

1 **ORDINANCE NO.**

2 **AN ORDINANCE AMENDING CITY CODE CHAPTER 25-12 TO ADOPT THE**
3 **2015 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE AND**
4 **LOCAL AMENDMENTS; AND CREATING OFFENSES.**

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

6 **PART 1. FINDINGS.** Based on the information provided in Exhibit A to this ordinance,
7 the City Council finds that the local fire environment, community values, limited
8 resources, and land development in the Wildland-Urban Interface areas of Austin are
9 features that can, under certain circumstances, affect emergency services. These features
10 support adopting the International Wildland-Urban Interface Code, promulgated by the
11 International Code Council, which is aimed at mitigating, to the extent possible, the
12 impact of those features. More specifically, the City Council finds that:

- 13 (1) Conditions in the local fire environment support the implementation of fire
14 protection requirements as set forth in the Wildland-Urban Interface Code.
- 15 (2) Use of fire adapted community practices for wildfire safety further support
16 the implementation of fire protection requirements as set forth in the
17 Wildland-Urban Interface Code.
- 18 (3) Land development in the wildland-urban interface further supports the
19 implementation of fire protection requirements as set forth in the Wildland-
20 Urban Interface Code.
- 21 (4) Reducing risk of structure ignition and infrastructure impact during times of
22 limited resources further supports the implementation of fire protection
23 requirements as set forth in the Wildland-Urban Interface Code.

24 **PART 2.** City Code Chapter 25-12 (*Technical Codes*) is amended to add Article 8
25 (*Wildland-Urban Interface Code*) to read as follows:

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

27 **§ 25-12-181 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE.**

- 28 (A) The International Wildland-Urban Interface Code and Appendices A, B, C, and D,
29 2015 Edition (“2015 Wildland-Urban Code”), published by the International Code
30 Council is adopted and incorporated by reference into this section with the
31 deletions in Subsection (B) and amendments in Section 25-12-183 (*Local*
32 *Amendments to the 2015 Wildland-Urban Code*).

(B) The following sections of the 2015 Wildland-Urban Code are deleted:

101.1	101.4	101.5	102.4	102.4.2
103.1	103.2	103.3	104.1	104.2
104.3	104.3.1	104.5	104.6	104.7
105.1	105.2	105.3	106.1	106.2
107.1	107.2	107.3	107.4	107.4.1
107.4.2	107.5	107.6	107.6.1	107.7
107.8	107.9	107.10	108.1	108.2
108.3	108.7	108.8	108.9	108.10
108.11	108.12	109.1	109.1.2	109.1.2.1
109.1.2.2	109.1.2.3	109.1.3	109.1.4	109.1.4.1
109.1.4.2	109.1.4.3	109.2	109.2.1	109.2.2
109.3	109.4	109.4.1	109.4.2	109.4.3
109.4.4	109.4.5	109.4.5.1	109.4.5.2	109.4.5.2.1
109.4.5.3	109.4.5.3.1	109.4.5.4	109.4.5.5	109.4.5.6
109.4.6	109.4.7	109.4.8	110.1	110.2
110.3	110.4	111.1	111.2	111.3
112.1	112.2	112.3	112.4	112.5
113.1	113.2	114.1	114.2	114.3
114.4	302.1	302.2	402.1.1	402.1.2
402.2.1	402.2.2	403.1	403.2.3	403.3
404.1	404.2	404.3	404.3.1	404.3.2
404.4	404.5	404.6	404.7	404.8

404.9	404.10	404.10.1	404.10.2	404.10.3
501.1	501.2	502.1	Table 502.1	503.1
Table 503.1	504.1	504.3	504.5	504.7
504.8	504.9	504.10	504.11	Sec. 505
Sec. 506	601.1	Sec. 602	603.2.2	603.2.3
604.4	606.1	606.2	Appendix D	

34 (C) Section 202 (*Definitions*) is amended as set forth in Section 25-12-183 (*Local*
35 *Amendments to the 2015 Wildland-Urban Code*).

36 (D) The city clerk shall retain a copy of the 2015 Wildland-Urban Code with the
37 official ordinances of the City of Austin.

38 **§ 25-12-182 CITATIONS TO THE 2015 WILDLAND-URBAN CODE.**

39 In the City Code, “Wildland-Urban Code” means the 2015 Wildland-Urban Code
40 adopted and amended by Section 25-12-181 (*International Wildland-Urban Interface*
41 *Code*) and as amended by Section 25-12-183 (*Local Amendments to the 2015 Wildland-*
42 *Urban Code*).

43 **§ 25-12-183 LOCAL AMENDMENTS TO THE 2015 WILDLAND-URBAN CODE.**

44 The following provisions are local amendments to the 2015 Wildland-Urban Code.
45 Each provision of this section is a substitute for any identically numbered provision of the
46 2015 Wildland-Urban Code deleted by Section 25-12-181(B) (*International Wildland-*
47 *Urban Interface Code*) or is an addition to the 2015 Wildland-Urban Code:

48 **101.1 Applicability and References.** These regulations, hereinafter referred to as “this
49 code”, apply to wildland-urban interface areas designated by the city council. Any
50 reference to “jurisdiction” in this code means the City.

51 **101.4 Retroactivity.** The provisions of this code apply to conditions that arise beginning
52 on and after the effective date of this code.

53 **101.5 Alternations and Additions.** When an existing structure is altered or an additional
54 structure is added to a site, the alteration or addition must comply with this code. An
55 existing structure is not required to comply with this code if the alteration or addition
56 does not create an unsafe condition. The alteration or addition creates an unsafe condition
57 if the alteration or addition will: (a) make an existing building or structure structurally

58 unsafe; (b) overload an existing building or structure; (c) obstruct existing exists or
59 access; (d) create a fire hazard; (e) reduce the minimum required fire resistance; (f)
60 reduce access required by this code; or (g) create conditions that are dangerous to human
61 life.

62 **102.4 Referenced codes and standards.** The codes and standards referenced in this code
63 are found in Chapter 7 (*Referenced Standards*) and Chapter 80 (*Referenced Standards*) of
64 the Fire Code.

65 **102.4.2 Conflicts.** Except as otherwise provided in City Code, the provisions of this code
66 prevail over a referenced code or standard that conflicts with this code.

67 **SECTION 103 FIRE PREVENTION.**

68 **103.1 General.** The Austin Fire Department, under the direction of the fire chief, is
69 authorized to implement, administer and enforce this code.

70 **107.1 General.** Except as otherwise provided, a permit is required for the activities
71 described in Section 107.2.

72 **107.2 Permits Required.** Except as otherwise provided in the Land Development Code,
73 a building or structure may not be constructed, erected, altered, repaired, moved,
74 removed, converted, demolished, or changed in its use of occupancy without the
75 applicable city permit.

76 **107.2.1** A permit may not be issued to construct a structure with (a) an extreme
77 hazard severity as set forth in Table 502.1; (b) nonconforming access; (c)
78 nonconforming water supply; and (d) nonconforming defensible space.

79 **107.3 Work Exempt from Permit.** Except as required by the Building Code, Fire Code,
80 or Residential Code, a permit is not required for:

81 1. a one-story detached accessory structure used as a tool and storage shed,
82 playhouse, or similar use, provided the floor area is not greater than 120 square
83 feet (11 m²) and the structure is located more than 50 feet (15,420 mm) from the
84 nearest adjacent structure; and

85 2. a fence that does not exceed 6 feet (1,829 mm) in height.

86 A structure or fence constructed without a permit, as allowed by this provision, must
87 comply with this code.

88 **108.1 General.** A plan, engineering calculation, diagram, or other data described in this
89 code must be submitted when required by the Fire Code or this code.

90 **108.3 Site Plans and Residential and Commercial Building Permit Applications.** A
91 site plan or an application for a residential or commercial building permit must include
92 (a) landscape and vegetation details when this code requires defensible space; (b) the
93 proposed ignition-resistant construction for each building, structure, and associated
94 appendage; and (c) the proposed roof classification for each building.

95 **108.7 Vicinity Plan.** A site plan or an application for a residential or commercial
96 building permit must include the lot lines, other structures, slope, vegetation, fuel breaks,
97 water supply systems, and access roads that are located within 300 feet (91,440 mm) of
98 the proposed building(s) and structure(s).

99 SECTION 202 DEFINITIONS

100 **202.1 Amended Definitions.** The definitions found in Section 202 (*General Definitions*)
101 of the 2015 Wildland-Urban Code are amended to read as follows:

102 **CODE OFFICIAL.** The fire chief or the fire chief's designee.

103 **FUEL, HEAVY.** Vegetation consisting of round wood three to eight inches (76 to
104 203 mm) in diameter. See fuel models for Closed Juniper Woodland and Mixed
105 Juniper Hardwood Forest described in Appendix D.

106 **FUEL, LIGHT.** Vegetation consisting of herbaceous plants and round wood less
107 than ¼ inch (6.4 mm) in diameter. See fuel models for Sparse Dry Climate Grass
108 described in Appendix D.

109 **FUEL, MEDIUM.** Vegetation consisting of round wood ¼ to three inches (6.4
110 mm to 76 mm) in diameter. See fuel models for Aggrading Juniper Shrub
111 described in Appendix D.

112 **GREEN BELT.** A series of connected open spaces that may follow natural
113 features such as ravines, creeks, or streams.

114 **IGNITION-RESISTANT CONSTRUCTION.** A construction material or
115 method that resists ignition or sustained combustion and is applicable in wildland-
116 urban interface areas based on fire hazard.

117 **WILDLAND-URBAN INTERFACE AREA.** An area designated by the city
118 council as one where conditions affecting the combustibility of both wildland and
119 built fuels allow for the ignition and spread of fire through the combined fuel
120 complex.

121 **202.2 Supplemental Definitions.** The definitions in this subsection apply throughout this
122 code and supplement the definitions found in Section 202 (*General Definitions*) of the
123 2015 Wildland-Urban Code.

124 **DISTINCT HAZARD.** A threat to life or property from a condition that affects
125 ignition, impacts the spread or intensity of wildfire, or is described in Table 502.1
126 or Appendix C.

127 **202.3 Deleted definitions.** The following definitions are deleted from Section 202
128 (*General Definitions*) in the 2015 Wildland-Urban Code.

129 **IGNITION-RESISTANT CONSTRUCTION, CLASS 2.**

130 **IGNITION-RESISTANT CONSTRUCTION, CLASS 3.**

131 **302.1 Wildland-Urban Interface Area.** Before this code applies to development, the
132 city council must designate an area as a “wildland-urban interface area” and determine its
133 boundaries, which must correspond to natural or man-made features. The city council
134 must adopt findings of fact that support designating an area as a wildland-urban interface
135 area.

136 **302.2 Review of Wildland-Urban Interface Area.** The fire chief is responsible for the
137 review of wildland-urban interface areas. The review should occur at least once every
138 three years. The fire chief should, when necessary, recommend city council amend the
139 wildland-urban interface areas to modify boundaries, to un-designate areas, or to add new
140 wildland-urban interface areas. The fire chief’s recommendations must be consistent with
141 the findings of facts required in 302.1. This provision is in addition to any other review
142 city council requires.

143 **402.1.1 Access.** A subdivision described in City Code Chapter 25-4 (*Subdivision*) that is
144 located within in a wildland-urban interface area and platted after the effective date of
145 this code must provide fire apparatus access roads that comply with the Fire Code.

146 **402.1.2 Water Supply.** A subdivision described in City Code Chapter 25-4 (*Subdivision*)
147 that is located within a wildland-urban interface area and platted after the effective date
148 of this code must provide a conforming water supply system that complies with the Fire
149 Code.

150 **402.2.1 Access.** A site with a structure constructed or relocated into or within a wildland-
151 urban interface area must provide a fire access road and driveway that complies with
152 403.2, the Fire Code, and the Land Development Code. The structure’s fire protection
153 equipment and the site’s address markers must comply with the Fire Code.

154 **402.2.2 Water Supply.** A conforming water supply system that complies with the Fire
155 Code and the Land Development Code is required for a structure constructed or relocated
156 into or within a wildland-urban interface area.

157 **403.1 Restricted Access.** The fire chief may require a property owner to install a key box
158 in an accessible location when emergency vehicle access is limited to a secured access
159 road or driveway established for life-saving or fire-fighting purposes. The key box must
160 comply with the Fire Code.

161 **403.2.3 Service limitations.** The maximum number of dwelling units a driveway may
162 serve is eight.

163 **Exception.** If the driveway meets the requirements for a fire apparatus access road
164 set forth in Section 503 of the Fire Code.

165 **403.3 Fire Apparatus Access Road.** When required, a fire apparatus access road must
166 comply with the Fire Code.

167 **404.1 General.** A conforming water supply required by this code must comply with Fire
168 Code Section 507.3 and Appendices B105.1 and B105.2 and must protect buildings and
169 structures from exterior fire sources or suppress structure fires.

170 **501.1 Scope.** A building or structure located within a wildland-urban interface area
171 constructed after the effective date of this code must comply, at a minimum, with this
172 code.

173 **Exceptions:**

- 174 1. An accessory structure provided the floor area is not greater than 120 square
175 feet (11 m²) and the structure is located more than 50 feet (15,420 mm) from
176 the nearest adjacent structure.
- 177 2. Agricultural building located at least 50 feet (15,420 mm) from building
178 containing habitable space.

179 **501.2 Objective.** Chapter 5 of this code establishes minimum standards to locate, design,
180 and construct buildings, structures, or portions thereof. The purpose of the minimum
181 standards is to protect life and property, to resist damage from wildfires, and to reduce
182 the spread of building and structures fires to wildland fuels. Minimum standards vary
183 based on proximity to 40 or more acres of contiguous wildland fuel areas, slope, and fuel
184 type. These standards are intended to provide, above Fire Code requirements, increased
185 protection from the various levels of hazards in wildland-urban interface areas.

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Table 502.1 Fire Hazard Severity.

Fuel Model ^a	Proximity to Contiguous (40 Acres) Wildland Fuels					
	150' to 1.5 miles			< 150'		
	Slope (%)					
	< 10	10 to 25	> 25	< 10	10 to 25	> 25
Light	M	M	M	M	M	H
Medium	M	M	H	E	E	E
Heavy	H	H	H	E	E	E

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

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502.3 Fuel Type. The fire chief is authorized to classify fuel type based on the historic fuel type for the area.

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503.1 General. A building or structure constructed, modified, relocated into or within a wildland-urban interface area must comply with Section 504. A material required to be ignition-resistant must comply with Section 503.2.

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SECTION 504 IGNITION-RESISTANT CONSTRUCTION.

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504.1 General. When ignition-resistant construction is required, it must comply with Sections 504.2 through 504.11.

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504.3 Protection of eaves, soffits, fascia, and rafter tails.

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504.3.1 A building or structure within 50 feet (15,240 mm) of a 40 acre (4.05 ha) or greater contiguous area that consists of light, medium, or heavy fuel.

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504.3.1.1 For an eave or soffit, the exposed underside must be protected using ignition-resistant materials or by materials approved for at least one-hour fire-resistance-rated construction, two-inch (51 mm) nominal dimension lumber, one-inch (25 mm) nominal fire-retardant treated lumber, or ¾-inch (19.1 mm) nominal fire-retardant treated plywood that is identified for exterior use and meets the requirements of Building Code, Section 2303.2.

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504.3.1.2 For a fascia, the backside must be protected on the backside by ignition-resistant materials or materials approved for at least one-hour fire-resistance-rated construction or two-inch (51 mm) nominal dimension lumber.

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504.3.2 A building or structure more than 50 feet (15,240 mm) from a 40 acre (4.05 ha) or greater contiguous area that consists of light, medium, or heavy fuel.

214 **504.3.2.1** A combustible eave, fascia, or soffit must be enclosed with solid
215 materials that are at least ¾-inch (19 mm) thick.

216 **504.3.2.2** An exposed rafter tail must be constructed of heavy timber
217 materials.

218 **504.5 Exterior Walls.** For a building or structure within 50 feet (15,240 mm) of a 40
219 acre (4.05 ha) or greater contiguous area that consists of light, medium, or heavy fuel, the
220 exterior walls must be constructed using one or more of the following:

- 221 1. materials approved for exterior use and at least one-hour fire-
222 resistance-rated construction;
- 223 2. approved non-combustible materials;
- 224 3. heavy timber or log wall construction;
- 225 4. fire-retardant-treated wood approved for exterior use that complies
226 with Building Code Section 2303.2; or
- 227 5. ignition-resistant materials approved for exterior use.

228 The material must extend from the top of the foundation to the underside of the roof
229 sheathing.

230 **504.7 Appendages and structures.** An unenclosed accessory structure that is attached to
231 or located within 10 feet (3,048 mm) of a building with habitable spaces and projections,
232 such as a deck, must be constructed using at least one-hour fire-resistance-rated materials,
233 heavy timber, or one of the following:

- 234 1. approved non-combustible materials;
- 235 2. fire-retardant-treated wood approved for exterior use that complies with
236 Building Code Section 2303.2; or
- 237 3. ignition-resistant building materials that comply with Section 503.2.

238 **Exception:** Fence materials located more than 10 feet (3,048 mm) from a
239 building or structure.

240 **504.8 Exterior Glazing.** An exterior window, window wall and glazed door, window
241 within an exterior door, or a skylight within 50 feet (15,240 mm) of a 40 acre (4.05 ha) or
242 greater contiguous area that consists of light, medium, or heavy fuel must have a fire

243 protection rating of 20 or more minutes. Tempered glass, multilayered glazed panels, and
244 glass block comply with this provision.

245 **504.9 Exterior Doors.** An exterior door within 50 feet (15,240 mm) of a 40 acre (4.05
246 ha) or greater contiguous area that consists of light, medium, or heavy fuel must have a
247 fire protection rating of 20 or more minutes. Approved noncombustible construction
248 materials and solid core wood that is 1 ¾-inches (44 mm) thick comply with this
249 provision. A window within a door or a glazed door must comply with Section 504.8.

250 **Exception.** A vehicle access door.

251 **504.10 Vents.** Each attic ventilation opening, foundation or underfloor vent, or other
252 ventilation opening in a vertical exterior wall and each vent through a roof may not
253 exceed 144 square inches (0.0929 m²). These vents must be covered with non-
254 combustible corrosion-resistant mesh with openings that are 1/8-inch (3.3 mm) or less or
255 must be designed and approved to prevent flame or ember penetration into the structure.

256 **Exceptions:**

- 257 1. An opening that must be clear because of another Land Development Code
258 requirement provided that any flame or ember that penetrates the opening cannot
259 reach combustible materials or surfaces.
- 260 2. A dryer vent that complies with the applicable Land Development Code
261 provision.

262 **504.11 Detached Accessory Structures.** The exterior side of a detached accessory
263 structure located within 50 feet (15,240 mm) of a 40 acre (4.05 ha) or greater contiguous
264 area that consists of light, medium, or heavy fuel and within 50 feet (15,240 mm) of a
265 building containing habitable space must be constructed with materials approved for at
266 least one-hour fire resistance-rated construction, heavy timber, log wall construction,
267 with approved non-combustible materials, or fire-retardant-treated wood that is approved
268 for exterior use and complies with Building Code, Section 2303.2.

269 **603.2.2 Trees.** Trees that comply with Section 604.4 are allowed within a defensible
270 space.

271 **603.2.3 Groundcover.** Groundcover vegetation, understory plants and shrubs, leaf litter,
272 and mulch that does not form in a manner that transmits fire to tree canopies or structures
273 is allowed within a defensible space.

274 **604.4 Trees.** A person must maintain a tree within a defensible space to prevent fire from
275 entering or spreading through canopies as set forth in City Code requirements. Overhead

276 electric line clearance requirements set forth in the Utilities Criteria Manual Section 1
277 (*Austin Energy Design Criteria*) apply to a tree within a defensible space.

278 **606.1 General.** Liquefied petroleum gas (LP-gas) storage and related pertinent
279 equipment may be located within a defensible space if it is installed and maintained as
280 required by the Fire Code or, if applicable, recognized standards and NFPA 58.

281 **606.2 Location of containers or tanks.** A LP-gas container or tank may be located
282 within a defensible space if the container or tank complies with the Fire Code and NFPA
283 58.

284 **APPENDIX D. FUEL MODELS**

285 As set forth in Section 3.2.1 of the Austin-Travis County Community Wildfire Protection
286 Plan, fuel loads and fire behavior within the region are indicated by the following
287 vegetation:

- 288 1. Sparse, dry-climate grass, or grassland, is dominated by generally short grasses
289 that may be sparse or discontinuous (Scott and Burgan 2005). Pastures are also
290 considered grasslands.
- 291 2. Aggrading juniper shrub fuel type is dominated by live oak-juniper and juniper
292 savanna. It is present throughout the county. It includes both Ashe juniper
293 (*Juniperus ashei*), predominantly in western Travis County, and eastern redcedar
294 (*Juniperus virginiana*), predominately in eastern Travis County. Juniper scorch and
295 mortality values by size class are nearly identical between these two *Juniperus*
296 species (Engle and Stritzke 1995).
- 297 3. Closed juniper woodland has sufficient canopy closure to limit growth of tall grass
298 (18 inches or more tall) to less than 50 percent of the ground cover. Juniper,
299 including Ashe juniper and/or eastern redcedar, and deciduous trees are the
300 dominant vegetation types.
- 301 4. Mixed juniper hardwood forest fuel type is 25-percent juniper, 75-percent
302 deciduous class.

303 **PART 3.** Based on the Findings set forth in Part 1 of this ordinance, the City Council
304 designates the WUI areas shown on Exhibit B to this ordinance as wildland-urban
305 interface areas.

306 **PART 4.** This ordinance takes effect on January 1, 2021.

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PASSED AND APPROVED

_____, 2020

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§
§

Steve Adler
Mayor

APPROVED: _____

Anne L. Morgan
City Attorney

ATTEST: _____

Jannette S. Goodall
City Clerk

DRAFT