

ORDINANCE NO. 07-13-2026

AN ORDINANCE ADOPTING THE INTERNATIONAL FIRE CODE (IFC)& LIFE SAFETY CODE, AUTHORIZING FIRE INSPECTIONS, PLAN REVIEW, AND FIRE CODE ENFORCEMENT WITHIN THE DISTRICT

WHEREAS, the Bowie County Emergency Services District No. 4 ("District") is a political subdivision of the State of Texas authorized to provide fire protection and emergency services pursuant to Chapter 775 of the Texas Health and Safety Code;

WHEREAS, Section 775.036 Subsection (b) of the Texas Health and Safety Code, The board may adopt and enforce a fire code, including fines for any violations, that does not conflict with a fire code adopted by any county that also contains within its boundaries any portion of the land contained in the district and may require inspections in the district relating to the causes and prevention of fires and medical emergencies, except as provided by Section [775.031\(b\)](#)

WHEREAS, Section 775.111 of the Texas Health and Safety Code authorizes fire marshals or designated authorities to inspect structures and premises within a district for fire hazards and to require correction of hazardous conditions;

WHEREAS, Section 419.909 of the Texas Government Code authorizes qualified and trained members of a volunteer fire department to conduct fire safety inspections under certain conditions and in accordance with applicable fire codes;

WHEREAS, Texas Administrative Code provisions recognize the authority of local fire departments to conduct annual fire inspections for the purpose of identifying and correcting fire hazards and ensuring compliance with applicable fire and life safety codes;

WHEREAS, the District desires to promote life safety, property protection, firefighter safety, and code compliance through a systematic inspection and plan review program;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF EMERGENCY SERVICES COMMISSIONERS:

DEFINITIONS

For purposes of this Ordinance, the following terms shall apply:

Authority Having Jurisdiction (AHJ)

The agency, office, or official responsible for enforcing the requirements of the adopted fire code and approving equipment, materials, installations, and procedures.

Fire Code

The adopted International Fire Code (IFC), NFPA 1 Fire Code, NFPA 101 Life Safety Code, and any amendments adopted by the District.

Knox Box

A secure rapid-entry key box or approved emergency access system designed to provide emergency responders immediate access to secured buildings, gates, elevators, and fire protection controls.

Commercial Building

A building for the use or occupation of people for: a public purpose or economic gain, places of worship, places of assembly, places of higher education, and foster homes

SECTION 1. AUTHORITY AND DESIGNATION

1. The District hereby designates ESD #4 / C-5 Volunteer Fire Department ("Department") as the authorized agent of the District to:
 - Conduct fire and life safety inspections;
 - Perform plan reviews for fire protection systems and commercial construction;
 - Enforce fire code provisions adopted by the District;
 - Conduct fire prevention and code enforcement activities authorized by law.
 2. The Department shall act as the Authority Having Jurisdiction (AHJ) for fire inspections, plan review, and fire code enforcement within the District unless otherwise specified by interlocal agreement or law.
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SECTION 2. SCOPE OF INSPECTIONS

1. The Department is authorized to conduct annual fire inspections of all commercial occupancies within the District.
 2. Inspections shall include, but not be limited to:
 - Identification of fire hazards;
 - Verification of compliance with adopted fire codes and standards;
 - Evaluation of fire protection systems and means of egress;
 - Review of hazardous materials storage and use;
 - Verification of required emergency responder access systems, including Knox Box rapid entry systems and fire department access gates.
 3. The Department may enter buildings and premises at reasonable times to conduct inspections as permitted by law.
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SECTION 3. PLAN REVIEW AUTHORITY

1. The Department is authorized to review and approve plans for:
 - New commercial construction;
 - Remodeling or alteration of commercial structures;
 - Fire alarm, sprinkler, and suppression systems;
 - Hazardous material storage and special occupancies;
 - Access control systems, automatic gates, and Knox Box rapid entry systems.
2. No commercial construction or system installation requiring fire protection review shall proceed without approval from the Department where applicable.

SECTION 4. KEY ACCESS / KNOX BOX REQUIREMENTS

1. The Department may require the installation of an approved rapid entry key access system ("Knox Box" or equivalent approved system) for commercial, industrial, multi-family, educational, institutional, or other occupancies where emergency access is necessary for life safety or fire protection purposes.
2. A Knox Box or approved rapid entry system shall be installed when:
 - The building contains a fire alarm system, automatic sprinkler system, or other fire protection system requiring emergency access;
 - The building is secured in a manner that restricts immediate emergency entry;
 - The occupancy presents elevated life safety risks as determined by the Department;
 - Access gates or barriers restrict fire department entry;
 - Required by the fire code or the Authority Having Jurisdiction (AHJ).
3. Knox Boxes and gate access devices shall:
 - Be installed at locations approved by the Department;
 - Contain keys, access cards, gate controls, elevator keys, or other items necessary for emergency access;
 - Be maintained in operational condition at all times;
 - Be keyed and compatible with the Department's approved rapid entry system.
4. The property owner or occupant shall be responsible for:
 - All costs associated with purchasing, installing, and maintaining the Knox Box system;
 - Updating keys or access credentials whenever locks or access systems are changed;
 - Ensuring the contents remain current and functional.
5. Failure to install or maintain a required Knox Box system may result in:
 - Written notice of violation;
 - Reinspection fees;
 - Delay or denial of occupancy approval where applicable;
 - Any enforcement action authorized by law or adopted fire code.
6. The Department may establish administrative procedures and specifications governing approved rapid entry systems consistent with the adopted fire code and applicable NFPA standards.

SECTION 5. QUALIFICATIONS OF INSPECTORS

1. All individuals conducting inspections shall:
 - Be certified fire inspectors; OR
 - Meet the requirements of Texas Government Code §419.909, including training consistent with NFPA 1031 and eligibility for volunteer inspectors.
 2. The Department shall require background checks and documentation of training for authorized inspectors.
 3. The fire chief will recommend the qualified personnel to the ESD board for approval of appointment.
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SECTION 6. COMPLIANCE AND ENFORCEMENT

1. Upon identification of a fire hazard, the Department may:
 - Issue written notices of violation;
 - Order correction of hazardous conditions;
 - Establish compliance deadlines.
 2. Failure to comply may result in:
 - Reinspection fees;
 - Referral for enforcement through appropriate legal remedies;
 - Any other action authorized by law.
 3. The Department may require immediate correction of conditions that impede emergency responder access, including malfunctioning gates, inaccessible fire lanes, or missing required Knox Box systems.
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SECTION 7. FEES

1. The District may adopt a fee schedule for:
 - Annual inspections;
 - Reinspection's;
 - Plan reviews;
 - Permits related to fire protection systems.
 2. Fees shall be established by Board resolution and used to support fire prevention and code enforcement activities.
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SECTION 8. ADOPTION OF FIRE CODE

1. The District hereby adopts the most current edition of a recognized fire code as the governing standard.
 2. All inspections and plan reviews shall be conducted in accordance with:
 - The adopted International Fire Code (IFC);
 - NFPA 1 Fire Code;
 - NFPA 101 Life Safety Code;
 - The most recent fire code recognized by the Texas State Fire Marshal, as applicable.
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SECTION 9. APPEALS

1. Any person aggrieved by an inspection finding or plan review decision may appeal to the District Board within 30 days of written notice, not less than 5 days and no more than 35 days from receipt of written notice.
 2. The Board's decision shall be, not less than 5 days and no more than 35 days from receipt of written notice, and final unless otherwise provided by law.
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SECTION 10. SEVERABILITY

If any provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions, which shall continue in full force and effect.

SECTION 11. EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption.

ADOPTED this 13th day of July, 2026.


President, Board of Emergency Services Commissioners

Secretary

