

**RULE NO.: R161-21.05**

**NOTICE OF PROPOSED RULE**

**POSTING DATE:** January 15, 2021

The Chief of the Fire Department proposes to adopt the following rule after February 16, 2021.

Comments on the proposed rule are requested from the public.

**EFFECTIVE DATE OF PROPOSED RULE**

A rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before February 16, 2021 (the 32nd day after the date of this notice) or not after March 26, 2021 (the 70th day after the date of this notice).

If a proposed rule is not adopted on or before March 26, 2021, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

**REQUEST FOR COMMENTS ON PROPOSED RULES**

The City requests comments from the public with respect to the proposed rules included in this Notice. Comments must be submitted in writing to the contact person below no later than February 15, 2021 (the 31<sup>st</sup> day after the date of this notice).

**Contact Person:**

Chief Tom Vocke, Fire Marshal  
Austin Fire Department

**U.S. Mail**

Chief Tom Vocke, Fire Marshal  
Austin Fire Department  
6310 Wilhelmina Delco Drive  
Austin, TX 78752

**Email:**

Tom.Vocke@austintexas.gov

**Phone:**

512-974-0160

**Hand Delivery**

Chief Tom Vocke, Fire Marshal  
Austin Fire Department  
6310 Wilhelmina Delco Drive  
Austin, TX 78752

**TEXT OF PROPOSED RULES**

A copy of the complete text of the proposed rule is available for public inspection and copying at the following locations. Copies may be purchased at the locations at a cost of ten cents per page:

Fire Department, located at 6310 Wilhelmina Delco Drive, Austin, TX 78752  
and

Office of the City Clerk, City Hall, located at 301 West 2nd Street, Austin, Texas.

The text of the proposed rule, indicating changes from the emergency rule text, is also attached to this notice.

**BRIEF EXPLANATION OF PROPOSED RULE**

Rule **R161-21.05** Proposed revisions to the Fire Protection Criteria Manual. The proposed rule adopts policies to support implementation of the Wildland-Urban Interface code.


**AUTHORITY FOR ADOPTION OF PROPOSED RULE**

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided in Chapter 1-2 of the City Code. The authority to regulate construction requirements is established in Section 25-12-181, Section 25-12-182 and Section 25-12-183 of the City Code.


**CERTIFICATION BY CITY ATTORNEY**

By signing this Notice of Proposed Rule (**R161-21.05**), the City Attorney certifies the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director’s administrative authority.

**REVIEWED AND APPROVED**

  
\_\_\_\_\_  
Joel Baker, Chief  
Austin Fire Department

Date: 01/13/21

  
\_\_\_\_\_  
Anne L. Morgan  
City Attorney

Date: 1/1/5/2021

# Fire Protection Criteria Manual

*Edits to add Wildland Urban Code, LDC Chapter 12, Technical Codes, Article 8, sections 25-12-181, 25-12-182 and 25-12-183*

## PREFACE

This document is intended to be a dynamic manual, developed and maintained in accordance with all City policies. This manual will be amended as needed on a quarterly basis to accommodate new technologies and methodologies. Additionally, revisions will be made to further clarify the application of code provisions pertinent to special circumstances encountered. The revisions will occur on or about the first days of January, April, July and October.

Public comments and recommendations are crucial in maintaining this manual in an updated form. If a Fire Code provision requiring clarification is encountered, the Fire Department encourages recommendations be submitted. Such recommendations should be placed on the form in Appendix A of this manual, titled "City of Austin Fire Protection Rules Request" and submitted to the Austin Fire Department for consideration.

The Austin Fire Department has developed this Fire Protection Manual to assist in the administration, implementation and use of the Fire Code **and the Wildland-Urban Code**. This manual provides clarification and specific guidance for the prevention and control of fires and fire hazards as are necessary to carry out the intent of the Fire Code **and the Wildland-Urban Code**.

Contained within are certain rules and policies to be used in interpretation of the Fire Code **and the Wildland-Urban Code**. It does not address all areas of code enforcement. Check the Fire Code **and the Wildland-Urban Code** to determine all applicable code requirements.

Contained herein are administrative procedures for the fire protection plan review and inspection processes and references to the applicable ordinances and recognized standards. Also contained in this manual are the rules pertaining to the application of the technical aspects of the Fire Code and its associated standards.

"Fire Code" as used in this manual shall be the International Fire Code, 2015 Edition, published by the International Code Council as adopted and amended by the City of Austin in Ordinance 20171207- 98 and other related ordinances. The Austin Fire Code is codified as Sections 25-12-171 and 25-12-172 of the Land Development Code.

**"Wildland-Urban Code" as used in this manual shall be the International Wildland-Urban Code, 2015 Edition, published by the International Code Council as adopted and amended by the City of Austin in Ordinance 20100409-40. The Austin Wildland-Urban Code is codified as Sections 25-12-181, 25-12-182 and 25-12-183 of the Land Development Code.**

**WUI Area means wildland-urban interface area.**

**WUI Code means the Wildland-Urban Code.**

## SECTION 1 - INTRODUCTION

### 1.1.0 - GENERAL

This Section provides an outline of the Fire Department's review of the development process.

### 1.2.0 - USER INFORMATION

The Fire Department's involvement in the City's development processes occurs throughout all growth phases of a project. When considering the five (5) major steps in the City's development process, the Fire Department participates as a responsible department in all 5 of those steps (i.e., Zoning, Sub-division, Site Plan, Building Permit and Construction).

Zoning (step 1)	- The Fire Department reviews all zoning cases for compliance with the Fire Code and the WUI Code.
Subdivision (step 2)	The Fire Department reviews all subdivision plans for compliance with the Fire Code and the WUI Code.
Site Plan (step 3)	- Fire Department Review for access and special hazards related to use and sufficient water availability at site and review for compliance with the WUI Code.
Building Permit (step 4)	- Complete Fire Code review for structural, occupancy, use, equipment and processes. When required for ignition resistant construction, review for compliance with the WUI Code.
	- Complete review of all fire protection systems.
	- Complete Hazardous Materials review.
	- Complete water supply and fire flow review.
Construction (step 5)	- Construction inspections (e.g., site inspections, hydrostatic tests prior to cover up, etc).
	- Certificate of occupancy inspections.
	- Hazardous materials inspections during construction and for certificate of occupancy.

Subsequent to the issuance of the certificate of occupancy, the Fire Department is the lead agency in the maintenance inspections for projects. Additionally, the Fire Department issues several permits for which inspections are required. These permits may be issued and/or renewed subsequent to the certificate of occupancy.

The Fire Code **and the WUI Code** are technical based documents and do not elaborate upon the details of specific review and inspections processes which may be used for code implementation. Sections 2 and 3 offer administrative information pertaining to the purpose, code and standard references, permits and procedures for the various processes in which the Fire Department participates.

Section 4 of this manual provides rules used to administer and implement the particular provisions of the Fire Code, **WUI Code**, National Fire Protection Association Standards and the local amendments.

To determine the necessary submittal requirements needed to demonstrate compliance with the Fire Code, **and the WUI Code**, see the Building Criteria Manual and Appendix E of this manual.

### **1.3.0 - SITE PLAN REVIEW PROCESS**

#### **1.3.1 - Administrative and Jurisdiction Information**

- A. The site plan **and subdivision** review process for the Fire Code **and the WUI Code** shall encompass all changes in use of property, development on land or shorelines and development or construction requiring a building permit affecting or implementing fire protection, prevention or suppression. Site Plan exemptions shall be as outlined in Chapter 25-5 of the Code of the City of Austin, but such exemptions shall not waive any requirements of the Fire Code.
- B. The **Austin** Fire Department reviews **site plans** for compliance with the **currently adopted versions of the Fire Code and the WUI Code including the local amendments**, certain applicable sections of the Building Code and for impact of the design on potential emergency operations. The type, number and location of fire-fighting appliances shall be reviewed to assure compatibility with respect to on site construction and the hazards of fire and explosion. **Any site permit application in AFD's Jurisdiction (Austin Full Purpose or Limited Purpose areas) that has been designated as in the WUI area will be reviewed for compliance with the WUI Code.** In addition, where practical difficulties in meeting site requirements are encountered, alternate materials and methods of Fire Code **and WUI Code** compliance will be reviewed at this time.

#### **1.3.2 - Submittals**

Submittals are initiated through the Development **Services** Department for site plan and development permits. Such submittals will be made in accordance with the Land Development Code (LDC).

## 1.5.0 - BUILDING PERMIT REVIEW PROCESS

### 1.5.1 - Administration Information

- A. The Fire Code review during the building permit review process shall encompass all structures subject to the Fire Code and the WUI Code or portions thereof that are constructed, remodeled, added to, relocated or that are subject to an occupancy change except as exempted by Chapter 25-12-11 of the Land Development Code. Fire Code sections 311, 316, 503, 504, 505, 507, 510, 603, 703, 1029, 1030, and Appendix B apply to all structures including those governed by Chapter 25-12-11 of the Land Development Code.
- B. The purpose of this section is to outline the review for adherence to the minimum standards that safeguard life and property from the hazards of fire and explosion.

### 1.5.2 - Submittals

- A. *Application for Review.* All building permit construction documents shall be submitted to the City of Austin Development Services Department. An application is completed, attached to the plans and is subsequently distributed to the Austin Fire Department. Revisions and corrections made to the original set of construction documents must be submitted to the City of Austin Development Services Department for review and distribution.
- B. *Format of Submittals.* All building construction documents must be submitted in the format as outlined in the Building Criteria Manual and Appendix E of this Manual.

## SECTION 3 - INSPECTION PROCESS

### 3.1.0 - GENERAL

- A. Fire inspections will be performed in all new and existing occupancies which include places of public assembly, educational, institutional, residential (not including private dwellings), mercantile, business, industrial, manufacturing and storage.  

A fire inspection shall be performed on any structure, commercial or residential, located in the WUI area as defined in the WUI Code. Inspections will be performed for all new, remodeled and, in some cases, existing structures for compliance with the WUI Code. WUI Code inspections will cover all structures, both residential and commercial, regardless of the occupancy type.
- B. Inspection methodology employs application of fire protection and prevention principles, education and instruction of the public regarding fire safety practices and code requirements and enforcement of codes.
- C. The purpose for these inspections is to provide a reasonable degree of safety to life and property from fire through the detection and elimination of those conditions that create or increase the hazard of destructive fire. In addition, these inspections will familiarize the public in fire safety practices and requirements thereby increasing their awareness of the fire problem so they may eliminate hazardous conditions before they occur.

### 3.2.0 - INSPECTION PROCEDURES

In addition to routine general maintenance inspections, inspections shall be performed when requested by the contractor, owner or occupant. The requester is responsible for providing all specialized equipment required to complete the inspection. Additionally, the Fire Prevention Division of the Fire Department will conduct inspections in response to citizen's complaints.

### 3.2.1 - Site Inspections

Site inspections will be performed during the construction or development of the facilities, structures or sites. The following items shall be installed and rendered operational prior to combustible construction materials being brought onto the site:

- A. Address numbers, building numbers and letters shall be prominently displayed as specified in Section 505.1 of the Fire Code and the rule in Section 4 of this manual associated with Fire Code Section 505.
- B. All Fire Department roads or alternate access shall be complete and unobstructed in accordance with Fire Code Section 503 and the rules in Section 4 of this manual related to Fire Department access roads.
- C. Required fire hydrants (interim or permanent) shall be properly installed and fully operational as per City of Austin approved water construction documents.
  - 1. A fire hydrant flow test may be conducted as deemed necessary by the City of Austin Fire Department to verify the adequacy of the water supply as required by Section 507 and Appendix B of the Fire Code.
  - 2. All installed fire protection equipment shall be maintained as per Sections 901.4, 901.6, 901.7, 901.9, 903.5, 904.1, 904.5, 904.6, 904.7, 904.8, 904.9, 904.10, 904.11.6, 906.2, 907.1, 907.8, 909, 910.5, 912.6, and 913.5 of the Fire Code.
- D. Approved water construction documents shall be maintained on site at the construction office for inspector's review as necessary.
  - 1. Private fire service water mains shall be installed in accordance with NFPA 24 and shall be hydrostatically tested for 2 hours. This hydrostatic test shall be witnessed by an inspector for the City of Austin Development **Services** Department, Plumbing Inspections Section.
- E. When located in a WUI area, an inspector will check for compliance with the WUI Code requirements as detailed on the approved site plan.

### 3.2.2 - Certificate of Occupancy Inspections

Certificate of occupancy inspections will be conducted on all structures prior to any occupant use or storage in the structure. The two (2) types of certificate of occupancy inspections conducted are shell building and tenant finish-out inspections. Only one (1) certificate of occupancy inspection may be necessary when only one (1) tenant is to occupy the building.

- A. *Shell Building Certificate of Occupancy Inspections.* Shell building certificate of occupancy inspections are conducted on the base building(s) to ensure that all previously approved construction documents have been adhered to. The following items will be inspected and/or tested during the shell building certificate of occupancy inspection:
  - 1. Approved building construction documents on site.
  - 2. Stairway(s) complete, unobstructed and signage provided.
  - 3. Exit lights installed and operational.
  - 4. Emergency lights installed and operational.
  - 5. Doors/assemblies installed and operational.
  - 6. Means of egress complete to the satisfaction of the Planning and Development Review Department and unobstructed.

7. Any other requirements particular to occupancy (i.e., hazardous materials, storage, manufacturing, etc.).
  8. Fire Extinguishers.
    - a. Verify installation of proper size, type and classification of fire extinguishers.
    - b. Verify proper location, accessibility and visibility of fire extinguishers.
    - c. Verify extinguisher servicing is current, including servicing company's name, address and license number on extinguisher tag.
  9. Test the fire protection systems and components in accordance with fire protection system inspection contained in Sections 3.2.10 and 3.2.11.
- B. *Tenant Finish-Out Certificate of Occupancy Inspections.* Tenant finish-out certificate of occupancy inspections are conducted on an individual lease area to ensure that all previously approved construction documents have been adhered to. The following items will be inspected and/or tested during the tenant finish-out certificate of occupancy inspection:
1. Verify that the shell-building certificate of occupancy inspection has been conducted and approved.
  2. Verify approved construction plans for tenant space on site.
  3. Verify construction as per approved plans; including all fire protection systems installed, means of egress maintained, etc.
  4. Occupancy load card, if applicable, displayed near main entrance.
  5. Verify all other uses or processes peculiar to occupancy (i.e., hazardous materials, storage, manufacturing, etc.) comply with appropriate code and rules.
  6. Test the fire protection systems and components in accordance with fire protection system inspection contained in Sections 3.2.10 and 3.2.11.

### 3.2.5 - Complaint Inspections

When a complaint has been received from a citizen, an inspector will contact the owner of the property/equipment and inspect the property/equipment in question. If the condition is found to be a violation of the Fire Code, or the **WUI Code**, the inspector will issue an order to bring the property into compliance with the applicable code. A date for re-inspection to confirm compliance will be given at the time of compliance order.

### 3.2.12 Criteria for WUI Code Inspections

#### **3.2.12 International Wildland Urban-Interface Code Inspections**

In addition to the required Fire Code inspection, when a review for a site or a structure located in the WUI area is also required, all sites and buildings shall be inspected for compliance with the WUI Code. This inspection will be required for both commercial and residential structures.



- A. Site Plans:** A site shall be inspected for compliance with the WUI Code and the approved site plan. Some of the typical items to be inspected include defensible space, vegetation, access and water supply. In order for a site inspection to proceed, a copy of the red stamped approved site plan must be available on site for the inspector. Inspections will not occur if an approved copy of the site plan is not provided to the inspector on site.
- B. Building Plans:** A structure shall be inspected for compliance with the WUI Code and the approved building plans. Some typical items to be inspected include ignition resistant construction, ember protection and proximity to the WUI area. In order for an inspection to proceed, a copy of the approved building plans must be on site for the inspector to review. Inspections will not occur if the approved building plans are not on site.
- C.** If required by the WUI Code or an approved vegetation management plan, an inspector will verify that defensible space is provided and is capable of being maintained.
- D.** For conditions that arise beginning on or after January 1, 2021, an inspector will verify that:
  - i. spark arrestors for chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid fuel or liquid fuel is used are in place and constructed of 12 USA standard gage wire (0.1046 inch) (2.66 mm) having openings not exceeding ½ inch (12.7 mm); and
  - ii. firewood and combustible materials are not stored within 10 feet of a structure or in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs, and/or as required by the Fire Marshal.

## SECTION 4 - FIRE PROTECTION RULES

### 4.1.0 - GENERAL

- A. Rules made by the City of Austin for the Fire Code and WUI Code will be contained within this section. The purpose of this section is to outline the rules issued by the City of Austin pertaining to specific codes, standards and amendments. Such rules are promulgated to administer and implement the Fire Code and WUI Code.
- B. Rules reference appropriate International Code sections or other adopted standards. Rules are in the same order as the referenced sections.

#### **4.10.0 Provisions Specific to the WUI Code**

##### **CITY OF AUSTIN WUI RULE**

International WUI Code, Reference Sections 101.2, 101.4, 101.5 & 102.6  
Existing structures and retroactivity.

It is not the intent of this code to require all structures that already exist in the WUI areas to retroactively comply with the WUI Code. An applicant must comply with the WUI Code when a structure is constructed, remodeled, or moved into the WUI area after the WUI Code effective date. If the code official determines that a “distinct hazard” to life or property exists, the code official may require the structure, even if existing before the WUI Code effective date, to comply with the WUI Code. The WUI Code does not apply if the remodel only applies to the interior of a structure.

##### **CITY OF AUSTIN WUI RULE**

International WUI Code, Reference Section 107.2.1

Section 107.2.1 addresses the not permitted category found in the deleted model code table 503.1, Ignition Resistant Construction. This section does not permit for construction on the site unless one of the conditions listed is corrected.

If an applicant chooses to correct hazard severity then, the applicant may use Appendix C to reduce the hazard severity rating to less than 75 or may implement a vegetation management plan described in Section 502.2. If an applicant proposes to rely on defensible space to reduce hazard severity, then the applicant is also required to comply with Section 603, Defensible Space. If the applicant proposes to implement a vegetation management plan, the applicant is also required to comply with Appendix B.

##### **CITY OF AUSTIN WUI RULE**

International WUI Code, Reference Section 108.1

When the WUI Code applies to a site plan or building permit, the review for compliance with the WUI code will occur concurrently as part of the site plan and/or building permit plan process. This means that separate plans or shop drawings will not be required. Review times are determined at the time of the plan or permit submittal.

## **CITY OF AUSTIN WUI RULE**

### **Section 202: Definitions**

A distinct hazard may not be mitigated by simply hardening the structure.

A structure is a distinct hazard if it: would be required to meet the fire hazard severity conditions set forth in Table 502.1, is considered an extreme hazard as set forth in Appendix C or meets all of the following criteria:

- a. Located in the WUI
- b. Have non-conforming defensible space
- c. Have a non-conforming water supply
- d. Have non-conforming access
- e. Be built with combustible exterior surfaces

**Fire Retardant Treated Lumber.** A material qualifies as fire retardant treated if the manufacturer treated the material with a fire retardant and the material meets the requirements of the International Building Code Section 2303.2. A material does not qualify as a fire retardant treated lumber if the retardant is sprayed on the material.

**Ignition-Resistant Construction.** Ignition-resistant construction typically consists of a structure built with non-combustible exterior surfaces, a Class A\* roof material and all exterior openings/vents are protected against ember intrusion.

\*Class A roof material is any roof material considered resistant to fire and includes, but is not limited to, fiberglass shingles, clay tile, concrete and metal.

Combustible roof materials such as asphalt shingles, wood shingles, wood shakes or any other combustible material will not be allowed in the WUI area. A combustible roof material sprayed with fire retardant is not allowed due to the temporary nature of spray on fire retardants.

## **CITY OF AUSTIN WUI RULE**

International WUI Code, Reference Sections 402.1.2, 402.2.2 & International Fire Code, Reference Sections 507.3, Appendix B105.1 & B105.2

A conforming water supply that is capable of supplying sufficient fire flow per the IFC Appendix B105 for the most demanding structure shall be provided for sub-divisions and individual structures. This includes both commercial and residential structures. The fire flow shall be confirmed by providing a fire flow test. At the time the application is submitted, all fire flow tests must be 1 year old or less, be within a 2 to 3 block radius of the structure, and be on the same water system/zone. Third party fire flow tests are not acceptable. All fire flow tests must be performed by AFD. Except for certain residential building permit applications, a fire flow test shall be included with all site plans, site plan corrections, site plan development exemptions, and all building permit submittals for sites and structures located within the WUI area. All residential building permit applications shall include a fire flow test when the structure is build, remodeled or moved into a WUI area. Residential building permits applications do not need to include a fire flow test if the site where the residential structure will be located is already covered by a fire flow test that covered a group of sites.

### **CITY OF AUSTIN WUI RULE**

International WUI Code, Reference Section 402.1.2 & Sec 404.  
Water Supply

A conforming water supply means water supplied by a public or private utility system. Lakes, ponds, tanks, stored water or other natural sources of water such as streams/rivers will not be considered as a conforming water supply.

### **CITY OF AUSTINT WUI RULE**

International WUI Code, Reference Section 403.2.1 & IFC Section 503.2.1 as amended.

Dimensions: The minimum unobstructed height of the driveway shall be in accordance with the International Fire Code Section 503.2.1. The vertical clearance must be at least 14 feet, be as wide as the driveway and be maintained for the full length of the driveway.

### **CITY OF AUSTIN WUI RULE**

International WUI Code, Reference Section 405  
Fire Protection Plan

A separate fire protection plan may be required when a structure is built, remodeled or moved into the WUI. At a minimum, site plan exemptions (commercial or residential), residential remodels, or structures being moved onto an existing lot in the WUI area that do not already have a site plan will be required to provide a fire protection plan with the submittal of the

application. When required, the fire protection plan must include all the requirements of Section 405 and shall be provided, signed and sealed by a Texas licensed, architect, engineer or other professional as deemed acceptable to the code official.

## **CITY OF AUSTIN WUI RULE**

International WUI Code, Reference Section 502.1 & Table 502.1  
Fire Hazard Severity

Fire hazard severity of a site located in the WUI area is determined by this section. Fire hazard severity is used to determine the necessary increased protection of buildings. The purposes of increased protection include: protect life and property, to resist damage from wildfires, and to mitigate building and structure fires from spreading to wildland fuels. To determine the hazard severity of the site: use Table 502.1; and determine the distance from the Wildland, the slope of the property towards the Wildland and the Type of Fuel Model on the site. Refer to Example Table below for examples described in 1 and 2.

### Examples

1. For instance, a property that is less than 150 feet from the Wildland, has a slope of between 10 and 25% and has a medium fuel model would be an Extreme Hazard (square).
2. A property that is further than 150 feet from the Wildland, sloped towards the Wildland less than 10% and has a light fuel model would be considered a Moderate Hazard (Circle).

Fuel Model <sup>a</sup>	Proximity to Contiguous (40 Acres) Wildland Fuels <sup>1,2</sup>					
	150' to 1.5 miles <sup>2</sup>			< 150' <sup>1</sup>		
	Slope (%)					
	< 10 <sup>3</sup>	10 to 25	> 25	< 10	10 to 25 <sup>1</sup>	> 25
Light <sup>2</sup>	Ⓜ	M	M	M	M	H
Medium <sup>1</sup>	M	M	H	E	ⓔ	E
Heavy	H	H	H	E	E	E

(superscripts represent which example)

M = Moderate Hazard; H = High Hazard; E = Extreme Hazard

a. Where required by the Fire Chief, fuel classification shall be based on the historical fuel type for the area.

### CITY OF AUSTIN WUI RULE

Reference International WUI Code, Section 504.1 thru 504.11  
Ignition Resistant Construction

This section does not mandate any specific material that must be used on a structure when building, remodeling or relocating in the WUI area. The purpose of providing examples of acceptable materials is to better clarify what type of materials can be used to achieve ignition resistant construction. The materials described in this section have been proven over years of testing and experience to provide the type and amount of fire resistance needed to achieve the goal of Ignition Resistant Construction. This section allows an applicant to use these materials and any “*Approved Noncombustible Material*”.

### CITY OF AUSTIN WUI RULE

Reference International WUI Code, Section 504.7  
Appendages and Structures

A deck that is located within 10 feet of or connected to a structure in the WUI area must be constructed of an approved non-combustible material. A fence that is connected to the structure must have the first 10 feet built from a non-combustible material and the remainder of the fence

can be built using any material acceptable to the model building codes. A deck or fence located more than 10 feet away from a structure may be constructed from any building material approved for use by the current building codes.

### **CITY OF AUSTIN WUI RULE**

Reference International WUI Code, Section 504.11  
Detached Accessory Structures

Detached accessory structures are structures such as storage buildings, greenhouses, sheds, pool bathrooms and similar structures. These structures must meet the requirements of Section 504.11. Detached structures that are intended for use as a dwelling unit such as guest homes, apartments or other similar uses are not considered, for purposes of the WUI Code, an accessory structure and must meet the same standards as all other structures in the WUI area.

### **CITY OF AUSTIN WUI RULE**

Reference International WUI Code, Section 507.1, 504.2, 504.10  
Roof Replacement or Repair

Any roof repair consisting of replacing 25% or more of the roof or a total roof replacement must be replaced using a Class A rated roofing material and installed in accordance with Sections 504.2, 504.2.1 & 504.10.

### **CITY OF AUSTIN WUI RULE**

Reference International WUI Code, Section 601, General.

Chapter 6 covers minimum fire protection requirements to reduce risk of loss of life and property from wildfire exposures in WUI areas. Property owners have access to assistance through AFD, on-line resources, community groups, and qualified consultants to determine wildfire risk on a property and if that risk warrants protections beyond these minimum requirements. Preparation and situational awareness are critical for wildfire safety. Ready, Set, Go!® and Firewise USA® local programs and the Austin – Travis County Community Wildfire Protection Plan provide detailed information.

Provisions of Chapter 6 primarily apply to new buildings, structures and premises located within the WUI area. Chapter 6 applies to a site or structure if it constitutes a distinct hazard.

Chapter 6 provisions are available to property owners to obtain permits to develop a property that has the conditions of section 107.2.1, a subsection of 107.2, Permits Required. Section 107.2.1 lists the conditions that would make a site ineligible for a permit. To be eligible for a permit, the property owner must correct at least one of these conditions. If an applicant corrects conditions described in (a) or (c), then section 603, Defensible Space, of this chapter applies. A property owner could also choose to correct (a) by implementing a vegetation management plan per section 502.2 or by a Fire Hazard Severity Reduction.

Appendix C, Fire Hazard Severity Form, is available to reduce hazard severity. If the applicant proposes to use defensible space to reduce the score on the fire hazard severity form, then it shall be per section 603.

In addition to the requirements of this chapter, Appendix A, General Requirements, includes provisions related to defensible space. Those provisions include vegetation control for roadways and electrical transmission and distribution lines, access restrictions that prohibit vehicles from obstructing defensible space, clearance requirements for ignition source control, control of storage, protection of pumps and water storage facilities, and land use limitations.

## **CITY OF AUSTIN WUI RULE**

Reference International WUI Code, Section 603, Defensible Space and Section 604, Maintenance of Defensible Space.

When required, or allowed, defensible space shall be provided per this section and shall be not less than 30 feet from the structure or to the property line, whichever is less. The code official may increase or decrease this distance based on a site-specific analysis. Fuel modification distances in Table 603.2 can be used as a reference for increasing distances based on hazard severity.

Conditions for increased or decreased defensible space dimensions include but are not limited to: hazard severity, structure ignition potential, topography, proximity to wildland fuels, proximity to other structures, space for fire suppression operations, access, water supply, and factors that influence the rate and spread of fire near the structure.

Owner or applicant shall submit information necessary to demonstrate compliance with this section including defensible space fuel modification distance, structure ignition potential (required for site plans and building permits), tree and ground cover descriptions, and any other features of the landscape that would affect fire rate of spread or intensity (i.e. natural features such as rock outcrops or bluffs, water features, retaining walls, hardscape, flammable fences).



For extenuating circumstances or if required by the code official, the owner or applicant may provide a defensible space plan prepared by a qualified arborist, registered professional landscape architect, or other qualified professional.

Submittals or plans will be reviewed for minimum requirements for; a) clear areas for fire suppression operations, b) ground cover potential for fire transfer to tree canopies or structures, and c) tree maintenance to prevent fire from entering or spreading through tree canopies. Ignition potential of the structure will be considered. These standards do not supersede City Code regulations regarding endangered species habitat, property maintenance, land clearing, vegetation removal, critical environmental features protection, or tree protection. Land Development Code required landscaping will be accommodated to the greatest extent feasible and reasonable.

Clear areas for fire suppression operations shall be provided within the defensible space. To allow firefighting personnel with hand tools or firehoses access to all sides of the structure, the clear area must be within 15 feet of structures and appendages; be at least 6 feet wide; and be at least 8 feet in height. Ground cover is allowed in a clear area provided it does not impede reasonable access by a firefighter equipped with a hand tool or firehouse.

Ground cover potential for fire transfer to tree canopies or structures can be addressed by providing a minimum of 6 feet clearance between the ground cover and the tree canopy or flammable parts of structures. The distance should allow for growth of the ground cover and take into consideration flammability of trees or structure components. Groundcover includes understory plants and shrubs.

Tree flammability can be affected by canopy density, leaf resin, and prevalence of dead material. Open canopy trees with low resin leaves such as Texas Red Oak, Pecan, and Cottonwood are examples of low flammability trees while dense canopy trees with high resin leaves such as junipers (Eastern Redcedar, Ash Juniper), Italian Cypress and Yaupon Holly are examples of high flammability trees. Review will typically look for the minimum 6 feet of clearance from ground cover and structures. Qualified arborists with the Texas Wildfire Risk Reduction qualification or other qualified professionals should be consulted to support adequate minimum clearance distances or for consideration to deviate from the minimum.

Structure flammability can be based on Sections 503 and 504 of this code but should consider presence of transfer materials such as debris in roof gutters and next to structures, flammable lattices, and items addressed in other sections of Chapter 6. Fire transfer materials not regulated by this code can also include items such as flammable door mats, lawn furniture cushions or other flammable items near the structure. Temporary exposures such as open doors (including garage doors) or windows can also provide for fire transfer or exposure to embers.

One best management practice for Central Texas vegetation types is to maintain tree canopy cover to retain soil moisture and reduce the rate of growth of fine, flashy fuels that can increase the rate of spread of fire in the landscape. Site plan and building permit submittals will not be reviewed for tree canopy separation except for high flammable trees near structures or in groups.