

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING ORDINANCE NO. 02-02-25, (WHICH ADOPTED THE 2000 FUEL GAS CODE); AMENDING SECTION 409 (SHUTOFF VALVES), OF THE 2000 INTERNATIONAL FUEL GAS CODE; REPEALING CITY OF FRISCO, TEXAS ORDINANCE NO. 02-10-122; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco") to amend Ordinance No. 02-02-25, Section 409 (Shutoff Valves) of the 2000 International Fuel Gas Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amending Section 409 of Ordinance 02-02-25. Section 409 of the 2000 International Fuel Gas Code is hereby amended to add the following:

Section 409 Shutoff Valves

Section 409.6 Excessive Gas Flow Shutoff Devices

Section 409.6.1 Definition. "Excessive Gas Flow Shutoff Device" shall mean those valves or devices activated by the rupture of gas supply piping on or within a structure, and designed to automatically shutoff the gas supply when flow exceeds the design limits of the system or appliance served. These devices shall also be capable of automatically resetting when repairs have been completed and pressure is restored to the system.

Section 409.6.2 Approval. Excessive gas flow shutoff devices shall be certified by Underwriter's Laboratories (UL), International Association of Plumbing and Mechanical Officials (IAPMO), American Gas Association (AGA) or other recognized listing and testing agency, and shall be approved by the Building Official.

Section 409.6.3 Excessive Gas Flow Shutoff Device/Location. All gas piping systems must have at least one excessive gas flow shutoff device installed at the meter.

SECTION 3: Repeal of Ordinance No. 02-10-122. Frisco Ordinance No. 02-10-122 is hereby repealed in its entirety and replaced by this Ordinance. Such repeal shall not abate any pending prosecution or prevent any prosecution from being commenced for any violation of Ordinance No. 02-10-122 occurring before the effective date of this Ordinance.

SECTION 4: Penalty Provision. Any person, firm, corporation, or business entity violating this Ordinance or Frisco Ordinance No. 02-02-25, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal right and remedies available to it pursuant to local, state, and federal law.

SECTION 5: Savings/Repealing Clause. Frisco Ordinance No. 02-02-25 shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of the Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 7: Effective date. This Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 15th day of July, 2003.

Michael Simpson
E. MICHAEL SIMPSON, Mayor

ATTESTED AND CORRECTLY
RECORDED:

APPROVED AS TO FORM:

Nan Parker
NAN PARKER
City Secretary

Richard A. Abernathy, Roeder, Boyd & Joplin, P.C.
ABERNATHY, ROEDER, BOYD
& JOPLIN, P.C.
City Attorneys



Dates of publication July 18 & July 25, 2003 Frisco Enterprise