



## **ADOPTION OF THE INTERNATIONAL FIRE CODE ORDINANCE 2012-09**

An ordinance of the City of Tom Bean adopting the 2009 edition of the *International Fire Code*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Tom Bean; providing for the issuance of permits and collection of fees therefor.

The City Council of the City of Tom Bean does ordain as follows:

**Section 1.** That an individual document of which is on file in the office of the City Secretary of the City of Tom Bean, being marked and designated as the *International Fire Code*, 2009 edition, as published by the International Code Council, be and is hereby adopted as the Fire Code for the City of Tom Bean, in the State of Texas regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Tom Bean is hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

**Section 2.** That the geographic limits referred to in certain sections of the 2009 International Fire Code are hereby established as follows:

Section 3404.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): City of Tom Bean

Section 3406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): City of Tom Bean

Section 3506.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): City of Tom Bean

Section 3804.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): City of Tom Bean

**Section 3.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 4.** That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 5.** That the City Secretary's Office is hereby ordered and directed to cause this ordinance to be published.

**Section 6.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect February 13, 2012 from and after the date of its final passage and adoption.

Duly passed and approved by the City Council of Tom Bean, Texas this 13<sup>th</sup> day of FEBRUARY - 2012 A.D.

---

Sherry Howard, Mayor

Attest:

---

Cathy Pugh, City Secretary