where prefabricated receptors have been provided, shall be lined and made water tight utilizing material complying with Sections 417.5.2.1 through 417.5.2.5. Such liners shall turn up on all sides at least ~~2~~ 3 inches (~~54~~ 76 mm) above the finished threshold level and shall extend outward over the threshold and fastened to the outside of the threshold jamb. Liners shall be recessed and fastened to an *approved* backing so as not to occupy the space required for wall covering, and shall not be nailed or perforated at any point less than 1 inch (25 mm) above the finished threshold. Liners shall be pitched one-fourth unit vertical in 12 units horizontal (2-percent slope) and shall be sloped toward the fixture drains and be securely fastened to the waste outlet at the seepage entrance, making a water-tight joint between the liner and the outlet. The completed liner shall be tested in accordance with Section 312..9 and Section 417.7.

24. **Section 417.7; add Section 417.7 to read as follows:

417.7 Test for shower receptors. Shower receptors shall be tested for water tightness by filling with water to the level of the rough threshold. The drain shall be plugged in a manner so that both sides of pans shall be subjected to the test at the point where it is clamped to the drain.

25. **Section 419.3; change to read as follows:

419.3 Surrounding material. Wall and floor space to a point 2 feet (610 mm) in front of a urinal lip and 4 feet (1219 mm) above the floor and at least 2 feet (610 mm) to each side of the urinal shall be waterproofed with a smooth, readily cleanable, hard, nonabsorbent material.

26. **Section 502.3; change to read as follows:

502.3 Water heaters installed in attics.

Attics containing a water heater shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the water heater. 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 water heater.

27. Section 502.3.1; Add Section 502.3.1 to read as follows:

502.3.1 Installation in new construction. For new construction, water heaters shall not be installed in attics.

28. **Section 502.6; Add Section 502.6 to read as follows:

502.6 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

502.6.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 502.1.

29. Section 503.1.1; Add Section 503.1.1 to read as follows:

Section 503.1.1 Auto shut-off valve. When unable to provide proper disposal for the pan or temperature pressure relief as required by section 504, the cold water supply line to each hot water storage tank or water heater shall be provided with an approved automatic shutoff device.

Exception: Alternative means of disposal may be approved by the building official.

30. ***Section 504.6; change to read as follows:

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap. ~~located in the same room as the water heater.~~
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

Exception: Multiple relief devices may be installed to a single T & P discharge piping system when *approved* by the administrative authority and permitted by the manufactures installation instructions and installed with those instruction..

5. Discharge ~~to the floor,~~ to a an indirect waste receptor or to the outdoors. Where discharging to the outdoors in areas subject to freezing, discharge piping shall be first piped to an indirect waste receptor through an air gap located in a conditioned area.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Not terminate ~~more-less~~ than 6 inches or more than 24 inches (152 mm) above grade ~~the floor or~~ nor more than 6 inches above the waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and *approved* for such use in accordance with ASME A112.4.1.

31. **Section 504.7.3; add Section 504.7.3 to read as follows:

504.7.3 Pan alarm. Where a pan is required by this code, an audible alarm for moisture detection shall be installed within the pan.

32. **Section 604.4; add Section 604.4.1 to read as follows:

604.4.1 State maximum flow rate. Where the State mandated maximum flow rate is more restrictive than those of this section, the State flow rate shall take precedence.

33. **Section 606.1; delete items #4 and #5.

34. **Section 606.2; change to read as follows:

606.2 Location of shutoff valves. Shutoff valves shall be installed in the following locations:

1. On the fixture supply to each plumbing fixture other than bathtubs and showers in one- and two-family residential occupancies, and other than in individual sleeping units that are provided with unit shutoff valves in hotels, motels, boarding houses and similar occupancies.
- ~~2. On the water supply pipe to each sillcock.~~
3. 2 On the water supply pipe to each appliance or mechanical equipment.

35. **Section 608.1; change to read as follows:

608.1 General. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from nonpotable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to applicable local regulations, Table 608.1, ~~except and~~ as specifically stated in Sections 608.2 through 608.16.10.

36. **Section 608.16.5; change to read as follows:

608.16.5 Connections to lawn irrigation systems.

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

37. **Section 608.17; change to read as follows:

608.17 Protection of individual water supplies. An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with applicable local regulations. In the absence of other local regulations, installation shall be in accordance with Sections 608.17.1 through 608.17.8.

38. **Section 610.1; add exception to read as follows:

610.1 General. New or repaired potable water systems shall be purged of deleterious matter and disinfected prior to utilization. The method to be followed shall be that prescribed by the health authority or water purveyor having jurisdiction or, in the absence of a prescribed method, the procedure described in either AWWA C651 or AWWA C652, or as described in this section. This requirement shall apply to “on-site” or “inplant” fabrication of a system or to a modular portion of a system.

1. The pipe system shall be flushed with clean, potable water until dirty water does not appear at the points of outlet.
2. The system or part thereof shall be filled with a water/chlorine solution containing at least 50 parts per million (50 mg/L) of chlorine, and the system or part thereof shall be valved off and allowed to stand for 24 hours; or the system or part thereof shall be filled with a water/chlorine solution containing at least 200 parts per million (200 mg/L) of chlorine and allowed to stand for 3 hours.
3. Following the required standing time, the system shall be flushed with clean potable water until the chlorine is purged from the system.
4. The procedure shall be repeated where shown by a bacteriological examination that contamination remains present in the system.

Exception: With prior approval the Code Official may wave this requirement when deemed unnecessary by the Code Official.

39. **Section 712.5; add Section 712.5 to read as follows:

712.5 Dual Pump System. All sumps shall be automatically discharged and, when in any “public use” occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

40. **Section 714, 714.1; change to read as follows:

SECTION 714 ENGINEERED COMPUTERIZED DRAINAGE DESIGN

714.1 Design of drainage system. The sizing, design and layout of the drainage system shall be permitted to be designed by *approved computer* design methods.

41. **Section 802.1.6; change to read as follows:

802.1.6 Domestic dishwashing machines. Domestic dishwashing machines shall discharge indirectly through an air gap or air break into a standpipe or waste receptor in accordance with Section 802.2, or discharge into a wye-branch fitting on the tailpiece of the kitchen sink or the dishwasher connection of a food waste grinder. The waste line of a domestic dishwashing machine discharging into a kitchen sink tailpiece or food waste grinder shall connect to a deck-mounted air gap. ~~or the waste line shall rise and be securely fastened to the underside of the sink rim or counter.~~

42. **Section 802.4; add a sentence to the end of the paragraph to read as follows:

No standpipe shall be installed below the ground.

43. **Section 904.1; change to read as follows:

904.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least six (6) inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

44. **Section 906.1; change to read as follows:

906.1 Distance of trap from vent. Each fixture trap shall have a protecting vent located so that the slope and the developed length in the fixture drain from the trap weir to the vent fitting are within the requirements set forth in Table 906.1.

Exception: ~~The developed length of the fixture drain from the trap weir to the vent fitting for self-siphoning fixtures, such as water closets, shall not be limited.~~

45. **Section 912.1; change to read as follows:

912.1 Type of fixture. A combination drain and vent system shall not serve fixtures other than floor drains, ~~sinks, lavatories, and drinking fountains~~ standpipes, and indirect waste receptors. Combination drain and vent systems shall not receive the discharge from a food waste grinder or clinical sink.

46. Section 917.1; change to read as follows:

917.1 General. Vent systems shall not utilize air admittance valves unless venting to outside air cannot be achieved as determined by the building official. When venting cannot be achieved from outside air, vent systems utilizing air admittance valves shall comply with this section. Stack type air admittance valves shall conform to ASSE 1050. *(remainder of text unchanged)*

47. **Section 1002.10; delete.

48. ***Section 1003.3.4.1; change to read as follows:

1003.3.4.1 Grease interceptor capacity. Applications that produce a total flow-through rating of 25 (gpm) gallons per minute or less, or grease retention of 50 (lbs) pounds or less shall require a minimum size trap of 100 (lbs) pounds grease retention capacity. Applications that produce a total flow-through rating of more than 25 (gpm) gallons per minute or more than 50 pounds (lbs) of grease retention shall require interceptor capacity to be sized by an engineer.

49. Section 1003.10.; change to read as follows:

1003.10 Access and maintenance of interceptors and separators. Interceptors and separators shall be installed outside and below ground of the facility it serves. Access shall be provided to each interceptor and separator for service and *(remainder of text unchanged)*.

50. ***Section 1101.8; change to read as follows:

1101.8 Cleanouts required. Cleanouts shall be installed in the building storm drainage system and shall comply with the provisions of this code for sanitary drainage pipe cleanouts.

Exception: Subsurface drainage system

51. **Section 1106.1; change to read as follows:

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour ~~the 100-year hourly rainfall rate indicated in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~

52. ***Section 1107.3; change to read as follows:

1107.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106 ~~based on the rainfall rate for which the primary system is sized in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~ Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

53. ***Section 1202.1; delete Exception 2.

Sec. 22-59 International Fuel Gas Code Adopted.

The International Fuel Gas Code, 2009 Edition and appendix chapters A, B and C as published by the International Code Council, Inc., a copy of which is on file in the office of the City secretary is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

Sec. 22-60 Amendments to the International Fuel Gas Code.

1. Section 101.1; Insert: City of Bedford

2. **Section 101.2: Change to read as follows:

Exception: 2. As an alternative..(text unchanged).. construction shall comply with the provisions of the International Building Code.

3. **Section 102.2; add an exception to read as follows:

Exception: Existing dwelling units shall comply with Section 621.2.

4. **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 ICC Electrical Code shall mean the Electrical Code as adopted.

5. Section 106.6.2; insert "Appendix A Schedule of fees"

6. Section 106.6.3; Change to read as follows:

106.6.3: Fee refunds. The code official shall authorize the refunding of fees as provided for in the "Appendix A Schedule of fees"

7. Section 108.4; Change to read as follows:

108.4: Violation Penalties. Any person violating or failing to comply with any provision or requirement of this article shall be subject to the penalties provided for in Article I, Chapter 22 of the code of ordinances.

8. **Section 304.10; change to read as follows:

304.10 Louvers and grilles. The required size of openings for combustion, ventilation and dilution air shall be based on the net free area of each opening. Where the free area through a design of louver, grille or screen is known, it shall be used in calculating the size opening required to provide the free area specified. Where the design and free area of louvers and grilles are not known, it shall be assumed that wood louvers will have 25-percent free area and metal louvers and grilles will have ~~75~~50-percent free area. Screens shall have a mesh size not smaller than ¼ inch (6.4 mm). Nonmotorized louvers and grilles shall be fixed in the open position. Motorized louvers shall be interlocked with the appliance so that they are proven to be in the full open position prior to main burner ignition and during main burner operation. Means shall be provided to prevent the main burner from igniting if the louvers fail to open during burner start-up and to shut down the main burner if the louvers close during operation.

9. **Section 304.11; change #8 to read as follows:

304.11 Combustion air ducts.

Combustion air ducts shall comply with all of the following:

1. Ducts shall be constructed of galvanized steel complying with Chapter 6 of the International Mechanical Code or of a material having equivalent corrosion resistance, strength and rigidity.
Exception: Within dwellings units, unobstructed stud and joist spaces shall not be prohibited from conveying combustion air, provided that not more than one required fireblock is removed.
2. Ducts shall terminate in an unobstructed space allowing free movement of combustion air to the appliances.
3. Ducts shall serve a single enclosure.
4. Ducts shall not serve both upper and lower combustion air openings where both such openings are used. The separation between ducts serving upper and lower combustion air openings shall be maintained to the source of combustion air.
5. Ducts shall not be screened where terminating in an attic space.
6. Horizontal upper combustion air ducts shall not slope downward toward the source of combustion air.
7. The remaining space surrounding a chimney liner, gas vent, special gas vent or plastic piping installed within a masonry, metal or factory-built chimney shall not be used to supply combustion air.
Exception: Direct-vent gas-fired appliances designed for installation in a solid fuel-burning fireplace where installed in accordance with the manufacturer's instructions.
8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 12 inches (305 mm) vertically from the adjoining ground level or the manufacturer's recommendation, whichever is more restrictive.

10. **Section 305.5 Private garages; delete.

11. ***Section 306.3; change to read as follows:

[M] 306.3 Appliances in attics. Attics containing appliances requiring access 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), ~~and~~ or larger where such dimensions are not large enough to allow removal of the largest *appliance*. As a minimum, for access to the attic space, provide one of the following:

9. A permanent stair.
10. A pull down stair.
11. An access door from an upper floor level.
12. 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.
2. Where the passageway is not less than ...*{bulk of section to read the same}*.

12. ***Section 306.5; change to read as follows:

[M] 306.5 Equipment and appliances on roofs or elevated structures. Where *equipment* requiring *access* and appliances are installed on roofs or elevated structures at a an aggregate height exceeding 16 feet (4877 mm), such *access* shall be provided by a permanent *approved* means of *access*, ~~the extent of which shall be from~~ Permanent exterior ladders providing roof access need not extend closer than 8- 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 4 units vertical in 12 units horizontal (33-percent slope). ... *{bulk of section to read the same}*.

13. **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~~ on roofs having slopes greater than 4 units vertical in 12 units horizontal 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*.

14. **Add Section 306.7 to read as follows:

306.7 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger when approved by the *code official*) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

306.7.1. Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

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

Both ends of each section of medium pressure corrugated stainless steel tubing (CSST) 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"

16. **Section 402.3; add an exception to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EHD).

17. **Section 404.10; change to read as follows:

404.10 Minimum burial depth. Underground piping systems shall be installed a minimum depth of ~~42~~ 18 inches (~~305~~ 458 mm) top of pipe below grade, except as provided for in Section 404.10.4.

18. **Section 404.10.1; delete.

19. **Section 406.1; change to read as follows:

406.1 General. Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 406.1.1 through 406.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

20. **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.~~

21. **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 ~~4 1/2 times the proposed maximum working pressure, but no less than 3~~ 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, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. 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 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 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 1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 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.

22. **Section 406.4.2; change to read as follows:

406.4.2 Test duration. Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than thirty (30) minutes. (Delete remainder of section.)

23. **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.

24. **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.

25. **Section 614.6; add a sentence to read as follows:

The size of duct shall not be reduced along its developed length nor at the point of termination.

26. **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.

27. **Section 624.1.1; change to read as follows:

624.1.1 Installation requirements. The requirements for water heaters relative to *access*, sizing, relief valves, drain pans and scald protection shall be in accordance with the *International Plumbing Code*.

Sec. 22-61 International Energy Conservation Code Adopted.

The International Energy Conservation Code, 2009 Edition as published by the International Code Council, Inc., a copy of which is on file in the office of the City secretary is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

Sec. 22-62 Amendments to the International Energy Conservation Code.

1. Section 101.1; Insert: City of Bedford
2. ***Section 101.4.2; change to read as follows:

101.4.2 Historic Buildings. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of

Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer of the Keeper of the National Register of Historic Places, ~~are exempt from~~ shall comply with all of the provisions of this code.

Exception: Whenever a provision or provisions shall invalidate or jeopardize the historical designation or listing, that provision or provisions may be exempted.

3. ***Section 103.1.1; add Section 103.1.1 to read as follows:

103.1.1 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

4. Section 108.4; Change to read as follows:

108.4: Violation Penalties. Any person violating or failing to comply with any provision or requirement of this article shall be subject to the penalties provided for in Article I, Chapter 22 of the code of ordinances.

5. ***Section 202; add the following definition:

GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area, the glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

6. ***Section 401.2, Item #1; change to read as follows:

1. Sections 402.1 through 402.3, 403.2.1 and 404.1 (prescriptive) and the use of Tables 402.1.1 and 402.1.3 are limited to a maximum glazing area of 15% window area to floor area ratio; or
2. *{language unchanged}*

7. ***Section 402.2.12; Add Section 402.2.12 to read as follows:

Section 402.2.12 Insulation installed in walls. Insulation batts installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.

8. ***Section 405.4.1; add the following sentence to the end of paragraph:

RemRateTM, Energy GaugeTM, and IC3 are deemed acceptable performance simulation programs.

Sec. 22-63 International Property Maintenance Code Adopted.

The International Property Maintenance Code, 2009 Edition as published by the International Code Council, Inc., a copy of which is on file in the office of the City secretary is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

Sec. 22-64 Amendments to the International Property Maintenance Code.

1. Section 101.1; insert "City of Bedford"
2. Section 103.5; insert "Appendix A Schedule of fees"
3. Section 108.4; Change to read as follows:

108.4: Violation Penalties. Any person violating or failing to comply with any provision or requirement of this article shall be subject to the penalties provided for in Article I, Chapter 22 of the code of ordinances.

4. Section 302.4; insert "ten (10) inches"
5. Section 304.3; Change to read as follows:

304.3 Premises identification. Buildings shall have approved address numbers placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 0.5 inch wide, 4 inches high for one and two family dwellings and 8 inches high for commercial and multifamily properties.

6. Section 304.14; insert "January 1" and "December 31"
7. Section 602.3; insert "January 1" and "December 31"
8. Section 602.4; insert "January 1" and "December 31"
9. Section 111; Delete and replace entire section with the following:

SECTION 111 MEANS OF APPEAL

111.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

SECTION 2. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 3. This ordinance shall become effective upon passage and publication in accordance with laws of the State of Texas and the Charter of the City of Bedford.

SECTION 4. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Bedford, Texas, shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding not guilty or nolo contendere, or dismissal.

SECTION 5. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto, to any person or circumstance, is held invalid or

unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity which remaining portions shall remain in full force and effect.

PRESENTED AND PASSED this 22nd day of March 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

PRESENTER:

Russell Hines, Building Official

ITEM:

An ordinance amending Chapter 22 of the City of Bedford Code of Ordinances, "Building and Building Regulations" by repealing ordinance no.08-2914 entitled "Article VII Electrical Code" and all other ordinances or parts of ordinances in conflict therewith and creating a new "Article IV National Electrical Code" providing for the adoption of the National Electrical Code, 2011 edition; providing for the adoption of annex chapters; providing for the adoption of regional amendments to the National Electrical Code; changing and amending Article IV; providing a severability clause, providing a penalty and providing an effective date.

DISCUSSION:

The City of Bedford has operated on the same electrical code and code amendments since the adoption of the 2008 Edition of the National Electrical Code. The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967, when the Regional Codes Strategy Committee first documented the wide disparity in codes used by cities in the region. The goal of the Regional Codes Coordinating Committee (RCCC), NCTCOG's present model codes advisory committee, is to standardize the model codes used throughout North Central Texas. Composed of public and private sector code professionals, the RCCC and its four code advisory boards encourage the adoption of NCTCOG's recommended model codes and regional amendments to reduce the variation of local construction codes in the region.

NCTCOG recommended on January 31, 2011 to jurisdictions in North Central Texas to adopt the 2011 National Electrical Code along with the respective regional amendments. Building codes provide protection from tragedy caused by fire, structural collapse and general deterioration in our homes, schools, stores and manufacturing facilities. Safe buildings are achieved through proper design and construction practices and a code administration program that ensures compliance. The International Codes keep construction costs down and provide uniformity in the construction industry.

Codes establish predictable and consistent minimum standards that are applied to the quality and durability of construction materials, a practical balance between reasonable safety, and cost to protect life and property. The term "minimum requirements" means that construction meets the criteria of being both practical and adequate for protecting the life, safety and welfare of the public.

Permit fees will not be changed or impacted with the adoption of the 2011 National Electrical Code. Staff deems it beneficial to the community to adopt the 2011 Edition of the National Electrical Code and amendments recommended by the North Central Texas Council of Governments.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance amending Chapter 22 of the City of Bedford Code of Ordinances, "Building and Building Regulations" by repealing ordinance no.08-2914 entitled "Article VII Electrical Code" and all other ordinances or parts of ordinances in conflict therewith

and creating a new “Article IV National Electrical Code” providing for the adoption of the National Electrical Code, 2011 edition; providing for the adoption of annex chapters; providing for the adoption of regional amendments to the National Electrical Code; changing and amending Article IV; providing a severability clause, providing a penalty and providing an effective date.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance

ORDINANCE NO. 11-

National Electrical Code

AN ORDINANCE AMENDING CHAPTER 22 OF THE CITY OF BEDFORD CODE OF ORDINANCES, "BUILDING AND BUILDING REGULATIONS" BY REPEALING ORDINANCE NO.08-2914 ENTITLED "ARTICLE VII ELECTRICAL CODE" AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND CREATING A NEW "ARTICLE IV NATIONAL ELECTRICAL CODE" PROVIDING FOR THE ADOPTION OF THE NATIONAL ELECTRICAL CODE, 2011 EDITION; PROVIDING FOR THE ADOPTION OF ANNEX CHAPTERS; PROVIDING FOR THE ADOPTION OF REGIONAL AMENDMENTS TO THE NATIONAL ELECTRICAL CODE; PROVIDING CHANGING AND AMENDING ARTICLE IV; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A PENALTY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bedford has operated on the same electrical code and code amendments since the adoption of the 2008 Edition of the National Electrical Code; and,

WHEREAS, the City Council of Bedford, Texas, desires to adopt the most current edition of the National Electrical Code as allowed by the Texas Legislature, and further desires to adopt regional amendments to said National Electrical Code; and,

WHEREAS, the City Council of Bedford, Texas finds and determines that the National Electrical Code and regional amendments adopted hereby will promote the health, safety and general welfare of the citizens of the City of Bedford, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That Chapter 22 "Building and Building Regulations", Article VII "Electrical Codes" of the Bedford Code of Ordinances, is amended and which shall hereafter be and read as follows:

ARTICLE IV NATIONAL ELECTRICAL CODE / AMENDMENTS

Sec 22- 200 National Electrical Code Adoption

The National Electrical Code, 2011 edition as published by the National Fire Protection Association, a copy of which is on file in the office of the City secretary is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

Sec 22- 201 Amendments to the National Electrical Code

The following sections of the National Electrical Code are hereby amended to read as follows:

1. *Article 100, Part I; amend the following definition:**

Intersystem Bonding Termination. A device that provides a means for connecting bonding conductors for communication systems and other systems such as metallic gas piping systems to the grounding electrode system.

2. *Article 110.2; change the following to read as follows:**

110.2 Approval. The conductors and equipment required or permitted by this Code shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency approved by the AHJ.

Exception: Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field evaluation by a NRTL or qualified third party inspection agency approved by the AHJ.

Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.

Informational Note: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of *Approved*, *Identified*, *Labeled*, and *Listed*.

3. ****Article 230.71(A); add the following exception:**

Exception: Multi-occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

4. *****Article 240.91; delete the Article.**

5. ****Article 300.11; add the following exception:**

Exception: Ceiling grid support wires may be used for structural supports when the associated wiring is located in that area, not more than two raceways or cables supported per wire, with a maximum nominal metric designation 16 (trade size 1/2").

6. ****Article 310.10; add subsection (J) to read as follows:**

310.10 (J) Aluminum Wire. Conductors in this article shall be of copper, unless otherwise specified and approved by the authority having jurisdiction.

Exception: Utility companies are permitted to use aluminum conductors to a point of termination of the public utility system.

7. ****Article 310.15(B)(7); change to read as follows:**

(7) 120/240-Volt, 3-Wire, Single-Phase Dwelling Services and Feeders. For dwelling units, conductors, as listed in Table 310.15(B)(7), shall be...*{text unchanged}*...provided the requirements of 215.2, 220.61, and 230.42 are met. This Article shall not be used in conjunction with 220.82.

8. ****Article 500.8(A)(3); change to read as follows:**

500.8 Equipment. Articles 500 through 504 require equipment construction and installation standards that ensure safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to installation and maintenance.

Informational Note No. 2: Since there is no consistent relationship between explosion properties and ignition temperature, the two are independent requirements.

Informational Note No. 3: Low ambient conditions require special consideration. Explosion proof or dust-ignition proof equipment may not be suitable for use at temperatures lower than -25°C (-13°F) unless they are identified for low-temperature service. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified as Class I, Division 1 at normal ambient temperature.

(A) Suitability. Suitability of identified equipment shall be determined by one of the following:

- (1) Equipment listing or labeling
- (2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation
- (3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or an ~~owner's~~ engineering judgment signed and sealed by a qualified Licensed Professional Engineer.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information. Guidelines for certificates may be found in ANSI/ISA 12.00.02, *Certificate Standard for AEx Equipment for Hazardous (Classified) Locations*.

9. **Article 505.7(A) changed to read as follows:

505.7 Special Precaution. Article 505 requires equipment construction and installation that ensures safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: Low ambient conditions require special consideration. Electrical equipment depending on the protection techniques described by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified Class I, Zones 0, 1, or 2 at normal ambient temperature.

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed by a qualified persons Licensed Professional Engineer.

10. *Article 680.25(A) changed to read as follows:**

680.25 Feeders. These provisions shall apply to any feeder on the supply side of panelboards supplying branch circuits for pool equipment covered in Part II of this article and on the load side of the service equipment or the source of a separately derived system.

(A) Wiring Methods.

(1) Feeders. Feeders shall be installed in rigid metal conduit or intermediate metal conduit. The following wiring methods shall be permitted if not subject to physical damage:

- (1) Liquidtight flexible nonmetallic conduit
- (2) Rigid polyvinyl chloride conduit
- (3) Reinforced thermosetting resin conduit
- (4) Electrical metallic tubing where installed on or within a building
- (5) Electrical nonmetallic tubing where installed within a building
- (6) Type MC cable where installed within a building and if not subject to corrosive environment
- (7) Nonmetallic-sheathed cable
- (8) Type SE cable

Exception: An existing feeder between an existing remote panelboard and service equipment shall be permitted to run in flexible metal conduit or an approved cable assembly that includes an equipment grounding conductor within its outer sheath. The equipment grounding conductor shall comply with 250.24(A)(5).

Section 22- 202 Temporary Utilities

When for good and sufficient cause it is necessary to have utilities turned on any installation before final certificate can be issued, the building official may authorize a temporary permit to be issued for a period of 30 days.

SECTION 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed the maximum permissible by state law and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4. This ordinance shall become effective upon passage and publication in accordance with laws of the State of Texas and the Charter of the City of Bedford.

SECTION 5. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Bedford, Texas, shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding not guilty or nolo contendere, or dismissal.

SECTION 6. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto, to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity which remaining portions shall remain in full force and effect.

PASSED AND APPROVED this 22nd day of March 2011, by a vote of _ ayes, _ nays and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

ITEM:

Consider an ordinance amending Chapter 2 “Administration,” Article IV “Boards, Commissions, and Committees” of the City of Bedford Code of Ordinances by the addition of Division 5 hereby named the “Cultural Commission;” repealing all ordinances in conflict herewith; containing a savings clause and declaring an effective date.

DISCUSSION:

This item will be tabled until the April 11, 2011 Council meeting. Background information will be included in the packet for that meeting.



Council Agenda Background

PRESENTER:

Wendy Hartnett, Special Events Coordinator

ITEM:

Consider a resolution authorizing the City Manager to enter into a contract with Western Enterprises for the 2011 4thFest Fireworks Program in the amount of \$29,000.

DISCUSSION:

Western Enterprises has been the pyrotechnic company for 4thFest over the past ten years. This contract is considered a professional services contract; therefore, it is not subject to competitive bidding. Due to the highly technical nature of this work and the ability to safely provide the program and all of the necessary clearances, it is the staff's recommendation that the City use the same company that has a working knowledge of the site and surroundings. Western Enterprises has maintained an excellent working relationship with the Fire Marshall's Office and the State in providing this service. The price for the service has not increased from the amount charged in 2010.

The Fireworks Program, which concludes the 4thFest festivities, will be located at the City of Bedford Boys Ranch.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a contract with Western Enterprises for the 2011 4thFest Fireworks Program in the amount of \$29,000.

FISCAL IMPACT:

This item will be funded from the 4thFest 2010-2011 Budget.

ATTACHMENTS:

Resolution
Contract

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WESTERN ENTERPRISES FOR THE 2011 4THFEST FIREWORKS PROGRAM IN THE AMOUNT OF \$29,000.

WHEREAS, the City Council of Bedford, Texas desires to include a fireworks display at the annual 4thFest Celebration; and,

WHEREAS, the City Council of Bedford, Texas recognizes that Western Enterprises has been the pyrotechnic company for 4thFest for more than ten years.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council does hereby approve the contract and authorizes the City Manager to enter into a contract with Western Enterprises in the amount of \$29,000 for the 2011 4thFest Fireworks Program.

SECTION 2. That this resolution shall take effect from and after the date of passage.

PASSED AND APPROVED this 22nd day of March 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

PLEASE SIGN, DATE AND
RETURN THIS COPY

FIREWORKS PRODUCTION CONTRACT

1. This Contract is entered into this _____ day of _____, 20____, by and between **WESTERN ENTERPRISES, INC.**, designated herein as the "**SELLER**", and the **CITY OF BEDFORD**, designated herein as the "**PURCHASER**" for a fireworks production to be held on **JULY 4, 2011**.

2. **SELLER** will secure, prepare and deliver said fireworks as outlined, or will make necessary substitutions of equal or greater value. **SELLER** will include the services of a Pyrotechnic Operator to take charge of, set up and fire the display, along with such help as he deems necessary to perform the fireworks display safely, and in accordance with such Federal, State or Local laws that might be applicable.

3. **SELLER** agrees that the Operator and Assistant(s) are to check the display area after the presentation of the fireworks display for any "duds" or other material, which might not have ignited. Any such material, found by any person other than the Operator, shall be turned to the Operator for safekeeping or disposal of said material.

4. **PURCHASER** will furnish the secured minimum safety distances established by the **SELLER** after an on-site inspection of the proposed firing location. **PURCHASER** will provide adequate police protection and/or other adequate security to maintain these distances. **PURCHASER** also agrees to have a fire truck available on location during the display.

5. A Certificate of Insurance covering the fireworks display will be provided by the **SELLER** upon signing of the contract, for coverage in the amount of **FIVE MILLION DOLLARS (\$5,000,000.00)** broad form, bodily injury and property damage liability, Statutory Workers Compensation Coverage, Comprehensive Automobile Liability in the amount of **FIVE MILLION DOLLARS (\$5,000,000.00)** Combined Single Limit. **PURCHASER** agrees to provide a complete list of all additional insureds to be named on the certificate.

6. It is agreed and understood that the **PURCHASER** will pay to the **SELLER** the sum of **TWENTY-NINE THOUSAND DOLLARS AND NO/100 (\$29,000.00)** to be paid as follows: **30% (\$8,700.00)** of the purchase price will be paid by **PURCHASER** at the time of signing this contract. The balance of the purchase price will be paid within fifteen (15) days after the date of the display. If payment is made in full by May 15, 2010, a five percent (5%) discount will apply. That discount can be deducted from the total contract price, or the **PURCHASER** may elect to receive that amount of extra pyrotechnic product in lieu of the discount. Unpaid accounts are subject to one percent (1%) interest charge per month after fifteen days.

7. In the event of inclement weather or other adverse conditions, so as to cause postponement of the display it is agreed and understood that **PURCHASER** will notify **SELLER** regarding the postponement date, normally the following night, or at some future date within the calendar year. If the **PURCHASER** will not re-schedule the display within the calendar year, or completely cancels the display, the **PURCHASER** agrees that **SELLER** will retain the thirty percent (30%) payment described in paragraph #6 as full payment for cancellation of the display. It is understood and agreed that **SELLER** shall be solely responsible for failure of the performance of the fireworks display for any reason under **SELLERS** control.

8. Witness whereof, we have caused our signatures to be affixed to this Document, on this _____ day of _____, 20____.

WESTERN ENTERPRISES, INC.
SELLER

CITY OF BEDFORD
PURCHASER

BY: _____
authorized agent

BY: _____
authorized agent



Council Agenda Background

PRESENTER:

Leigh Morgan, Deputy Director of Parks and Recreation

ITEM:

Consider a resolution authorizing the City Manager to enter into a lease agreement for one year with the Tejanos Soccer Club for the purpose of conducting practices at the Stormie Jones soccer fields.

DISCUSSION:

This resolution is to approve the renewal of a contract with the Tejanos Soccer Club, a select soccer club that operates under the Bedford Euless Soccer Association (BESA) umbrella. They are requesting the continued use of field space for the purpose of conducting practices. The arrangement was extremely successful last year with the Tejanos performing field maintenance in lieu of rental fees. Their maintenance includes all of the mowing, chemical application, field marking and pest control in return for the use of the fields for practices. There are no changes from last year's agreement.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a lease agreement for one year with the Tejanos Soccer Club for the purpose of conducting practices at the Stormie Jones soccer fields.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Contract

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR ONE YEAR WITH THE TEJANOS SOCCER CLUB FOR THE PURPOSE OF CONDUCTING PRACTICES AT THE STORMIE JONES SOCCER FIELDS.

WHEREAS, the City Council of Bedford, Texas desires to provide the Tejanos Soccer Club the ability to hold soccer practices at Stormie Jones soccer fields; and,

WHEREAS, the staff of the City of Bedford Recreation Staff desires to provide supervision of the lease agreement with the Tejanos Soccer Club.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council does hereby authorize the City Manager to enter into a lease agreement for a term of one year with the Tejanos Soccer Club for the purposes of conducting practices at the Stormie Jones soccer fields.

SECTION 2. That this resolution shall take effect from and after the date of passage.

PASSED AND APPROVED this 22nd day of March 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

LEASE AGREEMENT

THIS LEASE AGREEMENT, made as of the ____ day of ____ 2011, by and between the City of Bedford, Texas (herein called "Landlord"), and DFW Tejanos Organization, (herein called "Tenant").

In consideration of the covenants and agreements hereafter reserved and contained on the part of Tenant to be observed performed, the Landlord demises and leases to Tenant, and Tenant rents from Landlord, those certain Leased Premises described as follows:

Stormie Jones Soccer Fields
2500 Block of Brasher
Bedford, TX 76021

The subject property is herein called the "Leased Premises" or the "Leased Property". The Leased Premises includes the exclusive use of the soccer fields as further described below. Tenant shall use the Leased Premises for soccer practices. No other activities are allowed.

The following, hereto and incorporated herein by reference constitute the provisions of the Lease.

1. GENERAL PROVISIONS

- (a) Landlord's Address: 2000 Forest Ridge Drive
Bedford, TX 76021-1895
- (b) Tenant's Address: PO Box 278
Eules, TX 76039
- (c) The term of the Lease shall commence on the date of its execution and shall expire one (1) year from the date of the execution, (the "Expiration Date). Should Tenant desire to renew the Lease, it shall submit a written request to renew at least sixty (60) days prior to the Expiration Date. If the Tenant does not wish to renew the contract the Tenant shall not have access to the Leased Premises after the Expiration Date. The Landlord shall have sole discretion on whether to renew the Lease. Notwithstanding the foregoing, either the Landlord or Tenant may terminate this Lease, with or without cause, by giving the other party forty-five (45) days written notice.
- (d) During the Lease term, the Tenant shall have access to the Leased Premises Monday- Friday, 5:00pm -9:00pm. Tenant shall provide a schedule each season with times other than those listed that fields will be used. Tenant shall have no right or access to the Leased Premises at any other time unless the Landlord grants consent.

2. TENANT'S PERSONAL PROPERTY

Landlord agrees that storage for any equipment shall be allowed on premises on a limited basis in areas designated by Landlord.

3. Alcohol

No alcoholic beverages will be used, allowed or brought on to leased premises.

4. AFFIRMATIVE COVENANTS OF TENANT

Tenants covenant that they shall:

4.1 comply with the terms of any state or federal statute or local ordinance or regulation applicable to tenant or its use of the Leased Premises, and indemnify and hold Landlord harmless from penalties, fines, costs, expenses, or damages resulting from its failure to do so.

4.2 comply with the terms and conditions set herein relating to the use, operation and maintenance of Leased Premises.

4.3 give to Landlord prompt notice of any accident or damage occurring on Leased premises.

4.4 have no authority to sublease, or allow the use of, the Leased Premises to any one or any entity, without prior express written consent of the Landlord. To this ends, at the date of execution of this Lease Agreement, the Tenant hereby affirms that it has no sub-lease agreement with any persons or entities, any Sub-Lessee shall be liable for all terms and conditions of this Lease.

5. DAMAGE TO LEASED PREMISES

If the Leased Premises shall be damaged the Tenant shall be held responsible for repairs to Leased Premises. This includes damages to grass (outside of the normal wear and tear for normal use). The tenant agrees to pick up any trash from location at the conclusion of all utilization. The tenant agrees to pay the city for labor should additional cleanup be required.

6. ALTERATIONS

Tenant shall make no changes or structural alterations to Leased Premises without prior written consent from Landlord.

7. Maintenance

The tenant will provide all maintenance to fields during term of lease. This will include mowing, pest control, fertilizing, weed control, lining fields etc. The maintenance provisions are outlined in **Exhibit "A"**. It is the sole responsibility of the Tenant to ensure that the lights at the premises are turned off at the end of each practice session prior to departure.

8. INDEMNIFICATION AND INSURANCE RIGHTS

A. Tenant shall indemnify Landlord and its agents, elected officials, officers, and employees and attorneys and save it harmless from and against any and all claims, actions, damages, liability, and expense, including reasonable attorney's fees, in connection with loss of life, personal injury, or damage to property occurring in or about, or arising out of, the Leased Premises, or use thereof, or occasioned wholly or in part by any act, occurrence or commission of Tenant, its agent, subtenants, licenses, contractors, customers or employees. All cost, expenses and reasonable attorney's fees that may be incurred or aid in enforcing the covenants and conditions of the Lease, whether incurred as a result of litigation or otherwise, shall be recovered by the prevailing party from the other party.

B. Tenant shall take out and keep in force during the term hereof, without expense to Landlord with an insurance company, qualified to do business in the State of Texas or other company acceptable to Landlord, comprehensive general Commercial Liability Insurance, in the name of the Tenant and name of Landlord as additional insured against any liability for injury to or death of persons resulting from any occurrence in or about the Lease Premises and for the damage to property in such amounts as may from time to time be customary with respect to similar properties in the same area, but in any event not less than,

General Aggregate	\$2,000,000
Each occurrence	\$1,000,000
Personal & Advertising Injury	\$1,000,000
Damage to premises	\$50,000
Sexual/Physical Abuse part of GL	\$50,000
Each Claim	\$25,000

True copies of said policies or certificates thereof showing the premium thereunto have been paid shall be delivered to Landlord upon execution of the Lease Agreement. If tenant fails to procure and keep in force such insurance, Tenant shall not be allowed to operate on Leased Premises.

9. LANDLORDS ACCESS TO LEASED PREMISES

At all times the Landlord shall have access to the Leased Premises for the purpose of site assessment, maintenance, repairs or any other reason deemed appropriate by Landlord. Landlord agrees to use all reasonable efforts to not interfere with Tenants use of the Leased Premises.

10. ASSIGNMENT

Neither party shall have the right to assign this agreement to any other party without the written consent of the other party, which shall not be unreasonably held.

11. NOTICES

All notices, requests, consents and other communications required or permitted under this lease shall be in writing (including telex, facsimile and telegraph communication) and shall be (as elected by the person giving such notice) hand delivered by messenger or overnight courier service, faxed or telecommunicated (with original to follow by overnight commercial courier for delivery on the next business day), or mailed by registered or certified mail (postage prepaid), return receipt requested, addressed to the parties as follows:

If to Landlord: City of Bedford, Texas
Attention: Leigh Morgan,
Deputy Director Parks & Recreation
2000 Forest Ridge Drive
Bedford, Texas 76021-1895

If to Tenant: DFW Tejanos Organization
PO Box 279
Euless, TX 76039

12. VENUE

Landlord Tenant agrees to venue in Tarrant County, Texas

Executed the _____ day of _____, 2010

Landlord: City of Bedford

By: _____
Beverly Griffith
City of Bedford

Tenant: DFW Tejanos Organization

By: _____

Exhibit "A"

Maintenance Specifications

The City's objective is to have all grass areas maintained at acceptable standards at all times. With this in mind, the following schedules are provided as the City's estimate of the minimum number of times per month that number would be two times a month and or the equivalent of once a week. Grass will be kept at a height of no more than two inches. The DFW Tejanos Soccer Club will also provide for all maintenance of Stormie Jones fields. Maintenance will consist of mowing, pest control, fertilizing, weed control and lining for the season.

The DFW Tejanos Soccer Club personnel shall conduct or supervise all mowing operations described in the Contract "Specifications" and the expense of all such operations shall belong to The DFW Tejanos Soccer Club.

The DFW Tejanos Soccer Club or the Contractor shall provide his own equipment, labor, fuel and other materials necessary to complete the required work. The DFW Tejanos Soccer Club or the Contractor shall be responsible for the maintenance and repair of his own equipment and the availability, presence and supervision of his own employees.

The City of Bedford requires The DFW Tejanos Soccer Club and or the Contractor to supply a competent and experienced supervisor with each work group at all times. The supervisor may be a working supervisor operating a mower or other piece of equipment.

The mowing of all Fields shall include the mowing and trimming of all grass and weeds within each area. The DFW Tejanos Soccer Club or the Contractor, prior to mowing, will remove all debris. The debris shredded by The DFW Tejanos Soccer Club or the contractor larger than one inch will be removed. Trimming around trees or fences will be performed by The DFW Tejanos Soccer Club or the Contractor using mechanical devices and/or hand labor. These areas may also be treated by chemical application but it shall not exceed 12" in width. Excess clippings shall be disposed of properly and not be blown into streets and roadways.

Two (2) sets of keys will be issued seasonally only to the DFW Tejanos Soccer Club. At the conclusion of each season, the keys will be returned to the Bedford Parks and Recreation Department. A \$50.00 fee will be assessed for the replacement of lost or not returned keys. A new signature, by the REPRESENTATIVE OF The DFW Tejanos Soccer Club, will be required to check out keys for the new season.

Lights

It is the responsibility of the Tejanos to insure that lights are turned off at the end of each practice session prior to departure from the fields.

Trash

All trash left on the ground by visitors or players shall be picked up and placed in the trash containers at the end of each session.

Restrooms

The restrooms will be maintained by the City of Bedford. The City will address the issue as quickly as possible. If the issue is such as “there is no toilet tissue in one of the stalls” the problem may be resolved the following day. No water, backed up plumbing will be handled immediately.

Maintenance Contact

Any questions regarding these specifications may be directed to Don Henderson, Parks Superintendent at (817) 952-2308 or (817) 713-0582.



Council Agenda Background

PRESENTER:

Leigh Morgan, Deputy Director of Parks and Recreation

ITEM:

Consider a resolution authorizing the City Manager to enter into a lease agreement for one year with Tri-Cities Baseball for the purposes of having league games at the baseball fields at the Boys Ranch Park.

DISCUSSION:

Tri-Cities Baseball has utilized the ball fields at the Boys Ranch Park for many years. The fields are used for games only. The organization provides a schedule before the beginning of each season, and over 180 games are played annually. Per the contract, the City will prepare all fields including the mowing, field lining, weed control, fertilization, and irrigation. The City will also maintain all backstops, fences, gates, scoreboards and lighting. The responsibilities of Tri-Cities include the provision of bases and any related equipment necessary for play, as well as picking up trash after the games around the bleachers, dugouts and concession stand. Per the agreement, each season Tri-Cities pays the City \$7.50 per player in their league that is a Bedford resident. In this agreement, Tri-Cities can operate the concession stand and will pay the City 5% of their gross sales. There have been no changes to the agreement compared to last year's document.

Tri-Cities has a similar agreement with the City of Hurst. Eules does not participate in Tri-Cities because they offer their own leagues.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a lease agreement for one year with Tri-Cities Baseball for the purposes of having league games at the baseball fields at the Boys Ranch Park.

FISCAL IMPACT:

General Fund – Approximately \$3,000 annually.

ATTACHMENTS:

Resolution
Contract

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR ONE YEAR WITH TRI-CITIES BASEBALL FOR THE PURPOSES OF HAVING LEAGUE GAMES AT THE BASEBALL FIELDS AT THE BOYS RANCH PARK.

WHEREAS, the City Council of Bedford, Texas desires to provide Tri-Cities Baseball the use of Boys Ranch Park Baseball Fields for games; and,

WHEREAS, the staff of the City of Bedford Recreation Staff desires to provide supervision of the lease agreement with Tri-Cities Baseball.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council does hereby authorize the City Manager to enter into a lease agreement for a term of one year with Tri-Cities Baseball for the use of Boys Ranch Park Baseball Fields for games.

SECTION 2. That this resolution shall take effect from and after the date of passage.

PASSED AND APPROVED this 22nd day of March 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

LEASE AGREEMENT

THIS LEASE AGREEMENT, made as of the _____ day of _____ 2011, by and between the City of Bedford, Texas (herein called "Landlord"), and Tri-Cities Baseball Association, (herein called "Tenant").

In consideration of the covenants and agreements hereafter reserved and contained on the part of Tenant to be observed performed, the Landlord demises and leases to Tenant, and Tenant rents from Landlord, those certain Leased Premises described as follows:

Boys Ranch Park Baseball Fields
2801 Forest Ridge Dr.
Bedford, TX 76021

The subject property is herein called the "Leased Premises" or the "Leased Property". The Leased Premises includes the exclusive use of the baseball fields as further described below. Tenant shall use the Leased Premises for games only. No other activities are allowed.

The following, hereto and incorporated herein by reference constitute the provisions of the Lease.

1. GENERAL PROVISIONS

- (a) Landlord's Address: 2000 Forest Ridge Drive
Bedford, TX 76021-1895
- (b) Tenant's Address: PO Box 274
Hurst, TX 76053
- (c) The term of the Lease shall commence on the date of its execution and shall expire one (1) year from the date of the execution, (the "Expiration Date). Should Tenant desire to renew the Lease, it shall submit a written request to renew at least sixty (60) days prior to the Expiration Date. If the Tenant does not wish to renew the contract the Tenant shall not have access to the Leased Premises after the Expiration Date. The Landlord shall have sole discretion on whether to renew the Lease. Notwithstanding the foregoing, either the Landlord or Tenant may terminate this Lease, with or without cause, by giving the other party forty-five (45) days written notice.
- (d) During the Lease term, the Tenant shall have access to the Leased Premises for all games as outlined in the leagues season schedule. The league schedule will be provided to Landlord at least 14 days prior to the start of each season. Tenant shall have no right or access to the Leased Premises at any other time unless the Landlord grants written consent. All requests for use of the Leased Premises other than times outlined in lease

must be made to Landlord in writing a minimum of two (2) weeks prior to the event date.

- (e) Tenant shall pay the Landlord \$7.50 per Bedford participant, per league, per season for use of the baseball fields. Rosters of league participants will be required to be remitted with the payment. The tenant shall also pay 5% of net concession sales.
- (f) The Land Lord requires that the Tenant will ensure all coaches be certified by the National Youth Sports Coaches Association training program.
- (g) The Landlord has sole authority on decisions regarding field playability; this includes calls regarding weather, maintenance issues or other unforeseen circumstances.

2. TENANT'S PERSONAL PROPERTY

Landlord agrees that storage for any equipment be allowed on premises in designated areas.

3. AFFIRMATIVE COVENANTS OF TENANT

Tenants covenant that they shall:

3.1 comply with the terms of any state or federal statute or local ordinance or regulation applicable to tenant or its use of the Leased Premises, and indemnify and hold Landlord harmless from penalties, fines, costs, expenses, or damages resulting from its failure to do so.

3.2 comply with the terms and conditions set herein relating to the use, operation and maintenance of Leased Premises.

3.3 give to Landlord prompt notice of any accident or damage occurring on Leased premises.

3.4 have no authority to sublease, or allow the use of, the Leased Premises to any one or any entity, without prior express written consent of the Landlord. To this ends, at the date of execution of this Lease Agreement, the Tenant hereby affirms that it has no sub-lease agreement with any persons or entities, any Sub-Lessee shall be liable for all terms and conditions of this Lease.

4. DAMAGE TO LEASED PREMISES

If the Leased Premises shall be damaged the Tenant shall be held responsible for repairs to Leased Premises.

5. ALTERATIONS

Tenant shall make no changes or structural alterations to Leased Premises without prior written consent from Landlord.

6. Maintenance

6.1 the Tenant agrees to provide bases and related equipment necessary for play, provide officials, assume responsibility of all litter inclusive of the playing area, dugouts, fences, bleachers and concession area at the end of each game day.

6.2 the Landlord agrees to prepare all fields, including mowing of infield and outfield, lining fields, weed control, fertilizing and irrigation. The Landlord will also maintain all backstops, fences, gates, scoreboards and lighting.

7. ALCOHOL

No alcoholic beverages will be used, allowed or brought on to leased premises.

8. INDEMNIFICATION AND INSURANCE RIGHTS

A. Tenant shall indemnify Landlord and its agents, elected officials, officers, and employees and attorneys and save it harmless from and against any and all claims, actions, damages, liability, and expense, including reasonable attorney's fees, in connection with loss of life, personal injury, or damage to property occurring in or about, or arising out of, the Leased Premises, or use thereof, or occasioned wholly or in part by any act, occurrence or commission of Tenant, its agent, subtenants, licenses, contractors, customers or employees. All cost, expenses and reasonable attorney's fees that may be incurred or aid in enforcing the covenants and conditions of the Lease, whether incurred as a result of litigation or otherwise, shall be recovered by the prevailing party from the other party.

B. Tenant shall take out and keep in force during the term hereof, without expense to Landlord with an insurance company, qualified to do business in the State of Texas or other company acceptable to Landlord, comprehensive general Commercial Liability Insurance, in the name of the Tenant and name of Landlord as additional insured against any liability for injury to or death of persons resulting from any occurrence in or about the Lease Premises and for the damage to property in such amounts as may from time to time be customary with respect to similar properties in the same area, but in any event not less than,

General Aggregate	\$2,000,000
Each occurrence	\$1,000,000
Personal \$ Advertising Injury	\$1,000,000
Damage to premises	\$50,000
Sexual/Physical Abuse part of GL	\$50,000
Each Claim	\$25,000

True copies of said policies or certificates thereof showing the premium thereunto have been paid shall be delivered to Landlord upon execution of the Lease Agreement. If tenant fails to procure and keep in force such insurance, Tenant shall not be allowed to operate on Leased Premises.

9. LANDLORDS ACCESS TO LEASED PREMISES

At all times the Landlord shall have access to the Leased Premises for the purpose of site assessment, maintenance, repairs or any other reason deemed appropriate by Landlord. Landlord agrees to use all reasonable efforts to not interfere with Tenants use of the Leased Premises.

10. ASSIGNMENT

Neither party shall have the right to assign this agreement to any other party without the written consent of the other party, which shall not be unreasonably held.

11. NOTICES

All notices, requests, consents and other communications required or permitted under this lease shall be in writing (including telex, facsimile and telegraph communication) and shall be (as elected by the person giving such notice) hand delivered by messenger or overnight courier service, faxed or telecommunicated (with original to follow by overnight commercial courier for delivery on the next business day), or mailed by registered or certified mail (postage prepaid), return receipt requested, addressed to the parties as follows:

If to Landlord: City of Bedford, Texas
Attention: Leigh Morgan,
Deputy Director Parks & Recreation
2000 Forest Ridge Drive
Bedford, Texas 76021-1895

If to Tenant: Tri-Cities Baseball Association
PO Box 274
Hurst, TX 76053

12. VENUE

Landlord Tenant agrees to venue in Tarrant County, Texas

Executed the _____ day of _____, 2010

Landlord: City of Bedford

By: _____
Beverly Griffith
City of Bedford

Tenant: Tri-Cities Baseball Organization

By: _____



Council Agenda Background

PRESENTER:

Jill McAdams, Human Resources Director

ITEM:

Consider a resolution authorizing the addition of the following employee personnel policy:

- VI (While At Work) Social Media

DISCUSSION:

From time to time, there is a need to revise employee personnel policies to reflect changes in the law, the way a policy is interpreted or to make the policy easier to understand. There also becomes a need to add new policies for items that the handbook previously did not address.

With the popularity of social media, there has become a need to add a social media policy to our employee handbook. This policy, attached as Exhibit A, defines the parameters in which the City will utilize social media. The policy, like the Employee Corrective Action Policy, also addresses employees' use of social media outside of the work place and specifies that unauthorized use will subject the employee to disciplinary action up to and including termination of employment.

This policy has been reviewed by the senior staff, Information Services division personnel and the City Attorney.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the addition of the following employee personnel policy:

- VI (While At Work) Social Media

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Exhibit A-Social Media Policy

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE APPROVAL AND ADOPTION OF THE ADDITION OF A SOCIAL MEDIA POLICY TO THE EMPLOYEE PERSONNEL MANUAL.

WHEREAS, the City of Bedford operates under approved personnel policies; and,

WHEREAS, the City Council of Bedford, Texas previously adopted the personnel policies manual by Resolution 03-40; and,

WHEREAS, a Social Media Policy was developed and is detailed in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the addition of a Social Media Policy as detailed in Exhibit A be included in the personnel policies manual as adopted by Resolution 03-40.

PASSED AND APPROVED this 22nd day of March 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

26.0 Social Media Policy

Purpose of Policy

The use of social media on behalf of, or in the name of the City of Bedford (“the City”) or any of its departments or agencies shall be governed by this policy. The use of social media on behalf of the City is to communicate positively with citizens, tourists, or other seeking information about the City, including its events, opportunities or other information.

The use of social media is an important part of the City’s image, and it is our responsibility to maintain and enhance the City’s public image.

All employees and all departments shall follow this policy. A department may use social media only with the approval of the City Manager. **Only with approval from the City Manager will an employee enter information pertaining to the City onto a social media site.** Any unauthorized posting of information will result in disciplinary action up to and including termination of employment.

Policy Statement

On Site Statement

At this time, the City’s social media is not designed to be interactive. The site will contain a statement that the site is not open to citizen postings and that the site is not to be used as notification to the City of an emergency. The site shall direct a user to contact 9-1-1 in the case of an emergency in bold letters.

If the City elects to provide an interactive site in the future, the site will contain a message advising people that the site is NOT AN OPEN OR PUBLIC FORUM. Additionally, it will have a message such as the following:

This site is intended to serve as a mechanism for communication between the public and City of Bedford on the listed topics. Comments posted to this page will be monitored. Under the City of Bedford’s policy, the City reserves the right to remove inappropriate comments including those that have obscene language or sexual content, threaten or defame any person or organization, violate the legal ownership interest of another party, support or oppose political candidates or ballot propositions, promote illegal activity, promote commercial services or products or are not topically related to the particular posting or to remove any other comments deemed inappropriate. By posting comments to this page, it is understood that you agree with this policy.

Any comments submitted to this page and its list of fans are public records subject to disclosure pursuant to Texas Government Code chapter 552. Public disclosure requests must be directed to the public disclosure officer.

If the site becomes an interactive site, the warning that the site is not to be used for emergency communications will remain. The site shall direct a user to contact 9-1-1 in the case of an emergency in bold letters.

Creating a New Account or Posting on City of Bedford Sites by Assignment Only

An account for the City of Bedford shall only be created after receiving approval of the City Manager. Creation of an account will consider the terms of use, the cost, the staff time required to implement and maintain the site and other applicable considerations. Terms of use shall be reviewed by the City Attorney before creation of a site.

Only with approval from the City Manager will an employee enter information pertaining to the City onto any of the City's social media sites.

The inception or continuation of a social media site shall be governed by the City Manager or designee. All departmental pages will be approved by the City Manager or designee prior to initial posting and prior to updates.

Departments using social media shall monitor their sites at least once per business day. If the sites become interactive sites in the future, the method and time frame for response shall be established.

The Information Services Division shall be responsible for the issuance and maintaining of all social media passwords. If a password change is necessary, Information Services will issue the new password. Employees who are tasked with social media assignments shall not change or otherwise alter the passwords assigned by Information Services. All social media sites shall allow access by the Information Services division.

Posting on Other Sites by Approval Only

If an opportunity arises to post to a social media site (not a City of Bedford site) in a manner that would be advantageous to the City, the opportunity and proposed posting shall be submitted to the City Manager or designee for approval. Approval must be obtained from the City Manager or designee prior to posting on any other site on behalf of the City. Any unauthorized posting of information will result in disciplinary action up to and including termination of employment

Applicability of Other Policies

When an employee uses social media sites, all applicable city policies shall be followed, including, but not limited to the Employee Conduct and Corrective Action policy and the Computer and Electronic Resources Policy.

Applicability of Federal and State Laws

All applicable federal and state laws and City ordinances and policies will be followed in regard to posting material on social media sites.

All copyright, trademark and other intellectual property laws shall be followed. No logos, marks, markings, photographs, clippings, or other graphic or written content will be displayed unless it is original material belonging to the City. If the material is not original material belonging to the City of Bedford, the City must have written permission from the owner of any copyright, trademark or other designation of intellectual property ownership.

At this time, there are no plans for the site to be interactive. If the site becomes interactive at a future date, all state laws shall be obeyed, including the Open Meetings Act. Annual memos shall be sent to elected and appointed members of the City Council, Commissions, Boards, and other city bodies concerning the use of social media and possible Open Meetings issues.

Archive

Each Facebook page will be set up in conjunction with a City e-mail account, which will archive the business content that can send updates via email.

Content that cannot be retrieved from Facebook via the Application Programming Interface (API) and needs to be retained as a record needs to be printed and maintained according to the records retention policy.

Applicability

This policy applies to all employees and City of Bedford officials.

Definitions

Social media is a web based tool for information sharing. At this time, it includes such sites as Facebook, MySpace, Twitter, You Tube, Flickr, and blogs.

Responsible Person / Getting Help

Employees who have questions regarding this policy may contact their department management team or the Human Resources division for clarification.

Policy Authority

The City of Bedford City Council authorizes this policy. The City's management team, Human Resources and Information Services are responsible for interpreting and enforcing this policy.

Implementation Procedures

Employees are made aware of City policies, including this policy via The Employee Handbook and they are expected to adhere to those rules and guidelines. In the event that an employee violates one of the policies, the Human Resources Director or designee will work with the affected employee and City Management to resolve the situation.



Council Agenda Background

ITEM:

Council member reports:

- ✓ Councilman Brown- Report on Tarrant County Day.

DISCUSSION:

N/A

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Letter of Request

Jakubik, Megan

From: Wells, Michael
Sent: Thursday, March 03, 2011 12:24 PM
To: Brown, Chris
Cc: Jakubik, Megan
Subject: RE: Agneda Item

From: Brown, Chris
Sent: Thursday, March 03, 2011 11:41 AM
To: Wells, Michael
Subject: Agneda Item

Michael:

Under Council reports, will you please put, "Report on Tarrant County Day".

Thank you,
Chris

Chris Brown
Bedford City Council
Mayor Pro Tem
817 689 7074
www.ci.bedford.tx.us