

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ARTICLE 8 OF CITY CODE CHAPTER 25-12 BY ADDING SECTIONS 25-12-181 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, SECTION 25-12-182 CITATIONS TO THE WILDLAND-URBAN INTERFACE CODE AND SECTION 25-12-183 LOCAL AMENDMENTS TO THE WILDLAND-URBAN INTERFACE CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** Article 8 (*Reserved*) of City Code Chapter 25-12 (*Technical Codes*) is amended to change the title to Wildland-Urban Interface Code and add new sections 25-12-181, 25-12-182 and 25-12-183 to read as follows:

**ARTICLE 8. WILDLAND-URBAN INTERFACE CODE** *Reserved.*

**§ 25-12-181 – WILDLAND-URBAN INTERFACE CODE.**

(A) The International Wildland-Urban Interface Code and Appendices A through D, 2015 Edition, published by the International Code Council (“2015 Wildland-Urban Interface Code”), are adopted and incorporated by reference into this section with the changes described in Subsection (B) and amendments in Section 25-12-183 (*Local Amendments to the 2015 Wildland-Urban Interface Code*).

(B) The following sections are amended or deleted:

101.4	101.5		
102.4	102.4.2	103.1	103.2
104.1	104.2	104.3	104.3.1
104.5	104.6	104.7	105.1
105.3	106.2	107.1	107.2
107.4	107.4.1	107.4.2	107.5
107.6.1	107.7	107.8	107.10
108.2	108.3	108.7	108.8
108.10	108.11	108.12	109.1
109.1.2	109.1.2.1	109.1.2.2	109.1.2.3
109.1.4	109.1.4.1	109.1.4.2	109.1.4.3
109.2.1	109.2.2	109.3	109.4
109.4.2	109.4.3	109.4.4	109.4.5

Commented [BM1]: Table revised to correct errors and for current proposed amendments.

1  
2 The following provisions are local amendments to the 2015 Wildland-Urban  
3 Interface Code. Each provision in this section is a substitute for the identically  
4 numbered provision deleted by Section 25-12-181(B) (*Wildland-Urban Interface*  
5 *Code*) or is an addition to the 2015 Wildland-Urban Interface Code:

6  
7 **101.1 Title.** These regulations shall be known as the Wildland-Urban Interface Code  
8 of the City of Austin [NAME OF JURISDICTION], hereinafter referred to as "this  
9 code". All references to jurisdiction in this code shall mean the City of Austin.

10 **101.4 Retroactivity.** The provisions of the code shall apply to conditions arising  
11 after the adoption thereof, conditions not legally in existence at the adoption of this  
12 code and conditions that, in the opinion of the code official, constitute a distinct  
13 hazard to life or property.

14 ~~Exception: Provisions of this code that specifically apply to existing conditions are~~  
15 ~~retroactive.~~

16 **101.5 Additions or alterations.** Additions or alterations shall be permitted to be  
17 made to any building or structure without requiring the existing building or structure  
18 to comply with all of the requirements of this code, provided the addition or  
19 alteration conforms to that required for a new building or structure.

20 ~~Exception: Provisions of this code that specifically apply to existing conditions are~~  
21 ~~retroactive.~~

22 Additions or alterations shall not be made to an existing building or structure that  
23 will cause the existing building or structure to be in violation of any of the provisions  
24 of this code nor shall such additions or alterations cause the existing building or  
25 structure to become unsafe. An unsafe condition shall be deemed to have been  
26 created if an addition or alteration will cause the existing building or structure to  
27 become structurally unsafe or overloaded; will not provide adequate access in  
28 compliance with the provisions of this code or will obstruct existing exits or access;  
29 will create a fire hazard; will reduce required fire resistance or will otherwise create  
30 conditions dangerous to human life.

31 **102.4 Referenced codes and standards.** The codes and standards referenced in this  
32 code shall be those that are listed in Chapter 7 (*Referenced Standards*) and Chapter  
33 80 of the Fire Code, as amended, establishes the codes and standards referenced in  
34 the Wildland-Urban Interface Code. and such codes and standards shall be

**Commented [BM2]:** The exception in this section and section 101.5 was deleted in response to concerns over applying fire protection requirements of chapter 6, primarily defensible space, to existing development throughout the WUI area. AFD will continue to promote Firewise programs for voluntary provision of defensible space and reserve authority to recognize distinct hazards to life or property.

**Commented [BM3]:** 102.4 and 102.4.2 were amended to match the Fire Code. 102.4.1 was not changed as there were no conflicts identified as in the Fire Code conflicting mechanical and plumbing codes and standards.

**Commented [BM4]:** This section does not override other City regulations. These referenced codes and standards are limited to those listed in these chapters and do not include the Land Development Code. 102.2 Other laws states "The provisions of this code shall not be deemed to nullify any any provisions of local, state or federal law."

3. Explosives or blasting agents.
4. Fireworks.
5. Flammable or combustible liquids.
6. Hazardous materials.
7. Liquefied petroleum gases.
8. 2. Lumberyards.
9. Motor vehicle fuel dispensing stations.
10. Open burning.
11. Pyrotechnical special effects.
12. Tents, canopies and temporary membrane structures.
- 13.3. Tire storage.
- 14.4. Welding and cutting operations.

**108.1 General.** Plans, engineering calculations, diagrams and other data shall be submitted in at least two sets with each application for a permit as required by the fire code, as amended, and as required by this code. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the code official is authorized to require additional documents to be prepared by a registered design professional.

**Exception:** ~~Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.~~

**108.3 Site plan.** In addition to the requirement for plans in City Code Title 25, Land Development including the fire code, as amended, and other codes, as amended, the International Building Code, site plans and residential and commercial building permit applications, shall include topography, width and percent of grade of access roads, landscape and vegetation details if required to demonstrate defensible space or a vegetation management plan, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, and roof classification of buildings and site water supply systems.

Commented [BM7]: Will request vegetation management plans as needed.

1 **[R] WILDLAND-URBAN INTERFACE AREAS.** Any developed area where  
2 conditions affecting the combustibility of both wildland and built fuels allow for the  
3 ignition and spread of fire through the combined fuel complex. That geographical  
4 area where structures and other human development meets or intermingles with  
5 wildland or vegetative fuels.

6 **[N] DISTINCT HAZARD.** Threat to life or property from conditions affecting  
7 ignition, spread or intensity of wildfire or as determined by tables 502.1 and 503.1  
8 or Appendix C.

9  
10 **302.1 Declaration.** The Austin City Council legislative body shall declare the  
11 wildland-urban interface areas within the jurisdiction. The wildland-urban  
12 interface areas shall be based on the findings of fact. The wildland-urban interface  
13 boundary shall correspond to natural or man made features.

14 **302.3 Review of wildland-urban interface areas.** The code official shall  
15 reevaluate and recommend modification to the wildland-urban interface areas in  
16 accordance with section 302.1 on a 3-year basis or more frequently as deemed  
17 necessary by the Austin City Council legislative body.

18 **402.1.1 Access.** New subdivisions, as determined by City Code Title 25, Land  
19 Development, this jurisdiction shall be provided with fire apparatus access roads in  
20 accordance with the fire code, as amended, International Fire Code and access  
21 requirements in accordance with Section 403.

22 **402.1.2 Water Supply.** New subdivisions, as determined by City Code Title 25,  
23 Land Development, this jurisdiction shall be provided with fire apparatus access  
24 roads in accordance with the fire code, as amended, International Fire Code and  
25 access requirements in accordance with Section 404.

26 **402.2.1 Access.** Individual structures hereafter constructed or relocated into or  
27 within wildland-urban interface areas shall be provided with fire apparatus access  
28 and driveways in accordance with City Code Title 25, Land Development, the fire  
29 code, as amended, International Fire Code and driveways in accordance with  
30 Section 403.2. Marking of fire protection equipment shall be provided in accordance  
31 with Section 403.5 and address markers shall be provided in accordance with the fire  
32 code, as amended Section 403.6.

33 **402.2.2 Water Supply.** Individual structures hereafter constructed or relocated into  
34 or within wildland-urban interface areas shall be provided with a conforming water

Commented [BM9]: Revised definition to allow inclusion of ember zone.

Commented [BM10]: Findings of fact have been written to include 1) Local fire environment, 2) Community values, 3) Land development in the wildland-urban interface, and 4) Limited firefighting resources (i.e. in cases of multiple starts during drought conditions and extreme fire weather)

1 **501.1 Scope.** Buildings and structures located in the wildland urban interface area  
2 shall be constructed in accordance with City Code Title 25, Land Development  
3 including the fire code, as amended, other codes, as amended, *International Building*  
4 *Code* and this code.

5 **Exceptions:**

- 6 1. Accessory structures not exceeding the allowed square footage per City  
7 Code Title 25, Land Development including the fire code, as amended,  
8 and other codes, as amended, 120 square feet (11m<sup>2</sup>) in floor area where  
9 located not less than 50 feet (15 240 mm) from buildings containing  
10 habitable spaces.
- 11 2. Agricultural buildings not less than 50 feet (15 240 mm) from buildings  
12 containing habitable spaces.

13 **501.2 Objective.** The objective of this chapter is to establish minimum standards to  
14 locate, design and construct buildings or portions thereof for the protection of life and  
15 property, to resist damage from wildfires, and to mitigate building and structure fires  
16 from spreading to wildland fuels. The minimum standards set forth in this chapter  
17 vary with proximity to 40 acre or greater contiguous wildland fuel areas the critical  
18 fire weather, slope, and fuel type to provide increased protection, above the  
19 requirements set forth in the fire code, as amended, and other codes, as amended,  
20 *International Building Code*, from the various levels of hazard.



1 **504.1 General.** ~~Class 1~~ Ignition-resistant construction shall be in accordance with  
2 sections 504.2 through 504.11.

3 **504.3 Protection of eaves.** Eaves and soffits 50 feet (15 240 mm) or closer to a 40  
4 acre (4.05 ha) or greater contiguous area of light, medium and/or heavy fuel shall be  
5 protected on the exposed underside by ignition-resistant materials or by materials  
6 *approved* for not less than 1-hour fire-resistance-rated construction, 2-inch (51 mm)  
7 nominal dimension lumber, or 1-inch (25 mm) nominal fire-retardant treated lumber  
8 or ¾-inch (19.1 mm) nominal fire-retardant-treated plywood, identified for exterior  
9 use and meeting the requirements of Section 2303.2 of the *International Building*  
10 *Code*. Fascias are required and shall be protected on the backside by ignition-  
11 resistant materials or by materials *approved* for not less than 1-hour fire-resistance-  
12 rated construction or 2-inch (51 mm) nominal dimension lumber.

13 Combustible eaves, fascias and soffits more than 50 feet (15 240 mm) from a 40 acre  
14 (4.05 ha) or greater contiguous area of light, medium and/or heavy fuel shall be  
15 enclosed with solid materials with a minimum thickness of ¾-inch (19 mm).  
16 Exposed rafter tails shall not be permitted unless constructed of heavy timber  
17 materials.

18 **504.5 Exterior walls.** Exterior walls of buildings or structures 50 feet (15 240 mm)  
19 or closer to a 40 acre (4.05 ha) or greater contiguous area of light, medium and/or  
20 heavy fuel shall be constructed with one of the following methods:

- 21 1. Materials *approved* for not less than 1-hour fire-resistance-rated construction  
22 on the exterior side.
- 23 2. *Approved noncombustible* materials.
- 24 3. Heavy timber or log wall construction.
- 25 4. Fire-retardant-treated wood on the exterior side. The fire-retardant-treated  
26 wood shall be labeled for exterior use and meet the requirements of Section  
27 2303.2 of the *International Building Code*.
- 28 5. Ignition-resistant materials on the exterior side.

29 Such material shall extend from the top of the foundation to the underside of the roof  
30 sheathing.

31 **504.7 Appendages and structures.** *Unenclosed accessory structures* attached to or  
32 within 10 feet (3 048 mm) of buildings with habitable spaces and projections, such  
33 as decks shall be not less than 1-hour fire-resistance-rated construction, heavy timber  
34 construction or constructed of one of the following:

**Commented [BM13]:** Class 1, 2 and 3 ignition resistant construction sections from the model code were combined in 1 section. HBA representatives claim all new construction already meets class 3 standards. It is not necessary to have a separate section for class 2 since the only differences from class 1 were class B roof allowed and less protection of eaves. Therefor all new construction in WUI areas will require class A roofs. The less protective standard for eaves is added to section 504.3 here.

**Commented [BM14]:** From IWUIC JR class 2

**Commented [BM15]:** Deleted "and fences"

1 be labeled for exterior use and meet the requirements of Section 2303.2 of the  
2 *International Building Code*.

3  
4 **601.1 Scope.** The provisions of this chapter establish general requirements for new  
5 and existing buildings, structures and premises located within *wildland-urban*  
6 *interface areas*.

7 **603.2.2 Trees.** Trees are allowed within the *defensible space* provided they are in  
8 accordance with Section 604.4 the horizontal distance between crowns of adjacent  
9 trees and structures, overhead electric facilities or unmodified fuel is not less than 10  
10 feet (3048 mm).

11 **603.2.3 Groundcover.** Deadwood and litter shall be regularly removed from trees.  
12 ~~Where ornamental vegetative fuels or cultivated ground cover, such as green grass,~~  
13 ~~ivy, succulents or similar plants are used as ground cover, they are~~ Ground cover  
14 vegetation, understory plants and shrubs, leaf litter, and mulch are allowed to be  
15 within the designated *defensible space*, provided they do not form a means of  
16 transmitting fire ~~from from~~ native growth to tree canopies or any structures.

17 **604.4 Trees.** ~~Tree crowns extending to within 10 feet (3048 mm) of any structure~~  
18 ~~shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048).~~ Trees  
19 ~~crowns within the defensible space shall be maintained pruned to remove limbs~~  
20 ~~located less than 6 feet (1829 mm) above the ground surface adjacent to the trees to~~  
21 ~~prevent fire from entering or spreading through canopies in accordance with City of~~  
22 ~~Austin regulations, transmission to any structure and to provide a clear area for fire~~  
23 ~~suppression operations. Overhead electric line clearance shall comply with the City~~  
24 ~~of Austin Utilities Criteria Manual Section 1 - Austin Energy Design Criteria.~~

25 **606.1 General.** The storage of liquefied petroleum gas (LPgas) and the installation  
26 and maintenance of pertinent equipment shall be in accordance with the fire code,  
27 as amended, International Fire Code or, in the absence thereof, recognized standards  
28 and NFPA 58.

29 **606.2 Location of containers or tanks.** LP-gas containers or tanks shall be located  
30 within the defensible space in accordance with the fire code, as amended,  
31 International Fire Code and NFPA 58.

32  
33 **Appendix D (replaced entirely)**

34 **FUEL MODELS FIRE DANGER-RATING SYSTEM**

**Commented [BM18]:** Revised to correspond with sections 101.4 and 101.5 removing exceptions for retroactivity to parts of the code specifically applying to requirements for existing.

**Commented [BM19]:** Revised to only address risk of fire spread to tree canopies or structures. Criteria can address specifics starting with ignition resistance of the structure.

**Commented [BM20]:** Environmental Commission conditions to add language here to require a qualified arborist and follow standards of care as required for public trees may exceed City authority to enforce. As with application of defensible space it would be promoted through outreach and education programs or required in situations that allow for special conditions in exchange for other development rights. 6-3-42 requires removal of diseased tree. Reference to City of Austin regulations means Chapter 6-3 as well as title 25.