

**CITY OF KRUGERVILLE, TEXAS
ORDINANCE 2021-014**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KRUGERVILLE, TEXAS, AMENDING CHAPTER 5, FIRE PREVENTION AND PROTECTION, TO INCLUDE A NEW ARTICLE 5.05, RIGHT-OF-WAY MAINTENANCE AND CLEARANCE; MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Krugerville, Texas (“City Council”) has previously adopted the International Fire Code in its Code of Ordinances, as shown in Chapter 5, Section 5.02.001; and

WHEREAS, 503.2.1 of the International Fire Code mandates an unobstructed width and height for emergency vehicles on fire apparatus access roads; and

WHEREAS, the City Council has determined that amending its Code of Ordinances is in the best interest of the public health, safety, and welfare of the citizens of the City of Krugerville;

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

Section 1. Recitals Incorporated. The above-referenced recitals are incorporated herein as if set forth in full for all purposes.

Section 2. Amendment. Article 5.05, Right-of-Way Maintenance and Clearance is hereby added to Chapter 5, Fire Prevention and Protection, as follows:

ARTICLE 5.05, RIGHT-OF-WAY MAINTENANCE AND CLEARANCE

It shall be the duty of every property owner of any property in the City Limits to keep any and all trees trimmed and pruned of limbs, branches and foliage that overhangs or protrudes upon, or over any dedicated public right-of-way, alley, or easement, where vehicles are driven, and kept to the following standard:

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).*

*International Fire Code, Section 503.2.1

Section 3. Penalty for Violations. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined in accordance with Chapter 1, Section 1.01.009, General Penalty for Violations of Code.

Section 4. Savings, Severability and Repealing Clauses. All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof. The City declares that it would have passed this ordinance, 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 or invalid.

Section 5. Publication of the Caption Hereof and Effective Date. This ordinance shall be in full force and effective from and after its passage and upon the posting and/or publication, if required by law, of its caption and the City Secretary is hereby directed to implement such posting and/or publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KRUGERVILLE, TEXAS, ON THIS 24th DAY OF JUNE 2021.

APPROVED: _____

Jeff Parrent
Jeff Parrent, Mayor

ATTEST:

Sandy Frantz
Sandy Frantz, City Secretary

