

RESOLUTION FOR ADOPTION OF THE INTERNATIONAL FIRE CODE 2006 EDITION

A resolution of the Hidalgo County Fire Marshal's Office adopting the 2006 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 Hidalgo County; providing for the issuance of permits and collection of fees therefore; repealing any previous Resolutions of Hidalgo County Fire Marshal's Office and all other resolutions and parts of the former resolutions in conflict therewith. The Commissioners of Hidalgo County Commissioners Court do ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the Hidalgo County Fire Marshal's Office, being marked and designated as the *International Fire Code*, 2006 edition, including Appendix Chapters **One thru Forty five (1 – 45)**, to **include all appendixes, and indexes(in full form.)** (see *International Fire Code* Section 101.2.1, 2006 edition), as published by the International Code Council, be and is hereby adopted as the Fire Code of the Hidalgo County Fire Marshal's Office, 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 therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Hidalgo County Fire Marshal's Office are hereby referred to, adopted, and made a part hereof, as if fully set out in this resolution, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this resolution.

Section 2. That the following sections are hereby revised:

Section 101.1 Insert: **Hidalgo County Fire Marshal's Office**

Section 109.3. Insert: **Class C Misdemeanor, no less than \$50.00, and not to exceed \$500.00, of which confinement is subject to other applicable state laws governing such.**

Section 111.4. Insert: **Class C Misdemeanor, No less than \$200.00, no more than \$500.00**

Section 3. That the geographic limits referred to in certain sections of the 2006 International Fire Code are hereby established as follows:

Section 3204.3.1.1 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): Hidalgo County Fire Authority to specify

Section 3404.2.9.5.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): Hidalgo County Fire Authority to specify

Section 3406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): Hidalgo County Fire Authority to specify
Section 3804.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): Hidalgo County Fire Authority to specify

Section 4. That a resolution of Hidalgo County Fire Marshal's Office entitled **International Fire Code 2000 Edition** and all other resolutions or parts of ordinances in conflict herewith are hereby repealed.

Section 5. That if any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be unconstitutional. Such decision shall not affect the validity of the remaining portions of this code. The Hidalgo County Commissioners hereby declares that it 2006 INTERNATIONAL FIRE CODE® v would have passed this resolution, 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 6. That nothing in this resolution 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, under any act or Resolution hereby repealed as cited in Section 4 of this code; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this resolution.

Section 7. That the Hidalgo County Fire Marshal's Office is hereby ordered, and directed to cause this resolution to be published. (An additional provision may be required to direct the number of times the resolution to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 8. That this resolution and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect indefinitely from and after the date of its final passage and adoption, and or until a resolution to dismiss or adopt a separate, new, or updated code as so deemed necessary by Hidalgo County Commissioners, and, or the Hidalgo County Fire Marshal's Office.

**RESOLUTION FOR ADOPTION OF THE
INTERNATIONAL FIRE CODE 2006 EDITION**

**Hidalgo County Judge
J.D. Salinas III**

**Commissioner Pct #2
Hector Palacios**

**Commissioner Pct #4
Oscar Garza**

**Commissioner Pct #1
Sylvia Handy**

**Commissioner Pct #3
Joe Flores**

**Hidalgo Co. Fire Marshal
A.A. Tony Pena Jr.**