



**NOTICE OF  
REGULAR MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065  
MONDAY, JUNE 24, 2024, 6:00 PM**

**AGENDA**

**Call to Order**

**Roll Call**

**Pledge of Allegiance to the U.S. And Texas Flags**

**Invocation**

**Items of Community Interest**

Pursuant to Texas Government Code Section 551.0415 the Town Council may report on the following: expressions of thanks, congratulations, or condolence; an honorary or salutary recognition of an individual; a reminder about an upcoming event organized or sponsored by the governing body; and announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.

**Public Comment**

This item allows the public an opportunity to address the Town Council. To comply with the provisions of the Open Meetings Act, the Town Council cannot discuss or take action on items brought before them not posted on the agenda. Please complete a request if you wish to address the Town Council. Comments will be limited to three minutes. Open Forum is for information only. No charges and/or complaints will be heard against any elected official, board member, the Town, or employee of the Town that are prohibited by law.

**Consent Agenda**

Items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Town Council.

- 1.** May 2024 Council Meeting Minutes
- 2.** May 2024 Financial Statements
- 3.** Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas approving the 2024 annual update to the service and assessment plan and assessment roll for Hickory Creek Public Improvement District No. 1 including the collection of the 2024 annual installments.

- [4.](#) Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas approving the 2024 annual update to the service and assessment plan and assessment roll for Hickory Creek Public Improvement District No. 2 including the collection of the 2024 annual installments.
- [5.](#) Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas approving the 2024 annual update to the service and assessment plan and assessment roll for Hickory Creek Farms Public Improvement District including the collection of the 2024 annual installments.
- [6.](#) Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending Chapter 1: General Provisions, Chapter 3: Building Regulations and Appendix A Fee Schedule; providing for incorporation of premises; providing findings; providing for amendment to the Code of Ordinances.
- [7.](#) Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby adopting a master application and fee schedule; and providing an effective date.
- [8.](#) Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas hereby authorizing the Mayor of the Town of Hickory Creek, Texas to execute an interlocal cooperative agreement between the Town of Hickory Creek, Texas and Denton County, Texas concerning roadway projects.
- [9.](#) Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas hereby authorizing the Mayor of the Town of Hickory Creek, Texas to execute an interlocal cooperative agreement between the Town of Hickory Creek, Texas and Denton County, Texas concerning the Carlisle Drive Roadway Project.
- [10.](#) Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, for the appointment of one member to the board of managers of the Denco Area 9-1-1 District.

### **Regular Agenda**

- [11.](#) Consider and act on a final replat of Lots 1-R-1 and 1-R-2, Block 1 of Double G Plaza being a replat of Lot 1-R, Block 1 of Double G Plaza; being 2.258 acres in the H. Swisher Survey A-1220 in the ETJ of the Town of Hickory Creek, Denton County, Texas. The property is located at 3572 FM 2181.
- [12.](#) Consider and act on granting an exception to Chick-fil-A, 3550 FM 2181, Hickory Creek, Texas from the Hickory Creek Code of Ordinances, Chapter 3: Building Regulations, Article 3.08 Signs: Section 3.08.013; (q) Pole signs prohibited in certain areas. No person shall erect, maintain or permit the erection of any pole sign except on-premises signs located on property fronting the interstate highway.
- [13.](#) Consider and act on revisions to the site and landscape plan for 3550 FM 2181: being Lot 2, Block A of the Lakesound Addition, 2.3575 acres out of the H.H Swisher Survey, Abstract No. 1220, Town of Hickory Creek, Denton County, Texas.
- [14.](#) Conduct a public hearing regarding a request from AWS Boats, LLC. on behalf of Paul Bosco Jr. for a Special Use Permit for sales and service of automobiles and watercraft in the 700 block of Lake Dallas Drive and consider and act on the same. The legal description of the property is A0284A Cobb, Tr 56, A0284A Cobb, Tr 55, 58, and A0284A Cobb, Tr 57(PT), Town of Hickory Creek, Denton County, Texas.

15. Consider and act on a replat of Lot 1A, Block A, into Lot 1A-1 and 1A-2, Block A, TLC Subdivision, being 1.636 acres in the J.W. Simmons Survey, Abstract Number 1163, Town of Hickory Creek, Denton County, Texas. The property is located at 1221 Turbeville Road.
16. Conduct a public hearing on a request from Hard Sun V., Inc. to change the zoning designation from PD (Planned Development) and C-1 (Commercial) to PD (Planned Development) for the property legally described as TLC Subdivision Block A, Lot 1A-1, approximately a 1.048 acre tract of land in the corporate limits of the Town of Hickory Creek, Denton County, Texas and consider and act on an ordinance adopting the same. The property is located at 1221 Turbeville Road.
17. Consider and act on a site plan for Lot 1A-1, Block A, TLC Subdivision, being 1.048 acres in the J.W. Simmons Survey, Abstract number 1163, Town of Hickory Creek, Denton County Texas. The property is located at 1221 Turbeville Road.
18. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas authorizing the Mayor of the Town of Hickory Creek, Texas to execute an interlocal agreement with Span, Inc. for transportation services.
19. Consider and act on a proposal from Whirlix Design, Inc. concerning the Hickory Creek Ampitheater Project.
20. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas, amending the Code of Ordinances of the Town of Hickory Creek, Texas, Chapter 3, Building Regulations, by adopting the updated International Building, Residential, Plumbing, Mechanical, Energy Conservation, Fuel Gas, Property Maintenance, Existing Building and Swimming Pool and Spa Codes Code as published by the International Code Council with local amendments and the International Fire Code as published by the National Fire Protection Association with local amendments as amended by the Lake Cities Fire Department; and the National Electrical Code as published by the National Fire Protection Association with local amendments; providing the Town Building Official the authority and power to enforce provisions of codes.
21. Consider and act on allocating additional funds for 2024 Pavement Repairs and Phase 4 Sidewalk Extensions.
22. Discussion regarding the Hickory Creek Leisure Center.
23. Discussion regarding a comprehensive zoning amendment implementing certain revisions to the Town's zoning ordinance identified, considered and contained within the Town's 2023 Comprehensive Plan update and provide direction to staff concerning the same.
24. Discussion regarding utilizing the Tree Restoration Fund to replace trees lost in recent weather events.
25. Receive an update from Chief Dunn concerning police department activity since the February 2024 council meeting and discuss same.

### **Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council will convene into executive session to discuss the following matters.

## **Section 551.071**

Consultation with Attorney on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, or on matters pertaining to pending or contemplated litigation.

26. Discussion regarding Denton CAD Property ID# 62326.
27. Discussion regarding certain real property generally located, North of Interstate 35E, Lake Lewisville Bridge, South of FM 2181, East of Ronald Reagan Avenue and West of Interstate 35E.

## **Reconvene into Open Session**

28. Discussion and possible action regarding matters discussed in executive session.

## **Future Agenda Items**

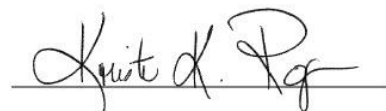
The purpose of this section is to allow each Council Member the opportunity to propose that an item be added as a business item to any future agenda. Any discussion of, or a decision about, the subject matter shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

## **Adjournment**

The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Chapter 551.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact Town Hall at 940-497-2528 or by fax 940-497-3531 so that appropriate arrangements can be made.

I, Kristi Rogers, Town Secretary, for the Town of Hickory Creek certify that this meeting notice was posted on the bulletin board at Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas on June 20, 2024 at 4:45 p.m.



Kristi Rogers, Town Secretary  
Town of Hickory Creek

**SPECIAL MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
MONDAY, MAY 13, 2024**

**MINUTES**

**Call to Order**

Mayor Clark called the meeting to order at 6:05 p.m.

**Roll Call**

The following members were present:

Mayor Lynn Clark

Mayor Pro Tem Paul Kenney

Councilmember Randy Gibbons

Councilmember Richard DuPree

Councilmember Chris Gordon

Councilmember Ian Theodore

Also in attendance:

John M. Smith, Jr., Town Manager

Kristi K. Rogers, Town Secretary

Carey Dunn, Chief of Police

Trey Sargent, Town Attorney

**Pledge of Allegiance to the U.S. And Texas Flags**

Mayor Clark led the Pledge of Allegiance to the U.S. and Texas Flags.

**Invocation led by the Honorable Bobbie J. Mitchell, Commissioner Precinct 3**

Honorable Bobbie J. Mitchell, Commissioner Precinct 3, gave the invocation.

**Honorary Recognition of Councilmember Richard DuPree**

Mayor Clark and the Town Council honored Councilmember Richard DuPree for his years of service on the Town Council from 2010-2024.

**Presentation of Awards**

1. 2023 Business of the Year

Mayor Clark presented the 2023 Business of the Year award to Don Camillo Tuscan Grill.

2. 2023 Citizen of the Year

Mayor Clark presented the 2023 Citizen of the Year award to Dinah Stults.

3. 2024 Female Athlete of the Year

Mayor Clark presented the 2024 Female Athlete of the Year award to Abby Kell.

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4. 2024 Male Athlete of the Year

Mayor Clark presented the 2024 Male Athlete of the Year award to Humphrey Kakuba.

5. 2024 Scholar of the Year

Mayor Clark presented the 2024 Lake Dallas Scholar of the Year award to Alexis Mabbun.

6. Eagle Scout Josiah McKinley

Mayor Clark presented a plaque of appreciation to Josiah McKinley for completing his Eagle Scout project.

7. Eagle Scout Avery Pruitt

Mayor Clark presented a plaque of appreciation to Avery Pruitt for completing his Eagle Scout project.

8. Eagle Scout Candidate Trevor Zackowski

Mayor Clark presented a plaque of appreciation to Trevor Zackowski for completing his Eagle Scout project.

**Proclamations**

9. Motorcycle Safety and Awareness

Mayor Clark proclaimed May 2024 as Motorcycle Safety & Awareness Month in the Town of Hickory Creek.

**Items of Community Interest**

There were no items of community interest.

**Public Comment**

There were no speakers for public comment.

**Consent Agenda**

Items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Town Council.

10. April 2024 Council Meeting Minutes

11. April 2024 Financial Statements.

12. Consider and act on a resolution designating Don Camillo Tuscan Grill as the 2023 Business of the Year.

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13. Consider and act on a resolution designating Dinah Stults as the 2023 Citizen of the Year.
14. Consider and act on a resolution designating Abby Kell as the 2024 Female Athlete of the Year.
15. Consider and act on a resolution designating Humphrey Kakuba as the 2024 Male Athlete of the Year.
16. Consider and act on a resolution designating Alexis Mabbun as the 2024 Lake Dallas High School Scholar of the Year.
17. Consider and act on an ordinance of the Town Council of the Town of Hickory Creek, Texas re-appointing a presiding judge and appointing an associate judge for Municipal Court of Record No. 1.
18. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement by and between the Town of Hickory Creek, Texas and Cynthia Burkett for municipal judge services.
19. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement by and between the Town of Hickory Creek, Texas and Kristen Homyk for municipal judge services.
20. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, nominating one candidate to a slate of nominees for the board of managers of the Denco Area 9-1-1 District.

Motion made by Councilmember DuPree to approve consent agenda items 10-20 as presented, Seconded by Councilmember Gibbons.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember DuPree, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

**Regular Agenda**

21. Presentation of Certificates of Election and Administration of Oaths of Office to candidates elected.
22. Ceremonial Oath of Office and Presentation of Badge to Officer Truman Franklin.  
  
Chief Dunn administered the Oath of Office to Officer Truman Franklin.
23. Interviews for various boards and commissions.

The Town Council interviewed Todd Asaad, Christi Kulesza, Tony Martinez and Bill Nippert for various boards and commissions.

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24. Presentation from Halff Engineering regarding the Hickory Creek Leisure Center.

Lane Olivo, Landscape Architect Project Manager, and Kirk Wilson, Director of Landscape Architecture, Halff Associates, provided an overview of the project including survey results, the design process and the final concept design. The Town Council asked questions and provided input regarding elements that should be included in the final design.

25. Consider and act on bids submitted for Sycamore Bend Road BID# 2024-01.

John Smith, Town Manager, stated there were ten bidders for the project. Halff Associates reviewed the qualifications and references for the low bidder which was Capko Concrete Structures and answered questions from the Town Council.

Motion made by Councilmember Gordon to award Sycamore Bend Road BID# 2024-01 to Capko Concrete Structures, in the amount of \$346,697.50, Seconded by Councilmember Theodore.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

26. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, hereby authorizing the Mayor of the Town of Hickory Creek, Texas, to execute an agreement concerning phone systems.

John Smith, Town Manager, provided an overview of the proposed agreements received from Lumen, Pavlov Media and Vested Networks and answered questions from the Town Council.

Motion made by Councilmember Theodore to approve the Pavlov five-year agreement, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Theodore.

Voting Nay: Councilmember Wohr, Councilmember Gordon. Motion passed.

27. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas hereby authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement between the Town of Hickory Creek, Texas and Anytime Labor Dallas, LLC. concerning public works staffing.

John Smith, Town Manager, stated the terms of the agreement the Town Council approved in April, have been revised and answered questions from the Town Council.

Motion made by Mayor Pro Tem Kenney to execute an agreement between the Town of Hickory Creek, Texas and Anytime Labor Dallas, LLC. concerning public works staffing with an effective date of today, Seconded by Councilmember Gibbons.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.



28. Consider and act on appointments to the Arts and Culture Board.

Mary Alsmiller, Place 2 and Lee Kessee, Place 4.

Motion made by Councilmember Theodore to approve appointments as presented, Seconded by Councilmember Gordon.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

29. Consider and act on appointments to Board of Adjustments.

Larry Crawford, Position 2, Brian Engle, Position 4 and Dennis Day, Alternate 2.

Motion made by Councilmember Theodore to approve reappointing the slate of candidates to Board of Adjustments, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

30. Consider and act on appointments to the Code of Ethics Board.

Mayor Clark would like to appoint Tracey Caple; Councilmember Wohr would like to appoint John Dunn; Mayor Pro Tem Kenney would like to reappoint Chance Allison.

Motion made by Councilmember Gordon appoint the slate of names mentioned for the Code of Ethics Board, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion Passed unanimously.

31. Consider and act on appointments to the Parks and Recreation Board.

Christi Kulesza, Place 1, Todd Asaad, Place 2, Kyle Knop, Place 4, Gwen McIntosh, Place 6.

Motion made by Councilmember Wohr to approve appointments as presented, Seconded by Councilmember Gibbons.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

32. Consider and act on appointments to the Planning and Zoning Commission.

Anthony Martinez, Place 2, William Nippert, Place 4 and Tim May, Place 6.

Motion made by Councilmember Gordon to approve appointments as presented, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

33. Consider and act on allocating funds for Tanglewood Park improvements.

John Smith provided an overview of the improvements and answered questions from the Town Council.

Motion made by Councilmember Gordon to approve allocating funds for Tanglewood Park in the amount of \$91,000, Seconded by Councilmember Theodore.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Woehr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

34. Consider and act on appointment of Mayor Pro Tem.

Motion made by Councilmember Theodore to appoint Paul Kenney, Mayor Pro Tem, Seconded by Councilmember Gordon.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Woehr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

35. Consider and act on appointing councilmembers as liaisons for various boards and commissions.

Councilmember Gibbons, Police Department; Councilmember Woehr, Parks and Recreation; Councilmember Gordon, Planning and Zoning; Mayor Pro Tem Kenney, EDC and Councilmember Theodore, Arts and Culture Board and Board of Adjustments.

Motion made by Mayor Pro Tem Kenney to approve appointments as presented, Seconded by Councilmember Gordon.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Woehr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

### **Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 8:45 p.m. to discuss the following matters.

#### **Section 551.071**

Consultation with Attorney on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, or on matters pertaining to pending or contemplated litigation.

36. Discussion regarding Denton CAD Property ID# 62326.

#### **Section 551.072**

Deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

37. Discussion regarding Denton CAD Property ID# 62274 and 497739.

**Reconvene into Open Session**

The Town Council reconvened into open session at 10:34 p.m.

38. Discussion and possible action regarding matters discussed in executive session.

Denton CAD Property ID# 62326.

Motion made by Councilmember Gordon to authorize the Town Manager to negotiate as discussed in executive session with the property owner, in the alternative, authorize the Town Administrator to prepare a resolution and authorize legal action by the June meeting, Seconded by Councilmember Theodore.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

Denton CAD Property ID# 62274 and 497739.

Motion made by Councilmember Gordon to authorize the Town Administrator to enter into a real estate agreement with the property owner, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember Wohr, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

**Future Agenda Items**

There were no future agenda items.

**Adjournment**

Motion made by Mayor Pro Tem Kenney to adjourn the meeting, Seconded by Councilmember Gibbons.

Voting Yea: Mayor Pro Tem Kenney, Councilmember Gibbons, Councilmember DuPree, Councilmember Gordon, Councilmember Theodore. Motion passed unanimously.

The meeting did then stand adjourned at 10:40 p.m.

Approved:

Attest:

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Lynn C. Clark, Mayor  
Town of Hickory Creek

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Kristi K. Rogers, Town Secretary  
Town of Hickory Creek

Town of Hickory Creek  
**Balance Sheet**  
As of May 31, 2024

	<u>May 31, 24</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
BOA - Animal Shelter Fund	26,209.67
BOA - Drug Forfeiture	96,483.30
BOA - Drug Seizure	3,534.33
BOA - General Fund	158,979.71
BOA - Parks and Recreation	84,825.47
BOA - Payroll	500.00
BOA - Police State Training	5,190.41
Logic 2020 CO's	1,515,085.83
Logic Animal Shelter Facility	10,504.20
Logic Coronavirus Recovery Fund	61,962.65
Logic Harbor Ln-Sycamore Bend	88,144.26
Logic Investment Fund	11,953,187.32
Logic Turbeville Road	104,047.02
<b>Total Checking/Savings</b>	<u>14,108,654.17</u>
<b>Accounts Receivable</b>	
Municipal Court Payments	3,705.20
<b>Total Accounts Receivable</b>	<u>3,705.20</u>
<b>Total Current Assets</b>	<u>14,112,359.37</u>
<b>TOTAL ASSETS</b>	<u><b>14,112,359.37</b></u>
<b>LIABILITIES &amp; EQUITY</b>	0.00

## Town of Hickory Creek

## Profit &amp; Loss

May 2024

06/13/24

Accrual Basis

	May 24
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Ad Valorem Tax Revenue</b>	
4002 M&O	14,017.43
4004 M&O Penalties & Interest	1,373.16
4006 Delinquent M&O	-103.66
4008 I&S Debt Service	7,046.70
4010 I&S Penalties & Interest	718.75
4012 Delinquent I&S	-91.39
<b>Total Ad Valorem Tax Revenue</b>	22,960.99
<b>Building Department Revenue</b>	
4102 Building Permits	29,581.70
4104 Certificate of Occupancy	250.00
4106 Contractor Registration	525.00
4108 Preliminary/Final Plat	850.00
4110 Prelim/Final Site Plan	1,700.00
4112 Health Inspections	460.00
4124 Sign Permits	150.00
4130 Vendor Fee	275.00
<b>Total Building Department Revenue</b>	33,791.70
<b>Franchise Fee Revenue</b>	
4218 Telecom	7,599.52
4220 Solid Waste	5,355.36
<b>Total Franchise Fee Revenue</b>	12,954.88
<b>Interest Revenue</b>	
4330 General Fund Interest	4.53
4332 Investment Interest	62,936.04
<b>Total Interest Revenue</b>	62,940.57
<b>Miscellaneous Revenue</b>	
4502 Animal Adoption & Impound	1,204.10
4506 Animal Shelter Donations	114.35
4508 Annual Park Passes	1,312.45
4510 Arrowhead Park Fees	13,696.00
4512 Beer & Wine Permit	30.00
4530 Other Receivables	3,644.82
4536 Point Vista Park Fees	2,440.00
4550 Sycamore Bend Fees	7,720.00
4558 Harbor Lane/Sycamore Bend	1,750.00
4566 Interlocal Agreements	6,185.00
<b>Total Miscellaneous Revenue</b>	38,096.72
<b>Municipal Court Revenue</b>	
4602 Building Security Fund	1,335.80
4604 Citations	46,736.59
4606 Court Technology Fund	979.33
4608 Jury Fund	82.14
4610 Truancy Fund	1,363.17
4612 State Court Costs	21,980.78
4614 Child Safety Fee	25.00
<b>Total Municipal Court Revenue</b>	72,502.81
<b>Sales Tax Revenue</b>	
4702 Sales Tax General Fund	212,695.41
4706 Sales Tax 4B Corporation	30,385.06
4708 Sales Tax Mixed Beverage	2,589.38
<b>Total Sales Tax Revenue</b>	245,669.85
<b>Total Income</b>	488,917.52

## Town of Hickory Creek

## Profit &amp; Loss

May 2024

06/13/24

Accrual Basis

	<u>May 24</u>
Gross Profit	488,917.52
Expense	
Capital Outlay	
5010 Street Maintenance	266.20
5022 Parks and Rec Improvements	13,490.95
5026 Fleet Vehicles	19,330.78
Total Capital Outlay	33,087.93
General Government	
5202 Bank Service Charges	15.00
5206 Computer Hardware/Software	8,571.70
5208 Copier Rental	299.85
5210 Dues & Memberships	100.00
5212 EDC Tax Payment	30,390.06
5216 Volunteer/Staff Events	156.17
5218 General Communications	3,806.40
5222 Office Supplies & Equip.	112.03
5224 Postage	932.88
5226 Community Cause	985.27
5228 Town Council/Board Expense	288.18
5230 Training & Education	550.00
Total General Government	46,207.54
Municipal Court	
5302 Books & Subscriptions	-11.82
5312 Court Technology	3,054.75
5318 Merchant Fees/Credit Cards	851.59
5326 Training & Education	-100.00
5332 Warrants Collected	948.19
Total Municipal Court	4,742.71
Parks and Recreation	
5408 Tanglewood Park	11.20
5416 Town Hall Park	45.00
Total Parks and Recreation	56.20
Parks Corps of Engineer	
5432 Arrowhead	697.27
5434 Harbor Grove	292.90
5436 Point Vista	432.12
5438 Sycamore Bend	689.19
Total Parks Corps of Engineer	2,111.48
Personnel	
5502 Administration Wages	34,466.42
5504 Municipal Court Wages	6,569.76
5506 Police Wages	90,504.63
5507 Police Overtime Wages	3,275.00
5508 Public Works Wages	20,156.09
5509 Public Works Overtime Wage	807.60
5510 Health Insurance	22,478.15
5514 Payroll Expense	2,443.03
5516 Employment Exams	120.00
5518 Retirement (TMRS)	22,190.30
Total Personnel	203,010.98
Police Department	
5602 Auto Gas & Oil	4,865.04
5606 Auto Maintenance & Repair	2,478.40
5612 Computer Hardware/Software	979.80
5614 Crime Lab Analysis	115.00
5616 Drug Forfeiture	3,045.50
5626 Office Supplies/Equipment	93.10

## Town of Hickory Creek

## Profit &amp; Loss

May 2024

06/13/24

Accrual Basis

	<u>May 24</u>
5630 Personnel Equipment	1,790.00
5636 Uniforms	361.35
5640 Training & Education	450.00
<b>Total Police Department</b>	<b>14,178.19</b>
<b>Public Works Department</b>	
5706 Animal Control Supplies	400.22
5708 Animal Control Vet Fees	1,337.53
5710 Auto Gas & Oil	2,350.10
5714 Auto Maintenance/Repair	465.69
5718 Computer Hardware/Software	140.04
5724 Equipment Maintenance	801.49
5728 Equipment Supplies	277.30
5732 Office Supplies/Equipment	19.98
5734 Communications	313.92
5748 Landscaping Services	7,075.04
<b>Total Public Works Department</b>	<b>13,181.31</b>
<b>Services</b>	
5804 Attorney Fees	14,021.67
5814 Engineering	93.32
5818 Inspections	7,825.00
5822 Legal Notices/Advertising	375.20
5824 Library Services	130.90
5826 Municipal Judge	1,055.00
5828 Printing	519.82
<b>Total Services</b>	<b>24,020.91</b>
<b>Special Events</b>	
6012 Special Events	88.00
<b>Total Special Events</b>	<b>88.00</b>
<b>Utilities &amp; Maintenance</b>	
5902 Bldg Maintenance/Supplies	9,236.13
5904 Electric	2,061.54
5906 Gas	157.44
5908 Street Lighting	4,081.45
5910 Telephone	1,458.42
5912 Water	2,153.86
<b>Total Utilities &amp; Maintenance</b>	<b>19,148.84</b>
<b>Total Expense</b>	<b>359,834.09</b>
<b>Net Ordinary Income</b>	<b>129,083.43</b>
<b>Net Income</b>	<b>129,083.43</b>

## Town of Hickory Creek

### Budget vs. Actual Year to Date 66.64%

October 2023 through May 2024

	Oct '23 - May 24	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
<b>Ad Valorem Tax Revenue</b>			
4002 M&O	1,631,145.76	1,664,029.00	98.0%
4004 M&O Penalties & Interest	5,874.20	4,000.00	146.9%
4006 Delinquent M&O	-1,152.46	2,000.00	-57.6%
4008 I&S Debt Service	809,754.65	836,526.00	96.8%
4010 I&S Penalties & Interest	14,785.13	15,000.00	98.6%
4012 Delinquent I&S	-707.33	1,200.00	-58.9%
<b>Total Ad Valorem Tax Revenue</b>	<b>2,459,699.95</b>	<b>2,522,755.00</b>	<b>97.5%</b>
<b>Building Department Revenue</b>			
4102 Building Permits	661,916.79	650,000.00	101.8%
4104 Certificate of Occupancy	6,500.00	7,000.00	92.9%
4106 Contractor Registration	3,300.00	2,500.00	132.0%
4108 Preliminary/Final Plat	2,550.00	1,700.00	150.0%
4110 Prelim/Final Site Plan	3,800.00	2,100.00	181.0%
4112 Health Inspections	8,280.00	10,000.00	82.8%
4122 Septic Permits	1,700.00	2,125.00	80.0%
4124 Sign Permits	2,600.00	3,000.00	86.7%
4126 Special Use Permit	0.00	200.00	0.0%
4128 Variance Fee	500.00	1,500.00	33.3%
4130 Vendor Fee	650.00	225.00	288.9%
4132 Alarm Permit Fees	300.00	500.00	60.0%
<b>Total Building Department Revenue</b>	<b>692,096.79</b>	<b>680,850.00</b>	<b>101.7%</b>
<b>Franchise Fee Revenue</b>			
4214 Electric	211,195.40	207,500.00	101.8%
4216 Gas	81,977.51	90,000.00	91.1%
4218 Telecom	23,987.87	32,000.00	75.0%
4220 Solid Waste	41,776.46	50,000.00	83.6%
<b>Total Franchise Fee Revenue</b>	<b>358,937.24</b>	<b>379,500.00</b>	<b>94.6%</b>
<b>Interest Revenue</b>			
4330 General Fund Interest	34.42	40.00	86.1%
4332 Investment Interest	471,583.05	400,000.00	117.9%
<b>Total Interest Revenue</b>	<b>471,617.47</b>	<b>400,040.00</b>	<b>117.9%</b>
<b>Interlocal Revenue</b>			
4402 Corp Contract Current Year	0.00	64,215.00	0.0%
<b>Total Interlocal Revenue</b>	<b>0.00</b>	<b>64,215.00</b>	<b>0.0%</b>
<b>Miscellaneous Revenue</b>			
4502 Animal Adoption & Impound	17,654.88	18,000.00	98.1%
4506 Animal Shelter Donations	505.35	1,000.00	50.5%
4508 Annual Park Passes	26,102.45	30,000.00	87.0%
4510 Arrowhead Park Fees	36,098.00	40,000.00	90.2%
4512 Beer & Wine Permit	60.00	150.00	40.0%
4516 Corp Parks Fund Reserve	0.00	0.00	0.0%
4518 Drug Forfeiture	10,008.85	60,000.00	16.7%
4520 Drug Seizure	3,523.00	0.00	100.0%
4524 Fund Balance Reserve	0.00	2,196,978.56	0.0%
4526 Mineral Rights	250.55	1,000.00	25.1%
4530 Other Receivables	68,490.15	75,000.00	91.3%
4534 PD State Training	2,943.33	2,943.33	100.0%
4536 Point Vista Park Fees	6,491.00	12,000.00	54.1%
4546 Street Improv Restricted	0.00	0.00	0.0%
4550 Sycamore Bend Fees	28,628.00	25,000.00	114.5%
4554 Building Security Fund Res	0.00	0.00	0.0%
4556 Court Tech Fund Reserve	0.00	0.00	0.0%
4558 Harbor Lane/Sycamore Bend	1,750.00	0.00	100.0%
4560 2020 CO Proceeds	0.00	1,100,000.00	0.0%
4562 Coronavirus Local Recovery	0.00	275,650.00	0.0%
4564 Task Force Forfeiture	0.00	0.00	0.0%



**Town of Hickory Creek**  
**Budget vs. Actual Year to Date 66.64%**  
**October 2023 through May 2024**

	Oct '23 - May 24	Budget	% of Budget
4566 Interlocal Agreements	182,385.00	198,135.00	92.1%
4568 Opiod Settlements	1,008.22	0.00	100.0%
<b>Total Miscellaneous Revenue</b>	<b>385,898.78</b>	<b>4,035,856.89</b>	<b>9.6%</b>
<b>Municipal Court Revenue</b>			
4602 Building Security Fund	11,714.35	18,023.00	65.0%
4604 Citations	380,233.74	550,000.00	69.1%
4606 Court Technology Fund	9,429.92	15,936.00	59.2%
4608 Jury Fund	419.09	200.00	209.5%
4610 Truancy Fund	11,689.43	0.00	100.0%
4612 State Court Costs	198,717.66	311,060.00	63.9%
4614 Child Safety Fee	347.94	800.00	43.5%
<b>Total Municipal Court Revenue</b>	<b>612,552.13</b>	<b>896,019.00</b>	<b>68.4%</b>
<b>Sales Tax Revenue</b>			
4702 Sales Tax General Fund	1,496,274.56	2,100,000.00	71.3%
4706 Sales Tax 4B Corporation	213,753.52	300,000.00	71.3%
4708 Sales Tax Mixed Beverage	24,522.42	35,000.00	70.1%
4710 Hotel Occupancy Tax	4,608.77	5,000.00	92.2%
<b>Total Sales Tax Revenue</b>	<b>1,739,159.27</b>	<b>2,440,000.00</b>	<b>71.3%</b>
<b>Total Income</b>	<b>6,719,961.63</b>	<b>11,419,235.89</b>	<b>58.8%</b>
<b>Gross Profit</b>	<b>6,719,961.63</b>	<b>11,419,235.89</b>	<b>58.8%</b>
<b>Expense</b>			
<b>Capital Outlay</b>			
5010 Street Maintenance	5,584.51	25,000.00	22.3%
5012 Streets & Road Improvement	-109,531.27	500,000.00	-21.9%
5022 Parks and Rec Improvements	59,168.32	2,300,000.00	2.6%
5024 Public Safety Improvements	75,616.33	75,650.00	100.0%
5026 Fleet Vehicles	217,270.63	265,000.00	82.0%
5032 Broadband Initiative	204,195.38	205,000.00	99.6%
5032 Denton County TRIP22	446,265.00	1,100,000.00	40.6%
<b>Total Capital Outlay</b>	<b>898,568.90</b>	<b>4,470,650.00</b>	<b>20.1%</b>
<b>Debt Service</b>			
5110 2015 Refunding Bond Series	46,144.99	316,450.00	14.6%
5112 2015 C.O. Series	51,320.01	271,800.00	18.9%
5114 2020 C.O. Series	50,145.00	254,450.00	19.7%
<b>Total Debt Service</b>	<b>147,610.00</b>	<b>842,700.00</b>	<b>17.5%</b>
<b>General Government</b>			
5202 Bank Service Charges	80.00	200.00	40.0%
5204 Books & Subscriptions	0.00	300.00	0.0%
5206 Computer Hardware/Software	33,378.24	60,000.00	55.6%
5208 Copier Rental	2,711.17	3,600.00	75.3%
5210 Dues & Memberships	2,691.46	3,500.00	76.9%
5212 EDC Tax Payment	213,765.49	300,000.00	71.3%
5214 Election Expenses	0.00	0.00	0.0%
5216 Volunteer/Staff Events	4,802.01	8,000.00	60.0%
5218 General Communications	22,307.77	32,000.00	69.7%
5222 Office Supplies & Equip.	1,844.39	3,000.00	61.5%
5224 Postage	5,854.97	7,000.00	83.6%
5226 Community Cause	1,399.03	3,000.00	46.6%
5228 Town Council/Board Expense	3,552.81	10,000.00	35.5%
5230 Training & Education	1,430.33	1,500.00	95.4%
5232 Travel Expense	109.73	2,000.00	5.5%
5234 Staff Uniforms	787.30	800.00	98.4%
5236 Transfer to Reserve	0.00	0.00	0.0%
<b>Total General Government</b>	<b>294,714.70</b>	<b>434,900.00</b>	<b>67.8%</b>
<b>Municipal Court</b>			
5302 Books & Subscriptions	80.21	100.00	80.2%

**Town of Hickory Creek**  
**Budget vs. Actual Year to Date 66.64%**  
**October 2023 through May 2024**

	Oct '23 - May 24	Budget	% of Budget
5304 Building Security	4,031.51	18,023.00	22.4%
5312 Court Technology	8,295.35	15,963.00	52.0%
5314 Dues & Memberships	55.00	150.00	36.7%
5318 Merchant Fees/Credit Cards	5,220.52	5,000.00	104.4%
5322 Office Supplies/Equipment	358.34	1,000.00	35.8%
5324 State Court Costs	238,081.36	311,060.00	76.5%
5326 Training & Education	300.00	500.00	60.0%
5328 Travel Expense	0.00	500.00	0.0%
5332 Warrants Collected	-5,893.98	2,500.00	-235.8%
<b>Total Municipal Court</b>	<b>250,528.31</b>	<b>354,796.00</b>	<b>70.6%</b>
<b>Parks and Recreation</b>			
5402 Events	658.75	1,500.00	43.9%
5408 Tanglewood Park	4,394.63	45,000.00	9.8%
5412 KHCB	200.00	500.00	40.0%
5414 Tree City USA	400.00	500.00	80.0%
5416 Town Hall Park	189.00	0.00	100.0%
<b>Total Parks and Recreation</b>	<b>5,842.38</b>	<b>47,500.00</b>	<b>12.3%</b>
<b>Parks Corps of Engineer</b>			
5432 Arrowhead	28,464.56	38,500.00	73.9%
5434 Harbor Grove	2,298.14	10,000.00	23.0%
5436 Point Vista	9,438.62	15,000.00	62.9%
5438 Sycamore Bend	36,950.74	43,500.00	84.9%
<b>Total Parks Corps of Engineer</b>	<b>77,152.06</b>	<b>107,000.00</b>	<b>72.1%</b>
<b>Personnel</b>			
5502 Administration Wages	292,518.60	435,826.00	67.1%
5504 Municipal Court Wages	55,286.66	87,736.00	63.0%
5506 Police Wages	729,080.99	1,230,354.00	59.3%
5507 Police Overtime Wages	32,797.25	40,000.00	82.0%
5508 Public Works Wages	167,287.31	275,624.00	60.7%
5509 Public Works Overtime Wage	3,037.07	4,500.00	67.5%
5510 Health Insurance	150,650.98	255,054.00	59.1%
5512 Longevity	14,180.00	14,180.00	100.0%
5514 Payroll Expense	20,558.28	25,000.00	82.2%
5516 Employment Exams	760.00	2,500.00	30.4%
5518 Retirement (TMRS)	194,025.83	316,117.00	61.4%
5520 Unemployment (TWC)	3,095.48	2,500.00	123.8%
5522 Workman's Compensation	53,186.00	53,200.00	100.0%
<b>Total Personnel</b>	<b>1,716,464.45</b>	<b>2,742,591.00</b>	<b>62.6%</b>
<b>Police Department</b>			
5602 Auto Gas & Oil	38,369.88	50,000.00	76.7%
5606 Auto Maintenance & Repair	74,376.34	75,000.00	99.2%
5610 Books & Subscriptions	571.71	6,000.00	9.5%
5612 Computer Hardware/Software	58,895.57	75,500.00	78.0%
5614 Crime Lab Analysis	1,619.58	6,500.00	24.9%
5616 Drug Forfeiture	33,861.39	30,630.89	110.5%
5618 Dues & Memberships	0.00	500.00	0.0%
5626 Office Supplies/Equipment	1,061.01	2,000.00	53.1%
5630 Personnel Equipment	31,530.28	40,000.00	78.8%
5634 Travel Expense	570.40	2,000.00	28.5%
5636 Uniforms	10,802.45	12,000.00	90.0%
5640 Training & Education	6,487.42	8,500.00	76.3%
5644 Citizens on Patrol	0.00	250.00	0.0%
5646 Community Outreach	618.13	300.00	206.0%
5648 K9 Unit	1,053.15	5,000.00	21.1%
5650 Task Force Forfeiture	0.00	10,000.00	0.0%
<b>Total Police Department</b>	<b>259,817.31</b>	<b>324,180.89</b>	<b>80.1%</b>
<b>Public Works Department</b>			
5702 Animal Control Donation	697.61	1,000.00	69.8%
5704 Animal Control Equipment	3,018.64	1,000.00	301.9%

## Town of Hickory Creek Budget vs. Actual Year to Date 66.64% October 2023 through May 2024

	Oct '23 - May 24	Budget	% of Budget
5706 Animal Control Supplies	2,971.85	5,000.00	59.4%
5708 Animal Control Vet Fees	14,153.35	25,000.00	56.6%
5710 Auto Gas & Oil	12,214.68	20,000.00	61.1%
5714 Auto Maintenance/Repair	6,986.08	10,000.00	69.9%
5716 Beautification	15,726.64	125,000.00	12.6%
5718 Computer Hardware/Software	5,884.08	3,500.00	168.1%
5720 Dues & Memberships	369.00	450.00	82.0%
5722 Equipment	-7,131.05	2,500.00	-285.2%
5724 Equipment Maintenance	26,701.91	22,000.00	121.4%
5726 Equipment Rental	97.90	1,000.00	9.8%
5728 Equipment Supplies	2,558.11	5,000.00	51.2%
5732 Office Supplies/Equipment	1,432.23	1,750.00	81.8%
5734 Communications	3,117.00	3,800.00	82.0%
5738 Training	335.00	800.00	41.9%
5740 Travel Expense	28.15	3,000.00	0.9%
5742 Uniforms	1,544.70	2,800.00	55.2%
5748 Landscaping Services	31,973.11	90,000.00	35.5%
<b>Total Public Works Department</b>	<b>122,678.99</b>	<b>323,600.00</b>	<b>37.9%</b>
<b>Services</b>			
5802 Appraisal District	8,257.32	16,525.00	50.0%
5804 Attorney Fees	69,830.22	50,000.00	139.7%
5806 Audit	15,500.00	15,500.00	100.0%
5808 Codification	0.00	2,000.00	0.0%
5812 Document Management	0.00	750.00	0.0%
5814 Engineering	84,430.31	175,000.00	48.2%
5816 General Insurance	51,906.86	51,915.00	100.0%
5818 Inspections	41,245.00	50,000.00	82.5%
5820 Fire Service	728,019.00	970,692.00	75.0%
5822 Legal Notices/Advertising	869.74	2,000.00	43.5%
5824 Library Services	845.40	1,200.00	70.5%
5826 Municipal Judge	8,935.00	13,800.00	64.7%
5828 Printing	1,172.75	2,500.00	46.9%
5830 Tax Collection	2,979.00	3,000.00	99.3%
5832 Computer Technical Support	44,615.46	45,000.00	99.1%
5838 DCCAC	0.00	7,228.00	0.0%
5840 Denton County Dispatch	0.00	38,508.00	0.0%
5844 Helping Hands	0.00	200.00	0.0%
5846 Span Transit Services	1,983.52	5,000.00	39.7%
5848 Recording Fees	71.00	500.00	14.2%
<b>Total Services</b>	<b>1,060,660.58</b>	<b>1,451,318.00</b>	<b>73.1%</b>
<b>Special Events</b>			
6012 Special Events	7,962.98	25,000.00	31.9%
<b>Total Special Events</b>	<b>7,962.98</b>	<b>25,000.00</b>	<b>31.9%</b>
<b>Utilities &amp; Maintenance</b>			
5902 Bldg Maintenance/Supplies	92,608.57	150,000.00	61.7%
5904 Electric	18,784.74	27,000.00	69.6%
5906 Gas	2,166.48	3,000.00	72.2%
5908 Street Lighting	32,575.80	45,000.00	72.4%
5910 Telephone	37,627.00	45,000.00	83.6%
5912 Water	20,478.60	25,000.00	81.9%
<b>Total Utilities &amp; Maintenance</b>	<b>204,241.19</b>	<b>295,000.00</b>	<b>69.2%</b>
<b>Total Expense</b>	<b>5,046,241.85</b>	<b>11,419,235.89</b>	<b>44.2%</b>
<b>Net Ordinary Income</b>	<b>1,673,719.78</b>	<b>0.00</b>	<b>100.0%</b>
<b>Net Income</b>	<b>1,673,719.78</b>	<b>0.00</b>	<b>100.0%</b>

**Town of Hickory Creek**  
**Expenditures over \$1,000.00**  
**May 2024**

Type	Date	Num	Name	Amount
<b>Ordinary Income/Expense</b>				
<b>Expense</b>				
<b>Capital Outlay</b>				
<b>5022 Parks and Rec Improvements</b>				
Bill	05/13/2024	Invoice...	Blessing Gravel, LLC	4,796.26
Bill	05/16/2024	Invoice...	A. L. Moser Drilling, LLC	2,886.69
Bill	05/30/2024	Invoice...	Half Associates, Inc.	5,500.00
Total 5022 Parks and Rec Improvements				13,182.95
<b>5026 Fleet Vehicles</b>				
Bill	05/13/2024	Invoice...	GTS Technology Solutions	12,810.30
Bill	05/13/2024	Invoice...	Main Street Signs & Graphics	2,227.60
Check	05/20/2024	Debit	Enterprise Fleet Management	4,292.88
Total 5026 Fleet Vehicles				19,330.78
Total Capital Outlay				32,513.73
<b>General Government</b>				
<b>5206 Computer Hardware/Software</b>				
Bill	05/13/2024	Invoice...	Business Information Systems, Inc.	3,955.70
Check	05/16/2024	Debit	Structured Technology Solutions	2,432.00
Check	05/22/2024	Debit	Structured Technology Solutions	1,695.79
Total 5206 Computer Hardware/Software				8,083.49
<b>5212 EDC Tax Payment</b>				
Check	05/13/2024		Hickory Creek Economic Development	30,385.06
Total 5212 EDC Tax Payment				30,385.06
<b>5218 General Communications</b>				
Bill	05/16/2024	Invoice...	Bird's Printing & Copies	3,335.40
Total 5218 General Communications				3,335.40
Total General Government				41,803.95
<b>Municipal Court</b>				
<b>5312 Court Technology</b>				
Bill	05/30/2024	025-46...	Tyler Technologies	3,054.75
Total 5312 Court Technology				3,054.75
Total Municipal Court				3,054.75
<b>Personnel</b>				
<b>5510 Health Insurance</b>				
Check	05/02/2024		Renaissance Life & Health Insurance	1,277.27
Check	05/21/2024	10002	Cigna	21,055.77
Total 5510 Health Insurance				22,333.04
<b>5518 Retirement (TMRS)</b>				
Check	05/10/2024	Debit	TMRS	22,190.30
Total 5518 Retirement (TMRS)				22,190.30
Total Personnel				44,523.34
<b>Police Department</b>				
<b>5602 Auto Gas &amp; Oil</b>				
Check	05/23/2024		Wright Express	4,865.04
Total 5602 Auto Gas & Oil				4,865.04
<b>5606 Auto Maintenance &amp; Repair</b>				
Bill	05/13/2024	R.O.# ...	Christian Brothers Automotive	1,542.45
Total 5606 Auto Maintenance & Repair				1,542.45

**Town of Hickory Creek**  
**Expenditures over \$1,000.00**  
**May 2024**

Type	Date	Num	Name	Amount
<b>5616 Drug Forfeiture</b>				
Bill	05/16/2024	Invoice...	Symbol Arts, LLC	3,045.50
Total 5616 Drug Forfeiture				3,045.50
<b>5630 Personnel Equipment</b>				
Bill	05/13/2024	Invoice...	SSD International	1,790.00
Total 5630 Personnel Equipment				1,790.00
Total Police Department				11,242.99
<b>Public Works Department</b>				
<b>5710 Auto Gas &amp; Oil</b>				
Check	05/23/2024		Wright Express	1,464.60
Total 5710 Auto Gas & Oil				1,464.60
<b>5748 Landscaping Services</b>				
Bill	05/13/2024	Invoice...	D & D Commercial Landscape Management	7,075.04
Total 5748 Landscaping Services				7,075.04
Total Public Works Department				8,539.64
<b>Services</b>				
<b>5804 Attorney Fees</b>				
Check	05/01/2024		Law Office of Dorwin L. Sargent III, PLLC	3,386.75
Bill	05/16/2024	Accou...	Hayes, Berry, White & Vanzant	4,729.92
Check	05/24/2024		Law Office of Dorwin L. Sargent III, PLLC	3,960.00
Total 5804 Attorney Fees				12,076.67
<b>5818 Inspections</b>				
Bill	05/13/2024	Invoice...	Analisa Griffith	1,000.00
Bill	05/13/2024	Invoice...	Build by I-Codes	3,760.00
Bill	05/13/2024	Invoice...	Build by I-Codes	1,790.00
Total 5818 Inspections				6,550.00
<b>5826 Municipal Judge</b>				
Check	05/01/2024		The Law Office of Cynthia Burkett	1,050.00
Total 5826 Municipal Judge				1,050.00
Total Services				19,676.67
<b>Utilities &amp; Maintenance</b>				
<b>5902 Bldg Maintenance/Supplies</b>				
Check	05/16/2024	5598	Merit Services	7,513.32
Total 5902 Bldg Maintenance/Supplies				7,513.32
<b>5904 Electric</b>				
Check	05/23/2024	Debit	Hudson Energy Services, LLC	2,061.54
Total 5904 Electric				2,061.54
<b>5908 Street Lighting</b>				
Check	05/23/2024	Debit	Hudson Energy Services, LLC	3,881.20
Total 5908 Street Lighting				3,881.20
Total Utilities & Maintenance				13,456.06
Total Expense				174,811.13
Net Ordinary Income				-174,811.13
<b>Net Income</b>				<b>-174,811.13</b>



TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276015

**ACCOUNT NAME:** 2020 CERTIFICATES OF OBLIGATIONS

**STATEMENT PERIOD:** 05/01/2024 - 05/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.4208%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 42 DAYS AND THE NET ASSET VALUE FOR 5/31/24 WAS 0.999709.

<b>MONTHLY ACTIVITY DETAIL</b>				
TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			1,508,142.41
05/31/2024	MONTHLY POSTING	9999888	6,943.42	1,515,085.83
	ENDING BALANCE			1,515,085.83

<b>MONTHLY ACCOUNT SUMMARY</b>	
BEGINNING BALANCE	1,508,142.41
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	6,943.42
ENDING BALANCE	1,515,085.83
AVERAGE BALANCE	1,508,142.41

<b>ACTIVITY SUMMARY (YEAR-TO-DATE)</b>			
ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
2020 CERTIFICATES OF OBLIGATIONS	0.00	0.00	34,032.34

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT LOGIC PARTICIPANT SERVICES AT 1-800-895-6442





TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276007

**ACCOUNT NAME:** ANIMAL SHELTER FACILITY

**STATEMENT PERIOD:** 05/01/2024 - 05/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.4208%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 42 DAYS AND THE NET ASSET VALUE FOR 5/31/24 WAS 0.999709.

**MONTHLY ACTIVITY DETAIL**

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			10,456.08
05/31/2024	MONTHLY POSTING	9999888	48.12	10,504.20
	ENDING BALANCE			10,504.20

**MONTHLY ACCOUNT SUMMARY**

BEGINNING BALANCE	10,456.08
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	48.12
ENDING BALANCE	10,504.20
AVERAGE BALANCE	10,456.08

**ACTIVITY SUMMARY (YEAR-TO-DATE)**

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
ANIMAL SHELTER FACILITY	0.00	0.00	235.97





TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276016

**ACCOUNT NAME:** CORONAVIRUS LOCAL RECOVERY FUNDS

**STATEMENT PERIOD:** 05/01/2024 - 05/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.4208%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 42 DAYS AND THE NET ASSET VALUE FOR 5/31/24 WAS 0.999709.

**MONTHLY ACTIVITY DETAIL**

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
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	BEGINNING BALANCE			61,678.67
05/31/2024	MONTHLY POSTING	9999888	283.98	61,962.65
	ENDING BALANCE			61,962.65

**MONTHLY ACCOUNT SUMMARY**

BEGINNING BALANCE	61,678.67
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	283.98
ENDING BALANCE	61,962.65
AVERAGE BALANCE	61,678.67

**ACTIVITY SUMMARY (YEAR-TO-DATE)**

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
CORONAVIRUS LOCAL RECOVERY FUNDS	0.00	686,932.64	7,392.82

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT LOGIC PARTICIPANT SERVICES AT 1-800-895-6442







TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276009

**ACCOUNT NAME:** HARBOR LANE - SYCAMORE BEND

**STATEMENT PERIOD:** 05/01/2024 - 05/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.4208%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 42 DAYS AND THE NET ASSET VALUE FOR 5/31/24 WAS 0.999709.

**MONTHLY ACTIVITY DETAIL**

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
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	BEGINNING BALANCE			87,740.31
05/31/2024	MONTHLY POSTING	9999888	403.95	88,144.26
	ENDING BALANCE			88,144.26

**MONTHLY ACCOUNT SUMMARY**

BEGINNING BALANCE	87,740.31
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	403.95
ENDING BALANCE	88,144.26
AVERAGE BALANCE	87,740.31

**ACTIVITY SUMMARY (YEAR-TO-DATE)**

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
HARBOR LANE - SYCAMORE BEND	0.00	0.00	1,979.91

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT LOGIC PARTICIPANT SERVICES AT 1-800-895-6442





TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276001

**ACCOUNT NAME:** INVESTMENT FUND

**STATEMENT PERIOD:** 05/01/2024 - 05/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.4208%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 42 DAYS AND THE NET ASSET VALUE FOR 5/31/24 WAS 0.999709.

**MONTHLY ACTIVITY DETAIL**

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			11,898,407.61
05/31/2024	MONTHLY POSTING	9999888	54,779.71	11,953,187.32
	ENDING BALANCE			11,953,187.32

**MONTHLY ACCOUNT SUMMARY**

BEGINNING BALANCE	11,898,407.61
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	54,779.71
ENDING BALANCE	11,953,187.32
AVERAGE BALANCE	11,898,407.61

**ACTIVITY SUMMARY (YEAR-TO-DATE)**

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
INVESTMENT FUND	1,807,133.81	625,600.00	262,043.83





TOWN OF HICKORY CREEK  
 ATTN KRISTI K ROGERS  
 1075 RONALD REAGAN AVE  
 HICKORY CREEK TX 75065-7633

**MONTHLY STATEMENT OF ACCOUNT**

**ACCOUNT:** 1668276002

**ACCOUNT NAME:** TURBEVILLE RD IMPROVEMENT FUND

**STATEMENT PERIOD:** 05/01/2024 - 05/31/2024

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 5.4208%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 42 DAYS AND THE NET ASSET VALUE FOR 5/31/24 WAS 0.999709.

<b>MONTHLY ACTIVITY DETAIL</b>				
TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			103,570.16
05/31/2024	MONTHLY POSTING	9999888	476.86	104,047.02
	ENDING BALANCE			104,047.02

<b>MONTHLY ACCOUNT SUMMARY</b>	
BEGINNING BALANCE	103,570.16
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	476.86
ENDING BALANCE	104,047.02
AVERAGE BALANCE	103,570.16

<b>ACTIVITY SUMMARY (YEAR-TO-DATE)</b>			
ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
TURBEVILLE RD IMPROVEMENT FUND	0.00	0.00	2,337.09

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT LOGIC PARTICIPANT SERVICES AT 1-800-895-6442



**TOWN OF HICKORY CREEK**  
**ORDINANCE NO. 2024-06-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS APPROVING THE 2024 ANNUAL UPDATE TO THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR HICKORY CREEK PUBLIC IMPROVEMENT DISTRICT NO. 1 INCLUDING THE COLLECTION OF THE 2024 ANNUAL INSTALLMENTS**

WHEREAS, the Town of Hickory Creek (the “Town”) has created the Hickory Creek Public Improvement District No. 1 (the “PID”) in accordance with the requirements of Section 372.005 of the Public Improvement District Assessment Act (the “Act”); and

WHEREAS, August 15, 2017, the Town Council approved and accepted the Service and Assessment Plan in conformity with the requirements of the Act and adopted the assessment ordinance, which assessment ordinance approved the assessment roll and levied the assessments on property within the PID; and

WHEREAS, pursuant to Section 371.013 of the Act, the Service and Assessment Plan must cover a period of at least five years and must also define the annual indebtedness and projected costs for improvements and such Service and Assessment Plan must be reviewed and updated annually for the purpose of determining the annual budget for improvements; and

WHEREAS, the Town requires that an update to the Service and Assessment Plan and the Assessment Roll for the PID for 2024 (the “Annual Service Plan Update”) be prepared, setting forth the annual budget for improvements and the annual installment for assessed properties in the PID, and the Town now desires to approve such Annual Service Plan Update.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, THAT:**

Section 1. Findings. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. Terms. Terms not otherwise defined herein are defined in the Town of Hickory Creek, Texas, Public Improvement District No. 1 2024 Annual Service Plan Update attached hereto as *Exhibit A*.

Section 3. Approval of Update. The Annual Service Plan Update for the PID for 2024 is hereby approved and accepted by the Town Council.

Section 4. Severability. If any provision, section, subsection, sentence, clause or phrase of this resolution, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this resolution or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Town Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion here, and all provisions of this resolution are declared to be severable for that purpose.

Section 5. Filing in Land Records. The Town Secretary is directed to cause a copy of this Ordinance, including the 2024 Annual Service Plan Update, to be recorded in the real property records of Denton County, Texas, on or before July 1, 2024. The Town Secretary is further directed to similarly file each Annual Service Plan Update approved by the Town Council, with each such filing to occur within seven days of the date each respective Annual Service Plan Update is approved.

Section 6. Effective Date. This Ordinance shall become effective from and after its date of passage in accordance with law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this the 24<sup>th</sup> day of June, 2024.

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Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**EXHIBIT A**

**2024 Annual Service Plan Update**



HICKORY CREEK  
PUBLIC IMPROVEMENT DISTRICT NO. 1  
2024 ANNUAL SERVICE PLAN UPDATE

JUNE 24, 2024

## INTRODUCTION

Capitalized terms used in this 2024 Annual Service Plan Update shall have the meanings set forth in the 2017 Service and Assessment Plan (the “2017 SAP”) used for the issuance of PID 1 Bonds or the Development Agreement, as applicable.

The District was created pursuant to the PID Act by Resolution No. 2012-0327-1 on March 27, 2012 by the Town Council to finance certain Authorized Improvements for the benefit of the property in the District.

On April 24, 2012, the Town Council approved the SAP and levied Assessments to finance the Authorized Improvements to be constructed for the benefit of the PID 1 Property within PID 1 by approving Ordinance No. 2012-04-682. The SAP identified the Authorized Improvements to be provided by the PID 1, the costs of the Authorized Improvements, the indebtedness to be incurred for the Authorized Improvements, and the manner of assessing the property in the PID 1 for the costs of the Authorized Improvements. The Town also adopted an Assessment Roll identifying the Assessment on each Lot within the PID 1, based on the method of assessment identified in the SAP.

On September 19, 2014, the Town Council approved the 2014 Service and Assessment Plan Update for PID 1 which updated the Assessment Roll for 2014.

On September 22, 2015, the Town Council approved the 2015 Service and Assessment Plan Update for PID 1 which updated the Assessment Roll for 2015.

On September 15, 2016, the Town Council approved the 2016 Service and Assessment Plan Update for PID 1 which updated the Assessment Roll for 2016.

On August 15, 2017, the Town Council approved the 2017 SAP for PID 1 by adopting Resolution No. 2017-0815-1 which issued PID 1 Bonds for Assessed Property within PID 1 and updated the Assessment Roll for 2017.

On August 21, 2018, the Town Council approved the 2018 Service and Assessment Plan Update for PID 1 by adopting Resolution No. 2018-0821-1 which updated the Assessment Roll for 2018.

On June 18, 2019, the Town Council approved the 2019 Service and Assessment Plan Update for PID 1 by adopting Resolution No. 2019-0618-1, which updated the Assessment Roll for 2019.

On July 27, 2020, the Town Council approved the 2020 Service and Assessment Plan Update for PID 1 by adopting Resolution No. 2020-0727-1, which updated the Assessment Roll for 2020.



On August 23, 2021, the Town Council approved the 2021 Service and Assessment Plan Update for PID 1 by adopting Ordinance No. 2021-08-880, which updated the Assessment Roll for 2021.

On August 1, 2022, the Town Council approved the 2022 Service and Assessment Plan Update for PID 1 by adopting Ordinance No. 2022-08-905, which updated the Assessment Roll for 2022.

On June 26, 2023, the Town Council approved the 2023 Service and Assessment Plan Update for the District by adopting Ordinance No. 2023-06-930 which approved the levy of Assessments for Assessed Property within the District and approved the Assessment Rolls.

The 2017 SAP identified the Authorized Improvements to be constructed for the benefit of the Assessed Parcels within the District, the costs of the Authorized Improvements, the indebtedness to be incurred for the Authorized Improvements, and the manner of assessing the property in the District for the costs of the Authorized Improvements. Pursuant to the PID Act, the 2017 SAP must be reviewed and updated annually. This document is the Annual Service Plan Update for 2024.

The Town Council also adopted an Assessment Roll identifying the Assessments on each Lot within the District, based on the method of assessment identified in the 2017 SAP. This 2024 Annual Service Plan Update also updates the Assessment Roll for 2024.

## PARCEL SUBDIVISION

The following plats have been recorded within PID 1:

- The Final Plat for Steeplechase North Addition Phase 1 consisting of 89 Residential Lots and 9 Lots classified as Non-Benefitted Property within the County was recorded in the official public records of the County on November 25, 2013.
- The Final Plat for Steeplechase North Addition Phase 2 consisting of 62 Residential Lots and 1 Lot classified as Non-Benefitted Property within the County was recorded in the official public records of the County on November 26, 2014

District	
Lot Type	Number of Lots
Residential Lot	151
<b>Total</b>	<b>151</b>

## LOT AND HOME SALES

All Lots have completed homes, and all Lots have been sold to end-users.

See **Exhibit C** for the buyer disclosures.

## AUTHORIZED IMPROVEMENTS

The Developer has completed the Authorized Improvements listed in the 2017 SAP and they were dedicated to the Town.

## OUTSTANDING ASSESSMENT

Net of the principal bond payment due September 1, the District has an outstanding Assessment of \$3,398,785.10. The outstanding Assessment is less than the outstanding PID 1 Bonds of \$3,470,000.00 due to prepayment of Assessments for which PID 1 Bonds have not been redeemed.

## ANNUAL INSTALLMENT DUE 1/31/2025

- **Principal and Interest** – The total principal and interest required for the Annual Installment due is \$234,899.98.

- **Administrative Expenses** – The cost of administering PID 1 and collecting the Annual Installments shall be paid for on a pro rata basis by each Parcel based on the amount of outstanding Assessment remaining on the Parcel. The total Administrative Expenses budgeted for the Annual Installment is \$20,092.11. A breakdown of the Administrative Expenses is shown below.

Administrative Expenses Breakdown	
Administration	\$ 6,892.11
City Auditor	\$ 2,500.00
Filing Fees	\$ 1,000.00
County Collection	\$ 200.00
Misc.	\$ 1,000.00
PID Trustee Fees	\$ 2,500.00
Dissemination Agent	\$ 3,500.00
Arbitrage	\$ 2,500.00
<b>Total</b>	<b>\$ 20,092.11</b>

Due January 31, 2025	
Principal	\$ 100,000.00
Interest	134,899.98
Administrative Expenses	20,092.11
<b>Total Annual Installment</b>	<b>\$ 254,992.09</b>

See the Limited Offering Memorandum for the pay period for the District. See **Exhibit B** for the debt service schedule for the PID 1 Bonds provided by Hilltop Securities.

**PREPAYMENT OF ASSESSMENTS IN FULL**

The following is a list of all Parcels that made a Prepayment in full.

Property ID	Lot Type	Prepayment Date	Recorded Lien Release Number
564980	Residential	8/29/2019	138859
654152	Residential	11/25/2019	30083
564978	Residential	11/23/2020	25440
654162	Residential	12/20/2021	2022-62906
654173	Residential	6/4/2023	Pending

## PARTIAL PREPAYMENT OF ASSESSMENTS

No partial prepayments of Assessments have occurred within the District.

## EXTRAORDINARY OPTIONAL REDEMPTIONS

Below is a list of all extraordinary optional redemptions for the PID 1:

- \$50,000 partial sinking fund redemption on July 15, 2020<sup>1</sup>.

## SERVICE PLAN – FIVE YEAR BUDGET FORECAST

The Act requires the annual indebtedness and projected costs for the Authorized Improvements to be reviewed and updated in each Annual Service Plan Update, and the projection shall cover a period of not less than five years. The projection in the table below shows the Annual Installments for PID 1.

Annual Installments Due	1/31/2025	1/31/2026	1/31/2027	1/31/2028	1/31/2029	
Principal	\$ 100,000.00	\$ 100,000.00	\$ 105,000.00	\$ 110,000.00	\$ 115,000.00	
Interest	\$ 134,899.98	\$ 131,399.98	\$ 127,899.98	\$ 124,224.98	\$ 120,099.98	
(1)	\$ 234,899.98	\$ 231,399.98	\$ 232,899.98	\$ 234,224.98	\$ 235,099.98	
Administrative Expenses	\$ 20,092.11	\$ 20,493.95	\$ 20,903.83	\$ 21,321.91	\$ 21,748.35	
(2)	\$ 20,092.11	\$ 20,493.95	\$ 20,903.83	\$ 21,321.91	\$ 21,748.35	
<b>Total Annual Installment</b>	<b>(3) = (1) + (2)</b>	<b>\$ 254,992.09</b>	<b>\$ 251,893.93</b>	<b>\$ 253,803.81</b>	<b>\$ 255,546.89</b>	<b>\$ 256,848.33</b>

## ASSESSMENT ROLL

The list of current Lots within PID 1, the corresponding total Assessments, and current Annual Installments are shown on the Assessment Roll attached hereto as **Exhibit A**. The Parcels shown on the Assessment Roll will receive the bills for the 2024 Annual Installments which will be delinquent if not paid by January 31, 2025. Due to prepayments, the Annual Installments billed will not match the Annual Installments due until PID 1 Bonds are redeemed. The list of Parcels shown on the Assessment Roll is subject to change based on the final certified rolls provided by the County prior to billing.

<sup>1</sup> See <https://emma.msrb.org/RE1350899-RE1050425-RE1459074.pdf> for more information.

## EXHIBIT A – ASSESSMENT ROLL

Property ID	Lot Type	Outstanding Assessment	Installment Due 1/31/2025 <sup>[a]</sup>
564966	Residential Lot	\$ 23,279.35	\$ 1,713.50
564967	Residential Lot	\$ 23,279.35	\$ 1,713.50
564968	Residential Lot	\$ 23,279.35	\$ 1,713.50
564969	Residential Lot	\$ 23,279.35	\$ 1,713.50
564970	Residential Lot	\$ 23,279.35	\$ 1,713.50
564971	Residential Lot	\$ 23,279.35	\$ 1,713.50
564972	Residential Lot	\$ 23,279.35	\$ 1,713.50
564973	Residential Lot	\$ 23,279.35	\$ 1,713.50
564974	Residential Lot	\$ 23,279.35	\$ 1,713.50
564975	Residential Lot	\$ 23,279.35	\$ 1,713.50
564976	Residential Lot	\$ 23,279.35	\$ 1,713.50
564977	Residential Lot	\$ 23,279.35	\$ 1,713.50
564978	Residential Lot - Prepaid in Full	\$ -	\$ -
564979	Residential Lot	\$ 23,279.35	\$ 1,713.50
564980	Residential Lot - Prepaid in Full	\$ -	\$ -
564981	Residential Lot	\$ 23,279.35	\$ 1,713.50
564982	Residential Lot	\$ 23,279.35	\$ 1,713.50
564983	Residential Lot	\$ 23,279.35	\$ 1,713.50
564984	Residential Lot	\$ 23,279.35	\$ 1,713.50
564985	Residential Lot	\$ 23,279.35	\$ 1,713.50
564986	Residential Lot	\$ 23,279.35	\$ 1,713.50
564987	Residential Lot	\$ 23,279.35	\$ 1,713.50
564988	Residential Lot	\$ 23,279.35	\$ 1,713.50
564989	Residential Lot	\$ 23,279.35	\$ 1,713.50
564990	Residential Lot	\$ 23,279.35	\$ 1,713.50
564991	Residential Lot	\$ 23,279.35	\$ 1,713.50
564992	Residential Lot	\$ 23,279.35	\$ 1,713.50
564993	Non-Benefitted Property	\$ -	\$ -
564994	Non-Benefitted Property	\$ -	\$ -
564995	Residential Lot	\$ 23,279.35	\$ 1,713.50
564996	Residential Lot	\$ 23,279.35	\$ 1,713.50
564997	Non-Benefitted Property	\$ -	\$ -
564999	Residential Lot	\$ 23,279.35	\$ 1,713.50
565000	Residential Lot	\$ 23,279.35	\$ 1,713.50
565001	Residential Lot	\$ 23,279.35	\$ 1,713.50
565002	Residential Lot	\$ 23,279.35	\$ 1,713.50
565003	Residential Lot	\$ 23,279.35	\$ 1,713.50
565004	Residential Lot	\$ 23,279.35	\$ 1,713.50
565005	Residential Lot	\$ 23,279.35	\$ 1,713.50
565006	Residential Lot	\$ 23,279.35	\$ 1,713.50

Property ID	Lot Type	Outstanding Assessment	Installment Due 1/31/2025 <sup>[a]</sup>
565007	Non-Benefitted Property	\$ -	\$ -
565008	Residential Lot	\$ 23,279.35	\$ 1,713.50
565009	Residential Lot	\$ 23,279.35	\$ 1,713.50
565010	Residential Lot	\$ 23,279.35	\$ 1,713.50
565011	Residential Lot	\$ 23,279.35	\$ 1,713.50
565012	Residential Lot	\$ 23,279.35	\$ 1,713.50
565013	Residential Lot	\$ 23,279.35	\$ 1,713.50
565014	Residential Lot	\$ 23,279.35	\$ 1,713.50
565015	Residential Lot	\$ 23,279.35	\$ 1,713.50
565016	Residential Lot	\$ 23,279.35	\$ 1,713.50
565017	Residential Lot	\$ 23,279.35	\$ 1,713.50
565018	Residential Lot	\$ 23,279.35	\$ 1,713.50
565019	Residential Lot	\$ 23,279.35	\$ 1,713.50
565020	Residential Lot	\$ 23,279.35	\$ 1,713.50
565021	Residential Lot	\$ 23,279.35	\$ 1,713.50
565022	Residential Lot	\$ 23,279.35	\$ 1,713.50
565023	Residential Lot	\$ 23,279.35	\$ 1,713.50
565024	Residential Lot	\$ 23,279.35	\$ 1,713.50
565025	Residential Lot	\$ 23,279.35	\$ 1,713.50
565026	Residential Lot	\$ 23,279.35	\$ 1,713.50
565027	Residential Lot	\$ 23,279.35	\$ 1,713.50
565028	Residential Lot	\$ 23,279.35	\$ 1,713.50
565029	Residential Lot	\$ 23,279.35	\$ 1,713.50
565030	Residential Lot	\$ 23,279.35	\$ 1,713.50
565031	Residential Lot	\$ 23,279.35	\$ 1,713.50
565032	Residential Lot	\$ 23,279.35	\$ 1,713.50
565033	Residential Lot	\$ 23,279.35	\$ 1,713.50
565034	Residential Lot	\$ 23,279.35	\$ 1,713.50
565035	Residential Lot	\$ 23,279.35	\$ 1,713.50
565036	Residential Lot	\$ 23,279.35	\$ 1,713.50
565037	Residential Lot	\$ 23,279.35	\$ 1,713.50
565038	Residential Lot	\$ 23,279.35	\$ 1,713.50
565039	Residential Lot	\$ 23,279.35	\$ 1,713.50
565040	Residential Lot	\$ 23,279.35	\$ 1,713.50
565041	Residential Lot	\$ 23,279.35	\$ 1,713.50
565042	Residential Lot	\$ 23,279.35	\$ 1,713.50
565043	Residential Lot	\$ 23,279.35	\$ 1,713.50
565044	Non-Benefitted Property	\$ -	\$ -
565045	Non-Benefitted Property	\$ -	\$ -
565046	Non-Benefitted Property	\$ -	\$ -

Property ID	Lot Type	Outstanding Assessment	Installment Due 1/31/2025 <sup>[a]</sup>
565047	Residential Lot	\$ 23,279.35	\$ 1,713.50
565048	Residential Lot	\$ 23,279.35	\$ 1,713.50
565049	Residential Lot	\$ 23,279.35	\$ 1,713.50
565050	Residential Lot	\$ 23,279.35	\$ 1,713.50
565051	Residential Lot	\$ 23,279.35	\$ 1,713.50
565052	Residential Lot	\$ 23,279.35	\$ 1,713.50
565053	Residential Lot	\$ 23,279.35	\$ 1,713.50
565054	Residential Lot	\$ 23,279.35	\$ 1,713.50
565055	Residential Lot	\$ 23,279.35	\$ 1,713.50
565056	Residential Lot	\$ 23,279.35	\$ 1,713.50
565057	Residential Lot	\$ 23,279.35	\$ 1,713.50
565058	Residential Lot	\$ 23,279.35	\$ 1,713.50
565059	Residential Lot	\$ 23,279.35	\$ 1,713.50
565060	Residential Lot	\$ 23,279.35	\$ 1,713.50
565061	Residential Lot	\$ 23,279.35	\$ 1,713.50
565062	Residential Lot	\$ 23,279.35	\$ 1,713.50
565063	Non-Benefitted Property	\$ -	\$ -
654134	Residential Lot	\$ 23,279.35	\$ 1,713.50
654135	Residential Lot	\$ 23,279.35	\$ 1,713.50
654136	Residential Lot	\$ 23,279.35	\$ 1,713.50
654137	Residential Lot	\$ 23,279.35	\$ 1,713.50
654138	Residential Lot	\$ 23,279.35	\$ 1,713.50
654139	Residential Lot	\$ 23,279.35	\$ 1,713.50
654140	Residential Lot	\$ 23,279.35	\$ 1,713.50
654141	Residential Lot	\$ 23,279.35	\$ 1,713.50
654142	Residential Lot	\$ 23,279.35	\$ 1,713.50
654143	Residential Lot	\$ 23,279.35	\$ 1,713.50
654144	Residential Lot	\$ 23,279.35	\$ 1,713.50
654145	Residential Lot	\$ 23,279.35	\$ 1,713.50
654146	Residential Lot	\$ 23,279.35	\$ 1,713.50
654147	Residential Lot	\$ 23,279.35	\$ 1,713.50
654148	Residential Lot	\$ 23,279.35	\$ 1,713.50
654149	Residential Lot	\$ 23,279.35	\$ 1,713.50
654150	Residential Lot	\$ 23,279.35	\$ 1,713.50
654151	Residential Lot	\$ 23,279.35	\$ 1,713.50
654152	Residential Lot - Prepaid in Full	\$ -	\$ -
654153	Residential Lot	\$ 23,279.35	\$ 1,713.50
654154	Residential Lot	\$ 23,279.35	\$ 1,713.50
654155	Residential Lot	\$ 23,279.35	\$ 1,713.50
654156	Residential Lot	\$ 23,279.35	\$ 1,713.50

Property ID	Lot Type	Outstanding Assessment	Installment Due 1/31/2025 <sup>[a]</sup>
654157	Residential Lot	\$ 23,279.35	\$ 1,713.50
654158	Residential Lot	\$ 23,279.35	\$ 1,713.50
654159	Residential Lot	\$ 23,279.35	\$ 1,713.50
654160	Residential Lot	\$ 23,279.35	\$ 1,713.50
654161	Residential Lot	\$ 23,279.35	\$ 1,713.50
654162	Residential Lot - Prepaid in Full	\$ -	\$ -
654163	Residential Lot	\$ 23,279.35	\$ 1,713.50
654164	Residential Lot	\$ 23,279.35	\$ 1,713.50
654165	Residential Lot	\$ 23,279.35	\$ 1,713.50
654166	Residential Lot	\$ 23,279.35	\$ 1,713.50
654167	Residential Lot	\$ 23,279.35	\$ 1,713.50
654168	Residential Lot	\$ 23,279.35	\$ 1,713.50
654169	Residential Lot	\$ 23,279.35	\$ 1,713.50
654170	Residential Lot	\$ 23,279.35	\$ 1,713.50
654171	Residential Lot	\$ 23,279.35	\$ 1,713.50
654172	Residential Lot	\$ 23,279.35	\$ 1,713.50
654173	Residential Lot - Prepaid in Full	\$ -	\$ -
654174	Residential Lot	\$ 23,279.35	\$ 1,713.50
654175	Residential Lot	\$ 23,279.35	\$ 1,713.50
654176	Residential Lot	\$ 23,279.35	\$ 1,713.50
654177	Residential Lot	\$ 23,279.35	\$ 1,713.50
654178	Non-Benefitted Property	\$ -	\$ -
654179	Residential Lot	\$ 23,279.35	\$ 1,713.50
654180	Residential Lot	\$ 23,279.35	\$ 1,713.50
654181	Residential Lot	\$ 23,279.35	\$ 1,713.50
654182	Residential Lot	\$ 23,279.35	\$ 1,713.50
654183	Residential Lot	\$ 23,279.35	\$ 1,713.50
654184	Residential Lot	\$ 23,279.35	\$ 1,713.50
654185	Residential Lot	\$ 23,279.35	\$ 1,713.50
654186	Residential Lot	\$ 23,279.35	\$ 1,713.50
654187	Residential Lot	\$ 23,279.35	\$ 1,713.50
654188	Residential Lot	\$ 23,279.35	\$ 1,713.50
654189	Residential Lot	\$ 23,279.35	\$ 1,713.50
654190	Residential Lot	\$ 23,279.35	\$ 1,713.50
654191	Residential Lot	\$ 23,279.35	\$ 1,713.50
654192	Residential Lot	\$ 23,279.35	\$ 1,713.50
654193	Residential Lot	\$ 23,279.35	\$ 1,713.50
654194	Residential Lot	\$ 23,279.35	\$ 1,713.50
654195	Residential Lot	\$ 23,279.35	\$ 1,713.50
654196	Residential Lot	\$ 23,279.35	\$ 1,713.50
<b>Total</b>		<b>\$ 3,398,785.10</b>	<b>\$ 250,171.00</b>

**Footnotes:**

[a] Totals may not match the outstanding Assessment or Annual Installment due to rounding or prepayment of Assessment that have not yet redeemed PID Bonds.



## EXHIBIT B – DEBT SERVICE SCHEDULE

**TOWN OF HICKORY CREEK, TEXAS**  
Hickory Creek Public Improvement District No. 1

**Special Assessment Revenue Bonds, Series 2017**

**Debt Service Schedule (after 7/15/20 call of \$50,000)**

Due	Principal	Int.Rate	Interest	Total	FY Total
3/1/2020			\$ 75,275.00	\$ 75,275.00	
9/1/2020	\$ 85,000.00	3.000%	74,275.00	159,275.00	\$ 234,550.00
3/1/2021			73,000.00	73,000.00	
9/1/2021	90,000.00	3.000%	73,000.00	163,000.00	236,000.00
3/1/2022			71,850.00	71,850.00	
9/1/2022	90,000.00	3.000%	71,850.00	161,850.00	233,300.00
3/1/2023			70,300.00	70,300.00	
9/1/2023	95,000.00	3.000%	70,300.00	165,300.00	235,600.00
3/1/2024			68,875.00	68,875.00	
9/1/2024	95,000.00	3.000%	68,875.00	163,875.00	232,750.00
3/1/2025			67,450.00	67,450.00	
9/1/2025	100,000.00	3.500%	67,450.00	167,450.00	234,900.00
3/1/2026			65,700.00	65,700.00	
9/1/2026	100,000.00	3.500%	65,700.00	165,700.00	231,400.00
3/1/2027			63,950.00	63,950.00	
9/1/2027	105,000.00	3.500%	63,950.00	168,950.00	232,900.00
3/1/2028			62,112.50	62,112.50	
9/1/2028	110,000.00	3.750%	62,112.50	172,112.50	234,225.00
3/1/2029			60,050.00	60,050.00	
9/1/2029	115,000.00	3.750%	60,050.00	175,050.00	235,100.00
3/1/2030			57,893.75	57,893.75	
9/1/2030	120,000.00	3.750%	57,893.75	177,893.75	235,787.50
3/1/2031			55,643.75	55,643.75	
9/1/2031	125,000.00	3.750%	55,643.75	180,643.75	236,287.50
3/1/2032			53,300.00	53,300.00	
9/1/2032	125,000.00	3.750%	53,300.00	178,300.00	231,600.00
3/1/2033			50,956.25	50,956.25	
9/1/2033	130,000.00	3.875%	50,956.25	180,956.25	231,912.50
3/1/2034			48,437.50	48,437.50	
9/1/2034	135,000.00	3.875%	48,437.50	183,437.50	231,875.00
3/1/2035			45,821.88	45,821.88	
9/1/2035	140,000.00	3.875%	45,821.88	185,821.88	231,643.75
3/1/2036			43,109.38	43,109.38	
9/1/2036	150,000.00	3.875%	43,109.38	193,109.38	236,218.75
3/1/2037			40,203.13	40,203.13	
9/1/2037	155,000.00	3.875%	40,203.13	195,203.13	235,406.25
3/1/2038			37,200.00	37,200.00	
9/1/2038	160,000.00	4.000%	37,200.00	197,200.00	234,400.00
3/1/2039			34,000.00	34,000.00	
9/1/2039	165,000.00	4.000%	34,000.00	199,000.00	233,000.00
3/1/2040			30,700.00	30,700.00	
9/1/2040	170,000.00	4.000%	30,700.00	200,700.00	231,400.00
3/1/2041			27,300.00	27,300.00	
9/1/2041	180,000.00	4.000%	27,300.00	207,300.00	234,600.00
3/1/2042			23,700.00	23,700.00	
9/1/2042	185,000.00	4.000%	23,700.00	208,700.00	232,400.00
3/1/2043			20,000.00	20,000.00	
9/1/2043	195,000.00	4.000%	20,000.00	215,000.00	235,000.00
3/1/2044			16,100.00	16,100.00	
9/1/2044	200,000.00	4.000%	16,100.00	216,100.00	232,200.00
3/1/2045			12,100.00	12,100.00	
9/1/2045	210,000.00	4.000%	12,100.00	222,100.00	234,200.00
3/1/2046			7,900.00	7,900.00	
9/1/2046	220,000.00	4.000%	7,900.00	227,900.00	235,800.00
3/1/2047			3,500.00	3,500.00	
9/1/2047	175,000.00	4.000%	3,500.00	178,500.00	182,000.00
	<b>\$3,925,000.00</b>		<b>\$2,571,456.25</b>	<b>\$6,496,456.25</b>	<b>\$6,496,456.25</b>



## EXHIBIT C – BUYER DISCLOSURES

Buyer disclosures for the following Lot Types are found in this Exhibit:

- District
  - Residential Lot

## **HICKORY CREEK PUBLIC IMPROVEMENT DISTRICT NO. 1 – RESIDENTIAL LOT BUYER DISCLOSURE**

### NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING<sup>1</sup> RETURN TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO  
THE TOWN OF HICKORY CREEK, TEXAS  
CONCERNING THE FOLLOWING PROPERTY

\_\_\_\_\_  
PROPERTY ADDRESS

**RESIDENTIAL LOT PRINCIPAL ASSESSMENT: \$23,279.35**

As the purchaser of the real property described above, you are obligated to pay assessments to the Town of Hickory Creek, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hickory Creek Public Improvement District Number 1* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the Town. The exact amount of each annual installment will be approved each year by the Town Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the Town of Hickory Creek.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

\_\_\_\_\_  
<sup>1</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER]<sup>2</sup>

<sup>2</sup> To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>3</sup>

\_\_\_\_\_  
<sup>3</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER

STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]

\_\_\_\_\_  
<sup>4</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of \_\_\_\_\_ County.

## ANNUAL INSTALLMENTS - RESIDENTIAL LOT

Installments Due	Principal	Interest	Administrative Expenses	Total Installment <sup>[a]</sup>
1/31/2025	\$ 670.87	\$ 905.01	\$ 137.62	\$ 1,713.50
1/31/2026	\$ 670.87	\$ 881.53	\$ 140.37	\$ 1,692.77
1/31/2027	\$ 704.42	\$ 858.05	\$ 143.18	\$ 1,705.64
1/31/2028	\$ 737.96	\$ 833.39	\$ 146.04	\$ 1,717.40
1/31/2029	\$ 771.51	\$ 805.72	\$ 148.96	\$ 1,726.19
1/31/2030	\$ 805.05	\$ 776.79	\$ 151.94	\$ 1,733.78
1/31/2031	\$ 838.59	\$ 746.60	\$ 154.98	\$ 1,740.17
1/31/2032	\$ 838.59	\$ 715.15	\$ 158.08	\$ 1,711.82
1/31/2033	\$ 872.14	\$ 683.70	\$ 161.24	\$ 1,717.08
1/31/2034	\$ 905.68	\$ 649.91	\$ 164.47	\$ 1,720.06
1/31/2035	\$ 939.22	\$ 614.81	\$ 167.75	\$ 1,721.79
1/31/2036	\$ 1,006.31	\$ 578.42	\$ 171.11	\$ 1,755.84
1/31/2037	\$ 1,039.86	\$ 539.43	\$ 174.53	\$ 1,753.81
1/31/2038	\$ 1,073.40	\$ 499.13	\$ 178.02	\$ 1,750.55
1/31/2039	\$ 1,106.94	\$ 456.19	\$ 181.58	\$ 1,744.72
1/31/2040	\$ 1,140.49	\$ 411.92	\$ 185.21	\$ 1,737.62
1/31/2041	\$ 1,207.57	\$ 366.30	\$ 188.92	\$ 1,762.79
1/31/2042	\$ 1,241.12	\$ 317.99	\$ 192.70	\$ 1,751.81
1/31/2043	\$ 1,308.21	\$ 268.35	\$ 196.55	\$ 1,773.11
1/31/2044	\$ 1,341.75	\$ 216.02	\$ 200.48	\$ 1,758.25
1/31/2045	\$ 1,408.84	\$ 162.35	\$ 204.49	\$ 1,775.68
1/31/2046	\$ 1,475.92	\$ 106.00	\$ 208.58	\$ 1,790.50
1/31/2047	\$ 1,174.03	\$ 46.96	\$ 212.75	\$ 1,433.75
<b>Total</b>	<b>\$ 23,279.35</b>	<b>\$ 12,439.73</b>	<b>\$ 3,969.56</b>	<b>\$ 39,688.65</b>

**Footnotes:**

[a] The figures shown above are estimates only and subject to change in annual service plan updates. Changes in Administrative Expenses, Delinquency and Reserve Fund Requirements, interest earnings, or other available offsets could



**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2024-06-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK  
APPROVING THE 2024 ANNUAL UPDATE TO THE SERVICE AND ASSESSMENT  
PLAN AND ASSESSMENT ROLL FOR HICKORY CREEK PUBLIC IMPROVEMENT  
DISTRICT NO. 2 INCLUDING THE COLLECTION OF THE 2024 ANNUAL  
INSTALLMENTS**

WHEREAS, the Town of Hickory Creek (the “Town”) has created the Hickory Creek Public Improvement District No. 2 (the “PID”) in accordance with the requirements of Section 372.005 of the Public Improvement District Assessment Act (the “Act”); and

WHEREAS, on February 24, 2020, the Town Council approved and accepted the 2020 Amended and Restated Service and Assessment Plan in conformity with the requirements of the Act and adopted the assessment ordinance, which assessment ordinance approved the assessment roll and levied the assessments on property within the PID; and

WHEREAS, pursuant to Section 371.013 of the Act, the Service and Assessment Plan must cover a period of at least five years and must also define the annual indebtedness and projected costs for improvements and such Service and Assessment Plan must be reviewed and updated annually for the purpose of determining the annual budget for improvements; and

WHEREAS, the Town requires that an update to the Service and Assessment Plan and the Assessment Roll for the PID for 2024 (the “Annual Service Plan Update”) be prepared, setting forth the annual budget for improvements and the annual installment for assessed properties in the PID, and the Town now desires to approve such Annual Service Plan Update.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
TOWN OF HICKORY CREEK, TEXAS, THAT:**

Section 1. Findings. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. Terms. Terms not otherwise defined herein are defined in the Town of Hickory Creek, Texas, Public Improvement District No. 2 2024 Annual Service Plan Update attached hereto as *Exhibit A*.

Section 3. Approval of Update. The Annual Service Plan Update for the PID for 2024 is hereby approved and accepted by the Town Council.

Section 4. Severability. If any provision, section, subsection, sentence, clause or phrase of this resolution, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this resolution or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Town Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion here, and all provisions of this resolution are declared to be severable for that purpose.

Section 5. Filing in Land Records. The Town Secretary is directed to cause a copy of this Ordinance, including the 2023 Annual Service Plan Update, to be recorded in the real property records of Denton County, Texas, on or before July 1, 2024. The Town Secretary is further directed to similarly file each Annual Service Plan Update approved by the Town Council, with each such filing to occur within seven days of the date each respective Annual Service Plan Update is approved.

Section 6. Effective Date. This Ordinance shall become effective from and after its date of passage in accordance with law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this the 24<sup>th</sup> day of June, 2024.

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Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**EXHIBIT A**

**2024 Annual Service Plan Update**



HICKORY CREEK  
PUBLIC IMPROVEMENT DISTRICT NO. 2  
2024 ANNUAL SERVICE PLAN UPDATE

JUNE 24, 2024

## INTRODUCTION

Capitalized terms used in this 2024 Annual Service Plan Update shall have the meanings set forth in the 2020 Amended and Restated Service and Assessment Plan (the “2020 A&R SAP”), or the Reimbursement Agreement, as applicable.

The District was created pursuant to the Act by Resolution No. 2012-0918-1 on September 18, 2012, by the Town Council to finance certain Authorized Improvements for the benefit of the property in the District.

On October 16, 2012, the Town Council approved the 2012 SAP and levied Assessments to finance the Authorized Improvements to be constructed for the benefit of the Assessed Property within the District by approving the Assessment Ordinance No. 2012-10-699. The 2012 SAP identified the Authorized Improvements to be provided by the District, the costs of the Authorized Improvements, the indebtedness to be incurred for the Authorized Improvements and the manner of assessing the property in the District for the costs of the Authorized Improvements. The Town also adopted an Assessment Roll identifying the Assessment on each Lot within the District, based on the method of assessment identified in the 2012 SAP.

The Assessment Roll for the District was not updated in 2013.

On September 23, 2014, the Town Council approved the 2014 Annual Service Plan Update by council action. The 2014 Annual Service Update updated the Assessment Roll for 2014.

On September 22, 2015, the Town Council approved the 2015 Annual Service Plan Update by approving Resolution No. 2015-0922-2. The 2015 Annual Service Plan Update updated the Assessment Roll for 2015.

On September 15, 2016, the Town Council approved the 2016 Annual Service Plan Update by approving Resolution No. 2016-0920-2. The 2016 Annual Service Plan Update updated the Assessment Roll for 2016.

On September 19, 2017, the Town Council approved the 2017 Annual Service Plan Update by approving Resolution No. 2017-0919-2. The 2017 Annual Service Plan Update updated the Assessment Roll for 2017.

On June 19, 2018, the Town Council approved the 2018 Amended and Restated Service and Assessment Plan by adopting Ordinance No. 2018-06-796, which issued PID Bonds for Assessed Property within the District and updated the Assessment Roll for 2018.

On June 18, 2019, the Town Council approved the 2019 Annual Service Plan Update by adopting Resolution No. 2019-0618-2. The 2019 Annual Service Plan Update updated the Assessment Roll for 2019.

On February 24, 2020, the Town Council approved the 2020 Amended and Restated Service and Assessment Plan by adopting Ordinance No. 2020-02-845, which reallocated Assessment for the costs of certain improvements within the District and updated the Assessment Roll for 2020.

On August 23, 2021, the Town Council approved the 2021 Annual Service Plan Update by adopting Ordinance No. 2021-08-879. The 2021 Annual Service Plan Update updated the Assessment Roll for 2021.

On August 1, 2022, the Town Council approved the 2022 Annual Service Plan Update by adopting Ordinance No. 2022-08-906. The 2022 Annual Service Plan Update updated the Assessment Roll for 2022.

On June 26, 2023, the Town Council approved the 2023 Annual Service Plan Update by adopting Ordinance No. 2023-06-931. The 2023 Annual Service Plan Update updated the Assessment Roll for 2023.

The 2020 A&R SAP identified the Authorized Improvements to be constructed for the benefit of the Assessed Property within the District, the costs of the Authorized Improvements, the indebtedness to be incurred for the Authorized Improvements, and the manner of assessing the property in the District for the costs of the Authorized Improvements. Pursuant to the Act, the 2020 A&R SAP must be reviewed and updated annually. This document is the Annual Service Plan Update for 2024.

The Town Council also adopted an Assessment Roll identifying the Assessments on each Parcel within the District, based on the method of assessment identified in the 2020 A&R SAP. This 2024 Annual Service Plan Update also updates the Assessment Roll for 2024.

## PARCEL SUBDIVISION

The following plats have been recorded within the District:

- The Final Plat for Steeplechase South Addition consisting of 131 single-family homes within the County was recorded in the official public records of the County on September 13, 2012.
- The Minor Replat of Lots 1XR1, Block F Steeplechase South Addition within the County was recorded in the official public records of the County on September 09, 2013.
- The Replat of Lots 1X-R, 2X, 3X and Lots 2-24, Block A Steeplechase South Addition (33.83 Acre Tract) of All of Lot 1X, Block A of Steeplechase South Addition within the County was recorded in the official public records of the County on June 14, 2018.
- The Replat of Lots 1R and 2R, Block A Steeplechase South Addition (8.05 Acre Tract) of All of Lot 1, Block A of Steeplechase South Addition within the County was recorded in the official public records of the County on March 10, 2020. The Replat of Lots 1R and 2R, Block A Steeplechase South Addition (8.05 Acre Tract) of All of Lot 1, Block A of Steeplechase South Addition added one Lot classified as Changed Property to Improvement Area #1.

See the completed Lot Type classification summary within the District below:

District	
Lot Type Classification	
<b>Improvement Area #1</b>	
Residential	109
<b>Improvement Area #2</b>	
Residential	23
<b>Total</b>	<b>132</b>

## LOT AND HOME SALES

All Lots have completed homes, and all Lots have been sold to end-users.

See **Exhibit C** for the buyer disclosures.

## AUTHORIZED IMPROVEMENTS

The Developer has completed the Authorized Improvements listed in the 2020 SAP, and they were dedicated to the Town.

## OUTSTANDING ASSESSMENT

The outstanding Assessment for the District is \$3,694,545.45. The outstanding Assessment is less than the \$3,840,000.00 in outstanding PID Bonds due to a Prepayment of Assessments for which PID Bonds have not yet been redeemed.

## ANNUAL INSTALLMENT DUE 1/31/2025

- **Principal and Interest** – The total principal and interest required for the Annual Installment is \$299,150.00.
- **Additional Interest** – Additional Interest is collected to fund the Delinquency and Prepayment Reserve. The Delinquency the Prepayment Reserve Requirement, as defined in the Indenture, and has not been met. As such, the Delinquency and Prepayment Reserve will be funded with Additional Interest on the outstanding Assessment, resulting in an Additional Interest amount due of \$19,200.00.
- **Annual Collection Costs** – The cost of administering the District and collecting the Annual Installments shall be paid for on a pro rata basis by each Parcel based on the amount of outstanding Assessment remaining on the Parcel. The total Annual Collection Costs budgeted for the Annual Installment is \$32,683.78. A breakdown of the Annual Collection Costs is shown below.

Annual Collection Costs Breakdown	
Administration	\$ 19,483.78
City Auditor	\$ 2,500.00
Filing Fees	\$ 1,000.00
County Collection	\$ 200.00
Misc.	\$ 1,000.00
PID Trustee Fees	\$ 2,500.00
Dissemination Agent	\$ 3,500.00
Arbitrage	\$ 2,500.00
<b>Total Annual Collection Costs</b>	<b>\$ 32,683.78</b>

Due January 31, 2025	
Principal	\$ 85,000.00
Interest	\$ 214,150.00
Additional Interest	\$ 19,200.00
Annual Collection Costs	\$ 32,683.78
<b>Total Annual Installment</b>	<b>\$ 351,033.78</b>

See the Limited Offering Memorandum for the pay period. See **Exhibit B** for the debt service schedule for the PID Bonds as shown in the Limited Offering Memorandum.



## PREPAYMENT OF ASSESSMENT IN FULL

The following is a list of all Parcels that made a Prepayment in full within the District.

Improvement Area #1			
Property ID	Lot Type	Prepayment Date	Recorded Lien Release Number
557897	Residential	6/9/2021	114382
557876	Residential	9/17/2022	Pending
557865	Residential	11/11/2022	Pending
732778	Residential	8/22/2023	37860
732787	Residential	10/26/2023	20016

## PARTIAL PREPAYMENT OF ASSESSMENTS

No partial prepayments have occurred within the District.

## EXTRAORDINARY OPTIONAL REDEMPTIONS

No extraordinary optional redemptions have occurred in the District.

## SERVICE PLAN - FIVE YEAR BUDGET FORECAST

The PID Act requires the annual indebtedness and projected costs for the Authorized Improvements to be reviewed and updated in the Annual Service Plan Update, and the projection shall cover a period of not less than five years.

Hickory Creek PID No. 2 - Annual Installments						
Annual Installment Due		1/31/2025	1/31/2026	1/31/2027	1/31/2028	1/31/2029
Principal		\$ 85,000.00	\$ 90,000.00	\$ 95,000.00	\$ 100,000.00	\$ 105,000.00
Interest		\$ 214,150.00	\$ 209,793.76	\$ 205,181.26	\$ 200,312.50	\$ 195,187.50
	(1)	\$ 299,150.00	\$ 299,793.76	\$ 300,181.26	\$ 300,312.50	\$ 300,187.50
Additional Interest	(2)	\$ 19,200.00	\$ 18,775.00	\$ 18,325.00	\$ 17,850.00	\$ 14,425.00
Annual Collection Costs	(3)	\$ 32,683.78	\$ 33,337.46	\$ 34,004.20	\$ 34,684.29	\$ 35,377.97
<b>Total Annual Installment</b>	<b>(4) = (1) + (2) + (3)</b>	<b>\$ 351,033.78</b>	<b>\$ 351,906.22</b>	<b>\$ 352,510.46</b>	<b>\$ 352,846.79</b>	<b>\$ 349,990.47</b>

## ASSESSMENT ROLL

The list of current Lots within the District, the corresponding total Assessments, and current Annual Installments are shown on the Assessment Rolls attached hereto as **Exhibit A-1** for Improvement Area #1 and **Exhibit A-2** for Improvement Area #2. The Parcels shown on the Assessment Roll will receive the bills for the 2024 Annual Installments which will be delinquent if not paid by January 31, 2025. The totals shown on the Assessment Rolls may not match the Service Plan due to unredeemed Prepayments.

**EXHIBIT A-1 – IMPROVEMENT AREA #1 ASSESSMENT ROLL**

Property ID	Improvement Area	Lot Type	Outstanding Assessment <sup>1</sup>	Installment Due 1/31/25 <sup>1</sup>
557860	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557861	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557862	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557863	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557864	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557865	IA #1	Residential - Prepaid in Full	\$ -	\$ -
557866	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557867	IA #1	Non-Benefitted Property	\$ -	\$ -
557868	IA #1	Non-Benefitted Property	\$ -	\$ -
557869	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557870	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557871	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557872	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557873	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557874	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557875	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557876	IA #1	Residential - Prepaid in Full	\$ -	\$ -
557877	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557878	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557879	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557880	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557881	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557882	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557883	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557884	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557885	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557886	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557887	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557888	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557889	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557890	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557891	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557892	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557893	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557894	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557895	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557896	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557897	IA #1	Residential - Prepaid in Full	\$ -	\$ -
557899	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557900	IA #1	Residential	\$ 29,090.91	\$ 2,659.35

Property ID	Improvement Area	Lot Type	Outstanding Assessment <sup>1</sup>	Installment Due 1/31/25 <sup>1</sup>
557901	IA #1	Non-Benefitted Property	\$ -	\$ -
557902	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557903	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557904	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557905	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557906	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557907	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557908	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557909	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557910	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557911	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557912	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557913	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557914	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557915	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557916	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557917	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557918	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557919	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557920	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557921	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557922	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557923	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557924	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557925	IA #1	Non-Benefitted Property	\$ -	\$ -
557927	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557928	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557929	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557930	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557931	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557932	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557933	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557934	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557935	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557936	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557937	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557938	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557939	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557940	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557941	IA #1	Non-Benefitted Property	\$ -	\$ -

Property ID	Improvement Area	Lot Type	Outstanding Assessment <sup>1</sup>	Installment Due 1/31/25 <sup>1</sup>
557943	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557944	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557945	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557946	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557947	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557949	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557950	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557951	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557952	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557953	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557954	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557955	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557956	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557957	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557958	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557959	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557960	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557961	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557962	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557963	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557964	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557965	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557966	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557967	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557968	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557969	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557971	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557972	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557973	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557974	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557975	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557976	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557977	IA #1	Residential	\$ 29,090.91	\$ 2,659.35
557979	IA #1	Non-Benefitted Property	\$ -	\$ -
559781	IA #1	Non-Benefitted Property	\$ -	\$ -
581613	IA #1	Non-Benefitted Property	\$ -	\$ -
775522	IA #1	Changed Property	\$ 29,090.91	\$ 2,659.35
775523	IA #1	Non-Benefitted Property	\$ -	\$ -
<b>Total</b>			<b>\$ 3,083,636.36</b>	<b>\$ 281,890.76</b>

**Notes:**

(1) Totals may not match the outstanding Assessment or Annual Installment due to rounding or prepayment of Assessment that have not yet redeemed PID Bonds.

**EXHIBIT A-2 – IMPROVEMENT AREA #2 ASSESSMENT ROLL**

Property ID	Lot Type	Outstanding Assessment <sup>1</sup>	Installment Due 1/31/25 <sup>1</sup>
732775	Residential	\$ 29,090.91	\$ 2,659.35
732776	Residential	\$ 29,090.91	\$ 2,659.35
732777	Residential	\$ 29,090.91	\$ 2,659.35
732778	Residential - Prepaid in Full	\$ -	\$ -
732779	Residential	\$ 29,090.91	\$ 2,659.35
732780	Residential	\$ 29,090.91	\$ 2,659.35
732781	Residential	\$ 29,090.91	\$ 2,659.35
732782	Residential	\$ 29,090.91	\$ 2,659.35
732783	Residential	\$ 29,090.91	\$ 2,659.35
732784	Residential	\$ 29,090.91	\$ 2,659.35
732785	Residential	\$ 29,090.91	\$ 2,659.35
732786	Residential	\$ 29,090.91	\$ 2,659.35
732787	Residential - Prepaid in Full	\$ -	\$ -
732788	Residential	\$ 29,090.91	\$ 2,659.35
732789	Residential	\$ 29,090.91	\$ 2,659.35
732790	Residential	\$ 29,090.91	\$ 2,659.35
732791	Residential	\$ 29,090.91	\$ 2,659.35
732792	Residential	\$ 29,090.91	\$ 2,659.35
732793	Residential	\$ 29,090.91	\$ 2,659.35
732794	Residential	\$ 29,090.91	\$ 2,659.35
732795	Residential	\$ 29,090.91	\$ 2,659.35
732796	Residential	\$ 29,090.91	\$ 2,659.35
732797	Residential	\$ 29,090.91	\$ 2,659.35
732798	Non-Benefitted Property	\$ -	\$ -
732799	Non-Benefitted Property	\$ -	\$ -
732800	Non-Benefitted Property	\$ -	\$ -
<b>Total</b>		<b>\$ 610,909.09</b>	<b>\$ 55,846.28</b>

*Notes:*

(1) Totals may not match the outstanding Assessment or Annual Installment due to rounding or prepayment of Assessment that have not yet redeemed PID Bonds.

## EXHIBIT B – DEBT SERVICE SCHEDULE

### DEBT SERVICE REQUIREMENTS

The following table sets forth the anticipated debt service requirements for the Bonds:

<b><u>Year Ending</u></b> <b><u>(September 30)</u></b>	<b><u>Principal</u></b>	<b><u>Interest</u></b>	<b><u>Total</u></b>
2019	\$ 25,000.00	\$ 266,072.92	\$ 291,072.92
2020	65,000.00	232,343.76	297,343.76
2021	65,000.00	229,012.50	294,012.50
2022	70,000.00	225,681.26	295,681.26
2023	75,000.00	222,093.76	297,093.76
2024	80,000.00	218,250.00	298,250.00
2025	85,000.00	214,150.00	299,150.00
2026	90,000.00	209,793.76	299,793.76
2027	95,000.00	205,181.26	300,181.26
2028	100,000.00	200,312.50	300,312.50
2029	105,000.00	195,187.50	300,187.50
2030	115,000.00	189,281.26	304,281.26
2031	120,000.00	182,812.50	302,812.50
2032	125,000.00	176,062.50	301,062.50
2033	135,000.00	169,031.26	304,031.26
2034	140,000.00	161,437.50	301,437.50
2035	150,000.00	153,562.50	303,562.50
2036	155,000.00	145,125.00	300,125.00
2037	165,000.00	136,406.26	301,406.26
2038	175,000.00	127,125.00	302,125.00
2039	185,000.00	117,281.26	302,281.26
2040	195,000.00	106,875.00	301,875.00
2041	205,000.00	95,906.26	300,906.26
2042	215,000.00	84,375.00	299,375.00
2043	230,000.00	72,281.26	302,281.26
2044	245,000.00	59,343.76	304,343.76
2045	255,000.00	45,562.50	300,562.50
2046	270,000.00	31,218.76	301,218.76
2047	285,000.00	16,031.26	301,031.26
<b>Total</b>	<b><u>\$4,220,000.00</u></b>	<b><u>\$4,487,798.06</u></b>	<b><u>\$8,707,798.06</u></b>

## EXHIBIT C – BUYER DISCLOSURES

Buyer disclosures for the following Lot Types are found in this Exhibit:

- District
  - Residential Lot



## **HICKORY CREEK PUBLIC IMPROVEMENT DISTRICT NO. 2 – BUYER DISCLOSURE**

### NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING<sup>1</sup> RETURN TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO  
THE TOWN OF HICKORY CREEK, TEXAS  
CONCERNING THE FOLLOWING PROPERTY

\_\_\_\_\_  
PROPERTY ADDRESS

**RESIDENTIAL LOT PRINCIPAL ASSESSMENT: \$29,090.91**

As the purchaser of the real property described above, you are obligated to pay assessments to the Town of Hickory Creek, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hickory Creek Public Improvement District Number 2* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the Town. The exact amount of each annual installment will be approved each year by the Town Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the Town of Hickory Creek.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

\_\_\_\_\_  
<sup>1</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER]<sup>2</sup>

<sup>2</sup> To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF \_\_\_\_\_

§

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>3</sup>

<sup>3</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER

STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>4</sup>

<sup>4</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.

## ANNUAL INSTALLMENTS - RESIDENTIAL LOT

Installment Due 1/31	Principal	Interest	Additional Interest	Annual Collection Costs	Reserve Fund	Total Installment
2025	\$ 643.94	\$ 1,622.35	\$ 145.45	\$ 247.60	\$ -	\$ 2,659.35
2026	\$ 681.82	\$ 1,589.35	\$ 142.23	\$ 252.56	\$ -	\$ 2,665.96
2027	\$ 719.70	\$ 1,554.40	\$ 138.83	\$ 257.61	\$ -	\$ 2,670.53
2028	\$ 757.58	\$ 1,517.52	\$ 135.23	\$ 262.76	\$ -	\$ 2,673.08
2029	\$ 795.45	\$ 1,478.69	\$ 109.28	\$ 268.01	\$ -	\$ 2,651.44
2030	\$ 871.21	\$ 1,433.95	\$ -	\$ 273.38	\$ -	\$ 2,578.54
2031	\$ 909.09	\$ 1,384.94	\$ -	\$ 278.84	\$ -	\$ 2,572.88
2032	\$ 946.97	\$ 1,333.81	\$ -	\$ 284.42	\$ -	\$ 2,565.20
2033	\$ 1,022.73	\$ 1,280.54	\$ -	\$ 290.11	\$ -	\$ 2,593.38
2034	\$ 1,060.61	\$ 1,223.01	\$ -	\$ 295.91	\$ -	\$ 2,579.53
2035	\$ 1,136.36	\$ 1,163.35	\$ -	\$ 301.83	\$ -	\$ 2,601.54
2036	\$ 1,174.24	\$ 1,099.43	\$ -	\$ 307.86	\$ -	\$ 2,581.54
2037	\$ 1,250.00	\$ 1,033.38	\$ -	\$ 314.02	\$ -	\$ 2,597.40
2038	\$ 1,325.76	\$ 963.07	\$ -	\$ 320.30	\$ -	\$ 2,609.13
2039	\$ 1,401.52	\$ 888.49	\$ -	\$ 326.71	\$ -	\$ 2,616.72
2040	\$ 1,477.27	\$ 809.66	\$ -	\$ 333.24	\$ -	\$ 2,620.17
2041	\$ 1,553.03	\$ 726.56	\$ -	\$ 339.91	\$ -	\$ 2,619.50
2042	\$ 1,628.79	\$ 639.20	\$ -	\$ 346.71	\$ -	\$ 2,614.70
2043	\$ 1,742.42	\$ 547.59	\$ -	\$ 353.64	\$ -	\$ 2,643.65
2044	\$ 1,856.06	\$ 449.57	\$ -	\$ 360.71	\$ -	\$ 2,666.35
2045	\$ 1,931.82	\$ 345.17	\$ -	\$ 367.93	\$ -	\$ 2,644.92
2046	\$ 2,045.45	\$ 236.51	\$ -	\$ 375.29	\$ -	\$ 2,657.25
2047	\$ 2,159.09	\$ 121.45	\$ -	\$ 382.79	\$ (2,305.63)	\$ 357.70
<b>Total</b>	<b>\$ 29,090.91</b>	<b>\$ 23,442.00</b>	<b>\$ 671.02</b>	<b>\$ 7,142.14</b>	<b>\$ (2,305.63)</b>	<b>\$ 58,040.44</b>

*Note: Figures shown above are estimates only and subject to change in Annual Service Plan Updates. Changes in administrative expenses, interest earnings or other available offsets could increase or decrease the amounts shown.*

**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2024-06-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS APPROVING THE 2024 ANNUAL UPDATE TO THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR HICKORY FARMS PUBLIC IMPROVEMENT DISTRICT INCLUDING THE COLLECTION OF THE 2024 ANNUAL INSTALLMENTS.**

WHEREAS, the Town of Hickory Creek (the “Town”) has created the Hickory Farms Public Improvement District (the “PID”) in accordance with the requirements of Section 372.005 of the Public Improvement District Assessment Act (the “Act”); and

WHEREAS, on June 18, 2019, the Town Council approved and accepted the Service and Assessment Plan in conformity with the requirements of the Act and adopted the assessment ordinance, which assessment ordinance approved the assessment roll and levied the assessments on property within the PID; and

WHEREAS, pursuant to Section 371.013 of the Act, the Service and Assessment Plan must cover a period of at least five years and must also define the annual indebtedness and projected costs for improvements and such Service and Assessment Plan must be reviewed and updated annually for the purpose of determining the annual budget for improvements; and

WHEREAS, the Town requires that an update to the Service and Assessment Plan and the Assessment Roll for the PID for 2024 (the “Annual Service Plan Update”) be prepared, setting forth the annual budget for improvements and the annual installment for assessed properties in the PID, and the Town now desires to approve such Annual Service Plan Update.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, THAT:**

Section 1. Findings. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. Terms. Terms not otherwise defined herein are defined in the Town of Hickory Creek, Texas, Hickory Farms Public Improvement District 2024 Annual Service Plan Update attached hereto as *Exhibit A*.

Section 3. Approval of Update. The Annual Service Plan Update for the PID for 2024 is hereby approved and accepted by the Town Council.

Section 4. Severability. If any provision, section, subsection, sentence, clause or phrase of this resolution, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this resolution or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Town Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion here, and all provisions of this resolution are declared to be severable for that purpose.

Section 5. Filing in Land Records. The Town Secretary is directed to cause a copy of this Ordinance, including the 2024 Annual Service Plan Update, to be recorded in the real property records of Denton County, Texas, on or before July 1, 2024. The Town Secretary is further directed to similarly file each Annual Service Plan Update approved by the Town Council, with each such filing to occur within seven days of the date each respective Annual Service Plan Update is approved.

Section 6. Effective Date. This Ordinance shall become effective from and after its date of passage in accordance with law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this the 24<sup>th</sup> day of June, 2024.

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Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas



**EXHIBIT A**

**2024 Annual Service Plan Update**



HICKORY FARMS  
PUBLIC IMPROVEMENT DISTRICT  
2024 ANNUAL SERVICE PLAN UPDATE

JUNE 24, 2024

## INTRODUCTION

Capitalized terms used in this 2024 Annual Service Plan Update shall have the meanings set forth in the Hickory Farms Public Improvement District Service and Assessment Plan (the “SAP”).

The District was created pursuant to the Act by Resolution No. 2019-0521-3 on May 21, 2019, by the Town Council to finance certain Authorized Improvements for the benefit of the property in the District.

On June 18, 2019, the Town Council approved the SAP for the District by adopting Ordinance No. 2019-06-821, which approved the levy of Assessments for Assessed Parcels within the District.

On July 27, 2020, the Town Council approved the 2020 Annual Service Plan Update for the District by adopting Resolution No. 2020-0727-2, which updated the Assessment Roll for 2020.

On August 23, 2021, the Town Council approved the 2021 Annual Service Plan Update for the District by adopting Ordinance No. 2021-08-880, which updated the Assessment Roll for 2021.

On August 1, 2022, the Town Council approved the 2022 Annual Service Plan Update for the District by adopting Ordinance No. 2022-08-907, which updated the Assessment Roll for 2022.

On June 26, 2023, the Town Council approved the 2023 Annual Service Plan Update for the District by adopting Ordinance No. 2023-06-932, which updated the Assessment Roll for 2023.

The SAP identified the Authorized Improvements to be constructed for the benefit of the Assessed Property within the District, the costs of the Authorized Improvements, the indebtedness to be incurred for the Authorized Improvements, and the manner of assessing the property in the District for the costs of the Authorized Improvements. Pursuant to the Act, the SAP must be reviewed and updated annually. This document is the Annual Service Plan Update for 2024.

The Town Council also adopted an Assessment Roll identifying the Assessments on each Parcel within the District, based on the method of assessment identified in the SAP. This 2024 Annual Service Plan Update also updates the Assessment Roll for 2024.

## PARCEL SUBDIVISION

The final plat for The Alcove at Hickory Creek was filed and recorded in the official public records of the County on August 13, 2020, and consists of 130 residential Lots and 4 Lots classified as Non-Benefitted Property. The District is fully subdivided.

See the completed Lot Type classification summary within the District below:

District	
Lot Type Classification	
Lot Type 1	116
Lot Type 2	14
<b>Total</b>	<b>130</b>

See **Exhibit C** for the Lot Type classification map.

## LOT AND HOME SALES

Per the Developer, the District consists of 130 residential Lots, of which 129 have completed homes. All homes have been sold to end-users. One Lot has been sold to the Lake Cities Municipal Utility as an access easement for a water tower. No home will be constructed on this Lot.

See **Exhibit D** for buyer disclosures.

## AUTHORIZED IMPROVEMENTS

The Developer has completed the Authorized Improvements listed in the SAP and they were dedicated to the Town.

## OUTSTANDING ASSESSMENT

The District has an outstanding Assessment of \$3,695,025.37. The outstanding Assessment is less than the outstanding PID Bonds of \$3,730,000.00 due to prepayment of Assessments for which PID Bonds have not been redeemed.

## ANNUAL INSTALLMENT DUE 1/31/2025

- **Principal and Interest** – The total principal and interest required for the Annual Installment is \$260,150.00.

- **Additional Interest** – The total Additional Interest Reserve Requirement, as defined in the Indenture, is equal to \$205,150 and has not been met. As such, the Additional Interest Account will be funded with Additional Interest on the outstanding Assessments, resulting in an Additional Interest amount due of \$18,650.
- **Annual Collection Costs** – The cost of administering the District and collecting the Annual Installments shall be paid for on a pro rata basis by each Parcel based on the amount of outstanding Assessment remaining on the Parcel. The total Annual Collection Costs budgeted for the Annual Installment is \$45,536.24. A breakdown of the Annual Collection Costs is shown below.

Annual Collection Costs Breakdown	
Administration	\$ 31,836.24
City Auditor	\$ 2,500.00
Filing Fees	\$ 1,500.00
County Collection	\$ 200.00
Misc.	\$ 1,000.00
PID Trustee Fees	\$ 2,500.00
Dissemination Agent	\$ 3,500.00
Arbitrage	\$ 2,500.00
<b>Total Annual Collection Costs</b>	<b>\$ 45,536.24</b>

Due January 31, 2025	
Principal	\$ 90,000.00
Interest	170,150.00
Additional Interest	18,650.00
Annual Collection Costs	45,536.24
<b>Total Annual Installment</b>	<b>\$ 324,336.24</b>

Please contact P3Works for the pay period for the District. See **Exhibit B** for the reimbursement schedule for the District.

**PREPAYMENT OF ASSESSMENTS IN FULL**

The following is a list of all Parcels that made a Prepayment in full:

Property ID	Lot Type	Prepayment Date	Recorded Lien Release Number
960313	2	6/2/2021	114381
960374	1	6/30/2021	159931
960357	1	7/14/2021	159932
960341	1	12/7/2021	2022-62907
960319	2	9/2/2021	2022-62908
960310	2	1/27/2022	2022-62907
960322	1	7/20/2023	Pending

## PARTIAL PREPAYMENTS OF ASSESSMENTS

The following is a list of all Parcels that made a Partial Prepayment within the District:

Property ID	Lot Type	Address	Partial Prepayment Date	Partial Prepayment Amount
960331	1	2001 Oleander St	11/3/2021	\$ 4,000.00
960331	1	2001 Oleander St	N/A <sup>[a]</sup>	\$ 149.70
960331	1	2001 Oleander St	6/13/2023	\$ 5,000.00
960331	1	2001 Oleander St	N/A <sup>[a]</sup>	\$ 49.81

Notes:

[a] Cumulative additional reduction in outstanding Assessment due to interest savings from partial prepayment.

## EXTRAORDINARY OPTIONAL REDEMPTIONS

Per notice posted August 29, 2022, \$200,000.00 was redeemed in the October 1, 2022 Extraordinary Optional Redemption<sup>1</sup>.

## SERVICE PLAN - FIVE YEAR BUDGET FORECAST

The PID Act requires the annual indebtedness and projected costs for the Authorized Improvements to be reviewed and updated in the Annual Service Plan Update, and the projection shall cover a period of not less than five years.

Annual Installments Due		1/31/2025	1/31/2026	1/31/2027	1/31/2028	1/31/2029
Principal		\$ 90,000.00	\$ 95,000.00	\$ 100,000.00	\$ 100,000.00	\$ 105,000.00
Interest		\$ 170,150.00	\$ 166,550.00	\$ 162,750.00	\$ 158,750.00	\$ 154,750.00
	(1)	\$ 260,150.00	\$ 261,550.00	\$ 262,750.00	\$ 258,750.00	\$ 259,750.00
Additional Interest	(2)	\$ 18,650.00	\$ 18,200.00	\$ 17,725.00	\$ 17,225.00	\$ 16,725.00
Annual Collection Costs	(3)	\$ 45,536.24	\$ 46,446.96	\$ 47,375.90	\$ 48,323.42	\$ 49,289.89
<b>Total Annual Installment</b>	<b>(4) = (1) + (2) + (3)</b>	<b>\$ 324,336.24</b>	<b>\$ 326,196.96</b>	<b>\$ 327,850.90</b>	<b>\$ 324,298.42</b>	<b>\$ 325,764.89</b>

<sup>1</sup> See <https://emma.msrb.org/IssueView/Details/ER391766> for more information regarding Extraordinary Option Redemptions for the PID Bonds.

## ASSESSMENT ROLL

The list of current Parcels or Lots within the District, the corresponding total Assessments, and current Annual Installment are shown on the Assessment Roll attached hereto as **Exhibit A**. The Parcels or Lots shown on the Assessment Roll will receive the bills for the 2024 Annual Installments which will be delinquent if not paid by January 31, 2025. The list of Parcels shown on the Assessment Roll is subject to change based on the final certified rolls provided by the County.

## EXHIBIT A – ASSESSMENT ROLL

Property ID	Lot Type	Notes	Outstanding Assessment <sup>[a]</sup>	Installment Due 1/31/25 <sup>[a]</sup>
960260	1		\$ 30,043.80	\$ 2,615.88
960261	1		\$ 30,043.80	\$ 2,615.88
960262	1		\$ 30,043.80	\$ 2,615.88
960263	1		\$ 30,043.80	\$ 2,615.88
960264	1		\$ 30,043.80	\$ 2,615.88
960265	1		\$ 30,043.80	\$ 2,615.88
960266	1		\$ 30,043.80	\$ 2,615.88
960267	1		\$ 30,043.80	\$ 2,615.88
960268	1		\$ 30,043.80	\$ 2,615.88
960269	1		\$ 30,043.80	\$ 2,615.88
960270	1		\$ 30,043.80	\$ 2,615.88
960271	1		\$ 30,043.80	\$ 2,615.88
960272	1		\$ 30,043.80	\$ 2,615.88
960273	1		\$ 30,043.80	\$ 2,615.88
960274	1		\$ 30,043.80	\$ 2,615.88
960275	1		\$ 30,043.80	\$ 2,615.88
960276	1		\$ 30,043.80	\$ 2,615.88
960277	1		\$ 30,043.80	\$ 2,615.88
960278	1		\$ 30,043.80	\$ 2,615.88
960279	1		\$ 30,043.80	\$ 2,615.88
960280	1		\$ 30,043.80	\$ 2,615.88
960281	1		\$ 30,043.80	\$ 2,615.88
960282	1		\$ 30,043.80	\$ 2,615.88
960283	1		\$ 30,043.80	\$ 2,615.88
960284	1		\$ 30,043.80	\$ 2,615.88
960285	1		\$ 30,043.80	\$ 2,615.88
960286	1		\$ 30,043.80	\$ 2,615.88
960287	1		\$ 30,043.80	\$ 2,615.88
960288	1		\$ 30,043.80	\$ 2,615.88
960289	1		\$ 30,043.80	\$ 2,615.88
960290	1		\$ 30,043.80	\$ 2,615.88
960291	1		\$ 30,043.80	\$ 2,615.88
960292	1		\$ 30,043.80	\$ 2,615.88
960293	1		\$ 30,043.80	\$ 2,615.88
960294	1		\$ 30,043.80	\$ 2,615.88
960295	1		\$ 30,043.80	\$ 2,615.88
960296	1		\$ 30,043.80	\$ 2,615.88
960297	1		\$ 30,043.80	\$ 2,615.88
960298	1		\$ 30,043.80	\$ 2,615.88
960299	1		\$ 30,043.80	\$ 2,615.88



Property ID	Lot Type	Notes	Outstanding Assessment <sup>[a]</sup>	Installment Due 1/31/25 <sup>[a]</sup>
960300	1		\$ 30,043.80	\$ 2,615.88
960301	1		\$ 30,043.80	\$ 2,615.88
960302	1		\$ 30,043.80	\$ 2,615.88
960303	1		\$ 30,043.80	\$ 2,615.88
960304	1		\$ 30,043.80	\$ 2,615.88
960305	1		\$ 30,043.80	\$ 2,615.88
960306	1		\$ 30,043.80	\$ 2,615.88
960307	1		\$ 30,043.80	\$ 2,615.88
960308	2		\$ 30,819.12	\$ 2,683.39
960309	2		\$ 30,819.12	\$ 2,683.39
960310	2	[b]	\$ -	\$ -
960311	2		\$ 30,819.12	\$ 2,683.39
960312	2		\$ 30,819.12	\$ 2,683.39
960313	2	[b]	\$ -	\$ -
960314	2		\$ 30,819.12	\$ 2,683.39
960315	2		\$ 30,819.12	\$ 2,683.39
960316	2		\$ 30,819.12	\$ 2,683.39
960317	2		\$ 30,819.12	\$ 2,683.39
960318	2		\$ 30,819.12	\$ 2,683.39
960319	2	[b]	\$ -	\$ -
960320	2		\$ 30,819.12	\$ 2,683.39
960321	2		\$ 30,819.12	\$ 2,683.39
960322	1	[b]	\$ -	\$ -
960323	1		\$ 30,043.80	\$ 2,615.88
960324	1		\$ 30,043.80	\$ 2,615.88
960325	1		\$ 30,043.80	\$ 2,615.88
960326	1		\$ 30,043.80	\$ 2,615.88
960327	1		\$ 30,043.80	\$ 2,615.88
960328	1		\$ 30,043.80	\$ 2,615.88
960329	1		\$ 30,043.80	\$ 2,615.88
960330	1		\$ 30,043.80	\$ 2,615.88
960331	Lot Type 960331	[c]	\$ 21,153.76	\$ 1,841.84
960332	1		\$ 30,043.80	\$ 2,615.88
960333	1		\$ 30,043.80	\$ 2,615.88
960334	1		\$ 30,043.80	\$ 2,615.88
960335	1		\$ 30,043.80	\$ 2,615.88
960336	1		\$ 30,043.80	\$ 2,615.88
960337	1		\$ 30,043.80	\$ 2,615.88
960338	1		\$ 30,043.80	\$ 2,615.88
960339	1		\$ 30,043.80	\$ 2,615.88

Property ID	Lot Type	Notes	Outstanding Assessment <sup>[a]</sup>	Installment Due 1/31/25 <sup>[a]</sup>
960340	1		\$ 30,043.80	\$ 2,615.88
960341	1	[b]	\$ -	\$ -
960342	1		\$ 30,043.80	\$ 2,615.88
960343	1		\$ 30,043.80	\$ 2,615.88
960344	1		\$ 30,043.80	\$ 2,615.88
960345	1		\$ 30,043.80	\$ 2,615.88
960346	1		\$ 30,043.80	\$ 2,615.88
960347	1		\$ 30,043.80	\$ 2,615.88
960348	1		\$ 30,043.80	\$ 2,615.88
960349	1		\$ 30,043.80	\$ 2,615.88
960350	1		\$ 30,043.80	\$ 2,615.88
960351	1		\$ 30,043.80	\$ 2,615.88
960352	Non-Benefitted Property		\$ -	\$ -
960353	Non-Benefitted Property		\$ -	\$ -
960354	Non-Benefitted Property		\$ -	\$ -
960355	Non-Benefitted Property		\$ -	\$ -
960356	1		\$ 30,043.80	\$ 2,615.88
960357	1	[b]	\$ -	\$ -
960358	1		\$ 30,043.80	\$ 2,615.88
960359	1		\$ 30,043.80	\$ 2,615.88
960360	1		\$ 30,043.80	\$ 2,615.88
960361	1		\$ 30,043.80	\$ 2,615.88
960362	1		\$ 30,043.80	\$ 2,615.88
960363	1		\$ 30,043.80	\$ 2,615.88
960364	1		\$ 30,043.80	\$ 2,615.88
960365	1		\$ 30,043.80	\$ 2,615.88
960366	1		\$ 30,043.80	\$ 2,615.88
960367	1		\$ 30,043.80	\$ 2,615.88
960368	1		\$ 30,043.80	\$ 2,615.88
960369	1		\$ 30,043.80	\$ 2,615.88
960370	1		\$ 30,043.80	\$ 2,615.88
960371	1		\$ 30,043.80	\$ 2,615.88
960372	1		\$ 30,043.80	\$ 2,615.88
960373	1		\$ 30,043.80	\$ 2,615.88
960374	1	[b]	\$ -	\$ -
960375	1		\$ 30,043.80	\$ 2,615.88
960376	1		\$ 30,043.80	\$ 2,615.88
960377	1		\$ 30,043.80	\$ 2,615.88
960378	1		\$ 30,043.80	\$ 2,615.88
960379	1		\$ 30,043.80	\$ 2,615.88

Property ID	Lot Type	Notes	Outstanding Assessment <sup>[a]</sup>	Installment Due 1/31/25 <sup>[a]</sup>
960380	1		\$ 30,043.80	\$ 2,615.88
960381	1		\$ 30,043.80	\$ 2,615.88
960382	1		\$ 30,043.80	\$ 2,615.88
960383	1		\$ 30,043.80	\$ 2,615.88
960384	1		\$ 30,043.80	\$ 2,615.88
960385	1		\$ 30,043.80	\$ 2,615.88
960386	1		\$ 30,043.80	\$ 2,615.88
960387	1		\$ 30,043.80	\$ 2,615.88
960388	1		\$ 30,043.80	\$ 2,615.88
960389	1		\$ 30,043.80	\$ 2,615.88
960390	1		\$ 30,043.80	\$ 2,615.88
960391	1		\$ 30,043.80	\$ 2,615.88
960392	1		\$ 30,043.80	\$ 2,615.88
960393	1		\$ 30,043.80	\$ 2,615.88
<b>Total</b>			<b>\$ 3,695,025.88</b>	<b>\$ 321,721.81</b>

*Notes:*

[a] Totals may not match the total outstanding Assessment or Annual Installment due to rounding.

[b] Property ID prepaid their Assessment in full.

[c] Property ID has partially prepaid their Assessment.

## EXHIBIT B – DEBT SERVICE SCHEDULE

### TOWN OF HICKORY CREEK

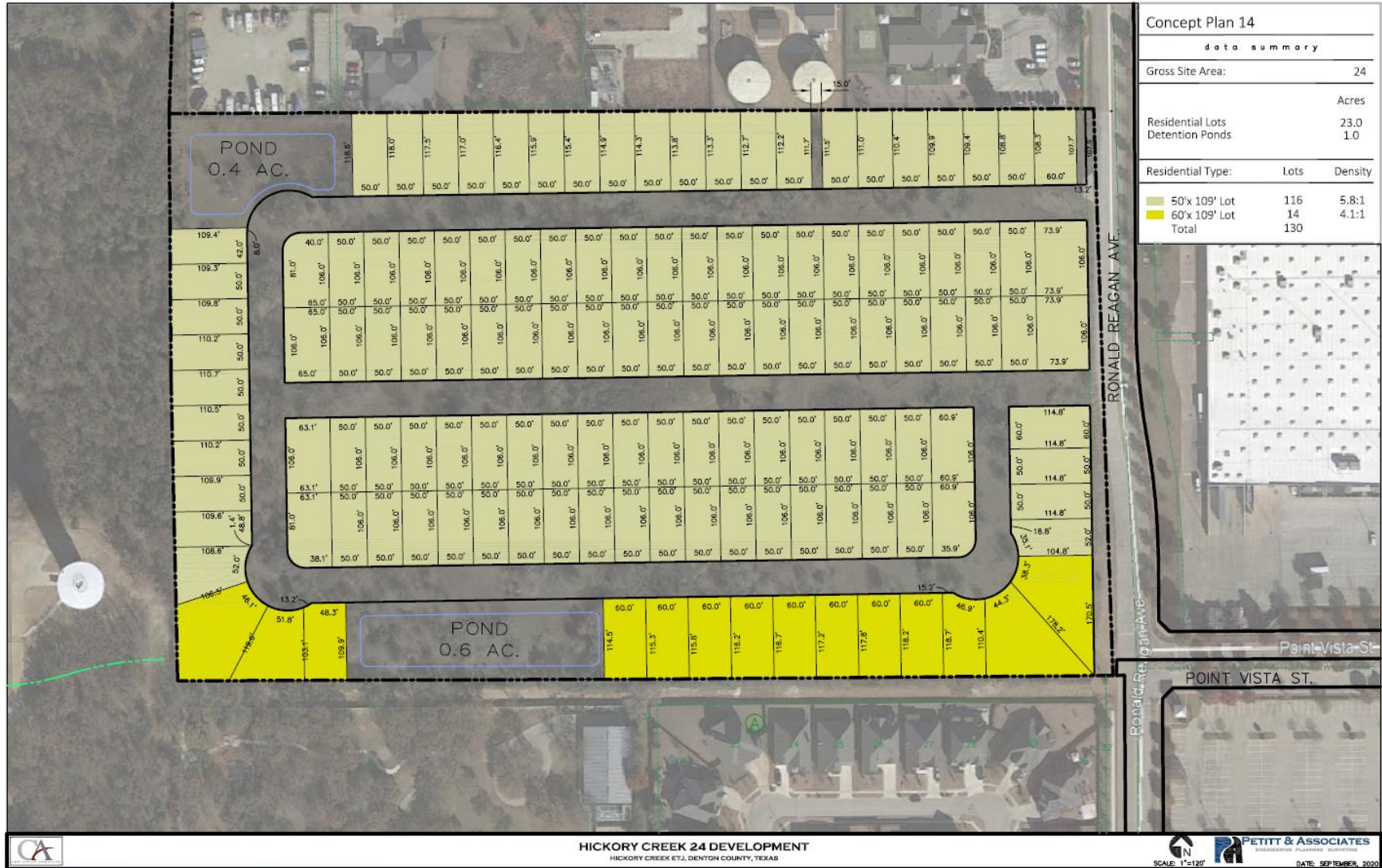
#### Special Assessment Revenue Bonds, Series 2019 (Hickory Farms Public Improvement District)

#### Debt Service Schedule (from September 16, 2022)

Due	Principal	Int. Rate	Interest	Total	Fisc Total
3/1/2023			\$ 81,193.75	\$ 81,193.75	
9/1/2023	\$ 85,000	4.00%	88,875.00	173,875.00	\$ 254,768.75
3/1/2024			86,875.00	86,875.00	
9/1/2024	90,000	4.00%	86,875.00	176,875.00	263,750.00
3/1/2025			85,075.00	85,075.00	
9/1/2025	90,000	4.00%	85,075.00	175,075.00	260,150.00
3/1/2026			83,275.00	83,275.00	
9/1/2026	95,000	4.00%	83,275.00	178,275.00	261,550.00
3/1/2027			81,375.00	81,375.00	
9/1/2027	100,000	4.00%	81,375.00	181,375.00	262,750.00
3/1/2028			79,375.00	79,375.00	
9/1/2028	100,000	4.00%	79,375.00	179,375.00	258,750.00
3/1/2029			77,375.00	77,375.00	
9/1/2029	105,000	4.00%	77,375.00	182,375.00	259,750.00
3/1/2030			75,275.00	75,275.00	
9/1/2030	110,000	4.50%	75,275.00	185,275.00	260,550.00
3/1/2031			72,800.00	72,800.00	
9/1/2031	115,000	4.50%	72,800.00	187,800.00	260,600.00
3/1/2032			70,212.50	70,212.50	
9/1/2032	120,000	4.50%	70,212.50	190,212.50	260,425.00
3/1/2033			67,512.50	67,512.50	
9/1/2033	125,000	4.50%	67,512.50	192,512.50	260,025.00
3/1/2034			64,700.00	64,700.00	
9/1/2034	130,000	4.50%	64,700.00	194,700.00	259,400.00
3/1/2035			61,775.00	61,775.00	
9/1/2035	135,000	4.50%	61,775.00	196,775.00	258,550.00
3/1/2036			58,737.50	58,737.50	
9/1/2036	140,000	4.50%	58,737.50	198,737.50	257,475.00
3/1/2037			55,587.50	55,587.50	
9/1/2037	150,000	4.50%	55,587.50	205,587.50	261,175.00
3/1/2038			52,212.50	52,212.50	
9/1/2038	155,000	4.50%	52,212.50	207,212.50	259,425.00
3/1/2039			48,725.00	48,725.00	
9/1/2039	160,000	4.50%	48,725.00	208,725.00	257,450.00
3/1/2040			45,125.00	45,125.00	
9/1/2040	170,000	4.75%	45,125.00	215,125.00	260,250.00
3/1/2041			41,087.50	41,087.50	
9/1/2041	175,000	4.75%	41,087.50	216,087.50	257,175.00
3/1/2042			36,931.25	36,931.25	
9/1/2042	185,000	4.75%	36,931.25	221,931.25	258,862.50
3/1/2043			32,537.50	32,537.50	
9/1/2043	195,000	4.75%	32,537.50	227,537.50	260,075.00
3/1/2044			27,906.25	27,906.25	
9/1/2044	205,000	4.75%	27,906.25	232,906.25	260,812.50
3/1/2045			23,037.50	23,037.50	
9/1/2045	210,000	4.75%	23,037.50	233,037.50	256,075.00
3/1/2046			18,050.00	18,050.00	
9/1/2046	225,000	4.75%	18,050.00	243,050.00	261,100.00
3/1/2047			12,706.25	12,706.25	
9/1/2047	235,000	4.75%	12,706.25	247,706.25	260,412.50
3/1/2048			7,125.00	7,125.00	
9/1/2048	245,000	4.75%	7,125.00	252,125.00	259,250.00
3/1/2049			1,306.25	1,306.25	
9/1/2049	55,000	4.75%	1,306.25	56,306.25	57,612.50
	\$ 3,905,000		\$ 2,903,168.75	\$ 6,808,168.75	\$ 6,808,168.75



## EXHIBIT C – LOT TYPE CLASSIFICATION MAP



## EXHIBIT D – BUYER DISCLOSURES

Buyer disclosures for the following Lot Types within the District are found in this Exhibit:

District:

- Lot Type 1
- Lot Type Property ID 960331
- Lot Type 2

*[Remainder of page intentionally left blank.]*

**HICKORY FARMS PUBLIC IMPROVEMENT DISTRICT – LOT TYPE 1 BUYER  
DISCLOSURE**

**NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT**

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING<sup>1</sup> RETURN TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO  
THE TOWN OF HICKORY CREEK, TEXAS  
CONCERNING THE FOLLOWING PROPERTY

\_\_\_\_\_

PROPERTY ADDRESS

**LOT TYPE 1 PRINCIPAL ASSESSMENT: \$30,043.80**

As the purchaser of the real property described above, you are obligated to pay assessments to the Town of Hickory Creek, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hickory Farms Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the Town. The exact amount of each annual installment will be approved each year by the Town Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the Town.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

<sup>1</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County when updating for the Current Information of Obligation to Pay Improvement District Assessment.



[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER]<sup>2</sup>

<sup>2</sup> To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>3</sup>

\_\_\_\_\_  
<sup>3</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER

STATE OF TEXAS §

§

COUNTY OF \_\_\_\_\_ §

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>4</sup>

<sup>4</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.

## ANNUAL INSTALLMENTS - LOT TYPE 1

Installments Due 1/31	Principal	Interest <sup>[a]</sup>	Annual Collection Costs	Additional Interest	Total Annual Installment <sup>[b]</sup>
2025	\$ 724.92	\$ 1,370.50	\$ 370.25	\$ 150.22	\$ 2,615.88
2026	\$ 765.19	\$ 1,341.50	\$ 377.65	\$ 146.59	\$ 2,630.94
2027	\$ 805.46	\$ 1,310.89	\$ 385.21	\$ 142.77	\$ 2,644.33
2028	\$ 805.46	\$ 1,278.67	\$ 392.91	\$ 138.74	\$ 2,615.79
2029	\$ 845.74	\$ 1,246.46	\$ 400.77	\$ 134.71	\$ 2,627.68
2030	\$ 886.01	\$ 1,212.63	\$ 408.79	\$ 130.49	\$ 2,637.91
2031	\$ 926.28	\$ 1,172.76	\$ 416.96	\$ 126.06	\$ 2,642.05
2032	\$ 966.56	\$ 1,131.07	\$ 425.30	\$ 121.42	\$ 2,644.35
2033	\$ 1,006.83	\$ 1,087.58	\$ 433.81	\$ 116.59	\$ 2,644.80
2034	\$ 1,047.10	\$ 1,042.27	\$ 442.48	\$ 111.56	\$ 2,643.41
2035	\$ 1,087.38	\$ 995.15	\$ 451.33	\$ 106.32	\$ 2,640.18
2036	\$ 1,127.65	\$ 946.22	\$ 460.36	\$ 100.88	\$ 2,635.11
2037	\$ 1,208.20	\$ 895.47	\$ 469.57	\$ 95.25	\$ 2,668.48
2038	\$ 1,248.47	\$ 841.11	\$ 478.96	\$ 89.21	\$ 2,657.74
2039	\$ 1,288.74	\$ 784.92	\$ 488.54	\$ 82.96	\$ 2,645.17
2040	\$ 1,369.29	\$ 726.93	\$ 498.31	\$ 76.52	\$ 2,671.05
2041	\$ 1,409.56	\$ 661.89	\$ 508.27	\$ 69.67	\$ 2,649.40
2042	\$ 1,490.11	\$ 594.94	\$ 518.44	\$ 62.62	\$ 2,666.11
2043	\$ 1,570.65	\$ 524.16	\$ 528.81	\$ 55.17	\$ 2,678.79
2044	\$ 1,651.20	\$ 449.55	\$ 539.38	\$ 47.32	\$ 2,687.45
2045	\$ 1,691.47	\$ 371.12	\$ 550.17	\$ 39.06	\$ 2,651.83
2046	\$ 1,812.29	\$ 290.77	\$ 561.17	\$ 30.61	\$ 2,694.85
2047	\$ 1,892.84	\$ 204.69	\$ 572.40	\$ 21.55	\$ 2,691.47
2048	\$ 1,973.39	\$ 114.78	\$ 583.85	\$ 12.08	\$ 2,684.09
2049	\$ 443.01	\$ 21.04	\$ 595.52	\$ 2.22	\$ 1,061.79
<b>Total</b>	<b>\$ 30,043.80</b>	<b>\$ 20,617.05</b>	<b>\$ 11,859.20</b>	<b>\$ 2,210.60</b>	<b>\$ 64,730.65</b>

**Footnotes:**

[a] Interest is calculated at the interest rate of the PID Bonds.

[b] The figures shown above are estimates only and subject to change in Annual Service Plan Updates. Changes in Annual Collection Costs, reserve fund requirements, interest earnings, or other available offsets could increase or decrease the amounts shown.

**HICKORY FARMS PUBLIC IMPROVEMENT DISTRICT – LOT TYPE PROPERTY ID 960331  
– BUYER DISCLOSURE**

**NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT**

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING<sup>1</sup> RETURN TO:

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NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO  
THE TOWN OF HICKORY CREEK, TEXAS  
CONCERNING THE FOLLOWING PROPERTY

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PROPERTY ADDRESS

**LOT TYPE PROPERTY ID 960331 – PRINCIPAL ASSESSMENT: \$21,153.76**

As the purchaser of the real property described above, you are obligated to pay assessments to the Town of Hickory Creek, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hickory Farms Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the Town. The exact amount of each annual installment will be approved each year by the Town Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the Town.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

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<sup>1</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER]<sup>2</sup>

---

<sup>2</sup> To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>3</sup>

<sup>3</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.



[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER

STATE OF TEXAS §

§

COUNTY OF \_\_\_\_\_ §

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>4</sup>

<sup>4</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.

## ANNUAL INSTALLMENTS - LOT TYPE Property ID 960331

Installments Due 1/31	Principal	Interest <sup>[a]</sup>	Annual Collection Costs	Additional Interest	Total Annual Installment <sup>[b]</sup>
2025	\$ 510.41	\$ 964.96	\$ 260.69	\$ 105.77	\$ 1,841.84
2026	\$ 538.77	\$ 944.55	\$ 265.91	\$ 103.22	\$ 1,852.44
2027	\$ 567.12	\$ 923.00	\$ 271.22	\$ 100.52	\$ 1,861.87
2028	\$ 567.12	\$ 900.31	\$ 276.65	\$ 97.69	\$ 1,841.77
2029	\$ 595.48	\$ 877.63	\$ 282.18	\$ 94.85	\$ 1,850.14
2030	\$ 623.84	\$ 853.81	\$ 287.82	\$ 91.87	\$ 1,857.34
2031	\$ 652.19	\$ 825.73	\$ 293.58	\$ 88.76	\$ 1,860.26
2032	\$ 680.55	\$ 796.39	\$ 299.45	\$ 85.49	\$ 1,861.88
2033	\$ 708.91	\$ 765.76	\$ 305.44	\$ 82.09	\$ 1,862.20
2034	\$ 737.26	\$ 733.86	\$ 311.55	\$ 78.55	\$ 1,861.22
2035	\$ 765.62	\$ 700.68	\$ 317.78	\$ 74.86	\$ 1,858.94
2036	\$ 793.97	\$ 666.23	\$ 324.14	\$ 71.03	\$ 1,855.37
2037	\$ 850.69	\$ 630.50	\$ 330.62	\$ 67.06	\$ 1,878.87
2038	\$ 879.04	\$ 592.22	\$ 337.23	\$ 62.81	\$ 1,871.31
2039	\$ 907.40	\$ 552.66	\$ 343.98	\$ 58.41	\$ 1,862.45
2040	\$ 964.11	\$ 511.83	\$ 350.86	\$ 53.88	\$ 1,880.68
2041	\$ 992.47	\$ 466.03	\$ 357.87	\$ 49.06	\$ 1,865.43
2042	\$ 1,049.18	\$ 418.89	\$ 365.03	\$ 44.09	\$ 1,877.20
2043	\$ 1,105.89	\$ 369.06	\$ 372.33	\$ 38.85	\$ 1,886.13
2044	\$ 1,162.61	\$ 316.53	\$ 379.78	\$ 33.32	\$ 1,892.23
2045	\$ 1,190.96	\$ 261.30	\$ 387.37	\$ 27.51	\$ 1,867.14
2046	\$ 1,276.03	\$ 204.73	\$ 395.12	\$ 21.55	\$ 1,897.44
2047	\$ 1,332.74	\$ 144.12	\$ 403.02	\$ 15.17	\$ 1,895.06
2048	\$ 1,389.46	\$ 80.82	\$ 411.08	\$ 8.51	\$ 1,889.86
2049	\$ 311.92	\$ 14.82	\$ 419.31	\$ 1.56	\$ 747.60
<b>Total</b>	<b>\$ 21,153.76</b>	<b>\$ 14,516.41</b>	<b>\$ 8,350.03</b>	<b>\$ 1,556.47</b>	<b>\$ 45,576.68</b>

**Footnotes:**

[a] Interest is calculated at the interest rate of the PID Bonds.

[b] The figures shown above are estimates only and subject to change in Annual Service Plan Updates. Changes in Annual Collection Costs, reserve fund requirements, interest earnings, or other available offsets could increase or decrease the amounts shown.

**HICKORY FARMS PUBLIC IMPROVEMENT DISTRICT – LOT TYPE 2 BUYER  
DISCLOSURE**

**NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT**

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING<sup>1</sup> RETURN TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO  
THE TOWN OF HICKORY CREEK, TEXAS  
CONCERNING THE FOLLOWING PROPERTY

\_\_\_\_\_

PROPERTY ADDRESS

**LOT TYPE 2 PRINCIPAL ASSESSMENT: \$30,819.12**

As the purchaser of the real property described above, you are obligated to pay assessments to the Town of Hickory Creek, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hickory Farms Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the Town. The exact amount of each annual installment will be approved each year by the Town Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the Town.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

<sup>1</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER]<sup>2</sup>

---

<sup>2</sup> To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>3</sup>

\_\_\_\_\_  
<sup>3</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER

STATE OF TEXAS §

§

COUNTY OF \_\_\_\_\_ §

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>4</sup>

\_\_\_\_\_  
<sup>4</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Denton County.

## ANNUAL INSTALLMENTS - LOT TYPE 2

Installments Due 1/31	Principal	Interest <sup>[a]</sup>	Annual Collection Costs	Additional Interest	Total Annual Installment <sup>[b]</sup>
2025	\$ 743.62	\$ 1,405.86	\$ 379.80	\$ 154.10	\$ 2,683.39
2026	\$ 784.94	\$ 1,376.12	\$ 387.40	\$ 150.38	\$ 2,698.83
2027	\$ 826.25	\$ 1,344.72	\$ 395.15	\$ 146.45	\$ 2,712.57
2028	\$ 826.25	\$ 1,311.67	\$ 403.05	\$ 142.32	\$ 2,683.29
2029	\$ 867.56	\$ 1,278.62	\$ 411.11	\$ 138.19	\$ 2,695.49
2030	\$ 908.87	\$ 1,243.92	\$ 419.33	\$ 133.85	\$ 2,705.98
2031	\$ 950.19	\$ 1,203.02	\$ 427.72	\$ 129.31	\$ 2,710.24
2032	\$ 991.50	\$ 1,160.26	\$ 436.28	\$ 124.56	\$ 2,712.59
2033	\$ 1,032.81	\$ 1,115.64	\$ 445.00	\$ 119.60	\$ 2,713.06
2034	\$ 1,074.12	\$ 1,069.17	\$ 453.90	\$ 114.44	\$ 2,711.63
2035	\$ 1,115.44	\$ 1,020.83	\$ 462.98	\$ 109.06	\$ 2,708.31
2036	\$ 1,156.75	\$ 970.64	\$ 472.24	\$ 103.49	\$ 2,703.11
2037	\$ 1,239.37	\$ 918.58	\$ 481.68	\$ 97.70	\$ 2,737.35
2038	\$ 1,280.69	\$ 862.81	\$ 491.32	\$ 91.51	\$ 2,726.32
2039	\$ 1,322.00	\$ 805.18	\$ 501.14	\$ 85.10	\$ 2,713.43
2040	\$ 1,404.62	\$ 745.69	\$ 511.17	\$ 78.49	\$ 2,739.98
2041	\$ 1,445.94	\$ 678.97	\$ 521.39	\$ 71.47	\$ 2,717.77
2042	\$ 1,528.56	\$ 610.29	\$ 531.82	\$ 64.24	\$ 2,734.91
2043	\$ 1,611.19	\$ 537.68	\$ 542.45	\$ 56.60	\$ 2,747.92
2044	\$ 1,693.81	\$ 461.15	\$ 553.30	\$ 48.54	\$ 2,756.81
2045	\$ 1,735.12	\$ 380.69	\$ 564.37	\$ 40.07	\$ 2,720.26
2046	\$ 1,859.06	\$ 298.28	\$ 575.66	\$ 31.40	\$ 2,764.39
2047	\$ 1,941.69	\$ 209.97	\$ 587.17	\$ 22.10	\$ 2,760.93
2048	\$ 2,024.31	\$ 117.74	\$ 598.91	\$ 12.39	\$ 2,753.36
2049	\$ 454.44	\$ 21.59	\$ 610.89	\$ 2.27	\$ 1,089.19
<b>Total</b>	<b>\$ 30,819.12</b>	<b>\$ 21,149.10</b>	<b>\$ 12,165.25</b>	<b>\$ 2,267.64</b>	<b>\$ 66,401.11</b>

**Footnotes:**

[a] Interest is calculated at the interest rate of the PID Bonds.

[b] The figures shown above are estimates only and subject to change in Annual Service Plan Updates. Changes in Annual Collection Costs, reserve fund requirements, interest earnings, or other available offsets could increase or decrease the amounts shown.



**TOWN OF HICKORY CREEK, TEXAS**  
**ORDINANCE NO. 2024-06-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, AMENDING CHAPTER 1 GENERAL PROVISIONS, CHAPTER 3 BUILDING REGULATIONS, AND APPENDIX A FEE SCHEDULE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AND EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek, Texas, is A Type A General Law municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and the Texas Constitution and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council is empowered under section 51.012 of the Local Government Code to adopt ordinances necessary for the government, interest, welfare, or good order of the municipality; and

**WHEREAS**, the Town Council has determined that, after review of the costs to provide certain services in connection with payment processing, building activities and plan review, use of Town facilities and properties, and administrative costs concerning the same, certain fees charged by the Town should be altered as provided herein; and

**WHEREAS**, with respect to public infrastructure inspection fees, the Town Council considered the fee that would be charged by a qualified, independent third-party entity for those services, the hourly rate for the estimated actual direct time of the Town's employees performing those services, and the actual costs assessed to the Town by a third-party entity that provides those services to the Town.

**WHEREAS**, the Town Council does hereby find and determine that the adoption of this Ordinance is necessary for the government, interest, welfare and good order of the Town; and

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:**

**SECTION 1.**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.**  
**FINDINGS**

After due deliberations the Town Council has concluded that the adoption of this Ordinance is in the best interest of the Town of Hickory Creek, Texas and necessary for the government, interest, welfare, and good order of the Town.

**SECTION 3.**  
**AMENDMENTS**

3.01 That the Town of Hickory Creek Code of Ordinances, Chapter 1 General Provisions; Article 1.10 Parks and Recreation; Section 1.10.006 Fees for use is hereby amended to read:

AThe following fees shall be paid to the town prior to engaging in the listed activity or using the listed facility:

- (1) Boat ramp daily use pass .....\$10.00
- (2) Boat ramp annual use pass, second and subsequent issued to town resident at same address ....\$175.00 ~~100.00~~
- (3) Boat ramp annual use pass for non-resident \$175.00 .....~~100.00~~
- (4) [Reserved] .....
- (5) Day use vehicle fee .....5.00
- (6) Day use annual pass, third and subsequent issued to town resident at same address .....\$45.00 ~~25.00~~
- (7) Day use annual pass for non-resident .....\$45.00 ~~25.00~~
- (8) Daily camp site use fee .....20.00
- (9) Pavilion rental fee ..\$125.00 ~~75.00~~

3.02 That the Town of Hickory Creek Code of Ordinances, Chapter 3 Building Regulations, Article 3.11 Miscellaneous Building Fees, Section 3.11.001 New residential or multi-family is hereby amended to read:

“The issuance of a building permit is required prior to the commencement of any new construction of residential or multi-family dwellings or accessory structure. Prior to the issuance of such a permit the applicant shall pay a fee. The amount and method of calculation of this fee is listed in the "application and fee schedule" as adopted by the town council. The building permit fee entitles the applicant to [] inspections. Subsequent inspections will be charged a fee in an amount listed in the “application and fee schedule” as adopted by the town council.”

3.03 That the Town of Hickory Creek Code of Ordinances, Chapter 3 Building Regulations, Article 3.11 Miscellaneous Building Fees, Section 3.11.021 Infrastructure inspection fee is hereby amended to read:

“The issuance of a building permit is required prior to the commencement of any new commercial construction. Prior to the issuance of such a permit the applicant shall pay a fee. The amount and method of calculation of this fee is listed in the "application and fee schedule" as adopted by the town council. The building permit entitles the applicant to [] inspections. Subsequent inspections will be charged a fee in an amount listed in the “application and fee schedule” as adopted by the town council.”

3.04 That the Town of Hickory Creek Code of Ordinances, Chapter 3 Building Regulations, Article 3.11 Miscellaneous Building Fees, Section 3.11.021 Infrastructure inspection fee is hereby amended to read:

“All developers who construct infrastructure improvements such as streets, roadways, sidewalks, utility work, or similar work must ~~certify the costs of said work to the town~~ and pay a fee to the town to inspect the improvements for compliance with the issued permit. The amount and method of calculation of this fee is listed in the "application and fee schedule" as adopted by the town council.”

3.05 That the Town of Hickory Creek Code of Ordinances, Chapter 3 Building Regulations, Article 3.11 Miscellaneous Building Fees, Section 3.11.023 Septic fees is hereby created and shall read:

“The issuance of a building permit is required prior to the commencement of any (1) new construction, (2) installation, or (3) repair of a septic system within the Town. Prior to the issuance of such a permit the applicant shall pay a fee. The amount and method of calculation of this fee is listed in the "application and fee schedule" as adopted by the town council. The building permit fee entitles the applicant to ten inspections.”

3.06 That the Town of Hickory Creek Code of Ordinances, Appendix A Fee Schedule; Article A2.000 Business Related Fees; Section A2.500 Commercial Use of Boat Ramps is hereby amended to read:

A(a) Boat ramp *and dock annual use license fee, approval*. An annual license fee of \$15,000.00 ~~\$10,000.00~~ for the first vessel (excluding jet skis), and \$7,500.00 ~~\$5,000.00~~ for each additional vessel, shall be assessed for commercial use of the town's boat ramp and dock. For the purposes of this section, a vessel shall mean a single boat or 4 jet skis. Prior to issuance of a license under this section, the Town Council shall:

- (1) Find that the existing volume of use of the boat ramp and dock will support the anticipated use under the license;
- (2) Find that the applicant for a license has a demonstrable record of safety, compliance with applicable legal requirements, and adequate staffing capacity to ensure safe and compliant operation under the license;
- (3) Find that the applicant has adequate insurance for its operations under the license;

(4) Find that the issuance of the license will not adversely impact the use of the boat ramp and dock by residents of the Town; and

(5) Negotiate and enter into an acceptable agreement terminating on December 31 of the permit year, which shall constitute the approval by the Town Council as required pursuant to Section 1.10.003(24).”

3.07 That the Town of Hickory Creek Code of Ordinances, Appendix A Fee Schedule; Article A4.000 Utility Related Fees; Section A4.200 Water well permit fee is hereby amended to read:

“The applicant shall deposit a minimum fee for a water well permit of ~~\$750.00.~~ ~~\$300.00.~~ The applicant must pay any additional costs associated with additional inspections as a result of a problem with the well permit.”

3.08 All other articles, chapters, sections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed.

#### **SECTION 4. CUMULATIVE REPEALER CLAUSE**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

#### **SECTION 5. SAVINGS CLAUSE**

All rights and remedies of the Town of Hickory Creek, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting the subject matter of this ordinance which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

#### **SECTION 6. SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the Town shall promptly promulgate new revised provisions in compliance with the authority’s decisions or enactment.

**SECTION 7.**  
**PENALTY**

If the governing body of the Town of Hickory Creek determines that a violation of this Ordinance has occurred, the Town of Hickory Creek may bring suit in a court of competent jurisdiction to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined, except as otherwise provided herein, in a sum not to exceed Five Hundred Dollars (\$500.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

**SECTION 8.**  
**PUBLICATION CLAUSE**

The Town Secretary of the Town of Hickory Creek is hereby directed to publish in the Official newspaper of the Town of Hickory Creek, the Caption, Penalty Clause, and Effective Date clause of this Ordinance for two (2) days as required by Section 52.011 of the Texas Local Government Code.

**SECTION 9.**  
**ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Hickory Creek is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Penalty Clause, and Effective Date clause in the minutes of the Town Council of the Town of Hickory Creek and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 10.**  
**EFFECTIVE DATE**

This Ordinance shall become effective from and after its date of passage and publication in accordance with law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 24<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Lynn Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

\_\_\_\_\_  
Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2024-0624-\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
HICKORY CREEK, TEXAS, HEREBY ADOPTING A MASTER  
APPLICATION AND FEE SCHEDULE; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council desires to consolidate and amend the existing fee schedules of the Town related to Animal Control Fees, Alarm Related Fees, Business Related Fees, Parks and Recreation Fees, Commercial Building Fees, Development Fees, Residential Building Fees, and Right of Way Management Fees; and

**WHEREAS**, those fees are listed in the *Master Application and Fee Schedule* attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas, that:

Section 1: The Town Council finds that the fees listed in the *Master Application and Fee Schedule* attached hereto as Exhibit A are hereby adopted.

Section 2. This resolution shall take effect immediately upon its passage.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas this 24<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

\_\_\_\_\_  
Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

\_\_\_\_\_  
Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas



# TOWN OF HICKORY CREEK MASTER APPLICATION AND FEE SCHEDULE

Adopted June 24, 2024



**ADMINISTRATIVE MISCELLANEOUS FEES**

Type:		Fee
Beer and Wine Retailer Off-Premises Sales Permit		\$30
<b>Credit Card Processing Fee</b>		<b>4%</b>
Motorized Cart Permit	Two Year Permit	\$25
<b>Newsletter Advertising</b>	<b>1/4 page per issue</b>	<b>\$50</b>
	<b>1/2 page per issue</b>	<b>\$75</b>
	<b>Full page per issue</b>	<b>\$100</b>
Police Report		\$6
Public Information Request	Charges to recover costs associated with public information requests shall be assessed in accordance per the Texas Administrative Code, Title 1, Part 3, Chapter 70, Rule 70.3, Charges for Providing Copies of Public Information	
Returned Check Fee		\$50
Town Hall Facility Rental Fee		\$50 per hour

**ANIMAL CONTROL FEES**

Adoption	Cat	\$120
	Dog	\$150
Animals in Excess	Per animal in addition to Annual Registration Fee	\$10
Annual Registration		No Charge
Holding	In addition to Impoundment Fee	\$20 Daily
Impoundment	1 <sup>st</sup> Impoundment	\$25
	2 <sup>nd</sup> Impoundment	\$50
	3 <sup>rd</sup> Impoundment	\$75
Owner Release	Hickory Creek and Contracting Municipalities Residents Only	\$250
Quarantine	In addition to Impoundment Fee	\$20 Daily
Carcass Removal	Hickory Creek and Contracting Municipalities Residents Only	\$100

**ALARM RELATED FEES**

Residential Permit	Annual	No Charge
Commercial Permit	Annual	\$75
<b>False Alarm Penalty</b>	<b>1-3 per alarm call within 12 months</b>	<b>No Charge</b>
	<b>4-5</b>	<b>\$50</b>
	<b>6-7</b>	<b>\$75</b>
	<b>8</b>	<b>\$100</b>



## BUSINESS RELATED FEES

Type:		Fee
Commercial Use of Boat Ramps and Boat Docks	Annual Use Fee per vessel or four jet skis	\$15,000
	Annual Use Fee per vessel or Four jet skis Second and Subsequent	\$7,500
Commercial Use of Boat Ramps for Fishing Charters	Annual Use Fee	\$1,250
	Annual Launch Fee per trailer	\$500
Oil and Gas Well	Application Fee	\$10,000
	Notification Letters	\$6 per letter
	Yearly Inspection Fee	\$3,000
Overweight Vehicle exceeding 15,000 lbs.	Daily Permit	\$125 per vehicle
	Monthly Permit	\$300 per vehicle
	Yearly Permit	\$2,000 per vehicle
Short Term Rental Permit	Annual	\$1,500
Solicitor's Permit	Monthly Permit	\$75
	Each additional person	\$25
Towing Service Permit		\$15
Towing Service Maximum Fee	Car weighing up to 10,000 lbs.	\$255
	Car weighing more than 10,000 but less than 25,000 lbs.	\$357
	Car weighing more than 25,000 lbs.	\$459
	per unit with a total maximum	\$918

## PARKS AND RECREATION FEES

Boat Ramp Pass	Daily Use	\$10
	Hickory Creek Resident Two Year	\$0
	Hickory Creek Resident Two Year Second and Subsequent	\$175
	Non-Resident Two Year Pass	\$175
Camp Site		\$20 Daily
Day Use Pass		\$5 Daily
	Hickory Creek Resident Two Year	\$0
	Hickory Creek Resident Two Year Third and Subsequent	\$45
	Non-Resident Annual Pass	\$45
Pavilion Rental		\$125

## COMMERCIAL BUILDING FEE SCHEDULE

Permit fees for any project valued in excess of \$5,000 will be assessed according to the building permit fee table. Permit fees are valid 180 days from issue date.

Commercial Permit Type:	Method of Calculation	Min. Fee
Appeals to Board of Adjustment	Flat Fee	\$500
Continuance requested by applicant after public notice publication	Flat Fee	\$100
Certificate of Occupancy	Flat Fee	\$500
Attached Concrete	Flat Fee	\$225
Freestanding Concrete	Flat Fee	\$200
Contractor Registration (Electricians, HVAC/R and Plumbers exempt from fee only)	Flat Fee	\$75
Drainage Permit	Flat Fee	\$250
Excavation		
Paved Area	Flat Fee	\$500
No Pavement	Flat Fee	\$50
Fence (new or replacement of more than 50%)	Flat Fee	\$150
Food Establishment Permit	Annual	\$460
	Additional Inspection	\$125
Irrigation Permit	Flat Fee	\$500
Inspections	Flat Fee	\$150
Electrical, plumbing or mechanical, etc.		
All additional reinspections, or red tags, each. (Fee due before next inspection may be scheduled.)	Flat Fee	\$150
Removal	Flat Fee	\$500
Occasional Sale or Event	Flat Fee	\$50
Signs		
Non-Illuminated	Flat Fee	\$50
Illuminated	Flat Fee	\$150
Temporary Construction and Sales	Flat Fee	\$100
Temporary Banner or Sales	Flat Fee	\$50
Special Use Permit	Flat Fee	\$500
Temporary Construction or Sales Building, or Material Storage Area	Flat Fee, each	\$100
Temporary Merchandise Storage Container Each	Flat Fee	\$50 per month
Water Well	Flat Fee	\$750
Unpermitted Work Fee	Underlying Permit Fee x 2	\$200

## COMMERCIAL BUILDING FEE TABLE

Total Project Valuation:	Fee:
5,001.00 to 25,000.00	\$125.00 for the first \$5,000 plus 15.00 for each additional \$1,000, or fraction thereof, to and including 25,000
\$25,001.00 to \$50,000.00	\$425.00 for the first \$25,000 plus \$11.00 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001.00 to \$100,000.00	\$700.00 for the first \$50,000 plus \$7.50 for each additional \$1,000, or fraction thereof to and including \$100,000
\$100,001.00 to \$500,000.00	\$1075.00 for the first \$100,000 plus \$6.25 for each additional \$1,000, or fraction thereof to and including \$500,000
\$500,001.00 to \$1,000,000.00	\$3575.00 for the first \$500,000 plus \$5.25 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,000.00 and up	\$6200.00 for the first \$1,000,000 plus \$3.50 for each additional \$1,000, or fraction thereof.
Plan Review Fee	65% of Building Permit Fee
Plan Revision Fee	Flat Fee \$1,000

## DEVELOPMENT FEE SCHEDULE

Site Plans and Platting:	Method of Calculation	Min. Fee
Predevelopment Conference	20% of Projected Value Maximum Fee	\$150 \$2000
Preliminary, Final Plat or Replat	Flat Fee	\$850
Site and Landscape Plan Review	Base Fee	\$1500
Residential Development	Per Lot	\$50
Multi-Family	Per Unit	\$25
Non-Residential Development	Per Acre	\$200
Engineering Review Fees Third and Subsequent Reviews	Percentage of Actual Cost	120%
<b>Infrastructure Inspection Fee</b>		
Deposit required @ \$2500 per acre under review. Town will refund to permittee balance remaining after deducting for (1) staff review time @ \$75 per hour, and (2) any actual expenses incurred for outside engineering review or inspection, within 60 days of final inspection. Town will invoice for actual staff review and inspection time and outside engineering review and inspection in excess of deposit.		
Landscaping Fees Residential		
Development	Per Lot or Unit Per	\$25
Non-Residential Development	Acre	\$150
Zoning Changes	Base Fee	\$600
	Per Acre	\$50
	Maximum Fee	\$3000
Protected Tree Removal		
Without Replacement	Per caliper inch of width	\$250

## RESIDENTIAL BUILDING FEE SCHEDULE

Permits are valid for 180 days from issue date.

Residential Permit Type:	Method of Calculation	Min. Fee
New Residential	\$3.50 per square foot under roof	\$1,000
Multi-Family	\$2.25 per square foot under roof	\$1,000
Altered Residential	\$2.60 per altered square foot under roof	\$125
Altered Multi-Family	\$1.75 per altered square foot under roof	\$125
Plan Revision Fee	\$2.00 per square foot under roof	\$200
Accessory Structure without utilities.	\$1.00 per square foot	\$100
Accessory Structure with utilities.	\$1.00 per square foot + \$300.00	\$500
Appeals to Board of Adjustment	Flat Fee	\$750
Continuance requested by applicant after public notice publication.	\$2.00 per letter	\$75
Certificate of Occupancy, Single Family Dwelling	Flat Fee	\$250
Attached Concrete	Flat Fee	\$225
Freestanding Concrete	Flat Fee	\$200
Foundation Repair	Flat Fee	\$200
Contractor Registration (Electricians, HVAC/R and Plumbers exempt from fee only)	Flat Fee	\$75
Removal	Flat Fee	\$150
Drainage Permit	Flat Fee	\$100
Mechanical Permit (HVAC)	Flat Fee	\$300
Mechanical Permit (Plumbing, Electrical, Etc.)	Flat Fee	\$150
All additional, reinspections, or red tags, unless noted otherwise, each. (Fee due before next inspection may be scheduled)	Flat Fee	\$150
Fence (New or Replacement >50%)	Flat Fee	\$50
Subdivision Perimeter Fence	\$1.00 per linear foot	\$150
Irrigation Permit	Flat Fee	\$250
Occasional (Private Garage) Sale	Flat Fee	\$0
Retaining Wall Permit, under 4 feet	Flat Fee	\$100
Retaining Wall Permit, over 4 feet	Flat Fee	\$125

Residential Permit Type:	Method of Calculation	Min. Fee
Roofing Permit	Flat Fee	\$150
Septic System, New	Flat Fee	\$500
Repair to existing system	Flat Fee	\$250
<del>Inspections for substantiated complaints</del>	<del>Flat Fee</del>	<del>\$150</del>
<del>Inspections for unsubstantiated complaints</del>	<del>Flat Fee</del>	<del>\$0</del>
Solar Permit	Flat Fee	\$300
Spa Permit	Flat Fee	\$200
In-Ground Pool Permit	Flat Fee	\$850
Above-Ground Pool Permit	Flat Fee	\$200
Decking	Flat Fee	\$150
Unpermitted Work Fee	Underlying Permit Fee x 2	
Denied Plan Review (every 3rd subsequent)	Flat Fee	\$150

## **RIGHT OF WAY MANAGEMENT FEES**

Streets, Sidewalks and Other Public Places

Right-of- Way Type:	Method of Calculation	Min. Fee
Application Fee	Flat Fee	\$100
Expedited Application Fee	Flat Fee	\$250
Saturday Inspection Fee: each Saturday	Flat Fee	\$200
Permit Expiration; each permit for incomplete work on expiration date if not extended	Flat Fee	\$30
Electronic maps submittal fee; per hour of labor necessitated by hard copy submittal in lieu of electronic format (2 hour minimum)	\$80 per hour	\$160
Registration; per user; per year	Flat Fee	\$50
Inspection Fee	\$1/LF or \$150/day of anticipated construction time, whichever is greater	
Small Cell Application Fee (This penalty shall not exceed and is capped by statutory limits.	1-5 Network Nodes Each Additional Network Node Per Pole	\$500 \$250 \$1000
Small Cell User Fee (This penalty shall not exceed and is capped by statutory limits.	Each Network Node; Annually Per Pole; Per Year Per Pole	\$250 \$20 for town pole attachment

### Public Inconvenience Penalty

Public inconvenience penalties are assessed and calculated from the date of expiration of the permit until date of completion of work or repair or of final backfill if turned over to the department for repair. This penalty shall not exceed and is capped by statutory limits.

Type of Facility	Unit of Cost	Penalty (Per day)			
		31-75 days	79-90 days	90-100 days	>100 days
Sidewalk	Per sq. foot	\$0.0026	\$0.0052	\$0.0078	\$0.0104
Driveway	Per each	\$39.00	\$78.00	\$117.00	\$156.00

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2024-0624-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY AUTHORIZING THE MAYOR OF THE TOWN OF HICKORY CREEK, TEXAS, TO EXECUTE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE TOWN OF HICKORY CREEK, TEXAS AND DENTON COUNTY, TEXAS CONCERNING ROADWAY PROJECTS.**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council has been presented with a proposed Interlocal Cooperative Agreement Between the Town of Hickory Creek, Texas and Denton County, Texas (hereinafter the "Agreement") for the purpose of providing for the design, right-of-way acquisition, utility relocation and construction required for the widening and reconstruction of various roadway projects, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the Town Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute them on behalf of the Town of Hickory Creek.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas, that:

Section 1: The Mayor of The Town of Hickory Creek, Texas is authorized to execute the Agreement.

Section 3: This resolution shall take effect immediately upon its passage.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas this 24<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

\_\_\_\_\_  
Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas





**WITNESSETH:**

**I.**

Pursuant to Texas Government Code §791.011, the County and the Town hereby enter into this Agreement in order to perform certain governmental functions and services in the area of streets, roads, and drainage. The purpose of this Agreement is to provide a governmental function or service that each party is authorized to perform individually.

**II.**

The County and the Town hereby agree that the scope of the Project shall consist of engineering, right-of-way acquisition, utility relocations, and construction for the following four roadway projects: 1). South Hook Street and Garth Lane from Main Street to Wolters Street; 2). Country Lane from Oak Drive to Woodlake Road; 3). Harbor Lane from Strait Lane to Road D; and 4). Point Vista Road from 210 feet south of Stamford Drive to Point Vista Estates, at an estimated cost of TEN MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$10,200,000.00), whereby the County agrees to make an initial contribution toward satisfactory completion of the Project, based on current available funding, in an amount which shall not exceed FOUR MILLION TWO HUNDRED FIFTY THOUSAND FIVE HUNDRED THREE AND NO/100 DOLLARS (\$4,250,503.00), but upon issuance of additional bond funds, this Agreement is intended to be amended at a future date to increase the County commitment toward satisfactory completion of the Project. The Project is located entirely within the municipal limits of the Town and Denton County Commissioner Precinct #3.

**III.**

The County hereby agrees to make an initial contribution toward satisfactory completion of the Project in an amount which shall not exceed FOUR MILLION TWO HUNDRED FIFTY THOUSAND FIVE HUNDRED THREE AND NO/100 DOLLARS (\$4,250,503.00), provided that any and all funding is approved by formal action of the Denton County Commissioners Court.

**IV.**

The Town hereby agrees to make a contribution toward satisfactory completion of the Project in an amount which shall not exceed TWO MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$2,200,000.00). The Town agrees to manage all engineering, right-of-way acquisition, utility relocations, inspections, construction, and maintenance of the Project. The Town shall timely provide the County with all invoices and requested documentation in an amount

which shall not exceed FOUR MILLION TWO HUNDRED FIFTY THOUSAND FIVE HUNDRED THREE AND NO/100 DOLLARS (\$4,250,503.00).

**V.**

This exchange of in-kind services between the County and the Town is deemed adequate consideration for the obligations exchanged by the Parties herein.

**VI.**

As the Town proceeds with the completion of the Project, the Town shall submit all invoices for reimbursement to the Denton County Auditor, Mr. Jeff May, 1 Courthouse Drive, Suite 2000, Denton, Texas 76208, c/o Mr. John Polster, Innovative Transportation Solutions, Inc., 2701 Valley View Lane, Farmers Branch, Texas 75234. The Town shall submit invoices on a monthly basis, and the County shall reimburse the Town on a pro rata basis for all approved expenses related to the Project within thirty calendar days of receipt of an invoice from the Town, provided that all expenditures are made in a manner which is consistent with the terms of this Agreement. Upon satisfactory completion of the Project, the County and the Town shall prepare and complete a full audit of the Project.

**VII.**

As required by Texas Transportation Code §251.012 and as evidenced by the signature of the Town's representative below, the governing body of the Town by the execution of and approval of this Agreement hereby approves of the expenditure of County money to finance the construction, improvement, maintenance, or repair of a street or alley in the County that is located in the Town.

**VIII.**

This agreement may be terminated in whole, or in part, by the County or the Town upon thirty days written notice to the other party. In the event of termination by the County, the County shall pay all approved invoices submitted up to and including the date of termination.

**IX.**

This Agreement represents the entire integrated agreement between the County and the Town and supersedes all prior negotiations, representations, and agreements, either oral or written. This Agreement may be amended only by written instrument signed by both of the Parties. Notices shall be directed as follows:

For Town: Honorable Lynn Clark, Mayor  
Town of Hickory Creek, Texas  
1075 Ronald Reagan Avenue  
Hickory Creek, Texas 75065

Copy To: Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas  
1075 Ronald Reagan Avenue  
Hickory Creek, Texas 75065

For County: Honorable Andy Eads, Denton County Judge  
1 Courthouse Drive, Suite 3100  
Denton, Texas 76208  
[andy.eads@dentoncounty.gov](mailto:andy.eads@dentoncounty.gov)  
[holly.sadlowski@dentoncounty.gov](mailto:holly.sadlowski@dentoncounty.gov)

Copy To: Denton County District Attorney's Office - Civil Division  
1450 East McKinney Street, Suite 3100  
Denton, Texas 76209

**X.**

The covenants, terms, and conditions herein are to be construed under the laws of the State of Texas and are performable by the Parties in Denton County, Texas. The Parties mutually agree that venue for any obligation arising from this Agreement shall lie in Denton County, Texas.

**XI.**

The Town agrees and understands that the Town, its employees, servants, agents or representatives shall at no time represent themselves to be employees, servants, agents or representatives of the County.

**XII.**

The Town agrees to accept full responsibility for the acts, negligence and omissions of all Town employees, agents, subcontractors or contract laborers and for all other persons doing work under a contract or agreement with the Town.

**XIII.**

This Agreement is not intended to extend the liability of the Parties beyond that provided for by law. Neither the County nor the Town waive, nor shall be deemed to have hereby waived, any immunity or defense that would otherwise be available to it against claims made by third parties.

**XIV.**

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the Parties hereto that the remaining portions shall remain valid and in full force and effect to the fullest extent possible.

**XV.**

The undersigned officers and agents of the Parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the Parties hereto, and each party hereby certifies to the other that any necessary resolutions extending said authority have been duly passed and are now in full force and effect.

**XVI.**

This Agreement becomes effective when signed by the last party whose signing makes the respective agreement fully executed, and the term of this Agreement is for the life of the Project beginning on the date of execution of this Agreement and continuing until the Project is completed.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**DENTON COUNTY, TEXAS**  
1 Courthouse Drive, Suite 3100  
Denton, Texas 76209

**TOWN OF HICKORY CREEK, TEXAS**  
1075 Ronald Reagan Avenue  
Hickory Creek, Texas 75065

By: \_\_\_\_\_  
Honorable Andy Eads  
Denton County Judge  
Acting by and on behalf of the authority  
of the Denton County Commissioners Court

By: \_\_\_\_\_  
Honorable Lynn Clark  
Mayor of the Town of Hickory Creek, Texas  
Acting by and on behalf of the authority  
of the Town of Hickory Creek, Texas

ATTEST:

ATTEST:

By: \_\_\_\_\_  
Denton County Clerk

By: \_\_\_\_\_  
Town Secretary

**COUNTY AUDITOR'S CERTIFICATE**

I hereby certify funds are available to accomplish and pay the obligation of Denton County, Texas, under this Agreement.

---

Denton County Auditor

**APPROVAL OF INTERLOCAL COOPERATION AGREEMENT**

Denton County, Texas, acting by and through the Denton County Commissioners Court, hereby gives its specific written approval to the following Project, prior to beginning of the Project in satisfaction of Texas Government Code §791.014. The scope of the Project shall consist of engineering, right-of-way acquisition, utility relocations, and construction for the following four roadway projects: 1). South Hook Street and Garth Lane from Main Street to Wolters Street; 2). Country Lane from Oak Drive to Woodlake Road; 3). Harbor Lane from Strait Lane to Road D; and 4). Point Vista Road from 210 feet south of Stamford Drive to Point Vista Estates, with an estimated cost of completion of TEN MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$10,200,000.00). The Project shall be located entirely within the municipal limits of the Town of Hickory Creek and Denton County Commissioner Precinct #3.

The County hereby agrees to make an initial contribution toward satisfactory completion of the project in an amount which shall not exceed FOUR MILLION TWO HUNDRED FIFTY THOUSAND FIVE HUNDRED THREE AND NO/100 DOLLARS (\$4,250,503.00), provided that any and all funding is approved by formal action of the Denton County Commissioners Court.

The local governments which requested the Project and with whom the Agreement is by and between are Denton County, Texas, and the Town of Hickory Creek, Texas.

By vote on the date below, the Denton County Commissioners Court has approved the project identified above and authorized execution of this document by the presiding officer of the Denton County Commissioners Court.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Presiding Officer of the Denton  
County Commissioners Court

**TOWN OF HICKORY CREEK, TEXAS**  
**RESOLUTION NO. 2024-0624-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY AUTHORIZING THE MAYOR OF THE TOWN OF HICKORY CREEK, TEXAS, TO EXECUTE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE TOWN OF HICKORY CREEK, TEXAS AND DENTON COUNTY, TEXAS CONCERNING THE CARLISLE DRIVE ROADWAY PROJECT.**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council has been presented with a proposed Interlocal Cooperative Agreement between the Town of Hickory Creek, Texas and Denton County, Texas (hereinafter the "Agreement") for the purpose of providing for the design, right-of-way acquisition, utility relocation and construction required for the widening and reconstruction of Carlisle Drive, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the Town Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute them on behalf of the Town of Hickory Creek.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas, that:

Section 1: The Mayor of The Town of Hickory Creek, Texas is authorized to execute the Agreement.

Section 3: This resolution shall take effect immediately upon its passage.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas this 24<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

\_\_\_\_\_  
Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas





**WITNESSETH:**

**I.**

Pursuant to Texas Government Code §791.011, the County and the Town hereby enter into this Agreement in order to perform certain governmental functions and services in the area of streets, roads, and drainage. The purpose of this Agreement is to provide a governmental function or service that each party is authorized to perform individually.

**II.**

The County and the Town hereby agree that the scope of the Project shall consist of engineering, right-of-way acquisition, utility relocations, and construction for Carlisle Drive from South Lake Dallas Drive to Main Street, at an estimated cost of THREE MILLION ONE HUNDRED EIGHTY-SIX THOUSAND AND NO/100 DOLLARS (\$3,186,000.00), whereby the County agrees to make an initial contribution toward satisfactory completion of the Project, based on current available funding, in an amount which shall not exceed FIVE HUNDRED NINETY-THREE THOUSAND AND NO/100 DOLLARS (\$593,000.00), but upon issuance of additional bond funds, this Agreement is intended to be amended at a future date to increase the County commitment toward satisfactory completion of the Project. The Project is located entirely within the municipal limits of the Town, the City of Lake Dallas, and Denton County Commissioner Precinct #3.

**III.**

The County hereby agrees to make an initial contribution toward satisfactory completion of the Project in an amount which shall not exceed FIVE HUNDRED NINETY-THREE THOUSAND AND NO/100 DOLLARS (\$593,000.00), provided that any and all funding is approved by formal action of the Denton County Commissioners Court.

**IV.**

The Town agrees to manage all engineering, right-of-way acquisition, utility relocations, inspections, construction, and maintenance of the Project. The Town shall timely provide the County with all invoices and requested documentation in an amount which shall not exceed FIVE HUNDRED NINETY-THREE THOUSAND AND NO/100 DOLLARS (\$593,000.00).

**V.**

This exchange of in-kind services between the County and the Town is deemed adequate consideration for the obligations exchanged by the Parties herein.

**VI.**

As the Town proceeds with the completion of the Project, the Town shall submit all invoices for reimbursement to the Denton County Auditor, Mr. Jeff May, 1 Courthouse Drive, Suite 2000, Denton, Texas 76208, c/o Mr. John Polster, Innovative Transportation Solutions, Inc., 2701 Valley View Lane, Farmers Branch, Texas 75234. The Town shall submit invoices on a monthly basis, and the County shall reimburse the Town on a pro rata basis for all approved expenses related to the Project within thirty calendar days of receipt of an invoice from the Town, provided that all expenditures are made in a manner which is consistent with the terms of this Agreement. Upon satisfactory completion of the Project, the County and the Town shall prepare and complete a full audit of the Project.

**VII.**

As required by Texas Transportation Code §251.012 and as evidenced by the signature of the Town's representative below, the governing body of the Town by the execution of and approval of this Agreement hereby approves of the expenditure of County money to finance the construction, improvement, maintenance, or repair of a street or alley in the County that is located in the Town.

**VIII.**

This agreement may be terminated in whole, or in part, by the County or the Town upon thirty days written notice to the other party. In the event of termination by the County, the County shall pay all approved invoices submitted up to and including the date of termination.

**IX.**

This Agreement represents the entire integrated agreement between the County and the Town and supersedes all prior negotiations, representations, and agreements, either oral or written. This Agreement may be amended only by written instrument signed by both of the Parties. Notices shall be directed as follows:

For Town:                   Honorable Lynn Clark, Mayor  
                                  Town of Hickory Creek, Texas  
                                  1075 Ronald Reagan Avenue  
                                  Hickory Creek, Texas 75065

Copy To:                    Kristi Rogers, Town Secretary  
                                  Town of Hickory Creek, Texas  
                                  1075 Ronald Reagan Avenue  
                                  Hickory Creek, Texas 75065

For County: Honorable Andy Eads, Denton County Judge  
1 Courthouse Drive, Suite 3100  
Denton, Texas 76208  
[andy.eads@dentoncounty.gov](mailto:andy.eads@dentoncounty.gov)  
[holly.sadlowski@dentoncounty.gov](mailto:holly.sadlowski@dentoncounty.gov)

Copy To: Denton County District Attorney's Office - Civil Division  
1450 East McKinney Street, Suite 3100  
Denton, Texas 76209

**X.**

The covenants, terms, and conditions herein are to be construed under the laws of the State of Texas and are performable by the Parties in Denton County, Texas. The Parties mutually agree that venue for any obligation arising from this Agreement shall lie in Denton County, Texas.

**XI.**

The Town agrees and understands that the Town, its employees, servants, agents or representatives shall at no time represent themselves to be employees, servants, agents or representatives of the County.

**XII.**

The Town agrees to accept full responsibility for the acts, negligence and omissions of all Town employees, agents, subcontractors or contract laborers and for all other persons doing work under a contract or agreement with the Town.

**XIII.**

This Agreement is not intended to extend the liability of the Parties beyond that provided for by law. Neither the County nor the Town waive, nor shall be deemed to have hereby waived, any immunity or defense that would otherwise be available to it against claims made by third parties.

**XIV.**

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the Parties hereto that the remaining portions shall remain valid and in full force and effect to the fullest extent possible.

**XV.**

The undersigned officers and agents of the Parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the Parties hereto,

and each party hereby certifies to the other that any necessary resolutions extending said authority have been duly passed and are now in full force and effect.

**XVI.**

This Agreement becomes effective when signed by the last party whose signing makes the respective agreement fully executed, and the term of this Agreement is for the life of the Project beginning on the date of execution of this Agreement and continuing until the Project is completed.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**DENTON COUNTY, TEXAS**  
1 Courthouse Drive, Suite 3100  
Denton, Texas 76209

**TOWN OF HICKORY CREEK, TEXAS**  
1075 Ronald Reagan Avenue  
Hickory Creek, Texas 75065

By: \_\_\_\_\_  
Honorable Andy Eads  
Denton County Judge  
Acting by and on behalf of the authority  
of the Denton County Commissioners Court

By: \_\_\_\_\_  
Honorable Lynn Clark  
Mayor of the Town of Hickory Creek, Texas  
Acting by and on behalf of the authority  
of the Town of Hickory Creek, Texas

ATTEST:

ATTEST:

By: \_\_\_\_\_  
Denton County Clerk

By: \_\_\_\_\_  
Town Secretary

**COUNTY AUDITOR'S CERTIFICATE**

I hereby certify funds are available to accomplish and pay the obligation of Denton County, Texas, under this Agreement.

---

Denton County Auditor

**APPROVAL OF INTERLOCAL COOPERATION AGREEMENT**

Denton County, Texas, acting by and through the Denton County Commissioners Court, hereby gives its specific written approval to the following Project, prior to beginning of the Project in satisfaction of Texas Government Code §791.014. The scope of the Project shall consist of engineering, right-of-way acquisition, utility relocations, and construction for Carlisle Drive from South Lake Dallas Drive to Main Street, with an estimated cost of completion of THREE MILLION ONE HUNDRED EIGHTY-SIX THOUSAND AND NO/100 DOLLARS (\$3,186,000.00). The Project shall be located entirely within the municipal limits of the Town of Hickory Creek, the City of Lake Dallas, and Denton County Commissioner Precinct #3.

The County hereby agrees to make an initial contribution toward satisfactory completion of the project in an amount which shall not exceed FIVE HUNDRED NINETY-THREE THOUSAND AND NO/100 DOLLARS (\$593,000.00), provided that any and all funding is approved by formal action of the Denton County Commissioners Court.

The local governments which requested the Project and with whom the Agreement is by and between are Denton County, Texas, and the Town of Hickory Creek, Texas.

By vote on the date below, the Denton County Commissioners Court has approved the project identified above and authorized execution of this document by the presiding officer of the Denton County Commissioners Court.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Presiding Officer of the Denton  
County Commissioners Court

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2024-0624-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN  
OF HICKORY CREEK, TEXAS, FOR THE APPOINTMENT  
OF ONE MEMBER TO THE BOARD OF MANAGERS OF  
THE DENCO AREA 9-1-1 DISTRICT.**

**WHEREAS**, Section 772, Health and Safety Code, provides that two voting members of the Board of Managers of an Emergency Communications District shall be appointed jointly by all cities and towns lying wholly or partly within the District;

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:**

**Section 1**

The Town of Hickory Creek hereby **VOTES TO APPOINT** Jim Carter as member of the Board of Managers of the Denco Area 9-1-1 District for the two-year term beginning October 1, 2024.

**Section 2**

That this resolution shall become effective immediately upon its passage and approval.

**PASSED AND APPROVED** this the 24<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Kristi Rogers, Town Secretary  
Town of Hickory Creek

\_\_\_\_\_  
Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek





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# Denco Area 9-1-1 District

1075 Princeton Street ▪ Lewisville, TX 75067

Phone: 972-221-0911 ▪ Fax: 972-420-0709 ▪ [Denco.org](http://Denco.org)

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TO: Denco Area 9-1-1 District Participating Municipal Jurisdictions  
FROM: Greg Ballentine, Executive Director  
DATE: June 3, 2024  
RE: Appointment to the Denco Area 9-1-1 District Board of Managers

On April 1, 2024, the Denco Area 9-1-1 District requested municipalities to nominate a representative to the district board of managers for the two-year term beginning October 1, 2024. Denco received the following nominations by the May 31, 2024 deadline:

<u>Nominee</u>	<u>City/Town Making Nomination</u>
Jim Carter	City of Aubrey City of Lewisville City of Oak Point City of Pilot Point City of The Colony Town of Bartonville Town of Copper Canyon Town of Double Oak Town of Hickory Creek
Greg Kohn	City of Highland Village

The Denco Area 9-1-1 District requests that each municipality vote for one of the candidates and advise the district of its selection by **5 p.m. on July 31, 2024**. No votes will be accepted after that time. If a nominating municipality does not formally vote, it's nomination will automatically count as a vote for its nominee. Please send a copy of the resolution recording council action. We have provided candidate resumes and a list of current Denco board members.

Please send a copy of your council's official action to the Denco Area 9-1-1 District, 1075 Princeton Street, Lewisville, TX 75067 or to Melinda Camp at [melinda.camp@denco.org](mailto:melinda.camp@denco.org). We will acknowledge receipt of all votes.

Thank you for your assistance in this matter.

**JIM CARTER**

6101 Long Prairie Road  
Ste 744-110  
Flower Mound, Texas 75028

(817) 239-7791  
[jim.carter1@icloud.com](mailto:jim.carter1@icloud.com)

**EDUCATION**

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College Degree: University of Georgia, B.B.A. Finance  
Postgraduate: Georgia Tech, University of Tennessee, University of Michigan, Texas Women’s University, American Management Association

**PROFESSIONAL EXPERIENCE**

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Department Head, Finance General Motors Corporation  
Zone Vice-President Frito-Lay, Inc., International and Domestic Development  
President, C.E.O. Mercantile Corporation  
Responsible for 3 Banks, developed 2,000 prime commercial acres in Fort Worth adjacent to I-35W,  
Current: Principal James P. Carter & Associates – Consultant & Mediator  
To business and governmental entities  
Professional Licenses Texas Real Estate License, Certified Mediator

**PUBLIC SERVICE EXPERIENCE**

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Mayor Trophy Club, Texas – 14 year  
Municipal Court Judge Trophy Club, Texas – 12 years  
Emergency Manager Trophy Club, Texas – 14 years  
County Commissioner Denton County, Texas – 8 years  
Vice President Texas Association of Counties  
Former President Denton County Emergency Services District #1 15 years  
Fire and Emergency Medical over 65 square miles  
Serving 5 Argyle, Bartonville, Copper Canyon,  
Draper, and Northlake, Robson Ranch,  
Lantana Freshwater Supply Districts #6 and #7  
and unincorporated areas of Denton County  
Former Texas State Board Member- State Association Fire and Emergency Service Districts –  
Trains Emergency Services District Commissioners

Board Member Denco 911-  
Current

Emergency telecommunications system that assists its member jurisdictions in managing police, fire and medical emergency calls.

Mission Leader – Guatemala

Constructed purified water system in remote villages, shared the “Good News” of Jesus’s love.

Team Leader

Provide housing and food to victims of Hurricane Katrina.

Team Leader

Made several trips to Sabine Pass to aid victims of Hurricane Rita.

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### **COMMUNITY AND CHARITY SERVICES**

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Baylor Healthcare System

Trustee – 10 Years

University of North Texas

President’s Council

Texas Student Housing Corp

Chairman – 20 Years, providing Residential Scholarships at UNT, A&M, UT Austin

Boy Scouts of America

Longhorn Council, District Chairman

First Baptist Church, Trophy Club

Chairman, Stewardship Committee and Senior Bible Teacher

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### **US MILITARY**

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US Navy

11 years – active and reserve service

**Honors: Who’s Who in the South and Southwest, Who’s Who in U.S. Executives, Honorary Fire Chief Argyle Fire District**

# GREGORY LEE KOHN

416 Abilene Court  
Highland Village, Texas 75077  
Cell (817) 308-8334  
[greg.kohn1@gmail.com](mailto:greg.kohn1@gmail.com)

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## **WORK HISTORY**

### **REPEAT REALTY *Residential Sales Agent***

**June 2021 - Present**

### **CITY OF LEWISVILLE, FIRE DEPARTMENT**

**Retired June 2017 to pursue advanced degree through Texas A&M University, Bush School of Government and Public Service. Degree program completed in December 2019.**

#### **Division Chief - Support Services**

**January 2016 - June 2017**

Responsibilities included maintenance and function of all (seven) fire stations and emergency equipment as well as procurement and maintenance of all Personal Protective Equipment. Responsible for the functions of on-call Duty Chief when required per rotation.

#### Key Accomplishments:

- Lead planning and construction of two new fire stations with a budget of \$11,000,000, which involved coordinating with other departments, City leadership, elected officials, and outside architects and contractors.
- Directed the Apparatus Specification Committee, which was responsible for planning and building of all department apparatus, which included two \$500,000 fire engines and a \$1,300,000 ladder truck.

#### **Battalion Chief**

**May 2007- January 2016**

Responsibilities included supervision of seven fire stations and 43 personnel. Responded to and commanded emergency calls in the City, including incidents on Lake Lewisville. Emergency responses often involved coordinating with multiple mutual aid departments. Responsible for all personnel related actions including training, instruction, and disciplinary issues. Responsible for daily staffing needs and monitoring overtime controls. Mentored all Captains to maintain constant readiness for any emergency, both in fire operations and emergency medical services.

#### Key Accomplishments:

- Participated in the hiring process for entry-level firefighters and internal promotional processes.
- Assisted multiple area Fire Departments with promotional interviews.

#### **Captain/Paramedic**

**July 2003 - May 2007**

Supervised station personnel and day-to-day operations at a six-person fire station. Responsible for training, evaluation, mentoring, and discipline of assigned personnel during emergency and non-emergency situations. Acted as shift Commanding Officer in rotation in the absence of the Battalion Chief.

#### **Division Chief-Public Education**

**September 2001 - July 2003**

Responsible for public education, emergency management, crisis management, and Public Information Officer role. Oversaw planning and execution of the annual department Open House during Fire Prevention month. Drafted and submitted multiple departmental grant applications. Responsible for emergency operations center and City's emergency operations plan. Performed function of duty chief on rotating basis.

#### Key Accomplishments:

- Served as the primary State contact as the Emergency Management Coordinator for the City which involved dealing with multiple State and other outside stakeholders, both public and private. Responsible for assuring that all City personnel were trained and ready to handle all anticipated emergency situations that might occur in the area.
- Developed "After the Fire" Program offering assistance to displaced families.
- Expanded school education program for Fire Prevention Month and developed elementary school reading program.
- Composed grant application that resulted in Lewisville receiving a grant from the Assistance to Firefighters Grant program for a flashover simulator, which was the first in the State of Texas. This training aid served multiple departments in Denton County.
- Served as alternate chair of the City Weapons of Mass Destruction Task Force following 9/11.

## **WORK HISTORY, Cont.**

**Captain/Paramedic**

**July 2000 – September 2001**

Supervised station personnel and day-to-day operations of 12-person fire station. Responsible for training, evaluation, mentoring and discipline of assigned personnel during emergency and non-emergency situations. Provided communication to affected citizens during emergency situations.

Key Accomplishments:

- Lead team responsible for Personal Protective Equipment and uniforms for entire department, including development and compliance with budget.

**Driver/Engineer/Paramedic**

**September 1997 – July 2000**

Performed all necessary functions and duties required for the position, including supervision of firefighters and completion of incident written reports. Trained assigned personnel on the duties of the Driver position. Assisted station Captain with various assigned areas of responsibility. Began performing Acting Captain duties in September 1999.

Key Accomplishments:

- Served on Apparatus Selection Committee and Employee Relations Committee (ERC). Involvement with the ERC included regular meetings with Fire Department administration to discuss various issues that were relevant to station personnel and communication of the results.

**Firefighter/Paramedic**

**January 1992 – September 1997**

Performed all necessary duties related to firefighting and paramedic responsibilities. Began performing Driver functions January 1994. Obtained Paramedic Certification in January 1997.

**CITY OF LANCASTER, FIRE DEPARTMENT**

**Firefighter/EMT**

**April 1989 - January 1992**

Performed all necessary activities related to firefighting and EMT responsibilities. Obtained EMT Certification in August 1989.

**EDUCATION**

**Texas A&M University**

**January 2018 - December 2019**

**Bush School of Government and Public Service**

Executive Master of Public Service and Administration with a focus on Emergency Management and Homeland Security

**American Public University**

**May 2011 - November 2015**

Bachelor of Science

Fire Science Management with Honors

**CERTIFICATIONS**

- Certified Firefighter, Master
- Certified EMT/Paramedic- Expired 10/31/2021
- Instructor, Intermediate
- TEEX Fire Officer I – II
- ICS-100, 200, 300, 400
- NIMS-700, 701, 703, 800

**COMMUNITY SUPPORT**

**Cross Timbers Rotary Member**

**January 2022 – Present**

Support local community activities. Coordinated event permitting process with the City of Flower Mound for the 2022 and 2023 “Duck Derby”, as well as overseeing public safety for the event in 2023. This event raised over \$100,000 for local charities. Serve as New Member Mentor for those seeking membership.

**Highland Village Planning & Zoning Committee, Alternate**

**August 2022 – September 2023**

## **Denco Area 9-1-1 District Board of Managers FY2024**

### **Bill Lawrence, Chairman**

- Appointed by Denton County Commissioners Court
- Member since October 2006
- Term expires September 2025
- Former Mayor of Highland Village
- Businessman, Highland Village

### **Sue Tejml, Vice Chair**

- Appointed by member cities in Denton County
- Member since 2013
- Term expires September 2025
- Former Mayor of Copper Canyon
- Attorney at Law, Copper Canyon

### **Jim Carter, Secretary**

- Appointed by member cities in Denton County
- Member since October 2014
- Term expires September 2024
- Former President of Emergency Services District #1
- Former Mayor of Trophy Club and Denton County Commissioner

### **Jason Cole**

- Appointed by Denton County Commissioners Court
- Member since October 2020
- Term expires September 2024
- Businessman, Denton

### **Chief Jason Collier**

- Appointed by Denton County Fire Chief's Association
- Member since October 2023
- Term expires September 2025
- Fire Chief, City of Highland Village

All voting members serve two-year terms and are eligible for re-appointment.



## AGENDA INFORMATION SHEET

**MEETING DATE:** June 24, 2024

**AGENDA ITEMS:** Consider and act on a final replat of Lots 1-R-1 and 1-R-2, Block 1 of Double G Plaza being a replat of Lot 1-R, Block 1 of Double G Plaza; being 2.258 acres in the H. Swisher Survey A-1220 in the ETJ of the Town of Hickory Creek, Denton County, Texas. The property is located at 3572 FM 2181.

**AGENDA ITEM  
SUMMARY:**

The property currently contains a retail shopping center on the north end of the property and a kennel in the rear. The owners wish to separate the two uses into separate lots. The town has no objection to the replat adoption. This plat is being considered under Texas Local Government Code 212.009.

Date	Request	Meeting	Result
03/1986	Double G Plaza Addition Plat		Recorded April 14, 1986
01/04/86	Replat of Double G Plaza creating Swisher Court Addition	Planning and Zoning	Approval recommended
01/17/06	Replat of Double G Plaza creating Swisher Court Addition	Town Council	Approved Plat recorded 03/14/06
03/06/19	Double G Plaza Replat designating Block 1 Lot 1-R	Planning & Zoning	Approval recommended
03/12/19	Double G Plaza Replat designating Block 1 Lot 1-R	Town Council	Approved Plat recorded 03/22/19
08/15/23	Double G Plaza Replat designating Lots 1-R-1 & 1-R-2	Planning & Zoning	Withdrawn 08/10/23
06/18/24	Double G Plaza Replat designating Lots 1-R-1 & 1-R-2	Planning & Zoning	Approval recommended



June 11, 2024  
AVO 37638.200

Ms. Chris Chaudoir  
Town of Hickory Creek  
1075 Ronald Reagan Avenue  
Hickory Creek, TX 75065

**Re: Double G Plaza – Final Replat  
3<sup>rd</sup> Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received a Final Replat application for the Double G Plaza on July 14, 2023. The surveyor is Landmark Surveyors. The owner is BMT Properties, LLC.

2<sup>nd</sup> Review Submittal Received: May 21, 2024 (Amended Final Replat dated April 30, 2024)

3<sup>rd</sup> Review Submittal Received: June 4, 2024

**Halff recommends approval of the Final Replat received on June 4, 2024. All previous comments have been addressed.**

**Final Replat**

1. Please provide ten (10) sets of final plat submitted to the Town. (See checklist)  
2<sup>nd</sup> Review: Acknowledged
2. Please update date in the title block. (See markups and checklist)  
2<sup>nd</sup> Review: Addressed.
3. Include tax certificates for final submittal, for Town filing. If Owner/Developer/Surveyor filing, provide tax certificates for recording. (See checklist)  
2<sup>nd</sup> Review: Acknowledged
4. Ensure the Development Application is amended or updated to show the new acreage of 2.258 acres from the original 1.937 acres.  
3<sup>rd</sup> Review: Addressed
5. Per Denton County Planning, please show minimum building setback lines per County Subdivision Rules and Regulations for each lot.  
3<sup>rd</sup> Review: Addressed
6. Per Denton County Planning, please include the Denton County standard plat notes, as is relevant and needed, per the County Subdivision Rules and Regulations.  
3<sup>rd</sup> Review: Addressed





Sincerely,

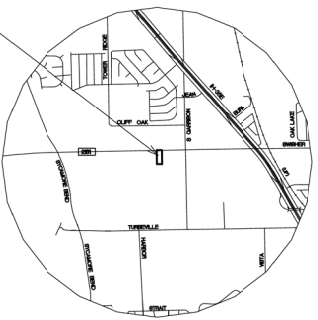
**HALFF**

A handwritten signature in black ink, appearing to read "Kevin Gronwaldt".

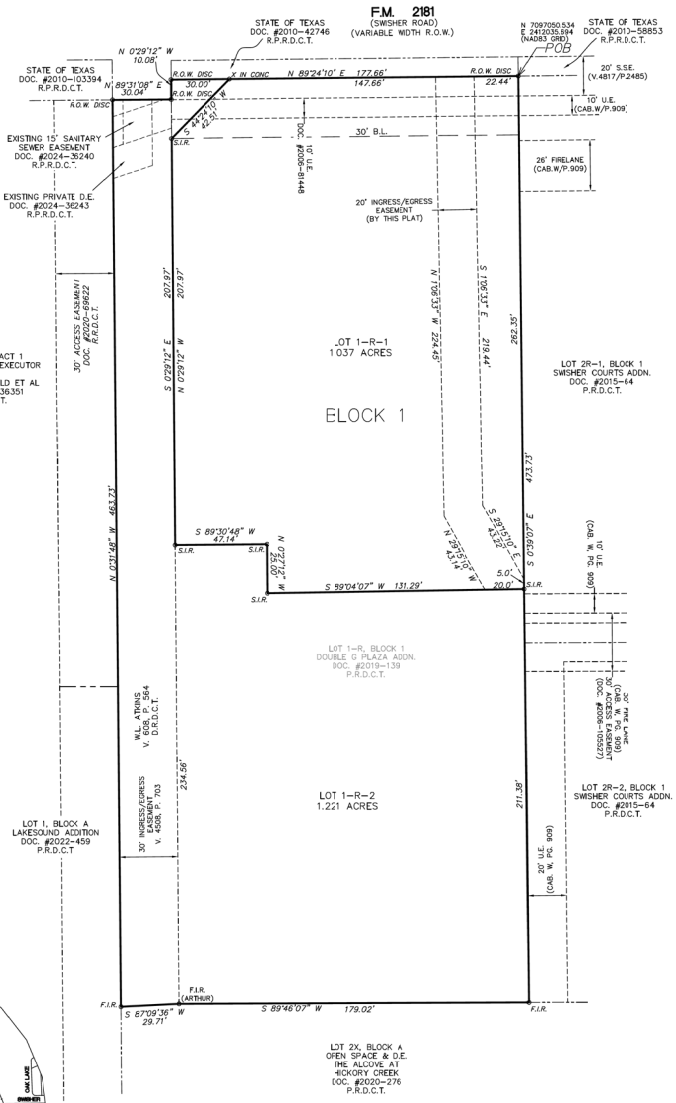
Kevin Gronwaldt, PE  
Consulting Engineer for the Town of Hickory Creek

C: Kristi Rogers – Town Secretary  
John Smith – Town Manager

PROJECT LOCATION



VICINITY MAP  
SCALE 1" = 2000'



OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS  
COUNTY OF DENTON, WHEREAS WE, BMT Properties, LLC, are the owners of that certain lot, tract, or parcel of land situated in the H. Swisher Survey Abstract Number 1220 in the Extrajurisdiction of the Town of Hickory Creek, Denton County, Texas, being all of Lot 1-R, Block 1 Double G Plaza Addition, an addition to Denton County, Texas according to the plat thereof recorded under Document Number 2019-139, Plat Records, Denton County, Texas, and being a part of that certain tract of land conveyed by deed to W. L. Atkins recorded in Volume 608, Page 864, Deed Records, Denton County, Texas, and being more particularly described as follows: BEGINNING at a right-of-way disc found for corner in the south line of Farm-to-Market Highway Number 2181 (also known as Swisher Road), a public roadway having a variable width right-of-way, said point being the northwest corner of Lot 2R-1, Block 1 Swisher Courts Addition, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded under Document Number 2015-64, Plat Records, Denton County, Texas;

THENCE S 00° 30' 07" E, 473.73 feet with the west line of said Lot 2R-1 and Lot 2R-2 to said Block 1 of said Swisher Courts Addition to an iron rod found for corner in the north line of Lot 2X, Block A, Open Space and D.E., The Alopec at Hickory Creek, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded under Document Number 2020-276, Plat Records, Denton County, Texas;

THENCE S 89° 48' 07" W, 179.02 feet with said north line of said Lot 2X to a capped iron rod marked Arthur found for corner, said point being the southeast corner of the remnant of tract of land conveyed by deed to W. L. Atkins recorded in Volume 608, Page 864 Deed Records, Denton County, Texas;

THENCE S 87° 09' 39" W, 29.71 feet with said north line of said Lot 2X to an iron rod found for corner in the east line of Lot 1, Block Ad Lakesound Addition, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded under Document Number 2022-459, Plat Records, Denton County, Texas;

THENCE N 00° 31' 48" W, 463.73 feet with said east line of said Lakesound Addition and with the east line of the remnant "Tract 1" of that certain tract of land conveyed by deed from Misty Ventura, Executor, to Richard Goldfield et al recorded under Document Number 2019-36351, Real Property Records, Denton County, Texas to a right-of-way disc found for corner in said south line of said Farm-to-Market Highway;

THENCE N 89° 31' 08" E, 30.04 feet with said south line of said Farm-to-Market Highway to a right-of-way disc found for corner;

THENCE N 00° 29' 12" W, 10.08 feet with said south line of said Farm-to-Market Highway to a right-of-way disc found for corner;

THENCE N 89° 24' 10" E, 177.66 feet with said south line of said Farm-to-Market Highway to the PLACE OF BEGINNING and containing 2.258 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT WE, the undersigned do hereby adopt this plat originating the herein above tract as LOTS 1-R-1 AND 1-R-2, BLOCK 1, DOUBLE G PLAZA, being a replat of Lot 1-R, Block 1 of Double G Plaza, an addition to Denton County, Texas, and do hereby dedicate to the public use forever all utility easements, drainage easements, and streets as shown hereon. All and any public utilities shall have the full right to remove and keep removed all growths which may endanger or interfere with the construction, maintenance, or efficiency of its respective system in the utility easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2024.

Mark L. Tucker, Managing Partner, BMT Properties, LLC  
STATE OF TEXAS  
COUNTY OF DENTON:  
This instrument was acknowledged before me on \_\_\_\_\_, 2024 by Mark L. Tucker.

NOTARY PUBLIC  
STATE OF TEXAS  
My commission expires \_\_\_\_\_

RECOMMENDED FOR APPROVAL  
Chairperson, Planning and Zoning Commission \_\_\_\_\_ Date \_\_\_\_\_  
Town of Hickory Creek, Texas

Mayor, Town of Hickory Creek, Texas \_\_\_\_\_ Date \_\_\_\_\_  
The undersigned, Town Secretary of the Town of Hickory Creek, hereby certifies that the foregoing final plat of Lots 1-R-1 and 1-R-2, Block 1, Double G Plaza to the Extra Territorial Jurisdiction of the Town of Hickory Creek was submitted to the Town Council on the \_\_\_\_ day of \_\_\_\_\_, 2024 and the Council by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public access and water and sewer lines as shown and set forth on said plat, and of the Town Council and further authorized the Mayor to note the acceptance thereof by signing his name as hereon above subscribed.

Town Secretary, Town of Hickory Creek, Texas \_\_\_\_\_

CERTIFICATE OF SURVEYOR  
I, the undersigned, a registered professional land surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Jerald D. Yensan  
Registered Professional Land Surveyor No. 4561

NOTES:  
1. The purpose of this plat is to replat a previously platted lot into two lots.  
2. All monuments are 1/2" steel rods unless otherwise noted and are tied to the existing subdivision as noted in the legal description of the dedication of this plat.  
3. There are no utility easements being created by this plat.  
4. All surface drainage easements shall be kept clear of fences, buildings, foundations, plantings and other obstructions to the operation and maintenance of the drainage facility.  
5. Blocking the flow of water or construction of improvements in surface drainage easements, and filling or obstructing the roadway is prohibited.  
6. Denton County will not be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.  
7. The maintenance of paving, grading, and drainage improvements and/or easements shown on this plat are the responsibility of the individual property owners and do not constitute acceptance of same for maintenance purposes by Denton County.  
8. Any existing creeks or drainage channels traveling along or across the addition will remain as open channels and will be maintained by the individual property owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across the lots.  
9. No portion of subject property lies within a special flood hazard area according to the FLOOD INSURANCE RATE MAP for Denton County and Incorporated Area, Map Number 4811C0395H, dated June 19, 2020. (Subject property lies in Zone X)  
10. Denton County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas and open spaces; and the owners shall be responsible for the maintenance of private streets, drives, emergency access easements, recreation areas and open spaces; and said owners agree to indemnify and hold harmless Denton County from all claims, damages and losses arising out of or resulting from performance of the obligations of said owners set forth in this paragraph.  
11. Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, as determined from GPS observations.

OWNER/DEVELOPER  
BMT PROPERTIES, LLC  
P.O. BOX 784  
LAKE DALLAS, TX 75065

SURVEYOR  
LANDMARK SURVEYORS  
4138 I-35 N  
DENTON, TEXAS 76207  
(540) 382-4016

FINAL REPLAT  
LOTS 1-R-1 AND 1-R-2, BLOCK 1 OF DOUBLE G PLAZA  
BEING A REPLAT OF  
LOT 1-R, BLOCK 1 OF DOUBLE G PLAZA  
BEING 2.258 ACRES IN THE  
H. SWISHER SURVEY A-1220  
ETJ OF THE TOWN OF HICKORY CREEK  
DENTON COUNTY, TEXAS

LANDMARK SURVEYORS, L.L.C.  
4238 I-35 NORTH DENTON, TEXAS 76207  
(940) 382-4016  
FAX (940) 387-9784  
TX FIRM REGISTRATION NO. 10098600 REVISED: 01 JUN 2024  
DRAWN BY: BTJL SCALE: 1"=30' DATE: 04 APRIL 2024 JOB NO: 230494

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, as determined from GPS observations.



## AGENDA INFORMATION SHEET

**MEETING DATE:** June 24, 2024

**AGENDA ITEMS:** Consider and act on granting an exception to Chick-fil-A, 3550 FM 2181, Hickory Creek, Texas from the Hickory Creek Code of Ordinances, Chapter 3: Building Regulations, Article 3.08 Signs: Section 3.08.013; (q) Pole signs prohibited in certain areas. No person shall erect, maintain or permit the erection of any pole sign except on-premises signs located on property fronting the interstate highway.

Consider and act on revisions to the site and landscape plan for 3550 FM 2181: being Lot 2, Block A of the Lakesound Addition, 2.3575 acres out of the H.H Swisher Survey, Abstract No. 1220, Town of Hickory Creek, Denton County, Texas.

**AGENDA ITEM  
SUMMARY:**

Revisions have been made to the parking lot and count. The masonry fence on the original CFA site plan has been removed and 10 trees have been added. The lot remains separated from the Lakesound Apartment community by the brick and wrought iron fence on the Lakesound property. An additional wrought iron fence has been added on the east side to the future walking trail.

Staff recommends approval.

Date	Request	Meeting	Result
07/07/22	Permit to Construct Access Driveway Facilities on Highway Right of Way		Permit granted by TxDot
08/02/22	Voluntary Annexation	Town Council	1 <sup>st</sup> Public Hearing
09/26/22	Voluntary Annexation	Town Council	2 <sup>nd</sup> Public Hearing Annexation Approved
11/15/22	C-1 Zoning Designation	Planning & Zoning	Approval recommended
11/21/22	C-1 Zoning Designation	Town Council	Approved
12/12/23	Preliminary & Final Plat, Site & Landscape Plans	Planning & Zoning	Approval recommended
12/18/23	Preliminary & Final Plat, Site & Landscape Plans	Town Council	Approved
12/18/23	Sign Variance	Town Council	Denied
06/18/24	Revisions to Site and Landscape Plan	Planning & Zoning	Approval recommended



May 31, 2024  
AVO 37638.200

Ms. Chris Chaudoir  
Town of Hickory Creek  
1075 Ronald Reagan Avenue  
Hickory Creek, TX 75065

**Re: Chick-Fil-A (Lot 2, Block A - Lakesound Addition) – Revised Site & Landscape Plan  
1<sup>st</sup> Review**

Dear Ms. Chaudoir:

Halff received a request from the Town of Hickory Creek to review a revised Site Plan and Landscape Plan for Chick-Fil-A Lot 2, Block A Lakesound Addition on May 29, 2024. This is a revision to the Site & Landscape Plan approved by Planning & Zoning in Month Year. The engineer is Burger Engineering, LLC. The architect is Mayse & Associates, Inc. The applicant is Chick-Fil-A.

**Halff has reviewed the revised Site and Landscape Plans and recommends approval contingent upon addressing the following comments.**

**Key Changes from Previously Approved Site and Landscape Plan**

- Added “Stop” signage at all Fire Lane intersection approaches in parking lot.
- Relocated Prime “Chick-Fil-A” Signage to within parking lot.
- Removed one (1) parking space.
- Removed one (1) steel pipe bollard (from previous pylon sign location).
- Added ten (10) Texas Sage shrubs at relocated sign location
- Added six (6) Live Oak and three (3) Cedar Elm trees to back lot (in lieu of screening wall or decorative screening fence).
- Removed decorative screening fence.
- Added existing landscape off-site by others.

**Comments on Site Plan**

1. Please consider or verify need of bollards or some barrier around new sign location within the parking lot, especially if sign is intended to be raised or on pylon. Commercial signage typically sits somewhere in the front or side yard of lots, away from vehicular traffic, and is not set in a parking lot island or former space.

**Comments on Landscape Plan**

2. Please confirm the deletion of the previously proposed decorative screening fence and substitution of additional “screening” trees and existing landscape is adequate for Town approval or was made at the direction of Town staff.



Sincerely,

**HALFF**

TBPELS Engineering Firm No. 312

A handwritten signature in black ink, appearing to read "Kevin Gronwaldt".

Kevin Gronwaldt, PE  
Consulting Engineer for the Town of Hickory Creek

C: Kristi Rogers – Town Secretary  
John Smith – Town Administrator  
Jeffrey McSpedden – Public Works Director

Attachment: Revised Site and Landscape Plans (provided by Developer)

CITY OF CORINTH  
TOWN OF HICKORY CREEK

# TEASLEY DRIVE (F.M. 2181)

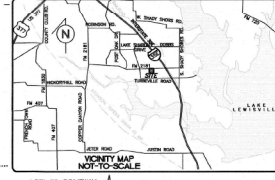
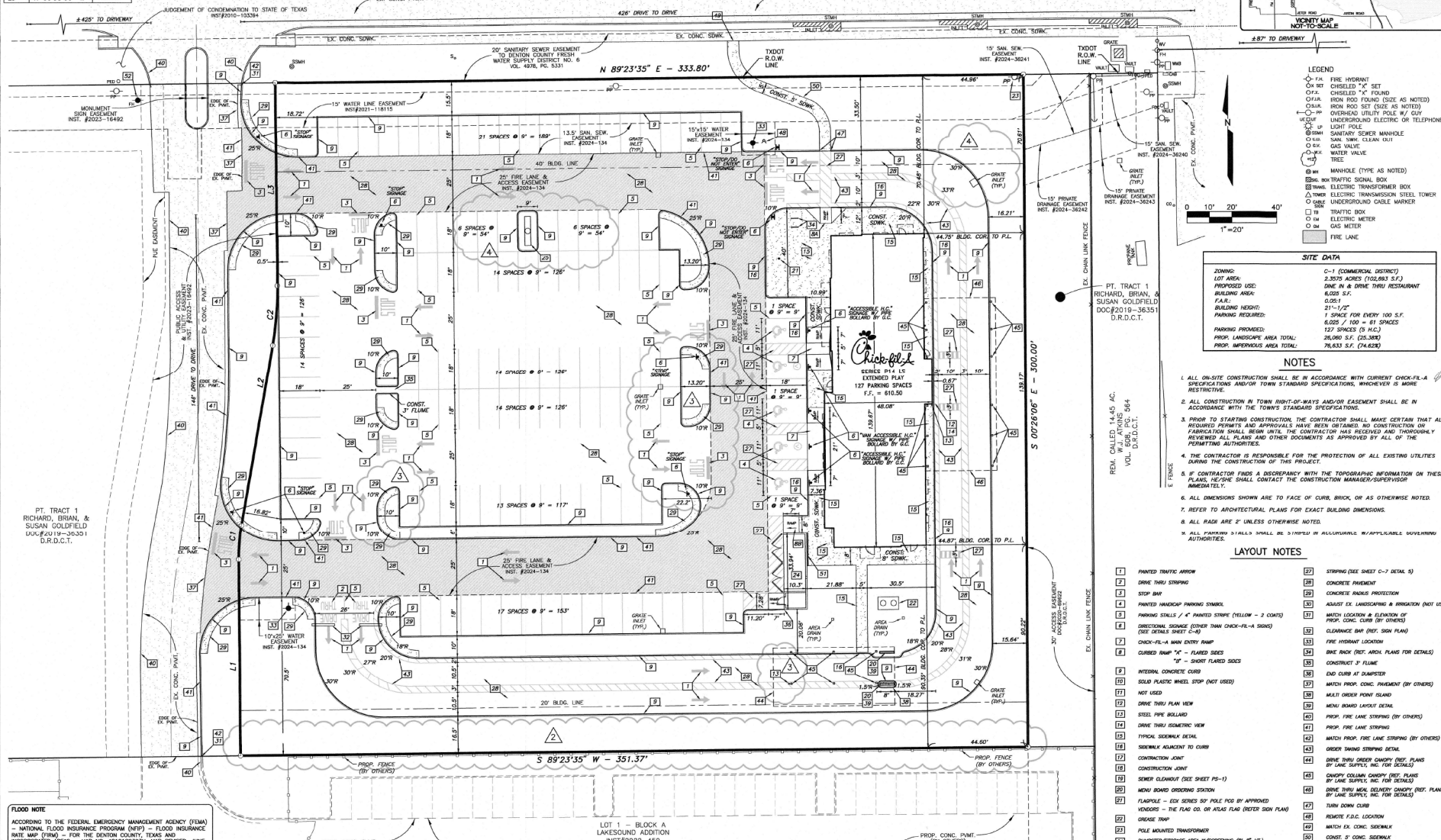
( VARIABLE WIDTH RIGHT-OF-WAY )

~ BOUNDARY CURVE DATA TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	85.00'	10°24'23"	15.44'	N 04°35'46" E	15.42'
C2	145.00'	10°28'05"	26.41'	N 04°34'56" E	26.37'

~ BOUNDARY LINE TABLE ~

NO.	BEARING	DISTANCE
L1	N 00°36'25" W	87.44'
L2	N 09°47'58" E	81.56'
L3	N 00°38'06" W	90.73'



LEGEND

- FA FIRE HYDRANT
- CHS1 CHISELED "X" SET
- CHS2 CHISELED "X" FOUND
- CRK1 IRON ROD FOUND (SIZE AS NOTED)
- CRK2 IRON ROD SET (SIZE AS NOTED)
- OVH1 OVERHEAD UTILITY POLE W/ GUY
- OVH2 UNDERGROUND ELECTRIC OR TELEPHONE
- LP LIGHT POLE
- SM SANITARY SEWER MANHOLE
- SM SANITARY CLEAN OUT
- SM GAS VALVE
- SM WATER VALVE
- TR1 TRAFFIC SIGN
- TR2 MANHOLE (TYPE AS NOTED)
- TR3 36" W/ TRAFFIC SIGNAL BOX
- TR4 ELECTRIC TRANSFORMER BOX
- TR5 12" W/ ELECTRIC TRANSDUCER STEEL TOWER
- TR6 CABLE UNDERGROUND CABLE MARKER
- TR7 TRAFFIC BOX
- TR8 ELECTRIC METER
- TR9 GAS METER
- FL FIRE LANE

SITE DATA

ZONING:	C-1 (COMMERCIAL DISTRICT)
LOT AREA:	2.2575 ACRES (102,683 S.F.)
PROPOSED USE:	DINE IN & DRIVE THRU RESTAURANT
BUILDING AREA:	6,028 S.F.
F.A.R.:	0.26/1
BUILDING HEIGHT:	21'-1/2"
PARKING REQUIRED:	1 SPACE FOR EVERY 100 S.F.
PARKING PROVIDED:	6,028 / 100 = 61 SPACES
PROP. LANDSCAPE AREA TOTAL:	127 SPACES @ 0.42
PROP. IMPERVIOUS AREA TOTAL:	26,080 S.F. (25.38%)
	76,833 S.F. (74.62%)

- NOTES
- ALL ON-SITE CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CHECK-FL-A SPECIFICATIONS AND/OR TOWN STANDARD SPECIFICATIONS, WHICHEVER IS MORE RESTRICTIVE.
  - ALL CONSTRUCTION IN TOWN RIGHT-OF-WAYS AND/OR EASEMENT SHALL BE IN ACCORDANCE WITH THE TOWN'S STANDARD SPECIFICATIONS.
  - BEFORE STARTING CONSTRUCTION, THE CONTRACTOR SHALL MAKE CERTAIN THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OF FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS AS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
  - THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES DURING THE CONSTRUCTION OF THIS PROJECT.
  - IF CONTRACTOR FINDS A DISCREPANCY WITH THE TOPOGRAPHIC INFORMATION ON THESE PLANS, HE/SHE SHALL CONTACT THE CONSTRUCTION MANAGER/SUPERVISOR IMMEDIATELY.
  - ALL DIMENSIONS SHOWN ARE TO FACE OF CURB, BRICK, OR AS OTHERWISE NOTED.
  - REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
  - ALL RAMP ARE 2" UNLESS OTHERWISE NOTED.
  - ALL PARALLEL WALLS SHALL BE 3" MIN IN ACCORDANCE W/ APPLICABLE GOVERNMENT AUTHORITIES.

- LAYOUT NOTES
- |   |   |
|---|---|
| 1 PAINTED TRAFFIC ARROW   | 27 STRIPING (SEE SHEET C-7 DETAIL 5)  |
| 2 DRIVE THRU STRIPING   | 28 CONCRETE PAVEMENT  |
| 3 STOP BAR  | 29 CONCRETE RADIUS PROTECTION   |
| 4 PAINTED HANDICAP PARKING SYMBOL   | 30 ADJUST EX. LANDSCAPING & IRRIGATION (NOT USED)                                 |
| 5 PARKING STALLS / 4" PAINTED STRIPE (YELLOW - 2 COATS)   | 31 MATCH LOCATION & ELEVATION OF PROP. CONC. CURB (BY OTHERS)                     |
| 6 DIRECTIONAL SIGNAGE (OTHER THAN CHECK-FL-A SIGNS) (SEE DETAIL SHEET C-4)                                | 32 CLEARANCE BAR (REF. SIGN PLAN)   |
| 7 CHECK-FL-A MAIN ENTRY RAMP  | 33 FIRE HYDRANT LOCATION  |
| 8 CURBED RAMP "X" - FLARED SIDES  | 34 BKE BACK (REF. ARCH. PLANS FOR DETAILS)  |
| 9 INTERNAL CONCRETE CURB  | 35 CONCRETE 3" FLANGE   |
| 10 SOLID PLASTIC WHEEL STOP (NOT USED)  | 36 AND CURB AT DRIVE  |
| 11 NOT USED   | 37 MATCH PROP. CONC. PAVEMENT (BY OTHERS)   |
| 12 DRIVE THRU PLAN VIEW   | 38 MATCH ORDER POINT ISLAND   |
| 13 STEEL PIPE BOLLARD   | 39 MENU BOARD LAYOUT DETAIL   |
| 14 DRIVE THRU ISOMETRIC VIEW  | 40 PROP. FIRE LANE STRIPING (BY OTHERS)   |
| 15 TYPICAL SIGN/MARK DETAIL   | 41 PROP. FIRE LANE STRIPING (BY OTHERS)   |
| 16 DIMENSIONAL ADJUST TO CURB   | 42 ORDER TRIMMING STRIPING DETAIL   |
| 17 CONSTRUCTION JUNT  | 43 DRIVE THRU ORDER CANNOPY (REF. PLANS BY LAND SURVEY, INC. FOR DETAILS)         |
| 18 CONSTRUCTION JUNT  | 44 CANNOPY COLUMN CANNOPY (REF. PLANS BY LAND SURVEY, INC. FOR DETAILS)           |
| 19 SIGNER CLEARANCE (SEE SHEET PG-1)  | 45 DRIVE THRU MENU DELIVERY CANNOPY (REF. PLANS BY LAND SURVEY, INC. FOR DETAILS) |
| 20 MENU BOARD ORDERING STATION  | 46 REMOVE F.U.C. LOCATION   |
| 21 FLAGPOLE - EXX SERIES 50' POLE (GG BY APPROVED VENDORS - THE FLAG GO. OR ATLAS FLAG (ORDER SIGN PLAN)) | 47 MATCH EX. CONC. SIDEWALK   |
| 22 CHECKER TRAP   | 48 CONST. 3" CONC. SIDEWALK   |
| 23 POLE MOUNTED TRANSFORMER   | 49 CONC. 3" CURB ALONG BACK OF DIMENSIONED WALL W/ 1/2" EXPANSION JOINT BEHIND    |
| 24 COMPARTMENT/STORAGE AREA W/WORKING (BY-OT. HT.)  | 50 FUTURE FIRE HYDRANT AT THE MOUNT TRAIL DEVELOPER                               |
| 25 PROP. CHECK-FL-A PRIME SIGN (REF. SIGNAGE PLAN)  |   |
| 26 1" CURB GRADING (NOT USED)   |   |

**FLOOD NOTE**  
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - NATIONAL FLOOD INSURANCE PROGRAM (NFIP) - FLOOD INSURANCE RATE MAP (FIRM) - FOR THE DENTON COUNTY, TEXAS AND INCORPORATED AREAS - MAP NO. 483210000N, MAP REVISED, JUNE 15, 2020, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).  
ZONE "X" (OTHER AREAS) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."  
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE ON RAISE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MANMADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

**OWNER:**  
SHIRLEY ABERNATHY  
6101 LONG PRAIRIE ROAD,  
SUITE 744, PMB 51  
FLOWER MOUND, TEXAS 75028  
PHONE: (940) 585-8186  
EMAIL: DIVAONE@GMAIL.COM

**APPLICANT:**  
CHICK-FIL-A, INC.  
5200 BUFFINGTON ROAD  
ATLANTA, GEORGIA 30349  
PHONE: (404) 765-8000  
CONTACT: GETRA THOMASON-SANDERS  
EMAIL: GETRA.SANDERS@CFACORP.COM

**ENGINEER:**  
BURGER ENGINEERING, LLC  
17103 PRESTON ROAD, SUITE 180N  
DALLAS, TEXAS 75248  
PHONE: (972) 630-3360  
CONTACT: BRYAN M. BURGER, P.E.  
EMAIL: BBURGER@BURGERENGINEERING.COM

**REMARKS:**  
SITE BENCHMARK NO. 1 - CENTER OF RIM OF SANITARY SEWER MANHOLE LOCATED APPROXIMATELY 25 FEET NORTHWEST OF THE NORTHEAST PROPERTY CORNER.  
ELEVATION = 602.37'  
SITE BENCHMARK NO. 2 - TOP OF NORTHWEST CORNER OF INLET LOCATED IN THE SOUTH CURB LINE OF SWISHER ROAD (FM 2181), APPROXIMATELY 33 FEET NORTHWEST OF THE NORTHEAST PROPERTY CORNER.  
ELEVATION = 602.27'

**BURGER ENGINEERING**  
Civil Consultants  
17103 Preston Road, Suite 180N  
Dallas, Texas 75248  
Office: 972.630.3360 Fax: 972.630.3380  
TXPE1-12997



5200 Buffington Rd.  
Atlanta Georgia,  
30349-2998

Revisions:  
Mark Date By  
4-28-24 EMB  
REMOVED PIPE BOLLARD  
REMOVED PARKING STALL  
& RELOCATED PYLON SIGN

Mark Date By  
3-28-24 EMB  
DELETED SCREEN WALL

Mark Date By  
4-25-24 EMB  
REVIEW COMMENTS  
REVISED BOLLARD LOCATION  
ADDED RADIUS PROTECTION  
& STOP SIGNS



LOT 2, BLOCK A - LAKESOUND ADDITION  
2.2575 ACRES OUT OF THE  
SWISHER SURVEY, ABSTRACT NO. 1220  
THE TOWN OF HICKORY CREEK  
DENTON COUNTY, TEXAS

STORE  
SERIES  
P14 LS  
EXT. LAYOUT

SHEET TITLE  
**SITE PLAN**

For Permit  
For Bid  
For Construction  
Job No. : 013-432  
Store : 05408  
Date : 3/08/23  
Drawn By : RMP  
Checked By : EMB  
Sheet

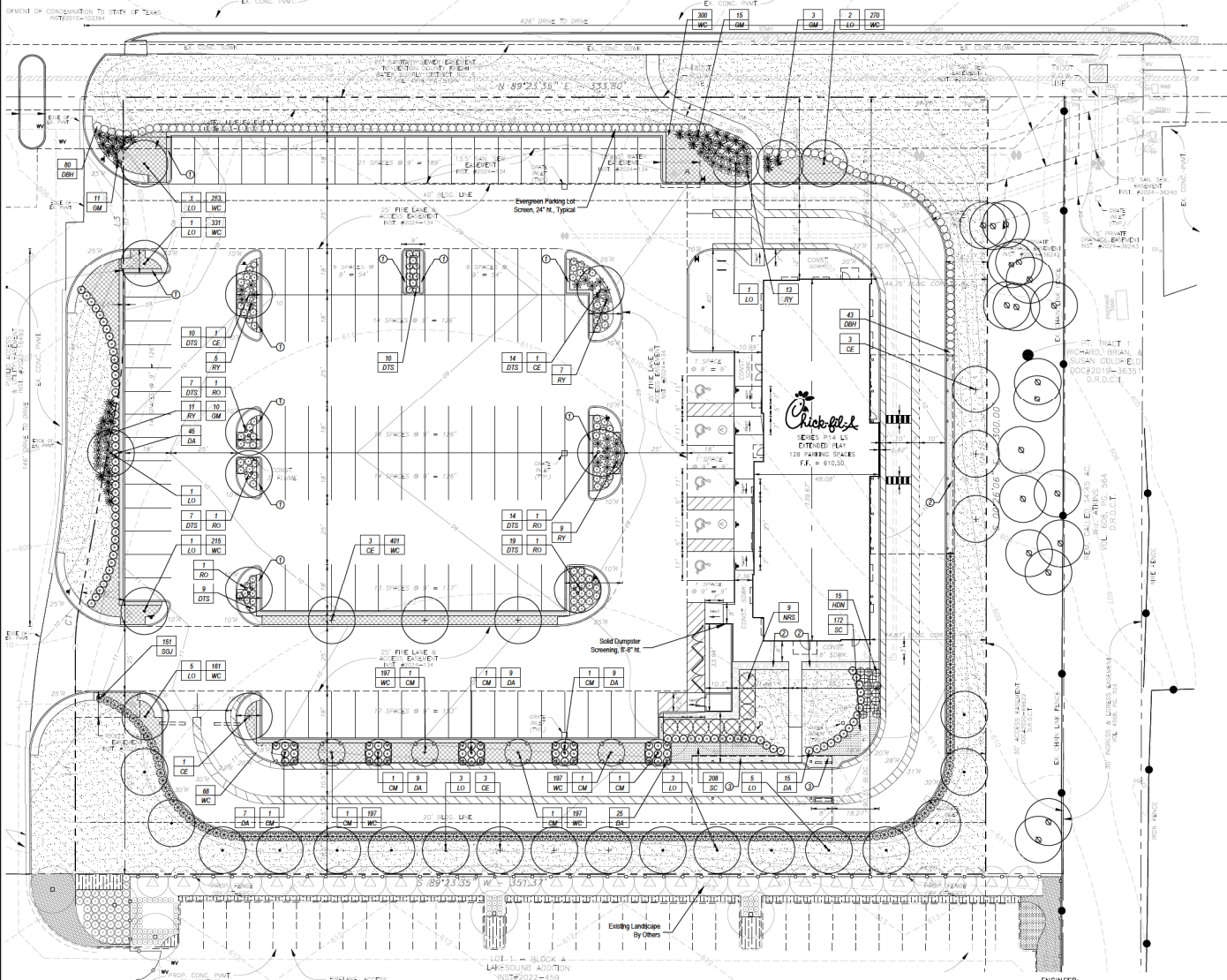
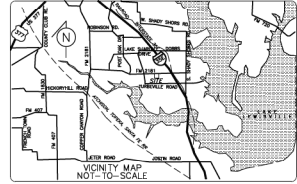
**C-3.3**

CITY OF CORINTH  
TOWN OF HICKORY CREEK

# TEASLEY DRIVE (F.M. 2181)

( VARIABLE WIDTH RIGHT-OF-WAY )

**ZONING:** C-1 (COMMERCIAL DISTRICT)  
**LOT AREA:** 2.3575 ACRES (102,883 S.F.)  
**PROPOSED USE:** ONE IN A CLASS THRU RESTAURANT  
**BUILDING AREA:** 6,025 S.F.  
**F.A.R.:** 0.251  
**PARKING REQUIRED:** 1 SPACE FOR EVERY 100 S.F.  
 6,025 / 100 = 61 SPACES  
**PARKING PROVIDED:** 128 SPACES (5 I.C.)  
**PROP. LANDSCAPE AREA TOTAL:** 25,926 S.F. (25.25AC)  
**PROP. IMPROVEMENTS AREA TOTAL:** 76,767 S.F. (74.75AC)



**PLANT LIST**

TREES	QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	TOTAL INCHES	REMARKS
12	CE	Cedar Elm	Ulmus crassifolia	4" cal	48"	container grown, 17 ht., 5" spread min., 5" clear trunk	
9	CM	Crape Myrtle	Lagerströmia x Natchez	8" ht.	27"	B&B, full specimen, 3-5 canes, no cross caning, 3" cal	
23	LO	Live Oak	Quercus virginiana	4" cal	50"	container grown, 17 ht., 5" spread min., 5" clear trunk	
5	RO	Red Oak	Quercus shumardii	4" cal	50"	container grown, 17 ht., 5" spread min., 5" clear trunk	
<b>SHRUBS</b>							
SHRUBS	QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	TOTAL INCHES	REMARKS
151	SOJ	Seagreen Juniper	Juniperus chinensis 'Seagreen'	5 gal		container grown, full plant specimen	
50	DTS	Dwarf Texas Sage	Leucophyllum fulgens	5 gal		container grown, full plant specimen	
123	DGH	Dwarf Blue Myrtle	Myrica asplundii	5 gal		container grown, full plant specimen	
39	GM	Gal Mahoy	Albizia julibrissin	5 gal		container grown, full plant specimen	
5	NRS	Nashville Shrevea Holly	Ilex x Natchez 'Shrevea'	30 gal		container grown, full to base, 8" ht. min.	
45	EY	East Yucca	Hesperaloe parviflora	5 gal		container grown, full plant specimen	
117	DA	Dwarf Alberta	Abelia grandifolia	5 gal		container grown, full plant specimen	
15	HCN	Harbor Dwarf Nandina	Nandina domestica 'Harbor Dwarf'	5 gal		container grown, full plant specimen	
<b>GROUNDCOVERS</b>							
GROUNDCOVERS	QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	TOTAL INCHES	REMARKS
300	SC	Seasonal Color			4" pots		container grown, selection at time of planting, full to top of container, 12" o.c.
2787	WC	Watercresser	Eurytemora forsteri	4" pots		solid soil root	
		Common Bermudagrass	Cynodon dactylon				

**NOTE:** Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are maximums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunk and be matching within varieties.

**LANDSCAPE TABULATIONS**

**PERIMETER LANDSCAPE SCREENING**  
 Requirements: Vegetative Screen to provide to any site adjacent public R.O.W. w/ a site that contains at least 10 parking spaces.

FM 2181 (33.81 LF)  
 Revealed: Vegetative Screen, 36" ht. min.  
 Provided: Vegetative Screen, 36" ht. min.

**INTERIOR LANDSCAPING (128 SPACES)**  
 Requirements: Applicable to sites with a minimum 40 parking spaces:  
 (1) Tree per 15 spaces  
 (2) Shrub per 4 spaces

Revealed: (26) Trees  
 Provided: (43) Shrubs

**VEHICULAR SURFACE AREA (64,865 SF)**  
 Requirements: (1) Tree per 6000 SF  
 (2) Shrub per 1500 SF

Revealed: (15) Trees  
 Provided: (31) Trees  
 (253) Shrubs

- SOLID SOIL NOTES**
- Five grade areas to achieve final contours indicated. Leave areas to receive topsoil 2" below final desired grade in planting areas and 1" below final grade in all areas.
  - All soil conditions to achieve positive drainage away from buildings. Provide uniform leveling of top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
  - All lawn areas to receive solid soil shall be left in a maximum of 1" below final grade. Contractor to coordinate operations with on-site Construction Manager.
  - Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
  - Plant soil by hand to cover indicated areas completely. Inverse edges of soil are backing. Top dress joints by hand with topsoil to fill voids.
  - Roll grass areas to achieve a smooth, even surface, free from irregular undulations.
  - Water soil thoroughly as soil operation progresses.
  - Contractor shall maintain all lawn areas until full acceptance. This shall include, but not be limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
  - Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
  - If installation occurs between September 1 and March 1, all soil areas to be over-seeded with Waterfescue, at a rate of 16 pounds per one thousand (1000) square feet.

- GENERAL LAWN NOTES**
- Five grade areas to achieve final contours indicated on civil plans.
  - Adult contours to achieve positive drainage away from buildings. Provide uniform leveling of top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
  - All lawn areas to receive solid soil shall be left in a maximum of 1" below final grade. Contractor to coordinate operations with on-site Construction Manager.
  - Imported topsoil shall be natural, friable soil from the region, known as bottom and soil, free from lumps, clay, toxic substances, rocks, debris, vegetation, stumps, containing no salt and shall be brown in color.
  - All lawn areas to be five grade irrigation trenches completely unsealed, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
  - All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spalls, etc. shall be removed prior to placing topsoil and any lawn installation.
  - Contractor shall provide (1) one inch of imported topsoil on all areas to receive lawn.

- LANDSCAPE NOTES**
- Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
  - Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
  - Contractor is responsible for obtaining all required landscape and irrigation permits.
  - Contractor to provide a minimum 2% slope away from all structures.
  - All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or walks.
  - All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include one and three-quarter inches.
  - All lawn areas to be Solid Soil Bermudagrass, unless otherwise noted on the drawings.

- ADDITIONAL INDICATIONS**
- Decomposed Granite, 18" width, 3" depth with steel edging border and weed barrier fabric.
  - Native Bulboc, 36" width, 3" depth with steel edging border and weed barrier fabric.
  - Native Bulboc, 36" width min., 3" depth with steel edging border and weed barrier fabric.



5200 Buffington Rd.  
Atlanta Georgia,  
30349-2998

Revisions:  
 Mark Date By

Mark Date By

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LOT 2, BLOCK A - LAKESOUND ADDITION  
 2.3575 ACRES OUT OF THE  
 H.H. SWISHER SURVEY, ABSTRACT NO. 1220  
 THE TOWN OF HICKORY CREEK  
 DENTON COUNTY, TEXAS

STORE  
 SERIES  
 P14 LS  
 EXT. PLAN

SHEET TITLE  
 LANDSCAPE  
 PLAN

RF for Permit  
 BF for Bid  
 CF for Construction

Job No. : 013-432  
 Store : 05408  
 Date : 11/17/24  
 Drawn By : BCC  
 Checked By : BDA

Sheet  
 L-1

APPLICANT:  
 BURGER ENGINEERING, LLC  
 17103 PRESTON ROAD, SUITE 180N  
 DALLAS, TEXAS 75248  
 PHONE: (972) 630-3360  
 CONTACT: BRYAN M. BURGER, P.E.  
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 TDFE P-12997

~ BOUNDARY CURVE DATA TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	85.00'	10°24'23"	15.44'	N 04°35'46" E	15.42'
C2	145.00'	10°26'05"	26.41'	N 04°34'56" E	26.37'

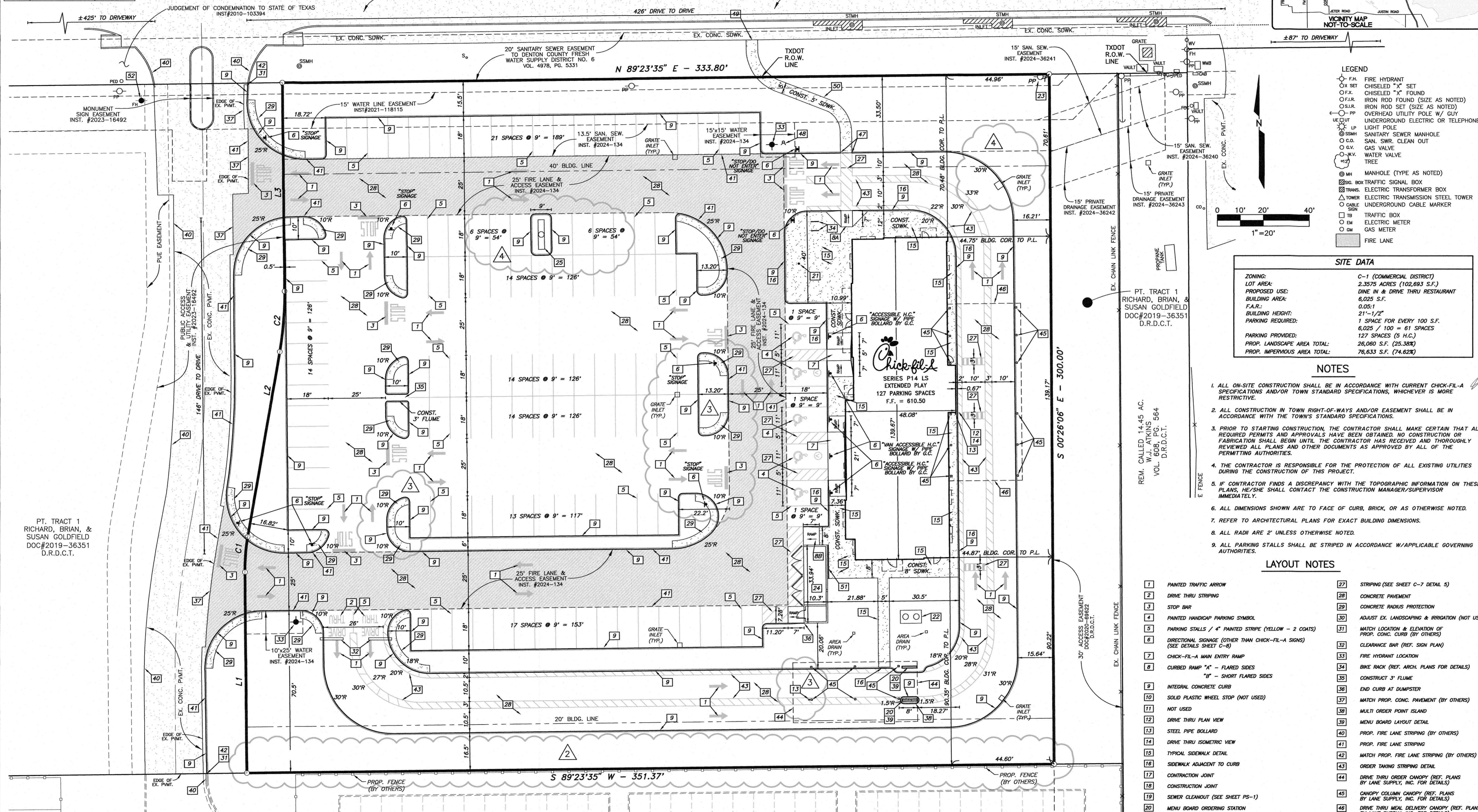
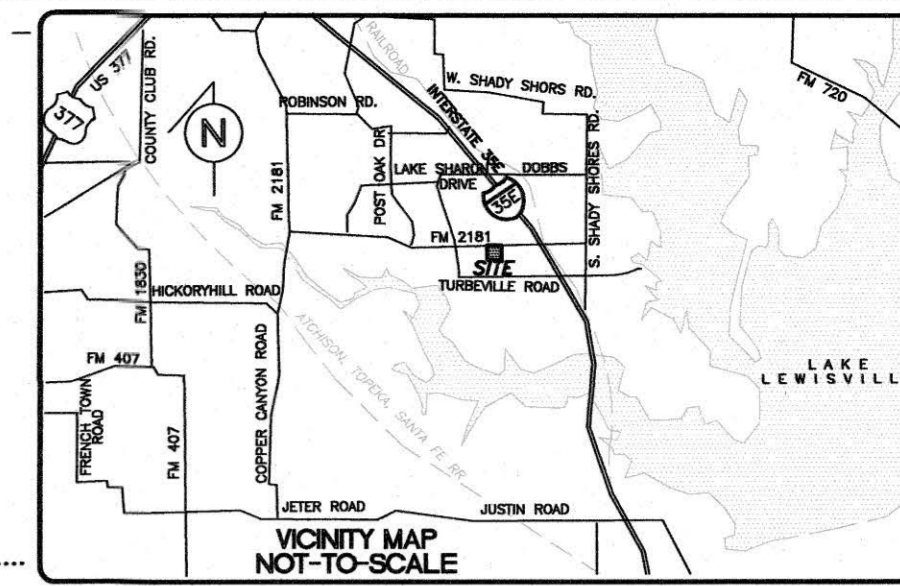
~ BOUNDARY LINE TABLE ~

NO.	BEARING	DISTANCE
L1	N 00°36'25" W	87.44'
L2	N 09°47'58" E	81.56'
L3	N 00°38'06" W	90.73'

CITY OF CORINTH  
TOWN OF HICKORY CREEK

# TEASLEY DRIVE (F.M. 2181)

( VARIABLE WIDTH RIGHT-OF-WAY )



**LEGEND**

- F.H. FIRE HYDRANT
- X SET CHISELED "X" FOUND
- F.X. CHISELED "X" SET
- I.R. IRON ROD FOUND (SIZE AS NOTED)
- S.I.R. IRON ROD SET (SIZE AS NOTED)
- O.V.P. OVERHEAD UTILITY POLE W/ CUY
- U.E. UNDERGROUND ELECTRIC OR TELEPHONE
- L.P. LIGHT POLE
- S.M.H. SANITARY SEWER MANHOLE
- S.S.W. SAN. SWR. CLEAN OUT
- G.V. GAS VALVE
- W.V. WATER VALVE
- T. TREE
- M.H. MANHOLE (TYPE AS NOTED)
- T.S.B. TRAFFIC SIGNAL BOX
- T.E.B. ELECTRIC TRANSFORMER BOX
- T.E.T. ELECTRIC TRANSMISSION STEEL TOWER
- U.C.M. UNDERGROUND CABLE MARKER
- T.B. TRAFFIC BOX
- E.M. ELECTRIC METER
- G.M. GAS METER
- F.L. FIRE LANE

**SITE DATA**

ZONING: C-1 (COMMERCIAL DISTRICT)  
 LOT AREA: 2.3575 ACRES (102,693 S.F.)  
 PROPOSED USE: DINE IN & DRIVE THRU RESTAURANT  
 BUILDING AREA: 6,025 S.F.  
 F.A.R.: 0.05:1  
 BUILDING HEIGHT: 21'-1/2"  
 PARKING REQUIRED: 1 SPACE FOR EVERY 100 S.F.  
 6,025 / 100 = 61 SPACES  
 127 SPACES (5 H.C.)  
 PARKING PROVIDED: 26,060 S.F. (25.38%)  
 PROP. IMPERVIOUS AREA TOTAL: 76,633 S.F. (74.62%)

- NOTES**
- ALL ON-SITE CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CHICK-FIL-A SPECIFICATIONS AND/OR TOWN STANDARD SPECIFICATIONS, WHICHEVER IS MORE RESTRICTIVE.
  - ALL CONSTRUCTION IN TOWN RIGHT-OF-WAYS AND/OR EASEMENT SHALL BE IN ACCORDANCE WITH THE TOWN'S STANDARD SPECIFICATIONS.
  - PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL MAKE CERTAIN THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS AS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
  - THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES DURING THE CONSTRUCTION OF THIS PROJECT.
  - IF CONTRACTOR FINDS A DISCREPANCY WITH THE TOPOGRAPHIC INFORMATION ON THESE PLANS, HE/SHE SHALL CONTACT THE CONSTRUCTION MANAGER/SUPERVISOR IMMEDIATELY.
  - ALL DIMENSIONS SHOWN ARE TO FACE OF CURB, BRICK, OR AS OTHERWISE NOTED.
  - REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
  - ALL RADII ARE 2' UNLESS OTHERWISE NOTED.
  - ALL PARKING STALLS SHALL BE STRIPED IN ACCORDANCE W/APPLICABLE GOVERNING AUTHORITIES.

- LAYOUT NOTES**
- 1 PAINTED TRAFFIC ARROW
  - 2 DRIVE THRU STRIPING
  - 3 STOP BAR
  - 4 PAINTED HANDICAP PARKING SYMBOL
  - 5 PARKING STALLS / 4' PAINTED STRIPE (YELLOW - 2 COATS)
  - 6 DIRECTIONAL SIGNAGE (OTHER THAN CHICK-FIL-A SIGNS)
  - 7 CHICK-FIL-A MAIN ENTRY RAMP
  - 8 CURBED RAMP "X" - FLARED SIDES  
"B" - SHORT FLARED SIDES
  - 9 INTEGRAL CONCRETE CURB
  - 10 SOLID PLASTIC WHEEL STOP (NOT USED)
  - 11 NOT USED
  - 12 DRIVE THRU PLAN VIEW
  - 13 STEEL PIPE BOLLARD
  - 14 DRIVE THRU ISOMETRIC VIEW
  - 15 TYPICAL SIDEWALK DETAIL
  - 16 ORDER TAKING STRIPING DETAIL
  - 17 CONSTRUCTION JOINT
  - 18 CONSTRUCTION JOINT
  - 19 SEWER CLEANOUT (SEE SHEET PS-1)
  - 20 MENU BOARD ORDERING STATION
  - 21 FLAGPOLE - EXC SERIES 50' POLE PCG BY APPROVED VENDORS - THE FLAG CO. OR ATLAS FLAG (REFER SIGN PLAN)
  - 22 GREASE TRAP
  - 23 POLE MOUNTED TRANSFORMER
  - 24 DUMPSTER/STORAGE AREA W/SCREENING (8'-8" HT.)
  - 25 PROP. CHICK-FIL-A PRIME SIGN (REF. SIGNAGE PLAN)
  - 26 1" CURB OPENING (NOT USED)
  - 27 STRIPING (SEE SHEET C-7 DETAIL 5)
  - 28 CONCRETE PAVEMENT
  - 29 CONCRETE RADIUS PROTECTION
  - 30 ADJUST EX. LANDSCAPING & IRRIGATION (NOT USED)
  - 31 MATCH LOCATION & ELEVATION OF PROP. CONC. CURB (BY OTHERS)
  - 32 CLEARANCE BAR (REF. SIGN PLAN)
  - 33 FIRE HYDRANT LOCATION
  - 34 BIKE RACK (REF. ARCH. PLANS FOR DETAILS)
  - 35 CONSTRUCT 3" FLUME
  - 36 END CURB AT DUMPSTER
  - 37 MATCH PROP. CONC. PAVEMENT (BY OTHERS)
  - 38 MULTI ORDER POINT ISLAND
  - 39 MENU BOARD LAYOUT DETAIL
  - 40 PROP. FIRE LANE STRIPING (BY OTHERS)
  - 41 PROP. FIRE LANE STRIPING
  - 42 MATCH PROP. FIRE LANE STRIPING (BY OTHERS)
  - 43 ORDER TAKING STRIPING DETAIL
  - 44 DRIVE THRU ORDER CANOPY (REF. PLANS BY LANE SUPPLY, INC. FOR DETAILS)
  - 45 CANOPY COLUMN CANOPY (REF. PLANS BY LANE SUPPLY, INC. FOR DETAILS)
  - 46 DRIVE THRU MEAL DELIVERY CANOPY (REF. PLANS BY LANE SUPPLY, INC. FOR DETAILS)
  - 47 TURN DOWN CURB
  - 48 REMOTE F.D.C. LOCATION
  - 49 MATCH EX. CONC. SIDEWALK
  - 50 CONST. 5" CONC. SIDEWALK
  - 51 CONST. 3" CURB ALONG BACK OF DUMPSTER WALL W/ 1/2" EXPANSION JOINT SEALED
  - 52 FUTURE FIRE HYDRANT AT TIME VACANT TRACT DEVELOPS

**FLOOD NOTE**

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - NATIONAL FLOOD INSURANCE PROGRAM (NFIP) - FLOOD INSURANCE RATE MAP (FIRM) - FOR THE DENTON COUNTY, TEXAS AND INCORPORATED AREAS - MAP NO. 48121C03393H, MAP REVISED, JUNE 19, 2020, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).

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**SITE BENCHMARK NO. 1** = CENTER OF RIM OF SANITARY SEWER MANHOLE LOCATED APPROXIMATELY 25 FEET NORTHEAST OF THE NORTHWEST PROPERTY CORNER.  
ELEVATION = 610.27'

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ELEVATION = 602.39'

5200 Buffington Rd.  
Atlanta Georgia,  
30349-2998

**Revisions:**

Mark	Date	By
4	4-26-24	BMB
2	3-26-24	BMB
3	4-05-24	BMB

**REVIEW COMMENTS**

- REMOVED PIPE BOLLARD
- REMOVED PARKING STALL & RELOCATED PYLON SIGN
- DELETED SCREEN WALL

**STATE OF TEXAS**  
BRYAN M. BURGER  
90880  
LICENSED PROFESSIONAL ENGINEER

**LOT 2, BLOCK A - LAKESOUND ADDITION**  
2.3575 ACRES OUT OF THE  
H.H. SWISHER SURVEY, ABSTRACT NO. 1220  
THE TOWN OF HICKORY CREEK  
DENTON COUNTY, TEXAS

**STORE**  
**SERIES**  
**P14 LS**  
**EXT. PLAY**

**SHEET TITLE**  
**SITE PLAN**

For Permit  
 For Bid  
 For Construction

Job No. : 013-432  
Store : 05408  
Date : 3/08/23  
Drawn By : RMP  
Checked By : BMB

Sheet  
**C-3.3**

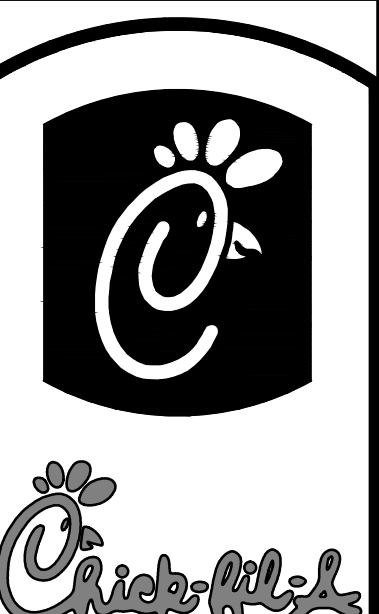
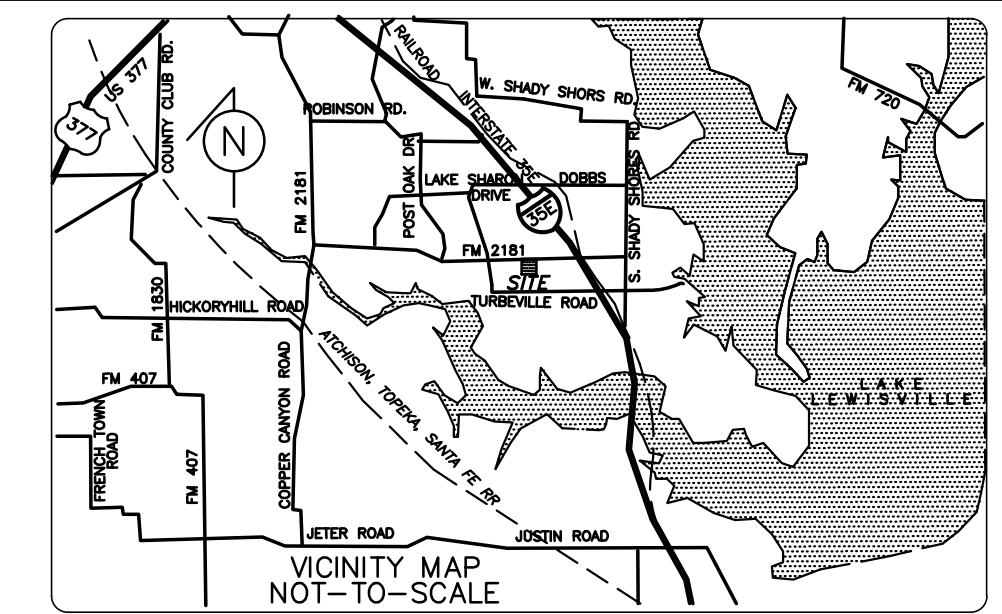
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Office: 972.630.3360 Fax: 972.630.3380  
TBPE F-12997



# TEASLEY DRIVE (F.M. 2181)

( VARIABLE WIDTH RIGHT-OF-WAY )

SITE DATA	
ZONING:	C-1 (COMMERCIAL DISTRICT)
LOT AREA:	2.3575 ACRES (102,693 S.F.)
PROPOSED USE:	DINE IN & DRIVE THRU RESTAURANT
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5200 Buffington Rd.  
Atlanta Georgia,  
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Revisions:  
Mark Date By

△

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△

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△

### PLANT LIST

TREES	QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	TOTAL INCHES	REMARKS
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9	CM	Crape Myrtle	<i>Lagerstroemia x 'Natchez'</i>	8" ht. 27"	B&B, full specimen, 3-5 canes, no cross caning, 3" cal.		
23	LO	Live Oak	<i>Quercus virginiana</i>	4" cal. 92"	container grown, 13" ht., 5" spread min., 5" clear trunk		
5	RO	Red Oak	<i>Quercus shumardii</i>	4" cal. 20"	container grown, 13" ht., 5" spread min., 5" clear trunk		

SHRUBS	QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
151	SGJ	Seagreen Juniper	<i>Juniperus chinensis 'Seagreen'</i>	5 gal.	container grown, full plant specimen	
90	DTS	Dwarf Texas Sage	<i>Leucosyllum frutescens</i>	5 gal.	container grown, full plant specimen	
123	DBH	Dwarf Wax Myrtle	<i>Ilex cornuta 'Burfordii nana'</i>	5 gal.	container grown, full plant specimen	
39	GM	Gulf Muhly	<i>Muhlenbergia capillaris</i>	5 gal.	container grown, full plant specimen	
9	NRS	Nellie R. Stevens Holly	<i>Ilex x 'Nellie R. Stevens'</i>	30 gal.	container grown, full to base, 8' ht. min.	
45	RY	Red Yucca	<i>Hesperaloe parviflora</i>	5 gal.	container grown, full plant specimen	
117	DA	Dwarf Abelia	<i>Abelia grandiflora</i>	5 gal.	container grown, full plant specimen	
15	HDN	Harbor Dwarf Nandina	<i>Nandina domestica 'Harbor Dwarf'</i>	5 gal.	container grown, full plant specimen	

GROUNDCOVERS	QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
380	SC	Seasonal Color		4" pots	container grown, selection at time of planting, full to top of container, 12" o.c.	
2787	WC	Wintercreeper Common Bermudagrass	<i>Elyonurus fortunei</i> <i>Cynodon dactylon</i>	4" pots roll sod	container grown, full to top of container, 12" o.c. solid sod, refer to notes	

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

### LANDSCAPE TABULATIONS

Town of Hickory Creek, Texas

#### PERIMETER LANDSCAPE SCREENING

Requirements: Vegetative Screen to be provided to any site adjacent public R.O.W. w/ a site that contains at least 10 parking spaces.

FM 2181 (333.80 LF)

Required: Vegetative Screen, 36" ht. min.  
Provided: Vegetative Screen, 36" ht. min.

#### INTERIOR LANDSCAPING (128 Spaces)

Requirements: Applicable to sites with a minimum 40 parking spaces.  
(1) Tree per 15 spaces  
(1) Shrub per 5 spaces

#### VEHICULAR SURFACE AREA (64,085 SF)

Requirements: (1) Tree per 4500 SF  
(1) Shrub per 1500 SF

#### GENERAL LAWN NOTES

- Fine grade areas to achieve final contours indicated on civil plans.
- Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
- All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
- Imported topsoil shall be natural, friable soil from the region, known as bottom and soil free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no salt and black to brown in color.
- All lawn areas to be fine graded, irrigation trenches completely settled, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
- All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, etc. shall be removed prior to placing topsoil and any lawn installation.
- Contractor shall provide (1") one inch of imported topsoil on all areas to receive lawn.

#### LANDSCAPE NOTES

- Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
- Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
- Contractor is responsible for obtaining all required landscape and irrigation permits.
- Contractor to provide a minimum 2% slope away from all structures.
- All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
- All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
- All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.

#### SOLID SOD NOTES

- Fine grade areas to achieve final contours indicated. Leave areas to receive topsoil 3" below final desired grade in planting areas and 1" below final grade in turf areas.
- Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
- All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
- Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
- Plant sod by hand to cover indicated area completely. Insure edges of sod are touching. Top dress joints by hand with topsoil to fill voids.
- Roll grass areas to achieve a smooth, even surface, free from unnatural undulations.
- Water sod thoroughly as sod operation progresses.
- Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
- Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
- If installation occurs between September 1 and March 1, all sod areas to be over-seeded with Winter Ryegrass, at a rate of (4) pounds per one thousand (1000) square feet.

#### MAINTENANCE NOTES

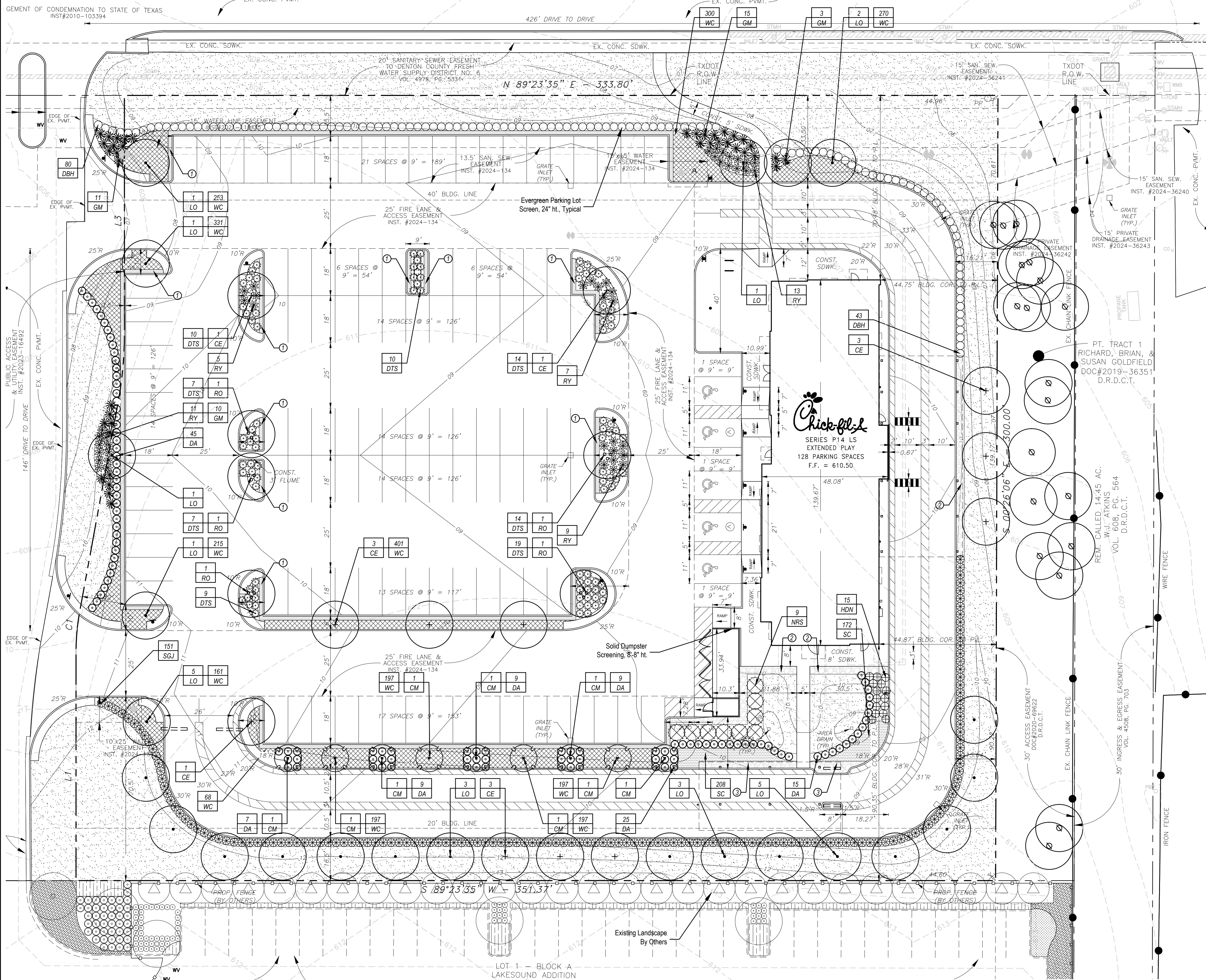
- The Owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscape.
- All landscape shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding and other such activities common to landscape maintenance.
- All landscape areas shall be kept free of trash, litter, weeds and other such material or plants not part of this plan.
- All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
- All plant material which dies shall be replaced with plant material of equal or better value.
- Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

#### ADDITIONAL INDICATIONS

- Decomposed Granite, 18" width, 3" depth with steel edging border and weed barrier fabric
- Native Bullock, 36" width, 3" depth with steel edging border and weed barrier fabric
- Native Bullock, 30" width min., 3" depth with steel edging border and weed barrier fabric

## 01 LANDSCAPE PLAN

SCALE: 1" = 20'-0"



APPLICANT:  
CHICK-FIL-A, INC.  
5200 BUFFINGTON ROAD  
ATLANTA, GEORGIA 30349  
PHONE: (404) 765-8000  
CONTACT: GETRA THOMAS-SANDERS  
EMAIL: GETRA.SANDERS@CFACORP.COM

ENGINEER:  
BURGER ENGINEERING, LLC  
17103 PRESTON ROAD, SUITE 180N  
DALLAS, TEXAS 75248  
PHONE: (972) 630-3360  
CONTACT: BRYAN M. BURGER, P.E.  
EMAIL: BBURGER@BURGERENGINEERING.COM

smr  
landscape architects, inc.  
1708 N. Griffin Street  
Dallas, Texas 75202  
Tel: 214.871.0083  
Fax: 214.871.0545  
Email: smr@smr-la.com



**BURGER ENGINEERING**  
Civil Consultants

17103 Preston Road, Suite 180N  
Dallas, Texas 75248  
Office: 972.630.3360 Fax: 972.630.3380  
TBPE: F-12997

LOT 2, BLOCK A - LAKESOUND ADDITION  
2.3575 ACRES OUT OF THE  
H.H. SWISHER SURVEY, ABSTRACT NO. 1220  
THE TOWN OF HICKORY CREEK  
DENTON COUNTY, TEXAS

STORE  
SERIES  
P14 LS  
EXT. PLAY

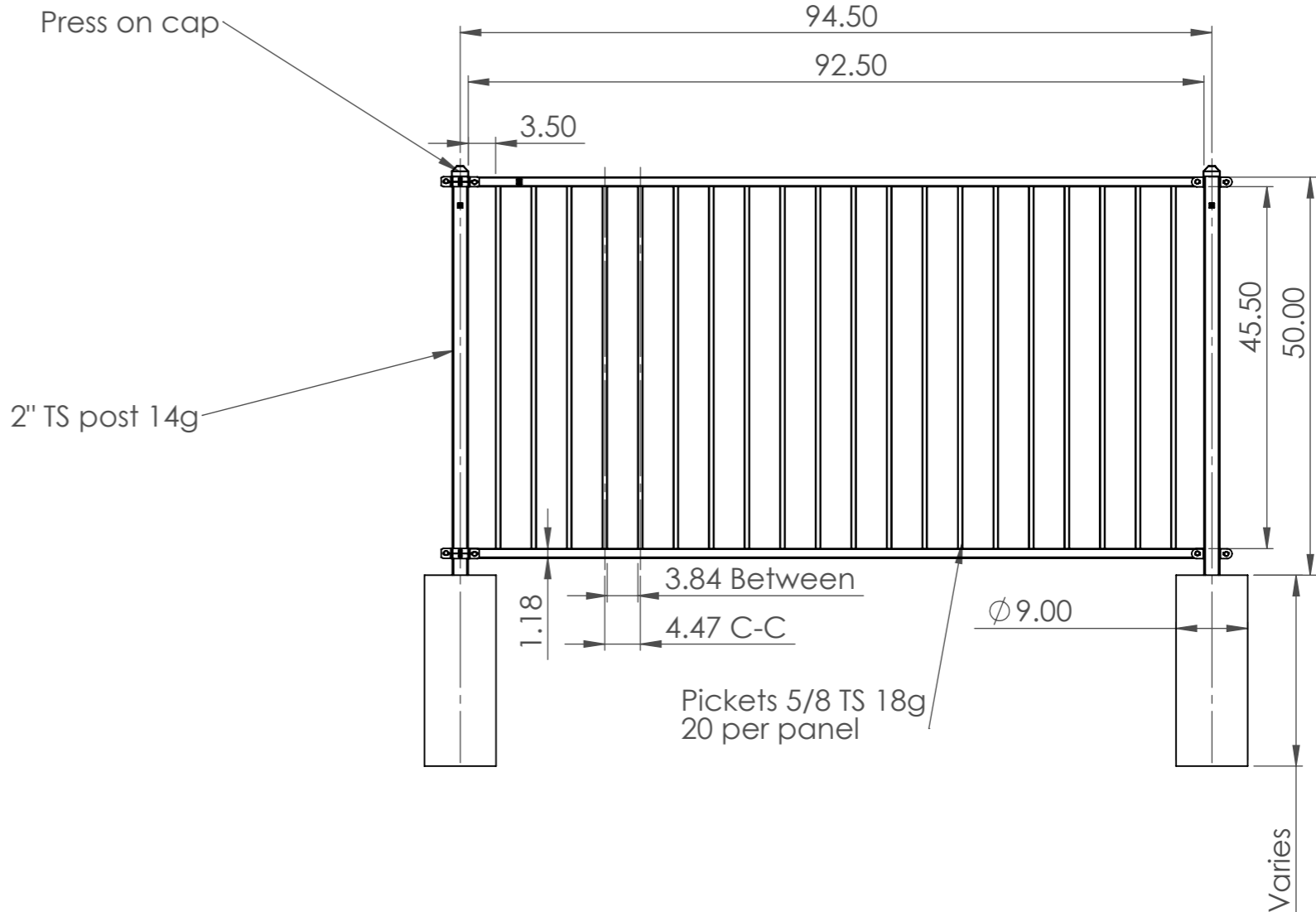
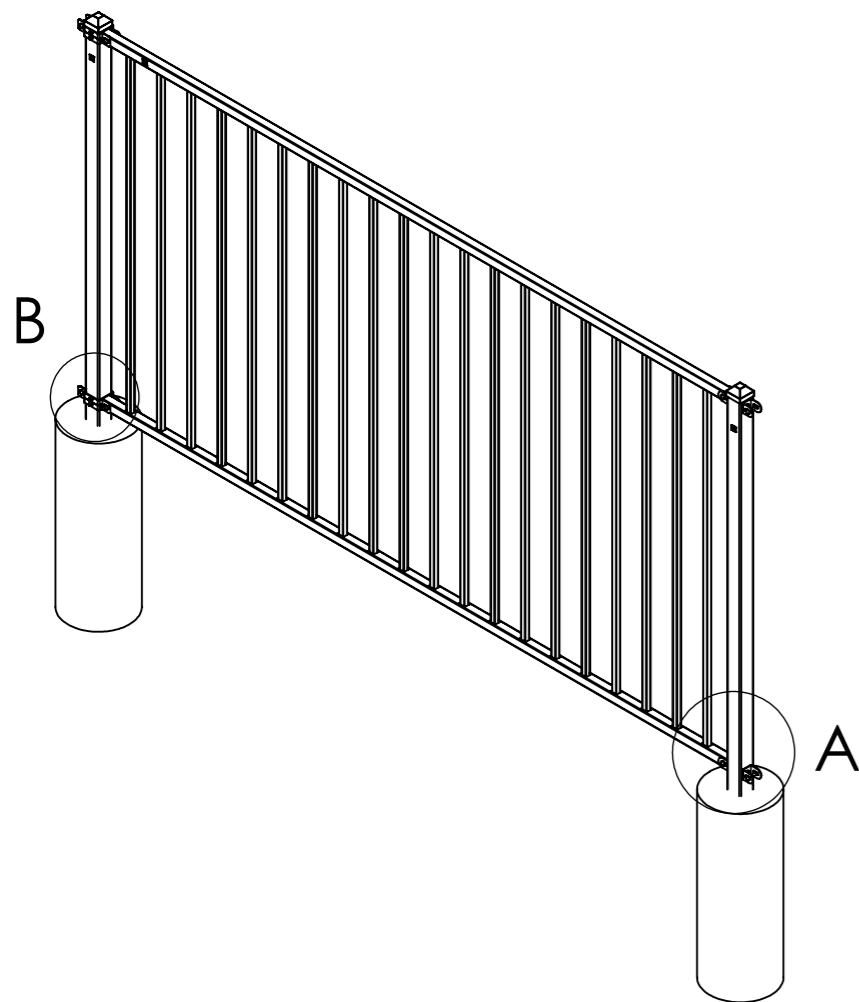
SHEET TITLE  
LANDSCAPE  
PLAN

For Permit  
 For Bid  
 For Construction

Job No. : 013-432  
Store : 05408  
Date : 11/17/24  
Drawn By : BCC  
Checked By : BDA

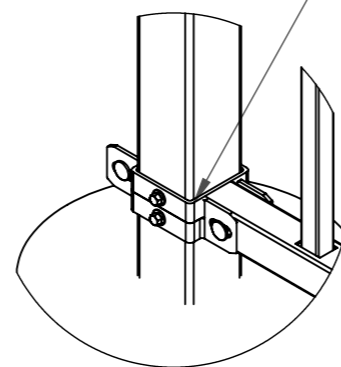
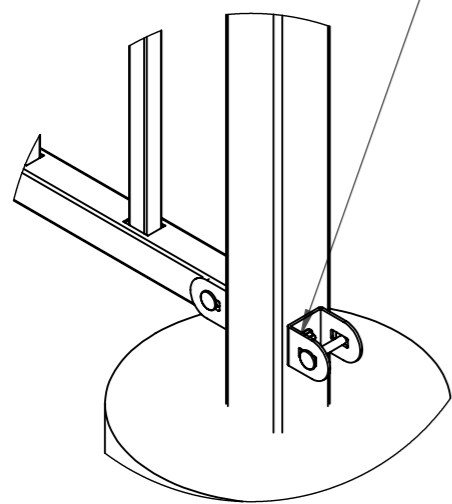
Sheet

L-1



Option 1  
U bracket with  
1 x self drilling screw  
1 x bolt and nut


Option 2  
All round post bracket with  
3 x self drilling screws  
1 x bolt and nut



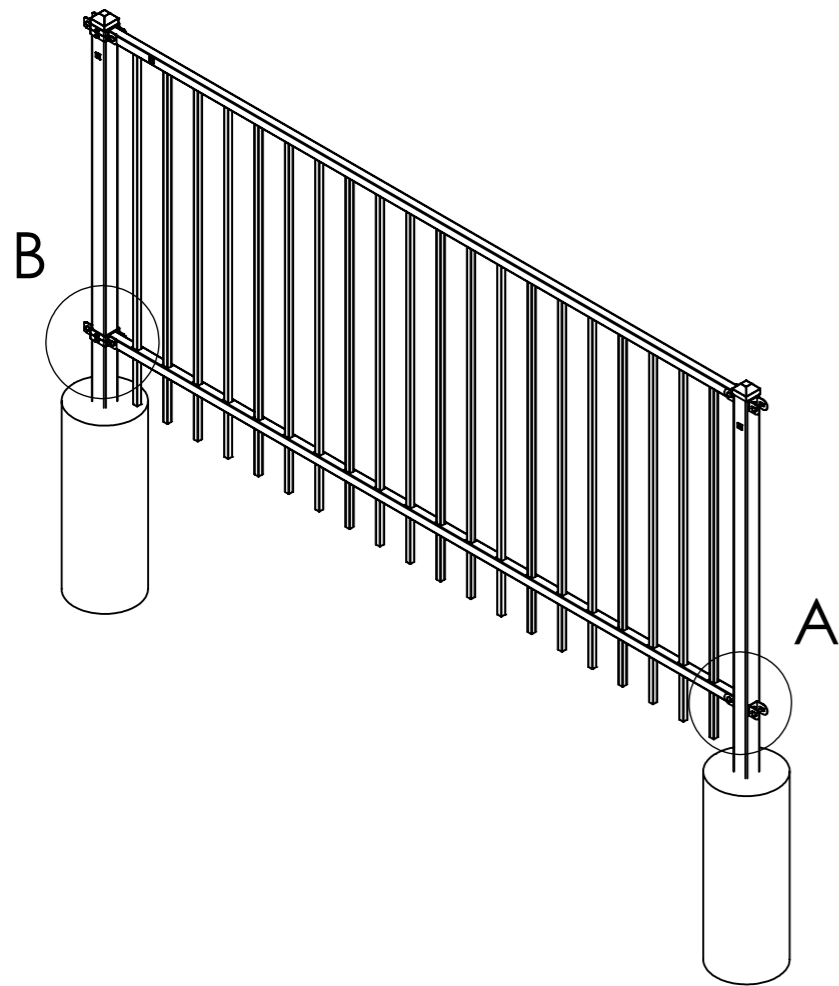
DETAIL A  
SCALE 1 : 5

DETAIL B  
SCALE 1 : 5

All dimensions are in inches

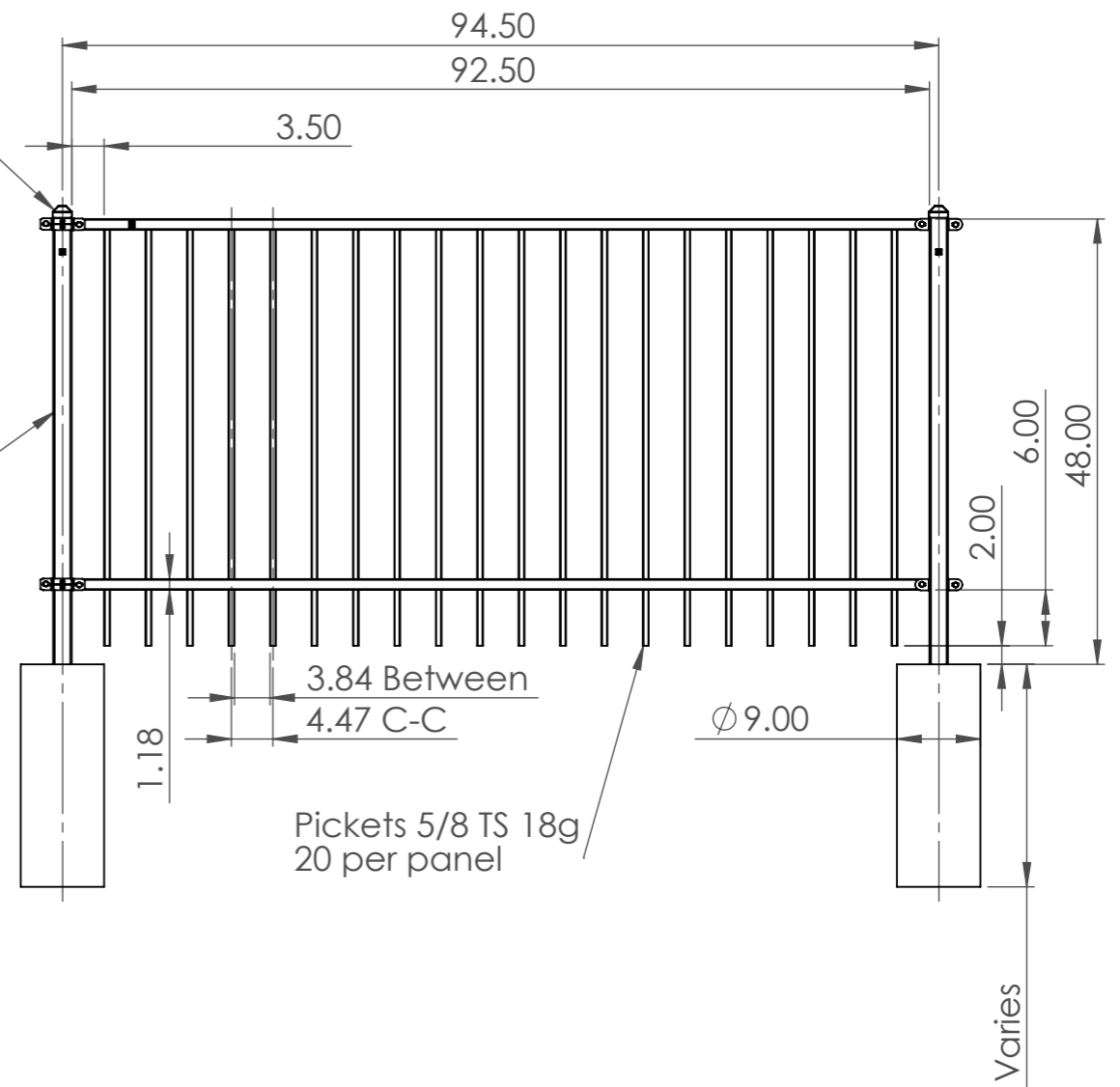
Rev	Date	Changed	By	Material	---	Spec
01				Mass	148.11 Kg	
02						<b>TRV-P-RF-204</b>
03						GA Installation Drawing
04						
05						
06				Status		
07				Status by		Date
				Free form- and placetolerances conform ISO 2768 m	DIN A3 Scale 1:20	<b>A000000208</b>

THIS DRAWING AND THE RELATED INFORMATION IS AND REMAINS THE EXCLUSIVE PROPERTY OF BETAFENCE WITHOUT THE PRIOR WRITTEN CONSENT OF BETAFENCE. THIS DRAWING AND THE RELATED INFORMATION MAY NEITHER BE COPIED OR REPRODUCED, NOR COMMUNICATED IN ANY WAY TO A THIRD PARTY, NOR USED FOR MANUFACTURING OUTSIDE BETAFENCE EACH INFRINGEMENT OF THESE INTELLECTUAL PROPERTY RIGHTS OF BETAFENCE SHALL GIVE RISE TO LEGAL PROCEEDINGS.



Press on cap

2" TS post 14g

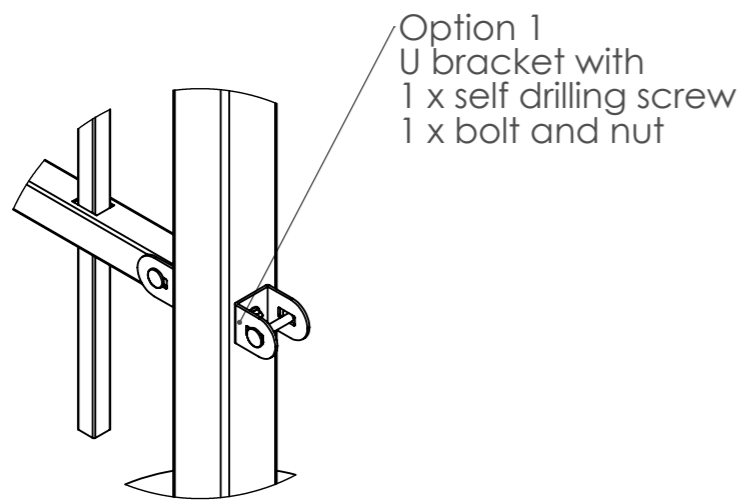


3.84 Between  
4.47 C-C

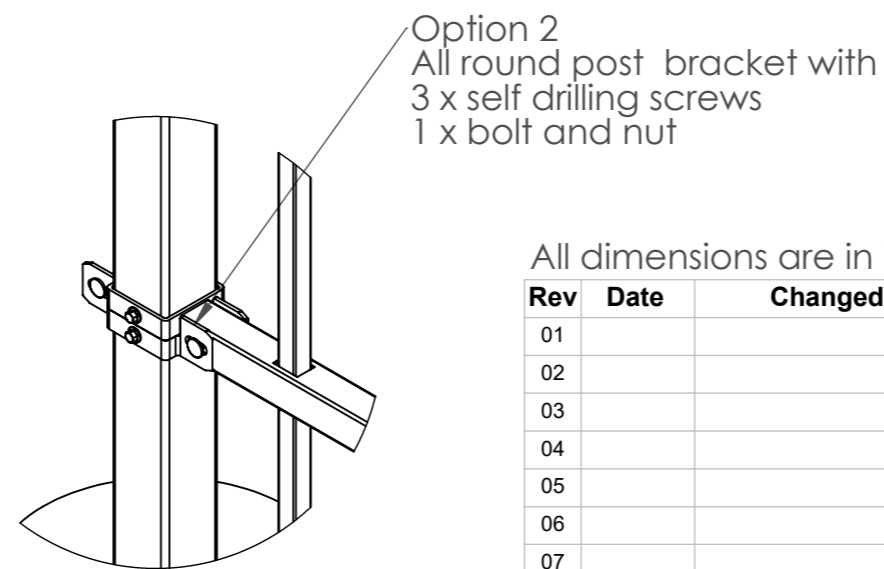
Pickets 5/8 TS 18g/  
20 per panel

Ø 9.00

Varies



Option 1  
U bracket with  
1 x self drilling screw  
1 x bolt and nut



Option 2  
All round post bracket with  
3 x self drilling screws  
1 x bolt and nut

DETAIL A  
SCALE 1 : 5

DETAIL B  
SCALE 1 : 5

All dimensions are in inches

Rev	Date	Changed	By	Material	Mass	Spec
01					147.76 Kg	
02						<b>TRV-P-RL-204</b>
03						GA Installation Drawing
04						
05						
06				<b>Status</b>		<b>Designer</b>
07				<b>Status by</b>		<b>Date</b>
				Free form- and placetolerances conform ISO 2768 m	DIN A3 Scale 1:20	<b>A000000205</b>



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## AGENDA INFORMATION SHEET

**MEETING DATE:** June 24, 2024

**AGENDA ITEM:** Conduct a Public Hearing regarding a request from AWS Boats LLC on behalf of Paul Bosco Jr .for a Special Use Permit for sales and service of automobiles and watercraft in the 700 block of Lake Dallas Drive and consider and act on a recommendation for the same. The legal description of the property is A0284A Cobb, Tr 56, A0284A Cobb, Tr 55, 58, and A0284A Cobb, Tr 57(pt), Town of Hickory Creek, Denton County, Texas.

**AGENDA ITEM SUMMARY:** Property is currently three vacant lots at the southeast corner of Lake Dallas Drive and Carlisle. Approval was granted in 2021 to AWS Boats LLC for a Special Use Permit for a Boat Dealership but no applications for the development or platting of the properties were submitted. AWS is still the owner of record for the properties.

Date	Request	Meeting	Result
12/14/21	SUP for AWS Boats	Planning & Zoning	Approval recommended with special reference to site plan and elevations.
12/14/21	SUP for AWS Boats	Town Council	Approved with additional masonry.
07/25/23	SUP for Paul Bosco	Planning & Zoning	Approval recommended
07/31/23	SUP for Paul Bosco	Town Council	SUP Denied
06/18/24	SUP for Paul Bosco	Planning & Zoning	Denial due to failure to secure a majority vote to recommend approval.



## AGENDA INFORMATION SHEET

**MEETING DATE:** June 24, 2024

**AGENDA ITEMS:** Consider and act on a replat of Lot 1A, Block A, into Lot 1A-1 and 1A-2, Block A, TLC Subdivision, being 1.636 acres in the J.W. Simmons Survey, Abstract Number 1163, Town of Hickory Creek, Denton County, Texas. The property is located at 1221 Turbeville Road.

**AGENDA ITEM SUMMARY:**

After the TxDot acquisitions, Lot 4, Chili’s Rave Addition was never formally platted to reflect the new lot configuration. This plat will also address that remnant by creating Lot 1A-2, Block A, TLC Subdivision.

Staff recommends approval.

Date	Request	Meeting	Result
11/19/02	Chili’s Rave Addition Plat	Town Council	Approved. Plat filed 5/12/03
07/19/05	Final Plat of Lot 1, Block A, TLC Subdivision	Town Council	Approved. Plat filed 1/17/06
07/11/14	ROW Deed		Divided TLC Subdivision creating Block A Lot 1(pt) remnant & 2 ROW lots
01/30/18	TLC Subdivision Amending Plat	Town Council	Approved. Plat filed 2/8/18
06/18/18	ROW Condemnation Judgement	Denton County Probate Court	Divided Chili’s Rave Addition Plat creating Block A Lot 4(pt) remnant & ROW lot
06/18/24	TLC Subdivision Replat	Planning & Zoning	Approval recommended



June 11, 2024  
AVO 37638.200

Ms. Chris Chaudoir  
Town of Hickory Creek  
1075 Ronald Reagan Avenue  
Hickory Creek, TX 75065

**Re: Elm Fork Restaurant (Lot 1A, Block A – TLC Subdivision) – Replat  
2<sup>nd</sup> Review**

Dear Ms. Chaudoir:

Halff received a request from the Town of Hickory Creek to review a Replat application for Elm Fork Restaurant Lot 1A, Block A TLC Subdivision on May 22, 2024. The surveyor is KAZ Surveying, Inc. The owner is Hard Sun V, Inc.

2<sup>nd</sup> Review Submittal Received: June 11, 2024

**Halff recommends approval of the Replat received on June 11, 2024. All previous comments have been addressed.**

### **General**

1. Please refer to attached Town Checklist for Replat comments to be addressed.  
*2<sup>nd</sup> Review: Acknowledged*
2. Please refer to markups for all comments not specifically included in the Town Checklist.  
*2<sup>nd</sup> Review: Acknowledged*
3. Owner/Surveyor shall submit annotated comment response letter indicating addressment of comments.  
*2<sup>nd</sup> Review: No comment response letter provided. However, all other comments addressed.*

### **Replat**

1. The total called acreage on the replat title block does not equate to the called acreage for each lot. Title block and legal description notes 1.636 acres, and the equated amount from the lots on the replat sums to 1.568 acres. Please revise. (See Markup)  
*2<sup>nd</sup> Review: Acreage revised.*
2. A number of called distances in the legal description, closure report and replat do not match/equate. Some may be typos or simple measuring errors. Please confirm and revise for all distance and bearing calls. (See Markup)  
*2<sup>nd</sup> Review: All distances and calls revised as noted.*
3. Please confirm the Owner Contact Name from Ownership information and from the Owner's Dedication signature block. Shows Rick Moore, but site plan indicates ownership as James Murray. Please confirm (See Markup)

2<sup>nd</sup> Review: Ownership Contact revised.

4. Title block and purpose statement need to indicate the subdivision of Lot 1A into newly created Lots 1A-1 and 1A-2, per the replat. (See Markup)

2<sup>nd</sup> Review: Addressed

5. Please merge all noted or boxed purpose statements into one, combined purpose statement that dictates all purposes of the replat. (See Markup)

2<sup>nd</sup> Review: Addressed

Sincerely,

**HALFF**

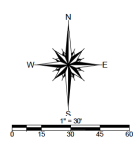
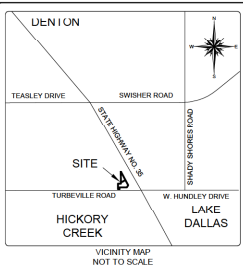
TBPELS Engineering Firm No. 312

A handwritten signature in black ink, appearing to read "Kevin Gronwaldt".

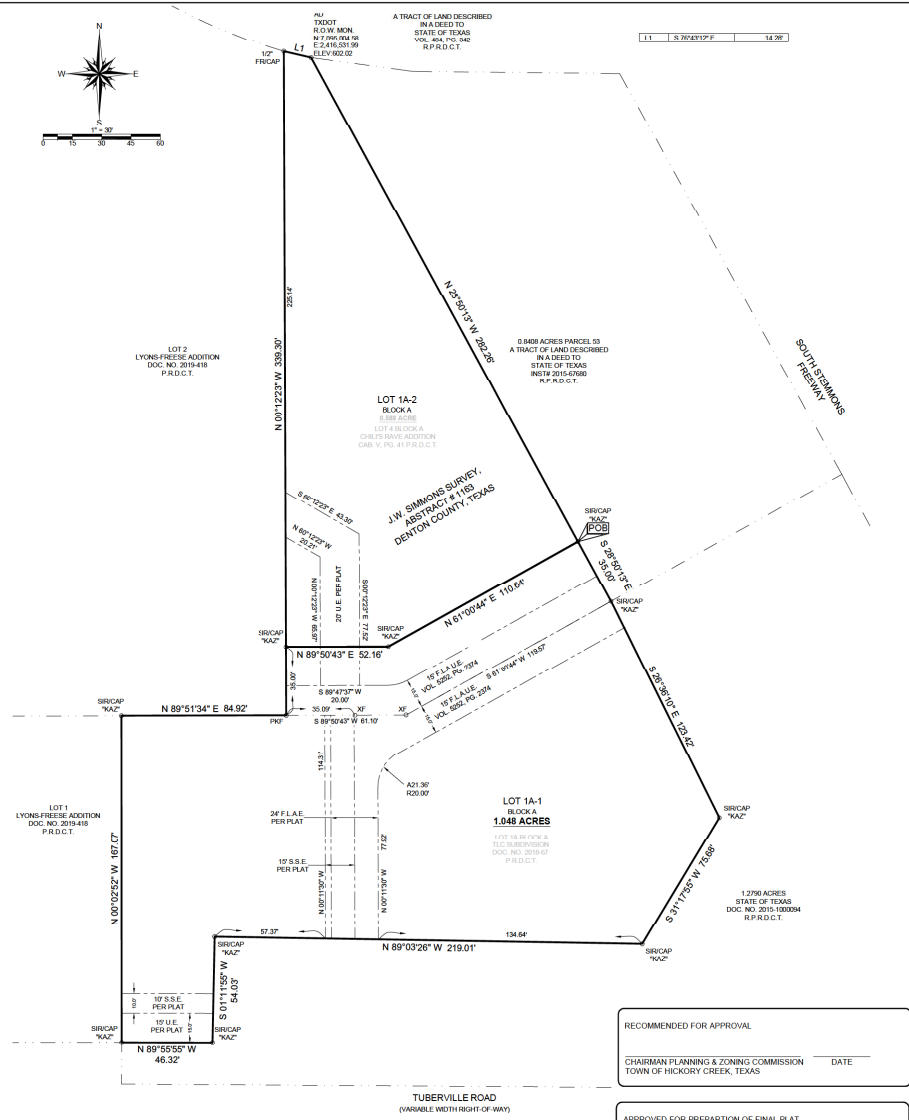
Kevin Gronwaldt, PE

Consulting Engineer for the Town of Hickory Creek

C: Kristi Rogers – Town Secretary  
John Smith – Town Administrator



- GENERAL NOTES:**
- BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4252), AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.
  - FI (NON) STATEMENT:** I HAVE BEF/WRP/ED THE F F A A FI (NON) INSURANCE/ BATT MAP FOR DENTON COUNTY, COMMUNITY NUMBER 400774, EFFECTIVE DATE 04-16-2011, AND THAT MAP INDICATES AS SCALED, THAT A PORTION OF THIS PROPERTY IS WITHIN "NON-SHADED ZONE X" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN," AS SHOWN ON PANEL 535 G OF SAID MAP.
  - THE PURPOSE OF THIS REPLAT IS TO CREATE LOTS 1A-1 AND 1A-2, BLOCK A OF TLC SUBDIVISION, FROM LOT 1-A, BLOCK A TLC SUBDIVISION, AND LOT 4, BLOCK A, CHIL'S RAVE ADDITION.
  - NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES, AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES, BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCY.
  - SANITARY SEWER TO BE HANDLED BY FACILITIES APPROVED BY THE DENTON COUNTY PUBLIC HEALTH DEPARTMENT.
  - WATER SERVICES TO BE PROVIDED BY: LAKE CITIES MUNICIPAL UTILITY AUTHORITY  
501 N SHADY SHORED RD  
LAKE DALLAS, TX 75065  
(940) 497-2999
  - ELECTRIC SERVICE TO BE PROVIDED BY: ONCOR  
3100 S GARRISON ROAD  
CORINTH, TX 76210  
(888) 313-6862
  - THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS, IF ANY, ON THIS PROPERTY.



**LEGEND**

R.O.W.	= RIGHT-OF-WAY
XF	= "X" CUT FOUND
PNF	= PERMANENT FOUND
FIR	= FOUND IRON ROD
FRICAP	= FOUND IRON ROD WCAP
SIRCAP	= SET IRON ROD WCAP
AD	= ALUMINUM DISK
FOB	= POINT OF BEGINNING

**Polyline Report** Tue Jun 11 08:03:51 2024

Northing	Easting	Bearing	Distance
7094757.326	2414266.670	S 28°50'13" E	35.000
7094720.666	2414303.551	S 20°38'01" E	123.420
7094616.312	2414338.819	S 31°17'50" W	75.677
7094551.648	2414299.505	N 89°02'26" W	219.012
7094552.232	2414098.523	S 01°11'55" W	54.029
7094501.238	2414079.393	N 89°25'59" W	46.321
7094501.293	2414033.072	N 00°25'22" W	167.607
7094668.360	2414032.933	N 89°51'34" E	84.924
7094668.568	2414117.857	N 00°12'23" W	339.296
7095007.862	2414116.835	S 70°45'12" E	14.279
7095004.582	2414130.532	S 85°50'13" E	282.257
7094757.326	2414266.670		

RECOMMENDED FOR APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_  
CHAIRMAN PLANNING & ZONING COMMISSION  
TOWN OF HICKORY CREEK, TEXAS

APPROVED FOR REPARATION OF FINAL PLAT \_\_\_\_\_ DATE \_\_\_\_\_  
MAYOR \_\_\_\_\_  
TOWN OF HICKORY CREEK, TEXAS

THE UNDERSIGNED, THE TOWN SECRETARY OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY CERTIFIES THAT FORGONE FINAL PLAT OF THE TLC SUBDIVISION OR ADDITION TO THE TOWN OF HICKORY CREEK WAS SUBMITTED TO THE TOWN COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024, AND THE COUNCIL, BY FORMAL ACTION, THEN AND THERE ACCEPTED THE DEDICATION OF STREETS, ALLEYS, PARKS, EASEMENTS, PUBLIC PLACES, AND WATER AND SEWER LINES, AS SHOWN AND SET FORTH IN AND UPON SAID PLAT, AND SAID COUNCIL FURTHER AUTHORIZED THE MAYOR TO NOTE THE ACCEPTANCE THEREOF BY SIGNING HISHER NAME AS HEREBY SUBSCRIBED.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF A.D., 2024 \_\_\_\_\_  
TOWN SECRETARY  
TOWN OF HICKORY CREEK, TEXAS

Whereas, HARD SUN V INC, is the owner of all that certain lot of land lying and being a part of the J.W. Simmons Survey, Abstract Number 1163 and being situated in the Town of Hickory Creek, Denton County, Texas and being all of Lot 1-A Block A of TLC Subdivision as recorded in Instrument #2016-67 of the Plat Records of Denton County, Texas, and also being part of Lot 4 Block A, Chli's Rave Addition as shown on a prior record in Instrument V, Page #1, Plat Records, Denton County, Texas and being more fully described by metes and bounds as follows:

Beginning at a capped iron rod set for the north corner of the tract being described herein, in the easterly line of Lot 4, Block A, Chli's Rave Addition, an addition to the Town of Hickory Creek, Texas as shown by plat of record in Cabinet V, Page 41 of said Plat Records and in the westerly line of a 0.8408 acre tract of land, described as Parcel 53, conveyed to the State of Texas by deed of record in Document Number 2015-67689 Real Property Records, Denton County, Texas, from which an aluminum disk found marked TXDOT bears North 28 degrees 50 minutes 13 seconds West, a distance of 264.48 feet;

THENCE South 28 degrees 50 minutes 13 seconds East, along the easterly line of said Lot 4 and the westerly line of said 0.8408 acre tract, a distance of 38.00 feet to a 1/2" capped iron rod set with a cap marked RPLS 5312 for corner in the north line of said Lot 1A, the south line of said Lot 4, and in the westerly line of a 1.2790 acre tract of land conveyed to the State of Texas by deed of record in Document Number 2015-1000094 of said Real Property Records;

THENCE along a west line of said 1.2790 acre tract following calls and distances:

South 26 degrees 36 minutes 10 seconds East, a distance of 123.42 feet to a 1/2" capped iron rod set with a cap marked RPLS 5312 for corner at a re-entrant corner of said 1.2790 acre tract;

South 31 degrees 17 minutes 55 seconds West, a distance of 75.68 feet to a 1/2" capped iron rod set with a cap marked RPLS 5312 for corner in a south line of said Lot 1A, in a north line of said 1.2790 acre tract;

THENCE North 89 degrees 03 minutes 26 seconds West, along a south line of said Lot 1A and a north line of said 1.2790 acre tract, a distance of 219.01 feet to a 1/2" capped iron rod set with a cap marked RPLS 5312 for corner;

THENCE South 81 degrees 11 minutes 44 seconds West, along an east line of said Lot 1A and the west line of said 1.2790 acre tract, a distance of 54.03 feet to a PK nail set for corner of the southernmost southeast corner of said Lot 1A, in Turberville Road;

THENCE North 89 degrees 55 minutes 55 seconds West, along the south line of said Lot 1A, along said Turberville Road, a distance of 46.32 feet to a 1/2" iron rod set for corner at the southwest corner of said Lot 1A, in an east line of Lyons-Freeze Addition, an addition to the Town of Hickory Creek, Texas, as shown by plat record in Document Number 2019-418 of said Plat Records;

THENCE North 00 degrees 02 minutes 52 seconds West, along the west line of said Lot 1A and an east line of said Lyons-Freeze Addition, a distance of 167.07 feet to a PK nail set for corner at the northwest corner of said Lot 1A, the easternmost northeast corner of Lot 1 of said Lyons-Freeze Addition, and in the south line of Lot 2 of said Lyons-Freeze Addition;

THENCE North 89 degrees 51 minutes 34 seconds East, along the north line of said Lot 1A and the south line of said Lot 2, a distance of 84.92 feet to a PK nail found maintaining the southeast corner of said Lot 2 and the southwest corner of said Lot 4 of Chli's Rave Addition;

THENCE North 00 degrees 12 minutes 23 seconds West, along an east line of said Lot 2 and the west line of said Lot 4, a distance of 539.30 feet to a 1/2" iron rod found for corner at the northwest corner of said Lot 4 and the northeast corner of said Lot 2;

THENCE South 76 degrees 43 minutes 12 seconds East, along the north line of said Lot 4, a distance of 14.28 feet to an aluminum disk marked TXDOT at the northeast corner of said Lot 4 and the northwest corner of said 0.8408 acre Parcel 53;

THENCE South 28 degrees 50 minutes 13 seconds East, along the east line of said Lot 4 and the west line of said 0.8408 acre Parcel 53, a distance of 282.26 feet to the place of beginning and containing 1.636 acres of land, more or less.

**OWNER'S DEDICATION**

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, HARD SUN V INC, does hereby adopt this Replat, designating the hereinabove described property as the Replat of TLC SUBDIVISION, an addition to Denton County, Texas, and do hereby dedicate to public use forever all easement dedications, watercourses, drains, easements, public places, and other land rights thereon shown on the plat and consideration therein expressed. All and any public utilities shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in any way, endanger or interfere with the construction, maintenance, or efficiency of its respective systems on said easements, and all public utilities shall, at all times, have the full right of ingress and egress to or from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of its respective systems, without the necessity at any time, of procuring the permission of anyone. The City of Denton shall not be responsible for maintenance of access easements, and the individual owners shall be responsible for the maintenance of access easements, and said owners agree to indemnify and hold harmless, the City of Denton, from all claims, damages and losses arising out of or resulting from performance of the obligations of said owners set forth in this paragraph.

JAMES MIRRAY \_\_\_\_\_ DATE \_\_\_\_\_  
OWNER HARD SUN V INC.

STATE OF TEXAS  
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RICK MOORE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC, DENTON COUNTY, TEXAS.

MY COMMISSION EXPIRES \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**

STATE OF TEXAS  
COUNTY OF DENTON

I, KENNETH A. ZOLLINGER, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND AND THAT THE MONUMENTS SHOWN HEREON WERE FOUND OR PLACED WITH 1/2" IRON RODS CAPPED "KAZ" UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF DENTON, DENTON COUNTY, TEXAS.

KENNETH A. ZOLLINGER, R.P.L.S. # 5312 DATE \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENNETH A. ZOLLINGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC, DENTON COUNTY, TEXAS.

MY COMMISSION EXPIRES \_\_\_\_\_



**REPLAT OF  
LOT 1A, BLOCK A, TLC SUBDIVISION AND  
LOT 4, BLOCK A, CHIL'S RAVE ADDITION  
INTO LOT 1A-1 & 1A-2, BLOCK A  
TLC SUBDIVISION  
BEING 1.636 ACRES IN THE  
J.W. SIMMONS SURVEY, ABSTRACT NUMBER 1163,  
TOWN OF HICKORY CREEK  
DENTON COUNTY, TEXAS**

4321 I-35 SUITE 575  
GAINESVILLE, TX, 76240  
(940) 382-3446  
JOB NUMBER: 240017  
DRAWN BY: TEP  
DATE: 6-11-2024  
RPLS  
KENNETH A. ZOLLINGER  
TX RPLS REGISTRATION # 0002100

**SURVEYOR:**  
KAZ SURVEYING, INC.  
4321 I-35 SUITE 575  
GAINESVILLE, TEXAS 76240  
PHONE: (940) 382-3446  
TRPLS FIRM #10002100

**OWNER:**  
HARD SUN V, INC  
10001 HWY 390  
CROSS ROADS, TX 76227  
CONTACT: RICK MOORE  
PHONE: 940-300-4938

Closure Error Distance: 0.0000  
Total Distance: 1441.279  
Polyline Area: 71245 sq ft, 1.636 acres





## AGENDA INFORMATION SHEET

**MEETING DATE:** June 24, 2024

**AGENDA ITEMS:** Conduct a public hearing on a request from Hard Sun V., Inc. to change the zoning designation from PD (Planned Development) and C-1 (Commercial) to PD (Planned Development) for the property legally described as TLC Subdivision Block A, Lot 1A-1, approximately a 1.048 acre tract of land in the corporate limits of the Town of Hickory Creek, Denton County, Texas and consider and act on an ordinance adopting the same. The property is located at 1221 Turbeville Road.

Consider and act on a site plan for Lot 1A-1, Block A, TLC Subdivision, being 1.048 acres in the J.W. Simmons Survey, Abstract number 1163, Town of Hickory Creek, Denton County Texas. The property is located at 1221 Turbeville Road.

**AGENDA ITEM  
SUMMARY:**

The current Planned Development zoning calls for 53 parking spaces including 3 ADA compliant. The proposed PD adds a stone smoker enclosure and firewood enclosure as well as providing 59 parking stalls, 3 ADA compliant, on the lot. The new enclosures are located in formerly required parking spots on the north side behind the main building. To remain compliant with established parking guidelines, the lot is being replatted to add an approximately 0.138 acre portion of the vacant lot to the north, currently Lot 4, Lot A, Chili's Rave Addition.

Staff recommends approval.

Date	Request	Meeting	Result
01/24/18	TLC Subdivision Amending Plat	Planning & Zoning	Approval recommended
01/24/18	PD Zoning	Planning & Zoning	Approval recommended
01/30/18	TLC Subdivision Amending Plat	Town Council	Approved. Plat filed 2/8/18
01/30/18	PD Zoning	Town Council	Approved
05/23/18	Site and Landscape Plans	Planning & Zoning	Approval recommended
05/29/18	Site and Landscape Plans	Town Council	Approved
07/24/19	PD Amendment	Planning & Zoning	Approval recommended
07/30/19	PD Amendment	Town Council	Approved
06/18/24	Zoning Change	Planning & Zoning	Approval recommended
06/18/24	Site Plan	Planning & Zoning	Approval recommended

**TOWN OF HICKORY CREEK, TEXAS**  
**ORDINANCE NO. 2024-0624 \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF HICKORY CREEK, TEXAS, AMENDING AS HERETOFORE AMENDED, ITS COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN BY AMENDING AN EXISTING PLANNED DEVELOPMENT ORDINANCE NO. 2018-11-805 ON A CERTAIN TRACT OF LAND DESCRIBED AS AN APPROXIMATELY 1.636 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT; PROVIDING FOR APPLICABLE REGULATIONS; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE AMENDED PLANNED DEVELOPMENT ZONING DISTRICT DESIGNATION FOR THE SUBJECT PROPERTY; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR THE TOWN OF HICKORY CREEK TO BRING SUIT IN DISTRICT COURT TO ENJOIN THE PERSON, FIRM, PARTNERSHIP, CORPORATION, OR ASSOCIATION FROM ENGAGING IN THE PROHIBITED ACTIVITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek is a Type A General Law Municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Title 7, Chapter 211.003 of the Texas Local Government Code empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

**WHEREAS**, the developer of an approximately 1.636 acre tract land described on Exhibit "A" attached hereto and incorporated herein (the "Property"), has requested an amendment to Ordinance No. 2018 11-805 for the purpose of extending zoning regulations and allowing certain Development Standards described in Exhibit B hereto; and

**WHEREAS**, after public notices were given, legal notices and other requirements were satisfied, and a public hearing was conducted, all in accordance with State law and the Comprehensive Zoning Ordinance of the Town, and after considering the information submitted at that public hearing and all other relevant information and materials, the Planning and Zoning Commission of the Town has forwarded to the Town Council its favorable recommendation regarding the adoption of the amendment to the Comprehensive Zoning Ordinance as set forth in this Ordinance; and

**WHEREAS**, after public notices were given, legal notices and other requirements were satisfied, and a public hearing was conducted, all in accordance with State law and the Comprehensive Zoning Ordinance of this Town, and after considering the information submitted at that public

hearing and all other relevant information and materials, including the character of the Property and its suitability for particular uses and development, with a view of encouraging the most appropriate use of the Property, the Town Council made a finding that the rezoning approved hereby accomplishes such objectives; and

**WHEREAS**, the Town Council has determined that there is a necessity and need for the change in zoning and that the proposed change is consistent with the Comprehensive Land Use Plan of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:**

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2**  
**FINDINGS**

After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the Town Council has concluded that the adoption of this Ordinance is in the best interest of the Town of Hickory Creek, Texas, and of the public health, safety, and welfare.

**SECTION 3**  
**AMENDMENT**

The Planned Development District Ordinance No. 2018-11-805 of the Town of Hickory Creek, Texas is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, definitions, phrases, and words are not amended by are hereby ratified and affirmed:

- A. The property description for Planned Development Ordinance 2018-11-805 is being repealed and replaced with the property description set forth on the attached Exhibit "A" and is incorporated herein as if copied in its entirety.
- B. The development standards for Planned Development Ordinance 2018-11-805 are being repealed and replaced with the development standards set forth on the attached Exhibit "B" and are incorporated herein as if copied in their entirety. Such development standards shall be adhered to in carrying out the development of the Property in accordance with this Ordinance, and shall individually and collectively constitute conditions precedent to the granting of any Certificate of Occupancy and building permit for all structures within this Planned Development.
- C. A site plan for the Planned Development District is attached as Exhibit "C".
- D. An elevation diagram describing signage is attached hereto as Exhibit "D".

**SECTION 4**  
**APPLICABLE REGULATIONS**

Except as otherwise provided in this Ordinance, the Property shall be subject to the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances and regulations of the Town, including, but not limited to, the Town's subdivision ordinance, building codes, requirements concerning preliminary and comprehensive site plans, landscape plans, and tree preservation. It shall be unlawful for any person, firm, or corporation to make sure of said premises in some manner other than as outlined by this Ordinance.

**SECTION 5**  
**ZONING MAP**

The Town Secretary is hereby directed to mark and indicate on the official Zoning District Map of the Town the zoning change herein made.

**SECTION 6**  
**CUMULATIVE**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance.

**SECTION 7**  
**SAVINGS**

All rights and remedies of the Town of Hickory Creek, Texas, are expressly saved as to any and all violations of the provisions of any other Ordinance affecting regulations governing and regulating the zoning of land which have secured at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 8**  
**SEVERABILITY**

If any section, article, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 9**  
**PENALTY**

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be

deemed committed each day during or on which a violation occurs or continues. If the governing body of the Town of Hickory Creek determines that a violation of this Ordinance has occurred, the Town of Hickory Creek may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

**SECTION 10**  
**PUBLICATION**

The Town Secretary of the Town of Hickory Creek is hereby directed to publish the Caption, Penalty, and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

**SECTION 11**  
**ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Hickory Creek is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Penalty, and Effective Date of this Ordinance in the minutes of the Town Council and by filing this Ordinance in the ordinance records of the Town.

**SECTION 12**  
**EFFECTIVE DATE**

This ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this \_\_\_\_th day of June, 2024.

\_\_\_\_\_  
Lynn Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

\_\_\_\_\_  
Kristi K. Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

\_\_\_\_\_  
Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Field notes to all that certain lot of land lying and being a part of the J.W. Simmons Survey, Abstract Number 1163 and being situated in the Town of Hickory Creek, Denton County, Texas and being all of Lot 1-A Block A of TLC Subdivision as recorded in Instrument #2018-67 of the Plat Records of Denton County, Texas, and also being part of Lot 4 Block A, Chili's Rave Addition as shown on plat recorded in Cabinet V, Page 41, Plat Records, Denton County, Texas and being more fully described by metes and bounds as follows:

**Beginning** at a capped iron rod set for the north corner of the tract being described herein, in the easterly line of Lot 4, Block A, Chili's Rave Addition, an addition to the Town of Hickory Creek, Texas as shown by plat of record in Cabinet V, Page 41 of said Plat Records and in the westerly line of a 0.8408 acre tract of land, described as Parcel 53, conveyed to the State of Texas by deed of record in Document Number 2015-67680 Real Property Records, Denton County, Texas, from which a an aluminum disk found marked TXDOT bears North 28 degrees 50 minutes 13 seconds West, a distance of 264.48 feet;

THENCE **South 28 degrees 50 minutes 13 seconds East**, along the easterly line of said Lot 4 and the westerly line of said 0.8408 acre tract, a distance of **35.00 feet** to a 1/2" capped iron rod set with a cap marked RPLS 5312 for corner in the north line of said Lot 1A, the south line of said Lot 4, and in the westerly line of a 1.2790 acre tract of land conveyed to the State of Texas by deed of record in Document Number 2015-1000094 of said Real Property Records;

THENCE along a west line of said 1.2790 acre tract following calls and distances:

**South 26 degrees 36 minutes 10 seconds East**, a distance of **123.42 feet** to a 1/2" capped iron rod set with a cap marked RPLS 5312 for corner at a re-entrant corner of said 1.2790 acre tract;

**South 31 degrees 17 minutes 55 seconds West**, a distance of **75.68 feet** to a 1/2" capped iron rod set with a cap marked RPLS 5312 for corner in a south line of said Lot 1A, in a north line of said 1.2790 acre tract;

THENCE **North 89 degrees 03 minutes 26 seconds West**, along a south line of said Lot 1A and a north line of said 1.2790 acre tract, a distance of **219.01 feet** to a 1/2" capped iron rod set with a cap marked RPLS 5312 for corner;

THENCE **South 01 degrees 11 minutes 55 seconds West**, along an east line of said Lot 1A and the west line of said 1.2790 acre tract, a distance of **54.03 feet** to a PK nail set for corner at the southernmost southeast corner of said Lot 1A, in Turbeville Road;

THENCE **North 89 degrees 55 minutes 55 seconds West**, along the south line of said Lot 1A, along said Turbeville Road, a distance of **46.32 feet** to a 1/2" iron rod set for corner at the southwest corner of said Lot 1A, in an east line of Lyons-Freese Addition, an addition to the Town of Hickory Creek, as shown by plat record in Document Number 2019-418 of said Plat Records;

THENCE **North 00 degrees 02 minutes 52 seconds West**, along the west line of said Lot 1A and an east line of said Lyons-Freese Addition, a distance of **167.07 feet** to a PK nail set for corner at the northwest corner of said Lot 1A, the easternmost northeast corner of Lot 1 of said Lyons-Freese Addition, and in the south line of Lot 2 of said Lyons-Freese Addition;

THENCE **North 89 degrees 51 minutes 34 seconds East**, along the north line of said Lot 1A and the south line of said Lot 2, a distance of **84.92 feet** to a PK nail found maintaining the southeast corner of said Lot 2 and the southwest corner of said Lot 4 of Chili's Rave Addition;

THENCE **North 00 degrees 12 minutes 23 seconds West**, along an east line of said Lot 2 and the west line of said Lot 4, a distance of **35.00 feet** to a 1/2" iron rod set for corner in the west line of said Lot 4 and the east line of said Lot 2;

THENCE over and across said Lot 4 the following calls and distances:

**North 89 degrees 50 minutes 43 seconds East**, a distance of **52.16 feet** to a 1/2 inch iron rod set with a cap marked RPLS 5312 for corner;

**North 61 degrees 00 minutes 44 seconds East**, a distance of **110.64 feet** to the point of beginning and containing 1.048 acres of land, more or less.

**Exhibit B**  
**Planned Development Standards**

The following PD Standards shall apply to the real property described in the legal description attached to this ordinance as Exhibit A (the “Property”). The Base Zoning for the Property is C-1 Commercial District, as that term is defined in Chapter 14 of the Code of Ordinances of the Town of Hickory Creek, Texas (the “Zoning Ordinance”). In the event any provision of these PD Standards conflict with a provision of the Zoning Ordinance, the PD Standards shall apply. All provisions of the Zoning Ordinance not specifically altered by the PD Standards shall apply to the Property.

**Project Description**

The site consists of a 5,227 square foot dining restaurant and bar area with a 939 square foot enclosed patio and a 251 square foot covered front porch on approximately 1.048 acres. The addition will consist of a smoker enclosure made of stone and a firewood enclosure.

**Building Standards**

77% Oklahoma Stone  
23% Treated Lumber  
Maximum height of thirty feet  
Zero lot lines

**Parking Standards**

Minimum of 59 spaces with 3 ADA compliant.

**Landscape Standards**

All open spaces to be Xeriscape Landscape.  
Minimum of fifteen trees on site.  
Six foot cedar privacy fence around patio, Texas Alcoholic Beverage Commission certified.

**Trash**

Minimum of one enclosed trash receptacle screened with an 8 foot privacy fence and grease collector.

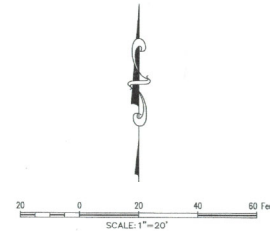
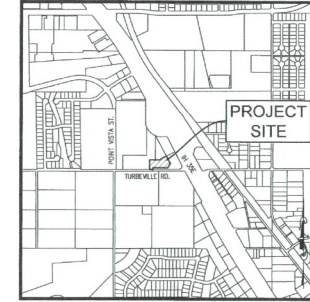
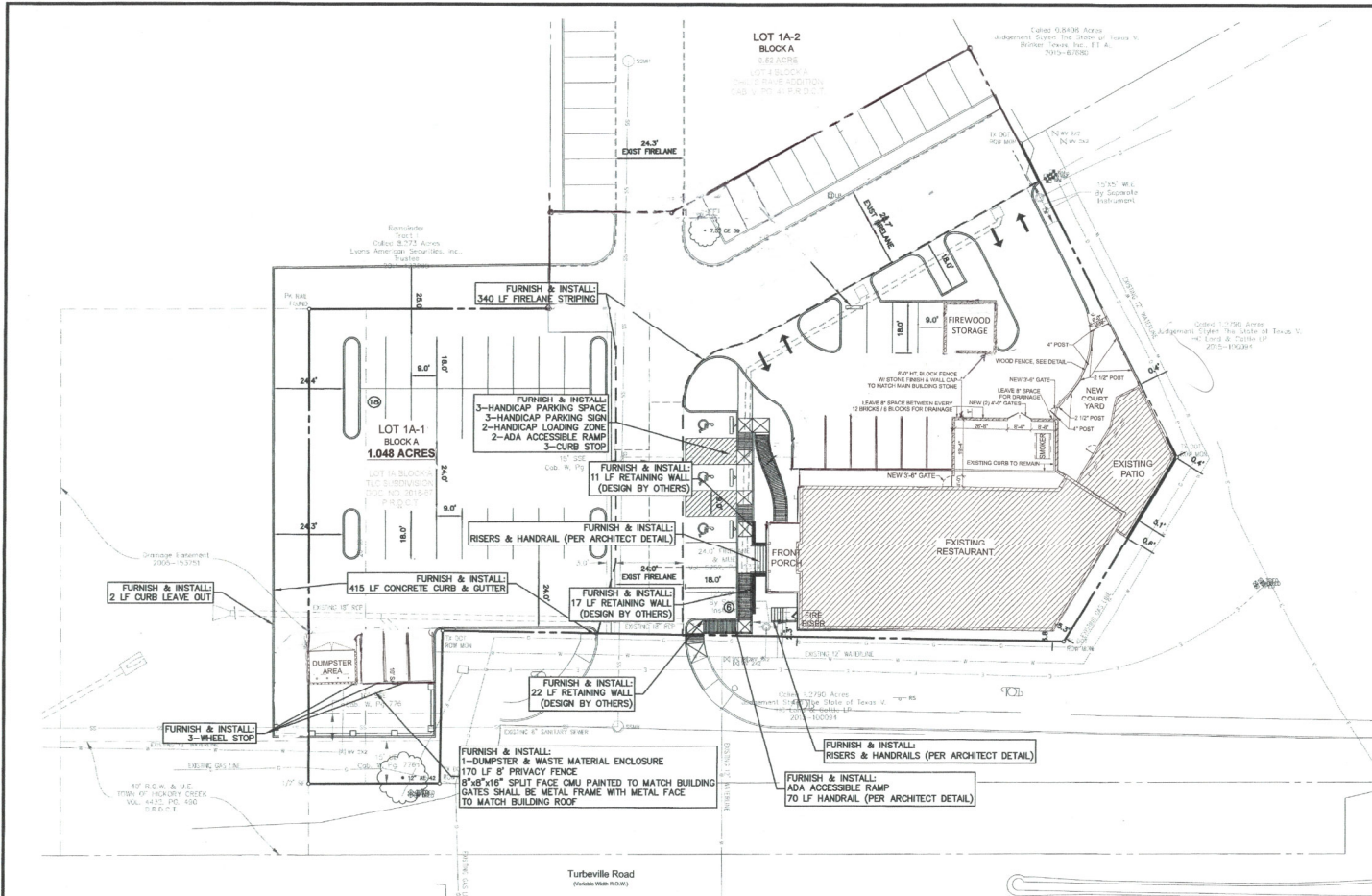
**Signage**

The following sign standards shall be allowed on the property:

- 1) LED reverse Backlit cabinet mounted on panel wall above metal awning on west elevation with dimensions not to exceed 56.8” x 81” as depicted on the attached Exhibit D.
- 2) LED Backlit channel letters not to exceed 22 inches in height, total aggregate sign height not to exceed 72 inches, mounted on a panel wall on south elevation as depicted on the attached Exhibit D.
- 3) LED reverse Backlit channel letters not to exceed 30 inches in height, total aggregate height not to exceed 72 inches, mounted on a metal grain silo on north elevation as depicted on the attached Exhibit D.



# Exhibit C



TBM #1 - 1000' ROW MONUMENT LOCATED AT NORTH EAST CORNER OF PROPERTY  
ELEV. = 603.42  
TBM #2 - 1000' ROW MONUMENT LOCATED AT SOUTH EAST CORNER OF PROPERTY  
ELEV. = 605.39

GENERAL NOTES  
1. REFER TO M.E.P. PLANS FOR LIGHT POLE LOCATIONS

LEGEND	
<b>ABBREVIATIONS:</b>	
CRF	Capped Rebar Found
CRS	Capped Rebar Set
CP	Control Point
Mon.	Monument
B.M.	Benchmark
Ex TC	Existing Top of Curb
TC	Existing Top of Pavement
TC	Top of Curb
C	Gutter
PG	Proposed Grade
TP	Grade at Top of Pavement
TA	Grade at Top of Asphalt
TW	Grade at Top of Wall
BW	Grade at Bottom of Wall
RW	Grade at Retaining Wall
TC	Grade at Top of Grote
FG	Finished Grade
FF	Finished Floor
FP	Finished Pad
FL	Flowline
UE	Utility Easement
DE	Drainage Easement
R.O.W.	Right-of-Way
DR	Deed Records
PR	Plot Records
PAE	Pedestrian Access Easement
SB	Setback line
WE	Waterline Easement
MAC	Mutual Access Easement

LEGEND	
<b>SYMBOLS:</b>	
	Contours
	Asphalt Pavement
	Wood Fence
	Chain Link Fence
	Wire Fence
	Masonry Wall
	Centerline of Creek, Swale, or Waterway
	Waterline
	Sanitary Sewer
	Storm Sewer
	Overhead Power
	Buried Power
	Gas Line
	Proposed Contours

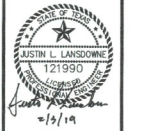
LEGEND	
<b>SYMBOLS:</b>	
	Fire Hydrant
	Water Valve
	Water Meter
	Sanitary Sewer Manhole
	Guy Wire
	Light Pole
	Power Pole
	Tree
	Benchmark

The John B. McAdams Company, Inc.  
(DBA, G&A McAdams)  
10000 W. Highway 10  
Lawrence, Texas 75857  
Tel: 409.752.2222  
Fax: 409.752.2222  
www.mcadams.com



**ELM FORK RESTAURANT**  
TLC SUBDIVISION  
Lot 1 Block A  
0.98 ACRES  
L.W. SIMMONS SURVEY SURVEY ABSTRACT NO. 1185  
DENTON COUNTY, TEXAS

**SITE PLAN**



G&A | MCADAMS  
TBP# 19782

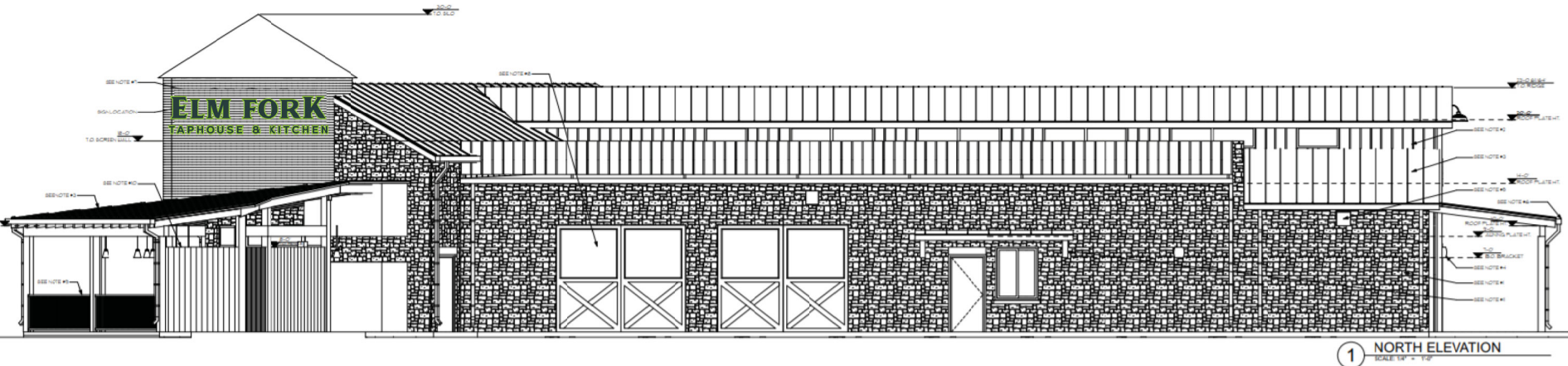
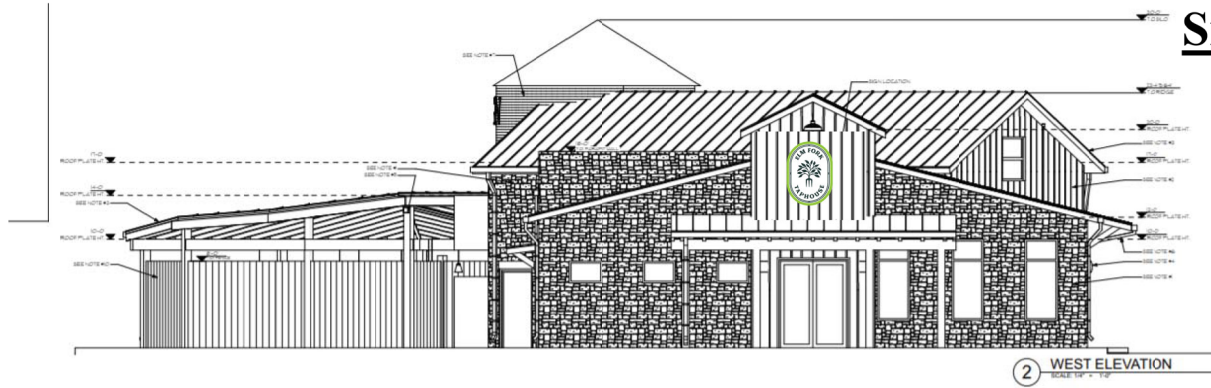
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Date:	04/11/2018
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Revised:	
08/28/2018	
01/04/2019	
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09/12/2024	

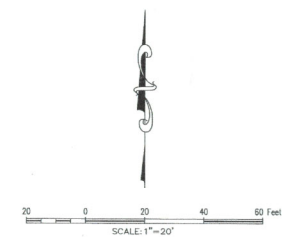
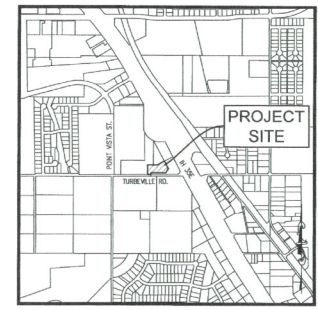
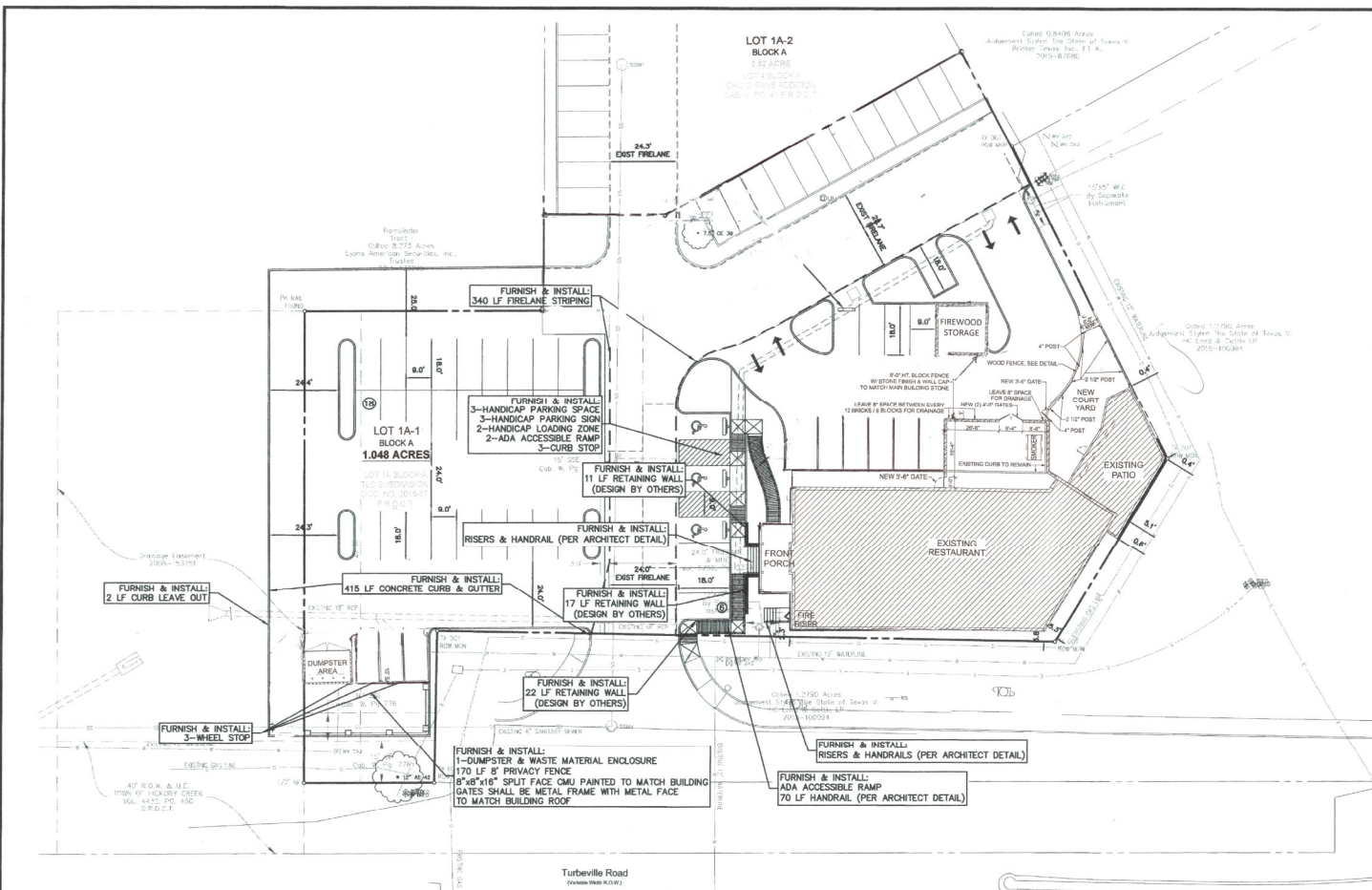
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C4

OWNER/DEVELOPER  
HARD RUN O&L LLC  
1301 SYCAMORE BEND ROAD  
HICKORY CREEK, TEXAS 76068  
P.O. Value  
Contact: JAMES MURRAY

# Exhibit D Sign Elevation Diagram





TBM #1 - 1000' ROW MONUMENT LOCATED AT NORTH EAST CORNER OF PROPERTY  
 ELEV. = 603.42  
 TBM #2 - 1000' ROW MONUMENT LOCATED AT SOUTH EAST CORNER OF PROPERTY  
 ELEV. = 603.39

**GENERAL NOTES**  
 1. REFER TO M.E.P. PLANS FOR LIGHT POLE LOCATIONS

LEGEND			
<b>ABBREVIATIONS:</b>			
CRF	Capped Rebar Found	FG	Finished Grade
CRS	Capped Rebar Set	FF	Finished Floor
CP	Control Point	FP	Finished Pad
Mon.	Monument	FL	Flowline
B.M.	Benchmark	UE	Utility Easement
Ex TC	Existing Top of Curb	DE	Drainage Easement
TC	Existing Top of Pavement	R.D.W.	Right-of-Way
TC	Top of Curb	DR	Deed Records
C	Gutter	PR	Plot Records
PG	Proposed Grade	PAE	Pedestrian Access Easement
TP	Grade at Top of Pavement	SB	Setback Line
TA	Grade at Top of Asphalt	WE	Waterline Easement
TW	Grade at Top of Wall	MAC	Mutual Access Easement
BW	Grade at Bottom of Wall		
RW	Grade at Retaining Wall		
TC	Grade at Top of Grote		

LEGEND		
<b>SYMBOLS:</b>		
Existing		Proposed
---	Contours	---
----	Asphalt Pavement	----
	Wood Fence	
----	Chain Link Fence	----
----	Wire Fence	----
----	Masonry Wall	----
----	Centerline of Creek, Swale, or Waterway	----
----	Waterline	----
----	Sanitary Sewer	----
----	Storm Sewer	----
----	Overhead Power	----
----	Buried Power	----
----	Gas Line	----

LEGEND		
<b>SYMBOLS:</b>		
Existing		Proposed
○	Fire Hydrant	○
○	Water Valve	○
○	Water Meter	○
○	Sanitary Sewer Manhole	○
○	Guy Wire	○
○	Light Pole	○
○	Power Pole	○
○	Tree	○
○	Benchmark	○

The John B. McAdams  
 Company, Inc.  
 (DBA, G&A McAdams)  
 11000 West Loop  
 Suite 1000  
 Houston, Texas 77042  
 Phone: 281.462.1212  
 Fax: 281.462.1213  
 Email: info@mcadams.com  
 www.mcadams.com



**ELM FORK RESTAURANT**  
 TLO SUBDIVISION  
 Lot 1 Block A  
 0.81 ACRES  
 L.W. SIMMONS SURVEY SURVEY ABSTRACT NO. 1183  
 11/11/1990  
 DENTON COUNTY, TEXAS

**SITE PLAN**



G&A | MCADAMS  
 TBPE: 19782

Drawn By: JLM  
 Date: 04/11/2018  
 Scale: 1"=20'  
 Revision: 08/28/2018  
 01/04/2019  
 01/23/2019  
 02/09/2019  
 09/12/2023

**17413**

C4

**OWNER/DEVELOPER**  
 HARD RUN O&E, LLC  
 1301 SYCAMORE BEND ROAD  
 HICKORY CREEK, TEXAS 76066  
 P.O. Box 1000  
 Contact: JAMES MURRAY

**ELM FORK RESTAURANT**

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2024-0624-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY AUTHORIZING THE MAYOR OF THE TOWN OF HICKORY CREEK, TEXAS, TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH SPAN INC. FOR TRANSPORTATION SERVICES AND REIMBURSEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council has been presented with a proposed agreement concerning transportation services and reimbursement for the same from Span Inc., attached hereto as Exhibit A which is hereby incorporated herein by reference; and

**WHEREAS**, upon full review and consideration of the agreement, and all matters attendant and related thereto, the Town Council is of the opinion that the terms and conditions of Exhibit A should be approved, and that the Mayor shall be authorized to execute it on behalf of the Town of Hickory Creek.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas:

**Section 1:** That the Mayor of the Town of Hickory Creek, Texas, is hereby authorized to execute on behalf of the Town of Hickory Creek, Texas, the agreement attached hereto as Exhibit A.

**Section 2:** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 24<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

---

Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

---

Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**INTERLOCAL AGREEMENT FOR SERVICES**

**THIS SERVICE AGREEMENT** ("Agreement") is entered into by and between Hickory Creek, Texas ("TOWN"), acting by and through its duly authorized designee and Span, Inc., ("SPAN"), a Texas non-profit corporation operating in Denton County, Texas as an organization described in Section 501(c)(3) of the Internal Revenue Code, acting by and through its duly authorized Executive Director. The TOWN or SPAN may hereinafter be referred to individually as a "Party" or collectively as "Parties."

**RECITALS:**

- WHEREAS,** SPAN enables people to live as fully and independently as possible by providing nutrition, transportation and social services to older persons, persons with disabilities, veterans, and the general public; and
- WHEREAS,** the success of or failure of the SPAN's purposes and goals has a relation to the health and welfare of the citizens of the TOWN; and
- WHEREAS,** the TOWN is charged with the responsibility of promoting and preserving the health, safety, peace, good government, and welfare of its citizens; and
- WHEREAS,** the TOWN recognizes that it needs transportation alternatives for its elderly, and disabled citizens to seek routine medical care and to deal with daily routine matters, and the TOWN desires to assist and provide public transportation to said citizens; and
- WHEREAS,** TOWN desires to engage SPAN as an independent contractor, and not as a joint venture, partnership, or employee, to provide the transportation services described herein; and
- WHEREAS,** SPAN is authorized as a non-profit corporation, authorized under the Texas Transportation Code to provide this type of transportation to municipalities found in whole or in part within Denton County, Texas; and
- WHEREAS,** SPAN desires to provide transportability services for TOWN on the terms and conditions set forth in this Agreement.

**NOW THEREFORE**, in exchange for the mutual covenants set forth herein, and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

## **Article I Term**

1.01. This Agreement shall commence on October 1, 2024 ("Effective Date") and continue until September 30, 2025.

1.02. Notwithstanding anything herein to the contrary, either Party may terminate this Agreement by giving thirty (30) days prior written notice to the other Party, subject to federal requirements related to public transportation.

## **Article II Service**

2.01. In accordance with this Agreement, SPAN shall provide door-to-door demand response transit services to the TOWN's residents who are sixty (60) years of age or older and persons with documented disabilities, or sixty-five (65) years or older and persons with documented disabilities when 5310 funds are used in support of this Agreement ("Riders").

2.02. Riders shall be picked up within service area and taken anywhere in the SPAN/TOWN transit service destination area shown on Exhibit "A" hereto ("Service Area"), at a cost to the Riders of Three Dollars (\$3.00). The Riders shall remit the total fare recited in this section at or prior to the time the service is rendered. SPAN Transportation policy and procedures are attached hereto and incorporated herein as Exhibit "B" ("the Policy").

2.03. Situations may arise when Riders call and request service that is not identified as a part of the Service Area. SPAN may make a request to the TOWN's appointed representative to accommodate the Rider by temporarily transporting outside of the Service Area. The Service Area may be more permanently amended at the request of either Party if both Parties mutually agree to such amendment of Exhibit A in writing.

2.04. Riders may call at least two (2) days in advance, but no more than two (2) weeks in advance, to set up appointments for pick-up and drop off. Rider may schedule ride by calling SPAN's Transportation Office at 940-382-1900, weekdays between the hours of 8:00 a.m. and 2:00 p.m.

2.05. Demand response transit service is available between the hours of 6:00 a.m. and 6:00 p.m., Monday through Friday, excluding Saturday, Sunday, major holidays and subject to capacity constraints and availability.

## **Article III Schedule of Work**

3.01. SPAN shall provide all equipment, facilities, qualified employees, training, and insurance necessary to establish a demand response transit service for the Riders. SPAN shall further establish, operate, and maintain an accounting system for this program that will allow for a tracking of services provided to Riders and a review of the financial status of the program. SPAN shall also track and break down the information regarding the number of one-way trips it provides to Riders.

3.02. SPAN will be responsible for verifying and documenting the eligibility of Riders. SPAN reserves the right to determine on an individual basis whether SPAN has the capability to safely transport a Rider, based on the information provided. If SPAN determines that a Rider cannot safely be transported, SPAN shall decline transportation and shall provide documentation as to the reason why service was declined.

3.03. The TOWN shall have the right to review the activities and financial records kept incident to the services provided to the Riders by SPAN under this Agreement. In addition, SPAN shall provide monthly ridership information to the TOWN appointed designee specifically identifying the number of Rider trips including rider origination, destination, and purpose.

3.04. SPAN will inform riders that their trips to the doctor or dentist's office, drug store or other location may qualify as a Medicaid eligible trip. SPAN will direct potential Medicaid eligible riders to call Texas Health and Human Services to schedule free transportation through Medicaid by calling toll free 1-877-633-8747 (TTY: 1-800-735-2989) or 1-877-MED-TRIP, Monday through Friday between 8:00 a.m. and 5:00 p.m., at least two days before their appointment or trip.

3.05 The services provided under this Agreement may be, in part, eligible for reimbursement from the Community Development Block Grant (CDBG) program. SPAN shall comply with all necessary requirements of the CDBG program as set forth in Exhibit "C." The TOWN shall assume all responsibility for CDBG submittals and required reporting, unless otherwise requested in writing to and agreed to by SPAN. SPAN shall provide all information necessary for the TOWN to comply with CDBG requirements.



## **Article IV**

### **Compensation and Method of Payment**

4.01 The TOWN agrees to pay a reasonable fee for service between October 1, 2024 and September 30, 2025 of \$21.96 per trip. The projected trip count for October 1, 2024 – September 30, 2025 is Six Hundred Sixty (660) with an annual FY 2025 TOWN contribution of \$14,493. Riders shall pay SPAN a price per one-way trip of Three Dollars (\$3.00), to be collected by SPAN at the time of such trip.

4.02. The Fee is based on an average of Fifty-Five (55) one-way trips per month. If fewer than Fifty-Five (55) one-way trips are used in any given month, the accrued trips shall continue to roll forward monthly until the end of this Agreement.

4.03. It is further understood and agreed that the service provided hereunder shall be secondary to and not in lieu of or as a substitute for transportation services available through or funded by Medicare and/or Medicaid or any other program, insurance, or provider.

4.04. If an otherwise eligible Rider contacts SPAN for service and the Rider's trip does not qualify for payment by the TOWN under this Agreement and/or there are no remaining trips or funding available under this Agreement for such trip, SPAN may offer its service to such Rider in the Service Area at the total cost of Twenty One Dollars and Ninety Six Cents (\$21.96) per one-way trip, which is to be collected by SPAN at the time of such trip.

## **Article V**

### **Devotion of Time, Personnel, and Equipment**

5.01. SPAN shall devote such time as reasonably necessary for the satisfactory performance of the services under this Agreement. Should TOWN require additional services not included under this Agreement, SPAN shall make reasonable effort to provide such additional services within the time schedule without decreasing the effectiveness of the performance of services required under this Agreement and shall be compensated for such additional services on a time and materials basis, in accordance with SPAN's standard hourly rate schedule, or as otherwise agreed between the Parties.

5.02. To the extent reasonably necessary for SPAN to perform the services under this Agreement, SPAN shall be authorized to engage the services of any agents, assistants, persons, or corporations that SPAN may deem proper to aid or assist in the performance of the services under this Agreement. The cost of such personnel and assistance shall be included as part of the total compensation to be paid SPAN hereunder and shall not otherwise be reimbursed by TOWN unless otherwise agreed to in writing.

5.03. The TOWN shall not be required to furnish any facilities, equipment, or personnel necessary to perform the services required under this Agreement unless otherwise provided herein. The Services provided under this Agreement are based on availability.

5.04 SPAN reserves the right to suspend or terminate Riders who violate SPAN's policies and procedures.

## **Article VI Miscellaneous**

6.01. Entire Agreement. This Agreement constitutes the sole and only agreement between the Parties and supersedes any prior understandings written or oral agreements between the Parties with respect to this subject matter.

6.02. Assignment. Neither Party may assign this Agreement without the prior written consent of the other Party.

6.03. Successor and Assigns. Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the Parties to it and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

6.04. Governing Law. The laws of the State of Texas shall govern this Agreement without regard to any conflict of law rules; and venue for any action concerning this Agreement shall be in Denton County, Texas or the Federal courts having jurisdiction over claims arising in Denton County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

6.05. Amendments. This Agreement may be amended by the mutual written agreement of the Parties.

6.06. Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

6.07. Independent Contractor. It is understood and agreed by and between the Parties that SPAN, in satisfying the conditions of this Agreement, is acting independently. All services to be performed by SPAN pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of TOWN. SPAN shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement. Nothing contained herein shall constitute or provide for as a waiver of the TOWN's immunity under state or federal law.

6.08. Notice. Any notice required or permitted to be delivered hereunder may be sent by electronic mail, first class mail, overnight courier or by confirmed telefax or facsimile to the address specified below, or to such other Party or address as either Party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If intended for TOWN:  
John Smith, Town Manager  
Hickory Creek, Texas  
1075 Ronald Reagan Ave.  
Hickory Creek, Texas 75065  
940-497-2528

If intended for SPAN:  
Michelle McMahon  
Executive Director  
Span, Inc.  
1800 Malone Street  
Denton, Texas 76201  
940-382-2224 - Office

6.09 Insurance.

(a) SPAN shall during the term hereof maintain in full force and effect the following insurance:

(1) a comprehensive commercial general liability policy of insurance for bodily injury, death, and property damage insuring against all claims, demands or actions relating to SPAN's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$1,000,000.00 per occurrence for injury to persons (including death), and for property damage with an aggregate of \$2,000,000.00.

(2) policy of automobile liability insurance covering any vehicles owned and/or operated by SPAN, its officers, agents, and employees, and used in the performance of this Agreement with policy limits of not less than \$5,000,000.00 combined single limit and aggregate for bodily injury and property damage.

(3) statutory Worker's Compensation Insurance at the statutory limits and Employers Liability covering all of SPAN's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00; and

(b) All policies of insurance shall be endorsed and contain the following provisions:

(1) provide TOWN, its officers, and employees with indemnification under all applicable coverage with the exception of Workers Compensation Insurance;

(2) provide for at least thirty (30) days prior written notice to TOWN for cancellation of the insurance.

(3) provide for a waiver of subrogation against TOWN for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance. SPAN shall provide written notice to TOWN of any material change of or to the insurance required herein.

(c) All insurance companies providing the required insurance shall be authorized to transact business in Texas.

(d) A certificate of insurance and copies of the policy endorsements evidencing the required insurance shall be submitted prior to commencement of services and upon request by TOWN.

6.10. In performing services under this Agreement, the relationship between the TOWN and SPAN is that of an independent contractor. No term or provision of this Agreement or act of SPAN in the performance of this Agreement shall be construed as making SPAN the agent, servant, or employee of the TOWN. It is expressly understood that the TOWN assumes no operational supervision, control or oversight to the services provided under this Agreement. TOWN does not have any ownership or beneficial interest in the business; and does not share any profits or losses generated from the business.

6.11. Indemnification. TOWN SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF SPAN PURSUANT TO THIS AGREEMENT. SPAN HEREBY WAIVES ALL CLAIMS AGAINST TOWN, ITS OFFICERS, AGENTS, AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "TOWN") FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE NEGLIGENCE OR WILLFUL MISCONDUCT OF TOWN OR BREACH OF TOWN'S OBLIGATIONS HEREUNDER. SPAN AGREES TO INDEMNIFY AND SAVE HARMLESS TOWN FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, REASONABLE ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY SPAN'S NEGLIGENT PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY NEGLIGENT ACT, OMISSION, OR INTENTIONAL ACT ON THE PART OF SPAN, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS. SPAN'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY SPAN UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

6.12. Confidentiality Clause. Subject to the requirements of the Texas Public Information Act or as required by Court order, both Parties agree to endeavor to take all reasonable measures to keep in confidence the execution, terms and conditions as well as performance of this Agreement, and the confidential data and information of any Party that another Party may know or access during performance of this Agreement ("Confidential Information"), and shall not disclose, make available or assign such Confidential Information to any third party without the prior written consent of the Party providing the information except as required by the Texas Public Information Act or Court order.

6.14. Exhibits. The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

6.15. Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

[Signature Page to Follow]

**EXECUTED** this 24<sup>th</sup> day of June, 2024

TOWN OF HICKORY CREEK, TEXAS

By: \_\_\_\_\_  
Lynn C. Clark, Mayor

ATTEST:

By: \_\_\_\_\_  
Kristi Rogers, Town Secretary

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024

SPAN, INC

By: \_\_\_\_\_  
Michelle McMahon, Executive Director

**EXHIBIT A**  
**SERVICE AREA**

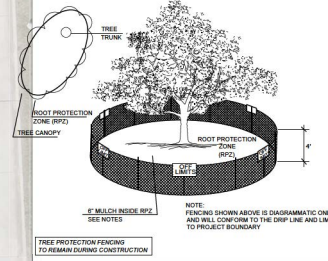
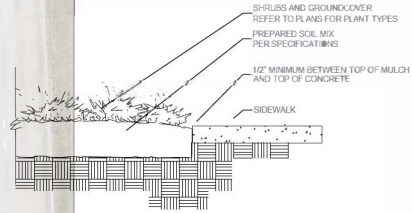
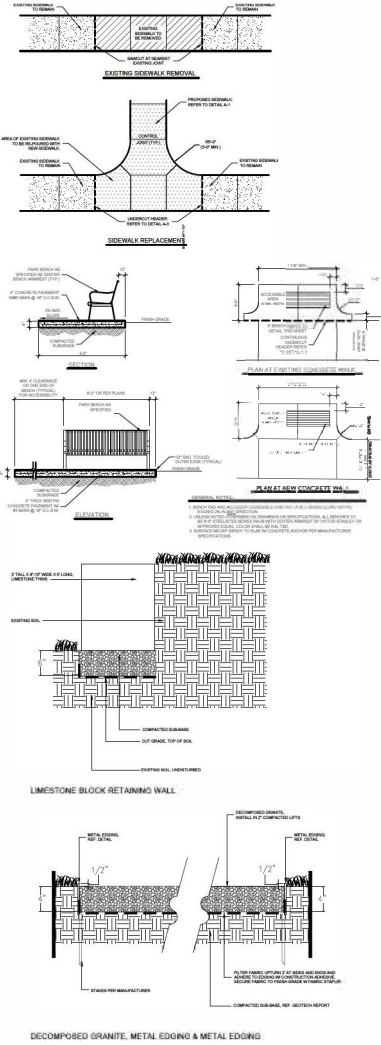
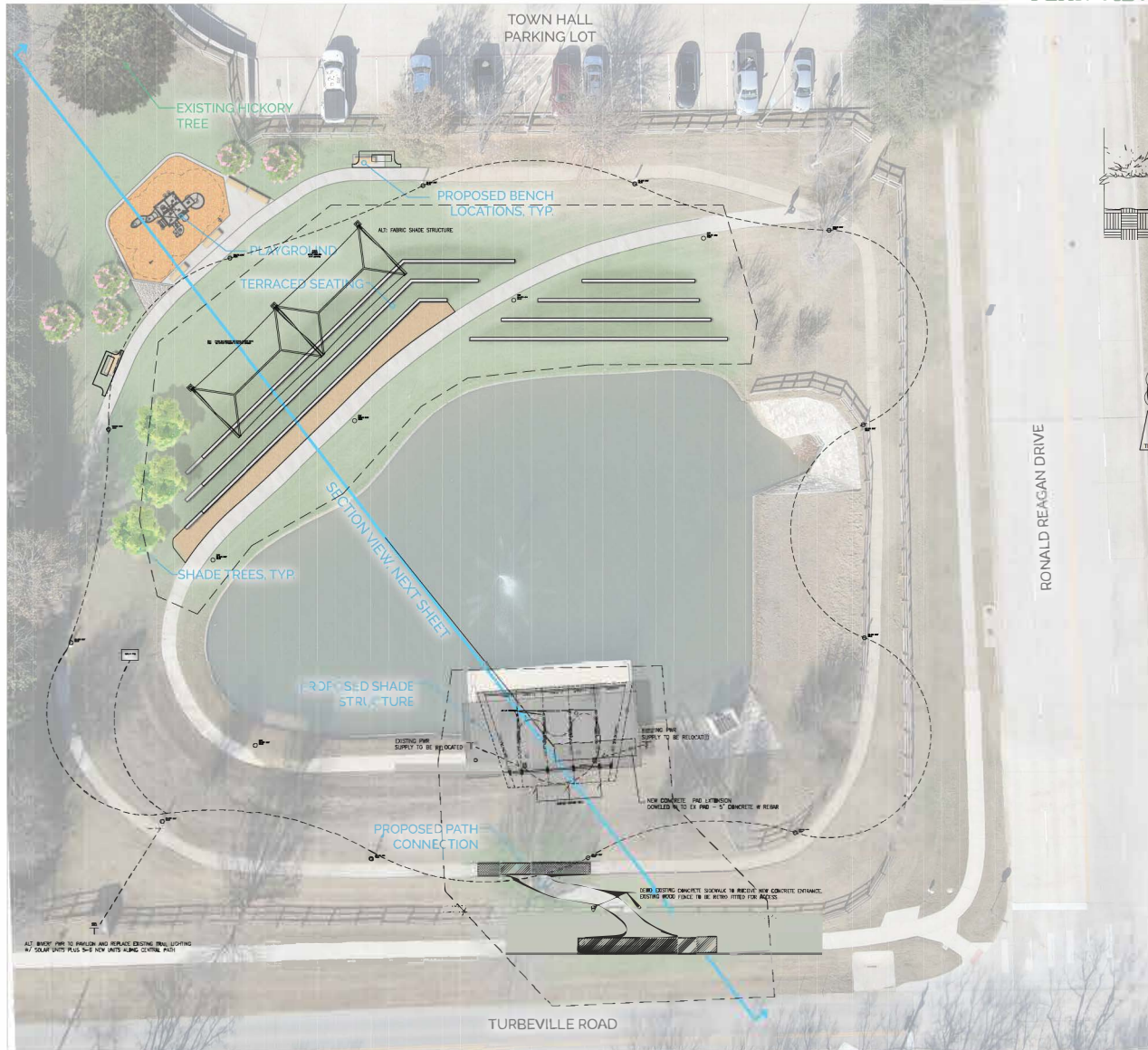
All of Denton County.

**EXHIBIT B**  
**TRANSPORTATION POLICIES AND PROCEDURES**

Attached as separate document, which may be amended from time to time.



PLAN VIEW





Date: June 12, 2024  
Project: Hickory Creek Park  
Location: Hickory Creek TX  
To: John Smith

Proposal Expires: 30 Days from The Above Date

### Budget Pricing for Hickory Creek Project

General Conditions:	\$19,196.00
Demo:	\$4,869.00
Concrete Pad/Sidewalk:	\$23,369.00
(2) LSI Benches:	\$1,691.00
Bench Install:	\$696.00
CFP Pavilion:	\$202,962.00
CFP Install:	\$53,554.00
Pavilion Electrical Budget:	\$20,865.00
SkyWays 20x72x10 Cantilever Shade:	\$40,806.00
Engineering:	\$1,134.00
SkyWays Freight:	\$3,451.00
Shade Installation:	\$34,775.00
Seating on Slope:	\$52,163.00
DG, Soil and Turf @ Seating:	\$41,278.00
Landscape Architect/Construction Documents Fees:	\$37,352.00
5% Discount (BB):	-\$26,908.00

**Budget: \$511,252.00**

**5% Change Order Fund: \$35,000.00**

**Budget Total: \$546,252.00**

**P&P Bond will be 3.1% of Total Contract**

**Add Options:**

**Solar Bollards @ Sidewalk to Pavilion: \$ 31,250.00**

**P&P and Maintenance Bond: \$11,389.00**

**\*Change Order Fund will be used for Change Orders approved by Hickory Creek and all funds not used will be deducted from Final Invoice.**

**Base Bid Includes:**

- Full Submittal Package
- Warranty As Specified – Best in the Business!
- Certified Installation
- Freight
- Engineered/Stamped Cantilever Pavilion by CFP
- (2) Electrical Outlets and (2) Lights for Amphitheatre



- (1) 20x 72 Cantilever Shade by SkyWays
- Electronic Engineered Drawings for Shade
- (3) Engineered piers for Shade Structure
- Seat Wall Seating for Amphitheatre
- Decomposed Granite at Sidewalk
- Sidewalk Connector to Street
- Installation
- Landscape Architect Fees
- TDLR Compliancy
- Survey
- Construction Documents
- Site Remediation
- Dumpster
- Latrine on Site
- Permitting and Inspections
- Buy Board
- ADA Compliant

**Base Bid Excludes (unless otherwise noted):**

- Sales Tax
- Textura, Oracle, etc.
- Construction Management Software Required for a Specific Project
- Payment, Performance, and Maintenance Bonds
- Use of Credit Cards as Payment
- Demolition of Existing Structure
- Drilling Through Rocky Soil
- Hitting of Private Electric, Water, Sewer, Internet, or any other Utility Lines that are Not Detectible by Commercial Line Location.
- Offsite Storage of Equipment Due to Weather or Project Related Delays
- On Site Security
- Soil Testing (If required)
- Third Party Inspections
- Geotechnical Report
- Wet Stamped Engineering Drawings

**Terms: Per Negotiated Contract with Customer – TBD**

**Prepared by David Rushing · Whirlix Design Inc · [drushing@whirlix.com](mailto:drushing@whirlix.com) · 469-367-6120**

**Acceptance of Approval:** The above prices, specifications, and conditions are satisfactory and accepted. You are hereby authorized to provide all items described above. Any balances not paid within thirty (30) days of the date of the invoice shall accrue interest at the rate of 18% per annum. Any action to construe, declare or enforce this contract shall only be brought in a court of competent jurisdiction with venue lying solely and exclusively in Dallas County, Texas. The prevailing party in any action brought to construe, declare or enforce this contract shall be entitled to recover its actual attorney's fees, attorney's travel time charges and expenses, paralegal fees, computer access and utilization charges, expert witness fees and expenses, costs, expenses and expenses of investigation, discovery, and litigation. The parties to this contract expressly waive the right to trial by jury of any cause of action or defense pertaining to this contract. The above prices, specifications, and conditions are satisfactory and accepted. You are hereby authorized to provide all items described above.

**Date:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

Whirlix Design Inc.  
1751 International Parkway, Suite 131  
Richardson, TX 75081

**TOWN OF HICKORY CREEK, TEXAS  
ORDINANCE NO. 2024-06-\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HICKORY CREEK, TEXAS, CHAPTER 3, BUILDING REGULATIONS, BY ADOPTING THE UPDATED INTERNATIONAL BUILDING, RESIDENTIAL, PLUMBING, MECHANICAL, ENERGY CONSERVATION, FUEL GAS, PROPERTY MAINTENANCE, EXISTING BUILDING, AND SWIMMING POOL AND SPA CODES AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL WITH LOCAL AMENDMENTS AND THE INTERNATIONAL FIRE CODE AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION WITH LOCAL AMENDMENTS, AS AMENDED BY THE LAKE CITIES FIRE DEPARTMENT; AND THE NATIONAL ELECTRICAL CODE AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION WITH LOCAL AMENDMENTS: PROVIDING THE TOWN BUILDING OFFICIAL THE AUTHORITY AND POWER TO ENFORCE PROVISIONS OF CODES; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town of Hickory Creek, Texas is a general law municipality empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the Town; and

**WHEREAS**, the NCTCOG along with the International Conference of Building Officials, Southern Building Code Congress International, Inc., and Building Officials and Code Administrators International, Inc., has recommended that all municipalities in the State of Texas adopt standardize model construction codes in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs; and

**WHEREAS**, the Town of Hickory Creek Building Official has reviewed the international codes, 2021 editions and all local amendments thereto and attached as Exhibit 1 to this ordinance, and finds that it is in the best interest of the Town of Hickory Creek to adopt said Codes and amendments; and

**WHEREAS**, the Town Council does hereby find and determine that the adoption of this Ordinance is in the best interest of the public health, safety, morals and general welfare of the Town to adopt the construction and related codes as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:**

**SECTION 1**  
**INCORPORATION OF PREMISES**

That all of the above premises are true and correct and are hereby incorporated in the body of this Ordinance as if fully set forth herein.

**SECTION 2**  
**FINDINGS**

After due deliberations the Town Council has concluded that the adoption of this Ordinance is in the best interests of the Town of Hickory Creek, Texas, and of the public health, safety and welfare.

**SECTION 3**  
**AMENDMENTS**

3.01 That the Code of Ordinances, Town of Hickory Creek, Texas, Chapter 3: Building Regulations, Article 3.02: Technical and Construction Standards, Section 3.02.002 Codes adopted is hereby adopted to read as follows:

“Sec. 3.02.002 Codes Adopted

The town council does hereby adopt all provisions of the:

- (1) International Building Code, 2021 edition;
- (2) International Residential Code, 2021 edition;
- (3) International Plumbing Code, 2021 edition;
- (4) International Mechanical Code; 2021 edition;
- (5) International Fire Code; 2021 edition;
- (6) National Electrical Code, 2023 edition;
- (7) International Energy Conservation Code, 2021 edition;
- (8) International Fuel Gas Code, 2021 edition;
- (9) International Property Maintenance Code, 2021 edition;
- (10) International Existing Building Code, 2021 edition; and
- (11) International Swimming Pool and Spa Code, 2021 edition;

With the local amendments to the codes as provided in exhibits (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), and (K), attached to Ordinance 2019-02-809, exhibit (A) attached to Ordinance 2022-04-901, and exhibit (1) attached to Ordinance 2024-06-\_\_\_ and incorporated herein by reference.”

3.02 All other articles, chapters, sections, subsections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed.

**SECTION 4**  
**CUMULATIVE REPEALER CLAUSE**

That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to prior adopted uniform codes on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Article and for that purpose shall remain in full force and effect.

**SECTION 5**  
**SEVERABILITY CLAUSE**

If any section, article, paragraph, sentence, clause, phrase or work in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the Town Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 6**  
**SAVINGS CLAUSE**

All rights and remedies of the Town of Hickory Creek, Texas, are expressly saved as to any and all violations of the provisions of any other Ordinances of the Town affecting building, mechanical, plumbing, electrical and housing codes, which have secured at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7**  
**PENALTY CLAUSE**

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

If the governing body of the Town of Hickory Creek determines that a violation of this Ordinance has occurred, the Town of Hickory Creek may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

**SECTION 8**  
**PUBLICATION CLAUSE**

The Town Secretary of the Town of Hickory Creek is hereby directed to publish the Caption, Penalty Clause and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

**SECTION 9**  
**ENGRSMENT AND ENROLLMENT CLAUSE**

The Town Secretary of the Town of Hickory Creek is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Penalty and Effective Date in the minutes of the Town Council and by filing this Ordinance in the ordinance records of the Town.

**SECTION 10**  
**EFFECTIVE DATE CLAUSE**

That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from the date of passage and publication in the official newspaper.

**IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this the 24<sup>th</sup> day of June, 2024.

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Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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Dorwin L. Sargent III, Town Attorney  
Town of Hickory Creek, Texas

EXHIBIT 1 TO TOHC ORDINANCE NO. 2024-06-\_\_

RECOMMENDED REGIONAL AMENDMENTS

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# EXHIBIT A

## Recommended Amendments to the 2021 International Building Code North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Building Code* are hereby amended as follows: Standard type is text from the IBC. Underlined type is text inserted. ~~Lined through type~~ is deleted text from IBC. A double asterisk (\*\*) at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk (\*\*\*) identifies a new or revised amendment with the 2021 code.

### Explanation of Options A and B:

Please note that as there is a wide range in fire fighting philosophies / capabilities of cities across the region, OPTION "A" and OPTION "B" are provided in the Fire and Building Code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies / capabilities when adopting code amendments.

### **\*\*Section 101.4; change to read as follows:**

**101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

*(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes. The former ICC Electrical Code is now ~~Appendix K~~ Chapter 27 of this code but no longer called by that name.)*

### **\*\*Section 101.4.8; add the following:**

**101.4.8 Electrical.** The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

*(Reason: This was dropped when ICC quit publishing the ICC Electrical Code, but the Electrical Code still should be referenced regardless of how it is adopted.)*

### **\*\*Sections 103 and 103.1; amend to insert the Department Name**

#### **CODE COMPLIANCE AGENCY- Hickory Creek Building Department**

**103.1 Creation of enforcement agency.** The Hickory Creek Building Department is hereby created and the official in charge thereof shall be known as the *building official*.

[Remainder Unchanged]

*(Reason: Reminder to be sure ordinance reads the same as designated by the city and amend Section 101.1. )*

**\*\*Section [A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** *(Jurisdictions may consider the option **to amend or delete** depending on local enforcement and flood hazard ordinances.)*

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

**\*\*Section 104.10.1; Flood hazard areas.** (Jurisdictions may consider the option **to amend or delete** depending on local enforcement and flood hazard ordinances.)

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

(Note: Sections 104.2.1, 104.10.1, 110.3.12.1, 1612, and 3114 are all inter-connected related to flood hazard areas, and amendments or deletions should be considered as a whole.)

**\*\*Section 105.2 Work exempt from permit; under sub-title entitled “Building” delete items 1, 2, 10 and 11 and re-number as follows:**

**Building:**

- ~~1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>).~~
- ~~2. Fences not over 7 feet (1829 mm) high.~~
- ~~3. 1. (Remainder Unchanged)~~
- ~~4. Retaining walls that are not over 4 feet (1219M) measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.~~
- ~~5. 2. (Remainder Unchanged)~~
- ~~6. Sidewalks and driveways not more than 30 inches (762 MM) above adjacent grade, and not over any basement or story below and are not part of any accessible route.~~
- ~~7. 3. (Remainder Unchanged)~~
- ~~8. 4. (Remainder Unchanged)~~
- ~~9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not than 5,000 gallons (18 925L) and are installed entirely above ground.,~~
- ~~10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~
- ~~11. 5. (Remainder Unchanged)~~
- ~~12. 6. (Remainder Unchanged)~~
- ~~13. 7. (Remainder Unchanged)~~

(Reason: Items deleted are for one- and two-family dwellings regulated by the International Residential Code. Accessory structures, fences and shade cloth structures would require a permit for commercial properties to ensure compliance with local ordinance, egress, accessibility, flame spread of fabric, wind/snow design load, etc.)

**\*\*Section 109; add Section 109.7 to read as follows:**

**109.7 Re-inspection Fee.** A fee as established by city council resolution may be charged when:

- 1. The inspection called for is not ready when the inspector arrives;
- 2. No building address or permit card is clearly posted;
- 3. City approved plans are not on the job site available to the inspector;
- 4. The building is locked or work otherwise not available for inspection when called;
- 5. The job site is red-tagged twice for the same item;

6. The original red tag has been removed from the job site.

7. Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

*(Reason: This fee is not a fine or penalty but is designed to compensate for time and trips when inspections are called for when not ready.)*

**\*\*Section 110.3.5; Lath, gypsum board and gypsum panel product inspection; Delete exception**

~~**Exception** : Gypsum board and gypsum panel products that are not part of a fire resistance rated assembly or a shear assembly.~~

*(Reason: Lath or gypsum board inspections are not typically performed in this area. Deleting the exception would then require all gypsum panels to be inspected; this issue is resolved by leaving the exception intact.)*

**\*\*Section 202; amend definition of Ambulatory Care Facility as follows:**

**AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less than 24-hour basis to ~~individuals~~ persons who are rendered incapable of self-preservation by the services provided ~~or staff has accepted responsibility for care recipients already incapable.~~ This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

*(Reason: To clarify the range of uses included in the definition. [Explanatory note related to **Ambulatory Care Facilities**: This group of uses includes medical or dental offices where persons are put under for dental surgery or other services. Section 903.2.2 will now require such uses to be sprinklered if on other than the floor of exit discharge or if four or more persons are put under on the level of exit discharge. Recommend (1.) jurisdictions document any pre-existing non-conforming conditions prior to issuing a new C of O for a change of tenant and, (2.) On any medical or dental office specify on C of O the maximum number of persons permitted to be put under general anesthesia. It is recommended that before a Certificate of Occupancy is issued, a letter of intended use from the business owner shall be included and a C of O documenting the maximum number of care recipients incapable of self-preservation allowed.]*

**\*\*Section 202; add definition of Assisting Living Facilities to read as follows.**

**ASSISTED LIVING FACILITIES.** A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

*(Reason: The code references Assisted Living facilities and definition was deleted.)*

**\*\*Section 202; ~~add~~ amend definition of "Repair Garage" as follows:**

**REPAIR GARAGE.** A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

*(Reason: The code references aligns with fire code.)*

**\*\*Section 202; amend definition of SPECIAL INSPECTOR to read as follows:**

**SPECIAL INSPECTOR.** A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and approved by the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

*(Reason: The registered design professional in responsible charge should be included.)*

**\*\*Section 202; amend definition of HIGH-RISE BUILDING to read as follows:**

**Option B**

**\*\*Section 202; amend definition to read as follows:**

**HIGH-RISE BUILDING.** A building with an occupied floor located more than ~~75~~ 55 feet (~~22 860 mm~~) (16 764 mm) above the lowest level of fire department vehicle access.

*(Reason: To define high-rise, as it influences sprinkler requirement thresholds based on the fire fighting capabilities of a jurisdiction.)*

**\*\*Section 303.1.3; add a sentence to read as follows:**

**303.1.3 Associated with Group E occupancies.** A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy, except when applying the assembly requirements of Chapters 10 and 11.

*(Reason: To clarify that egress and accessibility requirements are applicable for assembly areas, i.e. cafeteria, auditoriums, etc.)*

**\*\*Section 304.1; add the following to the list of occupancies:**

Fire stations

Police stations with detention facilities for 5 or less

*(Reason: Consistent with regional practice dating back to the legacy codes.)*

**\*\*Section 307.1.1; add the following sentence to Exception 4:**

4. Cleaning establishments... *{Text unchanged}* ...with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also IFC Chapter 21, Dry Cleaning Plant provisions.

*(Reason: To call attention to detailed requirements in the Fire Code.)*

**\*\*Section 403.1, Exception 3; change to read as follows:**

3. The open-air portion of a building *[remainder unchanged]*

*(Reason: To clarify enclosed portions are not exempt.)*

**\*\*Section 403.3, Automatic Sprinkler System. Delete exception;**

*(Reason: To provide adequate fire protection to enclosed areas.)*

**\*\*Section 403.3.2; change to read as follows:**

**[F] 403.3.2 Water supply to required fire pumps.** In buildings that are more than ~~420~~ 120 feet (36.5 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

**Exception:** {No change to exception.}

*(Reason: The 2009 edition of the IFC added this requirement based on a need for redundancy of the water supply similar to the redundancy of the power supply to the fire pumps required for such tall buildings, partially due to the fact that these buildings are rarely fully evacuated in a fire event. More commonly, the alarm activates on the floor of the event, the floor above and the floor below. Back-up power to the fire pump becomes critical for this reason. Certainly, the power is pointless if the water supply is impaired for any reason, so a similar requirement is provided here for redundant water supplies. The 2015 edition changed the requirement to only apply to very tall buildings over 420 ft. This amendment modifies/lowers the requirement to 120 ft., based on this same height requirement for fire service access elevators. Again, the language from the 2009 and 2012 editions of the code applied to any high-rise building. This compromise at 120 ft. is based on the above technical justification of defend-in-place scenarios in fire incidents in such tall structures.)*

**\*\*\*Section 403.3.2; change to read as follows:**

**Section 404.10 Exit Stairways in an atrium.** Where an atrium contains an ~~interior~~ exit access stairway all the following shall be met:

*[Remainder Unchanged]*

*(Reason: The five provisions within Section 404.10 are applicable to exit access stairways, not interior exit stairways. As printed, this is an error, that if left uncorrected, would change among other core code provisions, how to measure travel distance to an enclosed exit stairway. There is use of the terms "exit stairway in an atrium" vs. "interior exit stairway" vs. "exit access stairway" that will cause confusion as to which provisions are applicable.)*

**\*\*Section 406.3.3.1 Carport separation; add sentence to read as follows:**

A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048 mm).

*(Reason: Simplifies the fire separation distance and eliminates the need to obtain opening information on existing buildings when adding carports in existing apartment complexes. Consistent with legacy codes in effect in region for years and no record of problems with car fires spreading to apartments as a result.)*

**\*\*\*Section 423.5.1; change to read as follows:**

**423.5.1 Required occupant capacity.** The required occupant capacity of the storm shelter shall include all of the buildings on the site and shall be the ~~greater of the following:~~

- ~~1. The Total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy.~~
- ~~2. The occupant load of the largest indoor assembly space that is associated with the Group E occupancy.~~

**Exceptions:**

1. Where a new building is being added on an existing Group E site, and where the new building is not of sufficient size to accommodate the required occupant capacity of the storm shelter for all of the buildings on the site, the storm shelter shall at a minimum accommodate the required occupant capacity for the new building.

2. Where approved by the building official, the required occupant capacity of the shelter shall be permitted to be reduced by the occupant capacity of any existing storm shelters on the site.

3. Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by occupant load calculation, shall be permitted to be used in the determination of the required design occupant capacity for the storm shelter.

*Reason: The language in the new exception is parallel to the language in Chapter 10 that gives an AHJ similar authority for fire egress occupant load, clarifying that an AHJ has the authority to reduce the required shelter occupant capacity based on rationale provided by a School District.)*

**\*\*\*Section 503.1.; add sentence to read as follows:**

**503.1. General.** [Existing Text to remain]

Where a building contains more than one distinct type of construction, the building shall comply with the most restrictive area, height, and stories, for the lesser type of construction or be separated by fire walls, except as allowed in Section 510.

*(Reason: To create definite language that requires separation between dissimilar building types.)*

**\*\*Table 506.2; delete footnote i from table**

~~i. The maximum allowable area for a single-story non-sprinklered Group U greenhouse is permitted to be 9000 square feet or the allowable area shall be permitted to comply with Table C102.1 of Appendix C.~~

*(Reason: To eliminate the need for Appendix C adoption and remain consistent with 6000 sq. ft. sprinkling provision.)*

**\*\*Section 506.3.1; add sentence to read as follows:**

**506.3.1 Minimum percentage of perimeter.** [Existing Text remains]

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot-wide pathway meeting fire department access from the street or approved fire lane shall be provided.

*(Reason: To define what is considered accessible. Consistent with regional amendment to IFC 503.1.1)*

**\*\*\*Section 708.4.2; change sentence to read as follows:**

**708.4.2 Fireblocks and draftstops in combustible construction.** [Body of text unchanged]

**Exceptions:**

1. Buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, or in accordance with Section 903.3.1.2 provided that sprinkler protection is provided in the space between the top of the fire partition and the underside of the floor or roof sheathing, deck or slab above as required for systems complying with Section 903.3.1.1. Portions of buildings containing concealed spaces filled with noncombustible insulation as permitted for sprinkler omission shall not apply to this exception for draftstopping.  
[Remainder unchanged]

*Reason: The most common exception used to eliminate the need for sprinklers in concealed spaces of combustible construction is to fill the space with noncombustible insulation. This exception was changed in 2010 to permit a 2-inch air gap at the top of the filled space. A space compliant with the permitted omission*

above would allow hot gas and smoke to spread unimpeded throughout a building not provided with draftstopping. For this reason, omission of sprinklers permitted in accordance with NFPA 13 referenced standard should not be permitted with IBC exception requiring draftstopping in combustible construction.

**\*\*Section 718.3; change sentence to read as follows:**

**718.3 Draftstopping in floors.** [Body of text unchanged]

**Exceptions:** Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

(Reason: To remain consistent with changes in 708.4.2 IBC code.)

**\*\*Section 718.4; change sentence to read as follows:**

**718.4 Draftstopping in attics.** [Body of text unchanged]

**Exceptions:** Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and provided that in combustible construction, sprinkler protection is provided in the attic space.

(Reason: To remain consistent with changes in 708.4.2 IBC code.)

**\*\*Section 901.6.1; add Section 901.6.1.1 to read as follows:**

**901.6.1.1 Standpipe Testing.** Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed or inspected by approved camera when foreign material is present or when caps are missing, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the fire code official.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.

6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected nighttime freezing conditions.
9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.

*(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)*

**\*\*Section 903.1.1; change to read as follows:**

**903.1.1 Alternative Protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted ~~instead of~~ in addition to automatic sprinkler protection where recognized by the applicable standard ~~and, or as~~ approved by the *fire code official*.

*(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection. Most gaseous type systems are highly susceptible to open doors, ceiling or floor tile removal, etc. However, an applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths.)*

**\*\*Section 903.2; add paragraph to read as follows and delete the exception for telecommunications buildings:**

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be

provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

*(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3005.4, such that passive fire barriers for these areas are maintained. The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building.)*

**\*\*\*Section 903.2.4.2; change to read as follows:**

**903.2.4.2 Group F-1 distilled spirits.** An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits involving more than 120 gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

*(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided*



for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small distillery type operations without sprinkler requirements as has been historically allowed.)

**\*\*\*Section 903.2.9.3; change to read as follows:**

**903.2.9.3 Group S-1 distilled spirits or wine.** An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

*(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small storage operations without sprinkler requirements as has been historically allowed.)*

**\*\*Section 903.2.9.4 and 903.2.9.5; delete Exception to 903.2.9.4 and add Section 903.2.9.5 to read as follows:**

**903.2.9.5 Self-Service Storage Facility.** An automatic sprinkler system shall be installed throughout all self-service storage facilities.

*(Reason: Fire departments are unable to regularly inspect the interior of these commercial occupancies and are unaware of the contents being stored. Previous allowance to separate units by fire barriers is difficult to enforce maintenance after opening.)*

**\*\*Option B**

**Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:**

**903.2.11.3 Buildings ~~55~~ 35 feet or more in height.** An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more, other than penthouses in compliance with Section 1510 of the International Building Code, located 55~~ 35 feet (46 764 10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

**Exceptions:**

2. ~~Occupancies in Group F-2.~~

**903.2.11.7 High-Piled Combustible Storage.** For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

**903.2.11.8 Spray Booths and Rooms.** New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

**903.2.11.9 Buildings Over 6,000 sq. ft.** An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

**Exception:** Open parking garages in compliance with Section 406.5 of the *International Building Code* where all of the following conditions apply:

- a. The structure is freestanding.
- b. The structure does not contain any mixed uses, accessory uses, storage rooms, electrical rooms, elevators or spaces used or occupied for anything other than motor vehicle parking.
- c. The structure does not exceed 3 stories.
- d. An approved fire apparatus access road is provided around the entire structure.

*(Reason: Provides jurisdictions options as to their desired level of sprinkler protection based on multiple factors including firefighting philosophies/capabilities.)*

**\*\*Section 903.3.1.1.1; change to read as follows:**

**903.3.1.1.1 Exempt Locations.** When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such ...*{text unchanged}*... because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. ~~In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
5. ~~Fire service access~~ Elevator machine rooms, and machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete.}

*(Reason: Gives clarification. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)*

**\*\*\*Section 903.3.1.2; change to read as follows:**

**903.3.1.2 NFPA 13R sprinkler systems.** Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is ~~30~~ 35 feet (9144 10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is ~~30~~ 35 feet (9144 10668 mm) or less below the lowest level of fire department vehicle access.

{No change to remainder of section.}

*(Reason: The change to the 2021 IFC over-reached to limit 13R systems to 30 ft. high at topmost floor level, which basically results in limiting 13R systems to 3 story buildings in reality. This change to 35 ft. would still allow 13R systems in 4 story apartment buildings, as has been allowed historically and as intended by 13R's scope.)*

**\*\*\*Section 903.3.1.2.2; change to read as follows:**

**903.3.1.2.2 Corridors and balconies in the means of egress.** Sprinkler protection shall be provided in all corridors and for all balconies. ~~in the means of egress where any of the following conditions apply:~~  
{Delete the rest of this section.}

*(Reason: Corridor protection is critical to the means of egress, and corridors are regularly utilized for miscellaneous storage, fixtures, artwork, food kiosks and beverage dispensers, and furnishings. Balcony protection is required due to issues with fire exposure via soffit vents and the potential for significant combustible loading.)*

**\*\*Section 903.3.1.2.3; delete section and replace as follows:**

**Section 903.3.1.2.3 Attached Garages and Attics.** Sprinkler protection is required in attached garages, and in the following attic spaces:

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
2. Where fuel-fired equipment is installed in an unsprinklered attic, not fewer than one quick-response intermediate temperature sprinkler shall be installed above the equipment.
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following:
  - 4.1. Provide automatic sprinkler system protection.
  - 4.2. Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.
  - 4.3. Construct the attic using noncombustible materials.
  - 4.4. Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the International Building Code.
  - 4.5. Fill the attic with noncombustible insulation.

*(Reason: Attic protection is required due to issues with fire exposure via soffit vents, as well as firefighter safety. Several jurisdictions indicated experience with un-protected attic fires resulting in displacement of all building occupants. NFPA 13 provides for applicable attic sprinkler protection requirements, as well as exemptions to such, based on noncombustible construction, etc. Attached garages already require sprinklers via NFPA 13R – this amendment just re-emphasizes the requirement.)*

**\*\*Section 903.3.1.3; change to read as follows:**

**903.3.1.3 NFPA 13D Sprinkler Systems.** Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

*(Reason: To allow the use of the Plumbing section of the International Residential Code (IRC) and recognize current state stipulations in this regard.)*

**\*\*Section 903.3.1.4; add to read as follows:**

**[F] 903.3.1.4 Freeze protection.** Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

**903.3.1.4.1 Attics.** Only dry pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

**Exception:** Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

**903.3.1.4.2 Heat trace/insulation.** Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

*(Reason: In the last few years, severe winters brought to light several issues with current practices for sprinklering attics, not the least of which was wet-pipe sprinklers in ventilated attics provided with space heaters, etc. for freeze protection of such piping. This practice is not acceptable for the protection of water-filled piping in a ventilated attic space as it does not provide a reliable means of maintaining the minimum 40 degrees required by NFPA, wastes energy, and presents a potential ignition source to the attic space. Listed antifreeze is specifically included because NFPA currently allows such even though there is no currently listed antifreeze at the time of development of these amendments. The intent of this amendment is to help reduce the large number of freeze breaks that have occurred in the past with water-filled wet-pipe sprinkler systems in the future, most specifically in attic spaces.)*

**\*\*Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every water-based fire protection system shall be designed with a 10-psi safety factor. Reference Section 507.4 for additional design requirements.

*(Reason: To define uniform safety factor for the region.)*

**\*\*Section 903.4; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

*(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9.)*

**\*\*Section 903.4.2; add second paragraph to read as follows:**

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

*(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access and ease of recognition of the FDC location, especially at night.)*

**\*\*Section 905.2; change to read as follows:**

**905.2 Installation Standard.** Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

*(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm.)*

**\*\*\*Section 905.3; add Section 905.3.9 and exception to read as follows:**

**905.3.9 Buildings Exceeding 10,000 sq. ft.** In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

**Exceptions:**

1. Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

*(Reason: Allows for the rapid deployment of hose lines to the body of the fire in larger structures.)*

**\*\*Section 905.4; change Items 1, 3, and 5, and add Item 7 to read as follows:**

1. In every required ~~interior~~ exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.

**Exception:** {No change.}

2. {No change.}

3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

**Exception:** Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~ exit stairway hose connection by a {remainder of text unchanged}

4. {No change.}

5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way ~~a~~ hose connection shall be located to serve the roof or at the highest landing of an ~~interior~~ exit stairway with stair access to the roof provided in accordance with Section 1011.12.

6. {No change.}

7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

*(Reason: Item 1, 3, and 5 amendments to remove 'interior' will help to clarify that such connections are required for all 'exit' stairways, to ensure firefighter capabilities are not diminished in these tall buildings, simply because the stair is on the exterior of the building. Item 5 reduces the amount of pressure required to facilitate testing and provides backup protection for fire fighter safety. Item 7 allows for the rapid deployment of hose lines to the body of the fire.)*

**\*\*\*Section 905.8; change to read as follows:**

**905.8 Dry standpipes.** Dry standpipes shall not be installed.

**Exception:** Where subject to freezing and in accordance with NFPA 14. Additionally, manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low Supervisory alarm.

*(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm. NFPA 14 requires supervisory air for such but does not provide pressure criteria for what that means. This is a long-standing regional requirement.)*

**\*\*Section 905.9; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

*(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)*

**\*\*\*Section 906.1(1); delete Exception #3 as follows:**

~~3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:~~

~~3.1. Use of vehicle-mounted extinguishers shall be approved by the fire code official.~~

~~3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved by the extinguisher manufacturer or the fire code official for vehicular use.~~

~~3.3. Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher.~~

~~3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.~~

~~3.5. Inspections of vehicle-mounted extinguishers shall be performed daily.~~

*(Reason: This provision of only having vehicle-mounted fire extinguishers is not at all consistent with historical practice of requiring extinguishers throughout based on travel distance. Often times, the vehicle is what has caused the incident and/or may be the source of the incident, so having the extinguisher vehicle-mounted results in greater potential injury of the user. This assumes the only occupants in the building are on a vehicle, which again, significantly reduces access to fire extinguishers throughout the building to other occupants. Future use of the building/tenancy may change further complicating the issue.)*

**\*\*Section 907.1; add Section 907.1.4 to read as follows:**

**907.1.4 Design Standards.** Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

*(Reason: Provides for the ability of descriptive identification of alarms and reduces need for panel replacement in the future. Updated wording to match the language of the new requirement at 907.5.2.3. Change of terminology allows for reference back to definitions of NFPA 72.)*

**\*\*Section 907.2.1; change to read as follows:**

**907.2.1 Group A.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies ~~where the having an~~ having an occupant load ~~due to the assembly occupancy is of~~ of 300 or more persons, or where the ~~Group A~~ occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

**Exception:** {No change.}

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

*(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices or reduces ability of fire alarm system to notify occupants of the emergency condition.)*

**\*\*Section 907.2.3; change to read as follows:**

**907.2.3 Group E.** A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

**Exceptions:**

1. {No change.}
- 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.) {No change to remainder of exceptions.}

*(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems. Exceptions provide consistency with State law concerning such occupancies.)*

**\*\*\*Section 907.2.10; change to read as follows:**

**907.2.10 Group S.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies ~~three stories or greater in height~~ for interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: {No change.}

*(Reason: Because of the potential unknown fire load and hazards in self-storage type facilities, which could include flammable liquids for instance, as well as other hazardous materials, prompt evacuation in the event of fire alarm is needed; therefore, notification in the corridors/common areas is critical to all such occupancies, regardless of height.*

**\*\*Section 907.2.13, Exception 3; change to read as follows:**

3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the International Building Code; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

*(Reason: To indicate that enclosed areas within open air seating type occupancies are not exempted from automatic fire alarm system requirements.)*

**\*\*Section 907.4.2; add Section 907.4.2.7 to read as follows:**

**907.4.2.7 Type.** Manual alarm initiating devices shall be an approved double action type.

*(Reason: Helps to reduce false alarms.)*

**\*\*Section 907.6.1; add Section 907.6.1.1 to read as follows:**

**907.6.1.1 Wiring Installation.** All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

*(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)*

**\*\*Section 907.6.3; delete all four Exceptions.**

*(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems.)*

**\*\*Section 907.6.6; add sentence at end of paragraph to read as follows:**

See 907.6.3 for the required information transmitted to the supervising station.

*(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This was moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections (legacy language).*

*(Reason: Deleted Previous code amendment Section 909.22, For removal because it is already in the code in Sections 909.20.5, 909.20.6, 909.20.6.1, 909.20.6.2, and 909.20.6.3.)*

**\*\*Section 910.2; change read and change Exception 2 and 3 to read as follows:**

**910.2 Where required.** Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1, 910.2.2, and 910.3.2.

2. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index of  $50(m^*S)^{1/2}$  or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

*(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while still prohibiting such systems from being automatically activated, which is a potential detriment to the particular sprinkler systems indicated.)*

**\*\*Section 910.2.3; add to read as follows:**

**910.2.3 Group H.** Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m<sup>2</sup>) in single floor area.

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.



**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

*(Reason: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish. This is based on legacy language establishing long-standing historical practice.)*

**\*\*Section 910.4.3.1; change to read as follows:**

**910.4.3.1 Makeup Air.** Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be ~~manual~~ or automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m<sup>2</sup> per 0.4719 m<sup>3</sup>/s) of smoke exhaust.

*(Reason: Makeup air has been required to be automatic for several years now in this region when mechanical smoke exhaust systems are proposed. This allows such systems to be activated from the smoke control panel by first responders without having to physically go around the exterior of the building opening doors manually. Such requires a significant number of first responders on scene to conduct this operation and significantly delays activation and/or capability of the smoke exhaust system.)*

**\*\*Section 912.2; add Section 912.2.3 to read as follows:**

**912.2.3 Hydrant Distance.** An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

*(Reason: To accommodate limited hose lengths, improve response times where the FDC is needed to achieve fire control, and improve ease of locating a fire hydrant in those situations also. Also, consistent with NFPA 14 criteria.)*

**\*\*\*Section 913.2.1; add Section 913.2.1.1 and exception to read as follows:**

**913.2.1.1 Fire Pump Room Access.** When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

**Exception:** When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by IFC Section 506.1.

*(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)*

**\*\*\*Section 1006.2.1 change exception 3 to read as follows;**

**Section 1006.2.1 Egress based on occupant load and common path of egress travel distance.**

3. Unoccupied rooftop mechanical rooms and penthouses are not required to comply with the common path of egress travel distance measurement.

*(Reason: Add "rooftop" to Exception No. 3 to clarify that only such mechanical rooms located on the roof maybe exempted.)*

**\*\*Section 1009.8 Two Way Communication; add the following Exception 7:**

[Text Remains]

**Exceptions:**

7. Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and Chapter 11.

*(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments in Chapter 11.)*

**\*\*Section 1010.2.5 Bolt Locks; amend exceptions 3 and 4 as follows:**

**Exceptions:**

*3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy. (remainder unchanged)*

*4. Where a pair of doors serves a Group A, B, F, M or S occupancy (remainder unchanged)*

*(Reason: It is common in our region to see the 2nd leaf locked, when that leaf is not part of the required egress door clear width, such as in a typical Group M. Exception No. 4 was expanded to Group A due to it being a similar situation for Group A restaurants.)*

**\*\*Section 1020.2 Construction; add new exception 6 as follows:**

6. In unsprinklered group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector must activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors must be connected to an approved automatic fire alarm system where such system is provided.

*(Reason: Similar concept was previously in UBC. This scenario occurs primarily in existing, non-sprinklered buildings, which under current IBC would be required to have a fire resistance rated corridor. New exception provides a cost-effective solution for single tenant space in lieu of the base IBC requirement to retrofit a fire sprinkler system throughout the building.)*

**\*\*Section 1030.1.1.1 Spaces under grandstands and bleachers; delete this section.**

*(Reason: Unenforceable.)*

**\*\*Section 1101.1 Scope; add exception to Section 1101.1 as follows:**

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

*(Reason: To accommodate buildings regulated under state law. Further clarified in 2018 to mean components that are specifically addressed by TDLR shall be exempt.)*

**\*\*\*Section 1809.5.1 Frost Protection at required exits; delete this section**

*(Reason: frost protection at exit doors is not needed in our climate zone )*

**\*\*\*Section 2702.5; added to read as follows:**

**Section 2702.5 Designated Critical Operations Areas (DCOA):** In areas within a facility or site requiring continuous operation for the purpose of public safety, emergency management, national security or business continuity, the power systems shall comply with NFPA 70 Article 708.

*(Reason: Identifying these areas of critical operations in the building code ensures designers are advised of the requirements outlined in the National Electrical Code which defines specific Critical Operations Power System (COPS) requirements.)*

**\*\*Section 2901.1; add a sentence to read as follows:**

**[P] 2901.1 Scope.** *{existing text to remain}* The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

*(Reason: Gives building official discretion.)*

**\*\*Section 2902.1; add a second paragraph to read as follows:**

In other than E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official.

*(Reason: To allow flexibility for designer to consider specific occupancy needs.)*

**\*\*Table 2902.1; add footnote g to read as follows:**

g. Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining and/or drinking establishments.

*(Reason: To allow flexibility for designer to consider specific occupancy needs.)*

**\*\*Add Section 2902.1.4 to read as follows:**

**2902.1.4 Additional fixtures for food preparation facilities.** In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

**2902.1.4.1 Hand washing lavatory.** At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

**2902.1.4.2 Service sink.** In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the <Jurisdiction's> health department.

*(Reason: Coordinates Health law requirements with code language for consistent regional practice.)*

**\*\*Section 3002.1 Hoistway Enclosure Protection required. Add exceptions as follows:**

**Exceptions:**

1. Elevators completely located within atriums shall not require hoistway enclosure protection.
2. Elevators in open or enclosed parking garages that serve only the parking garage, shall not require hoistway enclosure protection.

*(Reason: Provides specific Code recognition that elevators within atriums and within parking garages do not require hoistway enclosure protection. Amendment needed since specific Code language does not currently exist.)*

**\*\*\*Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces; Delete exceptions and add two new exceptions to as follows:**

**Exceptions:**

1. Elevator machine rooms, control rooms, machinery spaces and control spaces completely located within atriums shall not require enclosure protection.
2. Elevator machine rooms, control rooms, machinery spaces and control spaces in open or enclosed parking garages that serve only the parking garage, shall not require enclosure protection.

*(Reason: This amendment eliminates the Exceptions to Section 3005.4 such that passive enclosures for these areas are to be provided and maintained. The fire rating of these enclosures is permitted to be omitted by the above added exceptions where allowed by other provisions of the code such as in atriums and parking structures. See companion change to eliminate fire sprinklers to eliminate the need for shunt trip system.)*

**\*\*\*Section 3005.5: Add a new subsection to Section 3005.5.1 as follows:**

**3005.5.1 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.**

**3005.5.1.1 Automatic sprinkler system.** The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.5.1.1.1.

**3005.5.1.1.1 Prohibited locations.** Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoistways.

**3005.5.1.1.2 Sprinkler system monitoring.** The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

**3005.5.1.2 Water protection.** An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

**3005.5.1.3 Omission of Shunt trip.** Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

*(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. The new section above is intended to be identical to Sections 3007.2, 3007.3, and 3007.4 for Fire Service Access Elevators and Sections 3008.2, 3008.3 and 3008.4 for Occupant Evacuation Elevators.)*

**\*\*Section 3005.8; add Section 3005.8 as follows:**

**3005.8 Storage.** Storage shall not be allowed within the elevator machine room, control room, machinery spaces and or control spaces. Provide approved signage at each entry to the above listed locations stating: "No Storage Allowed."

*(Reason: Reinforces the need to maintain space clean and free of combustibles. See companion change to eliminate fire sprinklers therein, Section 3005.5.1.)*

**Option B**

**Section 3006.2, Hoistway opening protection required; Revise text as follows:**

5. The building is a high rise and the elevator hoistway is more than ~~75 foot (22 860 mm)~~ 55 feet (16 764 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway.”

*(Reason: 2018 IBC text does not address hoistways that are greater than 75'-0" in height that are both below grade and above grade but not located above the high-rise classification nor does the IBC address hoistways wholly located above grade such as those that serve sky lobbies".)*

**\*\*Section 3007.3 and Section 3008.3: Revise text by deleting “enclosed” as follows:**

**3007.3 Water Protection.** Water from the operation of an automatic sprinkler system outside the ~~enclosed~~ lobby shall be prevent from infiltrating into the hoistway enclosure in accordance with an approved method.

**3008.3 Water Protection.** Water from the operation of an automatic sprinkler system outside the ~~enclosed~~ lobby shall be prevent from infiltrating into the hoistway enclosure in accordance with an approved method.

*(Reason: The lobbies for FSAE and or OEE elevators may be open (i.e., at ground level), or may not require a lobby enclosure on those upper floors with secondary cab entry doors opening into a nonrequired FSAE or OEE lobby. Regardless of whether or not the lobby is enclosed, the objective is to preclude fire sprinkler water from entering into the hoistway serving FSAE and OEE elevators. The deletion of “enclosed” clarifies the original intent of this provision and is consistent with ICC interpretations.)*

**End**

## EXHIBIT B

### Recommended Amendments to the 2021 International Residential Code North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Residential Code* are hereby amended as follows: Standard type is text from the IRC. Underlined type is text inserted. ~~Lined through type is deleted text from IRC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk identifies a new or revised amendment with the 2021 code.

In 2009, the State Legislature enacted SB 1410 prohibiting cities from enacting fire sprinkler mandates in residential dwellings. However, jurisdictions with ordinances that required sprinklers for residential dwellings prior to and enforced before January 1, 2009, may remain in place. Reference; Section R313 Automatic Fire Sprinkler Systems.

The energy provisions in IRC Chapter 11 is deleted in its entirety.

**Reference the 2021 IECC for energy code provisions and recommended amendments.**

**\*\*Section R102.4; change to read as follows:**

**R102.4 Referenced codes and standards.** The *codes*, when specifically adopted, and standards referenced in this *code* shall be considered part of the requirements of this *code* to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

*(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)*

**\*\* Section R103 and R103.1 amend to insert the Department Name**

**DEPARTMENT OF BUILDING SAFETY HICKORY CREEK BUILDING DEPARTMENT**

**R103.1 Creation of enforcement agency.** The Hickory Creek Building Department is hereby created and the official in charge thereof shall be known as the *building official*.

*(Reason: Reminder to be sure ordinance reads the same as designated by the city.)*

**\*\* Section R104.10.1 Flood Hazard areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\* Section R105.2 Work exempt from permit**

Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**Building:**

- ~~1. One-story detached accessory structures, provided that the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>).~~
- ~~2. Fences not over 7 feet (2134 mm) high.~~
- ~~3. Retaining walls that are not over 4 feet (1219mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.~~
- ~~4. 1. {existing text unchanged}~~
- ~~5. Sidewalks and driveways.~~

- 6. 2. {existing text unchanged}
- 7. 3. {existing text unchanged}
- 8. 4. {existing text unchanged}
- 9. 5. {existing text unchanged}
- 10. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

(Reason: Town amendment)

**\*\*Section R105.3.1.1& R106.1.4; delete these sections.**

(Reason: Floodplain provisions are addressed locally.)

**\*\*\*Section R202; change definition of "Townhouse Unit" to read as follows:**

**TOWNHOUSE UNIT.** A single-family dwelling unit separated by property lines in a townhouse that extends from foundation to roof and that has a yard or public way on not less than two sides.

(Reason: To distinguish Townhouse Units within a Townhouse building on separate lots.)

**\*\*\*Table R301.2 (1); fill in as follows:**

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMPE <sup>e</sup>	ICE BARRIER UNDER-LAYMENT <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
	SPEED <sup>d</sup> (MPH)	Topographic Effects <sup>k</sup>	Special Wind Region <sup>l</sup>	Windborne Debris Zone <sup>m</sup>		Weathering <sup>a</sup>	Frost Line Depth <sup>b</sup>	Termite <sup>c</sup>					
5 lb/ft	115 (3 sec-gust)/ 76 fastest mile	No	No	No	A	Moderate	6"	Very Heavy	22 <sup>o</sup> F	No	Local Code	150	64.9 <sup>o</sup> F

**Delete remainder of table Manual J Design Criteria and footnote N**

(Reason: To promote regional uniformity. Manual J is utilized by third party and not part of performed plan reviews. This is reference table only, not needed.)

**\*\*Section R302.1; add exception #6 to read as follows:**

**Exceptions:** {previous exceptions unchanged}

- 6. Open non-combustible carport structures may be constructed when also approved within adopted ordinances.

(Reason: Refers to other ordinances, such as zoning ordinances.)

**\*\*Section R302.3; add Exception #3 to read as follows:**

**Exceptions:**

- 1. {existing text unchanged}
- 2. {existing text unchanged}

3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

(Reason: Provide guidance for a common construction method in this area. Correlates with amendment to IRC Section R202 Townhouse definition.)

**\*\*\*Section R302.2.6; delete exception #6:**

**Exceptions:** {previous exceptions unchanged}

6. ~~Townhouse units protected by a fire sprinkler system complying with Section P2904 or NFPA 13D.~~

( Reason: To remain consistent with separated townhouse units and property lines.)

**\*\*Section R302.5.1; change to read as follows:**

**R302.5.1 Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors. ~~Equipped with a self-closing or automatic closing device.~~

(Reason: Absence of data linking self-closing devices to increased safety. Self-closing devices often fail to close the door entirely.)

**\*\*Section R303.3, Exception; amend to read as follows:**

**Exception:** {existing text unchanged} Spaces containing only a water closet or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(Reason: Consistent with common local practice as recirculating fans are recognized as acceptable air movement.)

**\*\*\*R307.3 Blocking.** Required at one toilet at grade level. Blocking per Sec. R307.4 and Figure 307.4, shall be installed at rear wall and one wall adjacent to toilet at the lowest living level where a toilet is provided.

**\*\*\*R307.4 Blocking.** Blocking may be 1/2" plywood or equivalent or 2 x solid wood blocking flush with wall.

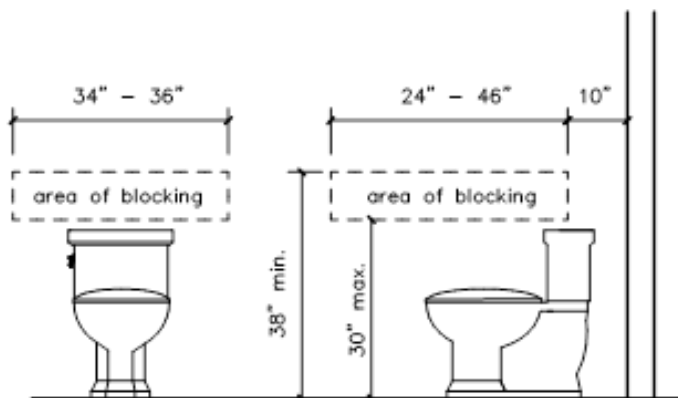


Figure 307.4

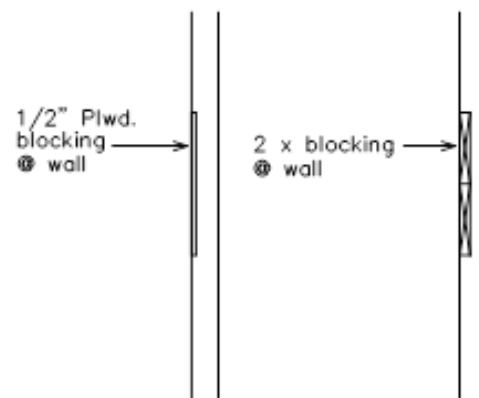


Figure 307.4



*(Reason: Blocking at initial construction allows for ease of use for future grab bar installation if desired for homeowners. Ties into Dallas Builders Association of Universal Design Elements concepts for CAPS (Certified Aging in Place Specialists) professionals.)*

**\*\*Section R313.2 One and Two Family Dwellings; Delete this section and subsection in their entirety.**

*(Reason: In 2009, the State Legislature enacted SB 1410, amending section 1301.551 subsection I of the occupation code, prohibiting cities from enacting fire sprinkler mandates one or two family dwellings only. However, jurisdictions with ordinances that required sprinklers for one or two family dwellings prior to and enforced before January 1, 2009, may remain in place.)*

**\*\*\*Section R315.2.2 Alterations, repairs and additions; amend to read as follows:**

**Exception:**

1. [existing text remains]
2. Installation, alteration or repairs of all electrically powered mechanical systems or plumbing appliances.

*(Reason: Revised exception for clarity. Code intent is to protect against the products of combustion.)*

**\*\*Section R322 Flood Resistant Construction; deleted section.**

*(Reason: Floodplain hazard ordinances may be administered by other departments within the city.)*

**\*\*\*Section 327.1.1; add to read as follows:**

**Section 327.1.1 Adjacency to Structural Foundation.** Depth of the swimming pool and spa shall maintain a ratio of 1:1 from the nearest building foundation or footing of a retaining wall.

**Exception:**

A sealed engineered design drawing of the proposed new structure shall be submitted for approval.

*(Reason: To clarify specific distances for pools and spas.)*

**\*\*Section R401.2; amended by adding a new paragraph following the existing paragraph to read as follows.**

**Section R401.2. Requirements.** *{existing text unchanged}* ...

Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.

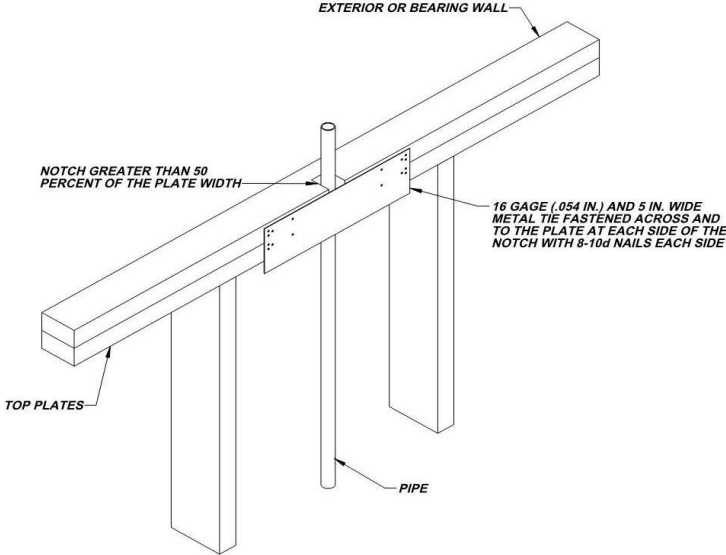
*(Amendment to 2015 IRC carried forward to 2018 IRC.)*

**\*\*Section R602.6.1; amend the following:**

**R602.6.1 Drilling and notching of top plate.** When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and ~~4 ½ inches (38) mm~~ 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1. *{remainder unchanged}*

(Amendment to 2015 IRC carried forward to 2018 IRC.)

**\*\*Figure R602.6.1; delete the figure and insert the following figure:**



(Amendment forward to additional assurance of maintaining the integrity of the framing by spreading the nailing pattern.) to 2015 IRC carried forward to 2018 IRC also provides

**\*\*Add section R703.8.4.1.2 Veneer Ties for Wall Studs; to read as follows:**

**R703.8.4.1.2 Veneer Ties for Wall Studs.** In stud framed exterior walls, all ties may be anchored to studs as follows:

1. When studs are 16 in (407 mm) o.c., stud ties shall be spaced no further apart than 24 in (737 mm) vertically starting approximately 12 in (381 mm) from the foundation; or
2. When studs are 24 in (610 mm) o.c., stud ties shall be spaced no further apart than 16 in (483 mm) vertically starting approximately 8 in (254 mm) from the foundation.

*(This amendment had been a carry over amendment for years to provide clear instruction for placement of brick ties. It is now retained with changes to reflect its correct placement and use for clarity when attachment to framing lumber (studs). It should remain for those purposes. It is in addition to the new new Table in 2018 which provides for brick ties directly to sheathing.)*

**\*\*Section R902.1; amend and add exception #5 to read as follows:**

**R902.1 Roofing covering materials.** Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed. ~~in designated by law as requiring their use or when the edge of the roof is less than 3 feet from a lot line.~~ {remainder unchanged}

**Exceptions:**

1. {text unchanged}
2. {text unchanged}
3. {text unchanged}
4. {text unchanged}
5. Non-classified roof coverings shall be permitted on one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed (area defined by jurisdiction).

(Reason: to address accessory structures Group U exempt from permits per Section R105.2)

**\*\* Chapter 11 [RE] – Energy Efficiency is deleted in its entirety; Reference the 2021 IECC for energy code provisions and recommended amendments.**

(Reason: The recommended energy code changes from the Energy and Green Advisory Board update the amendments for Chapter 11. The 2021 International Energy Conservation Code should be referenced for residential energy provisions. This approach simply minimizes the number of amendments to the IRC.)

**\*\*Section M1305.1.2; change to read as follows:**

**M1305.1.2 Appliances in attics.** Attics containing appliances shall be provided . . . {bulk of paragraph unchanged} . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest appliance. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.

Exceptions: [remaining text unchanged]

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IFGC and IMC 306.3.)

**\*\*Section M1411.3; change to read as follows:**

**M1411.3 Condensate disposal.** Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to an approved place of disposal a sanitary sewer through a trap, by means of a direct or indirect drain. {remaining text unchanged}

(Reason: Reflects regional practice and to reduce excessive runoff into storm drains.)

**\*\*Section M1411.3.1, Items 3 and 4; add text to read as follows:**

**M1411.3.1 Auxiliary and secondary drain systems.** {bulk of paragraph unchanged}

1. {text unchanged}
2. {text unchanged}
3. An auxiliary drain pan... {bulk of text unchanged}... with Item 1 of this section. A water level detection device may be installed only with prior approval of the building official.
4. A water level detection device... {bulk of text unchanged}... overflow rim of such pan. A water level detection device may be installed only with prior approval of the building official.

(Reason: Reflects standard practice in this area.)

**\*\*Section M1411.3.1.1; add text to read as follows:**

**M1411.3.1.1 Water-level monitoring devices.** On down-flow units ...{bulk of text unchanged}... installed in the drain line. A water level detection device may be installed only with prior approval of the building official.

(Reason: Reflects standard practice in this area.)

**\*\*M1503.6 Makeup Air Required; amend and add exception as follows:**

**M1503.6 Makeup air required.** Where one or more gas, liquid or solid fuel-burning appliance that is neither direct-vent nor uses a mechanical draft venting system is located within a dwelling unit's air barrier, each exhaust system capable of exhausting in excess of 400 cubic feet per minute (0.19 m<sup>3</sup>/s) shall be mechanically or passively provided with makeup air at a rate approximately equal to the difference between exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with not fewer than one damper complying with [Section M1503.6.2](#).

**Exception:** Makeup air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open. Where all appliances in the house are of sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m<sup>3</sup>/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m<sup>3</sup>/s) shall be provided with a makeup air at a rate approximately to the difference between the exhaust air rate and 600 cubic feet per minute.

*(Reason: Exception requires makeup air equaling the amount above and beyond 400 cfm for larger fan which will address concerns related to "fresh" air from the outdoors in hot humid climates creating a burden on HVAC equipment and negative efficiency impacts from back-drafting and wasted energy.)*

**\*\*Section M2005.2; change to read as follows:**

**M2005.2 Prohibited locations.** Fuel-fired water heaters shall not be installed in a room used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that combustion air will not be taken from the living space. Access to such enclosure may be from the bedroom or bathroom when through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the International Energy Conservation Code and equipped with an approved self-closing device. Installation of direct-vent water heaters within an enclosure is not required.

*(Reason: Corresponds with the provisions of IFGC Section 303.3, exception #5.)*

**\*\*Section G2408.3 (305.5) Private Garages; delete this section in its entirety.**

*(Reason: This provision does not reflect standard practice in this area.)*

**\*\*Section G2415.2 (404.2) CSST; add a second paragraph to read as follows:**

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING: 1/2 to 5 psi gas pressure - Do Not Remove"

*(Reason: To protect homeowners and plumbers.)*

**\*\*Section G2415.12 (404.12) and G2415.12.1 (404.12.1); change to read as follows:**

**G2415.12 (404.12) Minimum burial depth.** Underground *piping systems* shall be installed a minimum depth of ~~12 inches (305 mm)~~ 18 inches (457 mm) below grade, ~~except as provided for in Section G2415.12.1.~~

**G2415.12.1 (404.12.1) Individual Outdoor Appliances; Delete in its entirety**

*(Reason: To provide increased protection to piping systems.)*

**\*\*Section G2417.1 (406.1); change to read as follows:**

**G2417.1 (406.1) General.** Prior to acceptance and initial operation, all *pipng* installations shall be inspected and *pressure tested* to determine that the materials, design, fabrication, and installation practices comply with the requirements of this *code*. The *permit* holder shall make the applicable tests prescribed in Sections 2417.1.1 through 2417.1.5 to determine compliance with the provisions of this *code*. The *permit* holder shall give reasonable advance notice to the *building official* when the *pipng system* is ready for testing. The *equipment*, material, power and labor necessary for the inspections and test shall be furnished by the *permit* holder and the *permit* holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

*(Reason: To utilize language used in the IPC regarding who is responsible for testing procedures.)*

**\*\*Section G2417.4; change to read as follows:**

**G2417.4 (406.4) Test pressure measurement.** Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. ~~Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure.~~

*(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)*

**\*\*Section G2417.4.1; change to read as follows:**

**G2417.4.1 (406.4.1) Test pressure.** The test pressure to be used shall be no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½”), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½”), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

*(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)*

**\*\*Section G2417.4.2; change to read as follows:**

**G2417.4.2 (406.4.2) Test duration.** The test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for ~~be not~~ less than 40-fifteen (15) minutes. For welded *pipng*, and for *pipng* carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for less than thirty (30) minutes.

*(Reason: To comply with accepted regional practices.)*

**\*\*Section G2420.1 (406.1); add Section G2420.1.4 to read as follows:**

**G2420.1.4 Valves in CSST installations.** Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)

**\*\*Section G2420.5.1 (409.5.1); add text to read as follows:**

**G2420.5.1 (409.5.1) Located within the same room.** The shutoff valve...*{bulk of paragraph unchanged}*... in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

(Reason: Reflects regional practice and provides an additional measure of convenience.)

**\*\*Section G2421.1 (410.1); add text and Exception to read as follows:**

**G2421.1 (410.1) Pressure regulators.** A line pressure regulator shall be ... *{bulk of paragraph unchanged}*... approved for outdoor installation. Access to regulators shall comply with the requirements for access to appliances as specified in Section M1305.

**Exception:** A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

(Reason: To require adequate access to regulators.)

**\*\*Section G2422.1.2.3 (411.1.3.3) Prohibited locations and penetrations; delete Exception 1 and Exception 4.**

(Reason: To comply with accepted regional practices.)

**\*\*Section G2445.2 (621.2); add Exception to read as follows:**

**G2445.2 (621.2) Prohibited use.** One or more *unvented room heaters* shall not be used as the sole source of comfort heating in a *dwelling unit*.

**Exception:** Existing approved unvented room heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Building Official unless an unsafe condition is determined to exist as described in International Fuel Gas Code Section 108.7 of the Fuel Gas Code.

(Reason: Gives code official discretion.)

**\*\*Section G2448.1.1 (624.1.1); change to read as follows:**

**G2448.1.1 (624.1.1) Installation requirements.** The requirements for *water heaters* relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with this code.

(Reason: To clarify installation requirements. Also corresponds with amendments regarding water heater access.)

**\*\*Section P2603; add to read as follows:**

**P2603.3 Protection against corrosion.** Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material plastic. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

*(Reason: Allows for other materials to be accepted.)*

**\*\*Section P2603.5.1 Sewer Depth; change to read as follows:**

**P2603.5.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of ~~[number] inches (mm) below finished grade at the point of septic tank connection in accordance with TCEQ and local water authority requirements.~~ Building sewers shall be a minimum of 12 inches (304 mm) below grade.

*(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)*

**\*\*\*Section P2604; add to read as follows:**

**P2604.2.1 Plastic sewer and DWV piping installation.** Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the piping multiplied by 1.25 plus 12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

*(Reason: To follow manufacturer backfill requirements and to be clear to Inspectors out in the field.)*

**\*\* Section P2801; change to read as follows:**

**P2801.6 Required pan.**

Where a storage tank-type water heater or a hot water storage tank is installed in a location where water leakage from the tank will cause damage, the tank shall be installed in a pan constructed of one of the following:

1. Galvanized steel or aluminum of not less than 0.0236 inch (0.6010 mm) in thickness.
2. Plastic not less than 0.036 inch (0.9 mm) in thickness.
3. Other *approved* materials.

~~A plastic pan beneath a gas-fired water heater shall be constructed of material having a flame spread index of 25 or less and a smoke-developed index of 450 or less when tested in accordance with ASTM E84 or UL 723.~~

*(Reason: Plastic burns degrading material over time on gas fired water heaters and to maintaining protection level.)*

**\*\*Section P2801.6.1; change to read as follows:**

**Section P2801.6.1 Pan size and drain.** The pan shall be not less than 1 1/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 3/4 inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table P2906.5. Multiple pan drains may terminate to a single discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.  
{existing text unchanged}

(Reason: Regionally accepted practice.)

**\*\* Section P2804.6.1; change to read as follows:**

**Section P2804.6.1 Requirements for discharge piping.** The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap ~~located in the same room as the water heater.~~
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

**Exception:** Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.

5. Discharge ~~to the floor, to the pan serving the water heater or storage tank, to a waste receptor~~ an approved location or to the outdoors.

[remainder unchanged]

(Reason: To ensure the T&P is ran to the exterior.)

**\*\*Section P2902.5.3; change to read as follows:**

**P2902.5.3 Lawn irrigation systems.** The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Reason: To provide clarity.)

**\*\*Section P3003.9; change to read as follows:**

**P3003.9.2 Solvent cementing.** Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.

~~Exception: A primer is not required where both of the following conditions apply:~~



- ~~1. The solvent cement used is third-party certified as conforming to ASTM D 2564~~
- ~~2. The solvent cement is used only for joining PVC drain, waste, and vent pipe and fittings in not pressure applications in sizes up to and including 4 inches (102mm) in diameter.~~

*(Reason: to keep the “process of joining PVC pipe”.)*

**\*\*Section P3111 Combination waste and vent systems; delete this section in its entirety.**

*(Reason: A combination waste and vent system is not approved for use in residential construction.)*

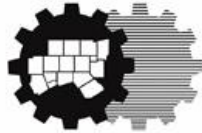
**\*\*Section P3112.2 Vent Connection; delete and replace with the following:**

**P3112.2 Installation.** Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six (6) inches (152 mm) above the flood level rim of the fixtures served. Drainage fittings shall be used on all parts of the vent below the floor level and a minimum slope of one-quarter (1/4) inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drain-board shall be a one (1) piece fitting or an assembly of a forty-five (45) degree (0.79 radius), a ninety (90) degree (1.6 radius) and a forty-five (45) degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this Code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

*(Reason: To clarify the installation of island venting and to provide a regional guideline on a standard installation method for this region.)*

**END**

# EXHIBIT C



North Central Texas  
Council of Governments

## Recommended Amendments to the 2021 International Plumbing Code North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Plumbing Code* are hereby amended as follows: Standard type is text from the IPC. Underlined type is text inserted. ~~Lined through type is deleted text from the IPC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk identifies a new or revised amendment with the 2021 edition of the code.

Note: Historically NCTCOG has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**

\*\*\***Table of Contents, Chapter 7, Section 713; change to read as follows:**

744-713    Engineered Computerized Drainage Design . . . . . ~~69-7-12~~

*(Reason: Editorial change to make compatible with amendment to Section 714.1.)*

\*\*\***Section 102.8; change to read as follows:**

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.

*(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)*

\*\*\***Section 305; change to read as follows:**

**305.1 Protection against contact.** Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material plastic. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

*(Reason: Allows for other materials to be accepted.)*

\*\***Section 305.4.1; changed to read as follows:**

**305.4.1 Sewer depth.** ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (304 mm) below grade.~~

*(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)*

**\*\*\*Section 306.2.4; added to read as follows:**

**\*\*\*306.2.4 Plastic sewer and DWV piping installation.** Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the diameter of the piping multiplied by 1.25 plus 12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

*(Reason: To follow manufacturer backfill requirements and to be clear to Inspectors out in the field.)*

**\*\*Section 413.4; change to read as follows:**

**413.4 Required location for floor drains ~~Public laundries and central washing facilities.~~** Floor drains shall be installed in the following areas:

1. In public laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.
2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the Code Official may accept floor sinks.
3. Public restrooms.

*(Reason: To make more compatible with local health code practices.)*

**\*\*Section 608.17.5; change to read as follows:**

**608.17.5 Connections to lawn irrigation systems.**

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principal backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principal backflow preventer.

*(Reason: To recognize regional practices.)*

**Section 703.6; Delete**

*(Reason: not a standard practice in this region)*

**\*\*Section 704.5; added to read as follows:**

**704.5 Single stack fittings.** Single stack fittings with internal baffle, PVC schedule 40 or cast-iron single stack shall be designed by a registered engineer and comply to a national recognized standard.

(Reason: to allow owners, installers, inspectors, and design professionals to readily identify product markers to determine they meet all required standards.)

**\*\*\*Section 712.4.3; add Section 712.4.3 to read as follows:**

**712.4.3 Dual Pump System.** All sumps shall be automatically discharged and, when in any “public use” occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

(Reason: To address dual pump system. To provide reference for storm drainage systems.)

**\*\*Section 713, 713.1; change to read as follows:**

## SECTION 713

### **ENGINEERED COMPUTERIZED DRAINAGE DESIGN**

**713.1 Design of drainage system.** The sizing, design and layout of the drainage system shall be permitted to be designed by a registered engineer using approved computer design methods.

(Reason: Code was too restrictive.)

**\*\*\*Section 903.1.1; change to read as follows:**

~~903.1 Roof extension~~ **903.1.1 Roof extension unprotected.** Open vent pipes that extend through a roof shall terminate not less than six (6) inches (152 mm) above the roof. ~~Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.~~

(Reason: To provide regional guideline on standard installation method for this area and address reference number correction.)

**\*\*Section 1109; delete this section.**

**\*\*\*Section 1202.1; delete Exceptions 1 and 2.**

(Reason: State law already specifies that Med Gas systems must comply with NFPA 99.)

**END**

# EXHIBIT D



North Central Texas  
Council of Governments

## Recommended Amendments to the

### 2021 International Mechanical Code

#### North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Mechanical Code* (IMC) are hereby amended as follows: Standard type is text from the IMC. Underlined type is text inserted. ~~Lined through type is deleted text from the IMC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk identifies a new or revised amendment of the 2021 edition of the code.

Note: Historically the North Central Texas Council of Governments (NCTCOG) has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**

**\*\*\*Section 102.8; change to read as follows:**

**102.8 Referenced Codes and Standards.** The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.

*(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)*

**\*\*Section 306.5; change to read as follows:**

**306.5 Equipment and Appliances on Roofs or Elevated Structures.** Where *equipment* requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, an interior or exterior means of access shall be provided. Exterior ladders providing roof access need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such access shall . . . *{bulk of section to read the same}* . . . on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). ... *{remainder of text unchanged}*.

*(Reason: To assure access to roof appliances and provide options to not extend exterior ladders to grade. Consistent with IFGC amendments.)*

**\*\*Section 306.5.1; change to read as follows:**

**306.5.1 Sloped Roofs.** Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of three units vertical in 12 units horizontal (25-percent slope) or greater

and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code...*{remainder of text unchanged}.

*(Reason: To assure safe access to roof appliances. Consistent with IFGC amendments.)*

**\*\*Section 501.3; add an exception to read as follows:**

**501.3 Exhaust Discharge.** The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.

**Exceptions:**

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.
2. Commercial cooking recirculating systems.
3. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.
4. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

*(Reason: Provide a reasonable alternative in areas where a large volume of outside air is present.)*

**END**

## EXHIBIT E

### 2021 International Fire Code Amendments

The Lake Cities Jurisdiction

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**Section 101.1 to read as follows:**

**101.1 Title.** These regulations shall be known as the Fire Code of the City of Corinth and the Lake Cities herein referred to as “this code”.

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**Section 101.2.1; to read as follows:**

**101.2.1 Adoption of Appendices.** The following Appendices contained in the International Fire Code, 2021 Edition, are adopted and made a part of this Fire Code:

Appendix B - Fire-flow Requirements for Buildings

Appendix D - Fire Apparatus Access Roads

Appendix E - Hazard Categories

Appendix F - Hazard Ranking

Appendix G - Cryogenic Fluids – Weight and Volume Equivalents

Appendix I – Fire Protection Systems Noncompliant Systems

Appendix K - Construction Requirements for Existing Ambulatory Care Facilities

Appendix L - Requirements for Fire Fighter Air Replenishment Systems Appendix N -  
Indoor Trade Shows and Exhibitions

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**Section 102.1; to read as follows:**

1. {No Change}
2. {No Change}
3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code.
4. {No Change}

*(Reason: To clarify that there are other provisions in the fire code applicable to existing buildings that are not located in Chapter 11, including but not limited to Section 505 Premises Identification.)*

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**Section 103.1; to read as follows:**

**Creation of agency.** The Fire Code shall be enforced by the Division of Fire Prevention. The Division of Fire Prevention is hereby established as a division of the Fire Department of the City of Corinth and shall be operated under the supervision of the Fire Chief.

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**Section 103.2; to read as follows:**

**Appointment.** The Fire Marshal (Fire Code Official) shall be appointed by the Fire Chief of the City of Corinth on the basis of proper qualifications.

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**Section 103.3; to read as follows:**

**Deputies.** The Fire Chief may assign such members of the Fire Department as investigators, inspectors, technical officers, and other employees.

**Section 104.1; by adding the following:**

Under the Fire Chief's direction, the fire department is authorized to enforce all ordinances of the city pertaining to:

1. The prevention of fires;
2. The suppression or extinguishment of dangerous or hazardous fires;
3. The storage, use, and handling of hazardous materials;
4. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment;
5. The elimination of fire hazards on land and in buildings, structures and other property, including those under construction;
6. The maintenance of means of ingress and egress;
7. The investigation of the cause, origin and circumstances of fires, unauthorized releases of hazardous materials and explosions.

**\*\*Section**

**Section 105.3.3; to read as follows:**

**105.3.3 Occupancy Prohibited before Approval.** The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.

*(Reason: For clarity to allow for better understanding in areas not requiring such permits, such as unincorporated areas of counties.)*

**Section 105.6.25; to read as follows:**

**105.6.25 Electronic access control systems.** Construction permits are required to install or modify an electronic access control system, as specified in Chapter 10. A separate construction permit is required for to install or modify a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

*(Reason: Adds construction permit requirements for electronic access control systems affecting access and/or egress to ensure proper design and installation of such systems. These changes reflect local practices of municipalities in this region.)*

**Section 107.2.1; to add the following:**

**Inspection requests.** If the inspection fails and a return inspection is necessary, the return inspection shall constitute a re-inspection. An additional fee may be assessed on a second re-inspection and each subsequent re-inspection in accordance with the Master fee Ordinance.

*(Reason: To minimize the amount of time spent on re-inspections and all violations are completed prior to the re-inspections date.)*

**Section 107.3; this section is deleted entirety:**



*(Different jurisdictions establish permit fee requirements in different ways, and the majority in this region do not utilize this methodology for establishing Fire Code-required permit fees, as well as have already established and adopted applicable permit fee requirements.)*

**Section 112.4; to read as follows:**

**112.4 Violation Penalties.** Any person who:

1. Violates or fails to comply with any of the provisions of this code or the standards adopted hereunder; or
2. Fails to comply within the time fixed herein with any order made by the Fire Chief or authorized representative under any of the provisions of this code or the standards adopted hereunder; or
3. Builds, installs, alters, repairs or does work in violation of any detailed statement, specifications or plans submitted and approved under the provisions of this code or the standards adopted hereunder; or
4. Builds in violation of any certificate or permit issued under the provisions of this code or the standards adopted hereunder; or
5. Permits any fire hazard to exist in or upon any occupancy, premises or vehicle under their control, operation, maintenance, or possession; or
6. Fails to comply with orders, notices, signs and/or tags; or
7. Tamper with signs and/or tags; shall be guilty of a misdemeanor punishable by a fine not to exceed \$2,000.00 for each violation and act of noncompliance. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations of defects within a reasonable time specified by the Fire Chief or authorized representative. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

**Section 202; to read as follows:**

**ADDRESSABLE FIRE DETECTION SYSTEM.** Any system capable of providing identification of each individual alarm-initiating device. The identification shall be in plain English and as descriptive as possible to specifically identify the location of the device in alarm. The system shall have the capability of alarm verification.

**[B] AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable. This group may include but not be limited to the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

*(Reason: to clarify the range of uses included in the definition)*

**[B] ATRIUM.** An opening connecting ~~two~~ three or more stories... *{remaining text unchanged}*

*(Reason: Accepted practice in the region based on legacy codes. IBC Section 1009 permits unenclosed two-story stairways under certain circumstances.)*

**[B] DEFEND IN PLACE.** A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

*(Reason: Added from International Building Code (IBC) definitions for consistency in interpretation of the subject requirements pertaining to such occupancies.)*

**FIRE WATCH.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or *standby personnel* when required by the *fire code official*, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department. The person or persons on fire watch duty, shall be their only job. Personnel assigned to fire watch shall not be multitasking or assigned any other duties. There shall be sufficient personnel to cover the assigned duty within the hour and repeat till end of duty or no longer deemed necessary by the fire official.

*(Reason: Clearly defines options to the fire department for providing a fire watch.)*

**FIREWORKS.** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, *detonation*, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.3G fireworks or 1.4G fireworks. ...  
{Remainder of text unchanged} ...

*(Reason: Increased safety from fireworks related injuries.)*

**Option B**

**HIGH-PILED COMBUSTIBLE STORAGE: second paragraph to read as follows:**

Any building classified as a group S Occupancy or Speculative Building exceeding 6,000 sq. ft. that has a clear height in excess of 14-feet, making it possible to be used for storage in excess of 12-feet, shall be considered to be high-piled storage. When a specific product cannot be identified (speculative warehouse), a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

*(Reason: To provide protection for worst-case scenario in flexible or unknown situations.)*

**Option B**

**HIGH-RISE BUILDING.** A building with an occupied floor located more than 55-feet (16 764 mm) above the lowest level of fire department vehicle access.

*(Reason: Allows for additional construction safety features to be provided, based on firefighting response capabilities.)*

**REPAIR GARAGE.** A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

*(Reason: To further clarify types of service work allowed in a repair garage, as well as to correspond with definition in the IBC.)*

**SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

*(Reason: To provide a definition that does not exist in the code.)*

**STANDBY PERSONNEL.** Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

*(Reason: To provide a definition that does not exist in the code for fire watch accommodations as required by the jurisdiction.)*

**UPGRADED OR REPLACED FIRE ALARM SYSTEM.** A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware

*(Reason: This is referenced in several places, but the wording of “upgraded or replaced” is somewhat ambiguous and open to interpretation. Defining it here allows for consistent application across the region.)*

**\*\*Section**

**Section 307.1.1; to read as follows:**

**307.1.1 Prohibited Open Burning.** Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

**Exception:** {No change.}

*(Reason: To further protect adjacent property owners/occupants from open burning and/or smoke emissions from open burning.)*

**Section 307.2; to read as follows:**

**307.2 Permit Required.** A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or open burning. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality (TCEQ) guidelines and/or restrictions.
2. State, County, or Local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.

*(Reason: Amendments to 307.2, 307.4, 307.4.3, and 307.5 better explain current requirements and recognize that jurisdictions have local established policies that best fit their environments.)*

**Section 307.3; to read as follows:**

**307.3 Extinguishment Authority.** The fire code official is authorized to order the extinguishment by the permit holder, another person responsible, or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

*(Reason: Provides direction as to responsible parties relative to extinguishment of the subject open burning.)*

**Section 307.4 and 307.4.1; to read as follows:**

**307.4 Location.** The location for open burning shall not be less than 300-feet (91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300-feet (91 440 mm) of any structure.

**Exceptions:** {No change.}

**307.4.1 Bonfires.** A bonfire shall not be conducted within 50-feet (15 240 mm), or greater distance as determined by the fire code official, of a structure or combustible material, unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within the required setback of a structure shall be eliminated prior to ignition.

*(Reason: To increase the separation distance thereby increasing the safety to adjacent properties, as per applicable TCEQ rules and regulations regarding outdoor burning. Bonfires were added to this requirement to allow the AHJ the ability to match the increased setback utilized for open burning as necessary. Size of bonfire will help to determine needed setback, fire equipment and apparatus as per permit requirements.)*

**Section 307.4.3, to read as follows:**

**Exceptions:**

- 1. Portable outdoor fireplaces used at one- and two-family dwellings.
- 2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system.

*(Reason: To reflect similar allowances for open-flame cooking in these same locations.)*

**Section 307.4.4 and 5; add section 307.4.4 Section 307.4.4 and 307.4.5; to read as follows:**

**307.4.4 Permanent Outdoor Firepit.** Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

**Exception:** Permanently installed outdoor fireplaces constructed in accordance with the International Residential Code or International Building Code.

**307.4.5 Trench Burns.** Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

*(Reason: To provide a greater level of safety for this potentially hazardous fire exposure condition. Decrease in separation distance allowed for outdoor firepits due to permanent nature of construction having substantial securement.)*

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**Section 307.5; to read as follows:**

**307.5 Attendance.** *Open burning, trench burns, bonfires, recreational fires,* and use of portable outdoor fireplaces shall be constantly attended until the... *{Remainder of section unchanged}*

*(Reason: Adds attendance for trench burns based on previous amendment provision for such.)*

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**Add Section 307.6 to read as follows:**

**Burn Bans.** The city shall follow the ruling of the Denton County Commissioner’s Court regarding burn bans. The ban shall prohibit all outdoor activities and /or processes that may start a fire. These activities or processes shall include but are not limited to open burning, recreational burning, outdoor welding, use of torches or other cutting devices that emit sparks, and fireworks.

---

**Add section 307.7 to read as follows:**

**Posting a declaration of a burn ban.** The burn ban issued by the Denton County Commissioner’s court as specified in section 307.6 may be posted or published in the following locations:

1. City website
2. Fire Department media accounts
3. Official City newspaper and media accounts

---

**Section 308.1.4; to read as follows:**

**308.1.4 Open-flame Cooking Devices.** Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

**Exceptions:**

1. One- and two-family dwellings where LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20-pound (9.08 kg) LP-gas capacity with an aggregate LP-gas capacity not to exceed 100 pounds (5 containers)]. All LP-gas containers shall be stored outside, as per Chapter 61.
2. Where buildings, balconies and decks are protected by an approved *automatic sprinkler system*, and LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20-pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs. (2 containers). All LP-gas containers shall be stored outside, as per Chapter 61.

3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2-1/2 pounds [nominal 1-pound (0.454 kg) LP-gas capacity].

*(Reason: Decrease fire risk in multi-family dwellings and minimizes ignition sources and clarify allowable limits for 1 & 2 family dwellings and allow an expansion for sprinklered multi-family uses. This amendment adds clarification and defines the container size allowed for residences.)*

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**Section 308.1.6.2; to read as follows:**

**Exceptions:**

1. {No Change}
2. {No Change}
3. Torches or flame-producing devices in accordance with Section 308.1.3.
4. {No Change}

*(Reason: Section identified in published code is inappropriate.)*

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**Section 308.1.6.3; to read as follows:**

**308.1.6.3 Sky Lanterns.** A person shall not release or cause to be released an unmanned free-floating device containing an open flame or other heat source, such as but not limited to a *sky lantern*.

*(Reason: Eliminates the potential fire hazard presented by utilization of such devices and the potential accidental release of such devices.)*

---

**Section 311.5; to read as follows:**

**311.5 Placards.** The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 114 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

*(Reason: There may be situations where placarding is not desired or necessary; also clarifies intent that it is not the fire code official's responsibility to provide the placard.)*

---

**Section 403.4; to read as follows:**

**403.4 Group E Occupancies.** An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.4.1 through 403.4.3.

*(Reason: The diagrams are intended to assist with egress in such occupancies – specifically, the primary teacher is not always present to assist children with egress. Also, such will help reinforce evacuation drill requirements.)*

**Section 404.2.2; Number 4.10. to read as follows:**

4.10. Fire extinguishing system controls.

*(Reason: To facilitate locating sprinkler valves to minimize water damage.)*

**Section 405.5; to read as follows:**

**405.5 Time.** The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

**Exceptions:**

1. {No Change}
2. {No Change}
3. Notification of teachers/staff having supervision of light- or sound-sensitive students/occupants, such as those on the autism spectrum, for the protection of those students/occupants, shall be allowed prior to conducting a drill.

*(Reason: This change clarifies who may require a fire or evacuation drill and allows for consideration/protection of students/occupants who may be severely negatively impacted by the nature of a fire alarm notification during a practice drill.)*

**Section 501.4; to read as follows:**

**501.4 Timing of Installation.** When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

*(Reason: Reflects current practice in the region relative to ensuring fire department and EMS access during construction, which can be a time of increased frequency for emergency incidents.)*

**Section 503.1.1; to read as follows:**

Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a 10-foot (3048 mm) wide unobstructed pathway around the external walls of the structure.

*(Reason: Recognizes that the hose lay provision can only be measured along a pathway that is wide enough for fire fighter access.)*

**Section 503.2.1; to read as follows:**

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 24feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14-feet (4267 mm).

**Exception:** Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and *approved* signs are installed and maintained indicating the established vertical clearance when approved.

*(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)*

**Section 503.2.2; to read as follows:**

**503.2.2 Authority.** The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

*(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)*

**Section 503.2.3; to read as follows:**

**503.2.3 Surface.** Fire lanes shall be designed to support a minimum 86,000 lbs. GVW load. Subgrade shall be stabilized per geotechnical engineer's report. Without submitting a detailed pavement design a typical allowable design is as follows: Concrete fire lanes shall be a minimum 5 inches thick, 3600 psi, 5 sack mix with # 4 rebar on 18-inch center each way with chairs. Asphalt fire lane shall be a minimum 6 inches thick. With a stabilized subgrade. All weather surfaces shall be asphalt or concrete. Alternative surface design shall be submitted for review and approval by the Fire Department and City Engineer.

*(Reason: To address the current size of fire trucks in use – figure derived from DOT requirements for waiver of vehicle exceeding such weight and from current maximum weights of fire trucks being purchased by jurisdictions in North Texas.)*

**Section 503.3; to read as follows:**

**503.3 Marking.** Striping, signs, or other markings, when approved by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

**(1) Striping** – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” shall appear in four inch (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

**(2) Signs** – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high. Signs shall be painted on a white background with letters and borders in red, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

*(Reason: Establishes a standard method of marking and reflects regional long-standing practices.)*





**Section 503.4; to read as follows:**

**503.4 Obstruction of Fire Apparatus Access Roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and 503.2.2 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

*(Reason: As originally worded, the section implied that vehicles could be parked in the marked fire lane and not be in violation if the minimum width is still maintained. Current accepted enforcement practice is to require the entire marked fire lane to be maintained clear and unobstructed.)*



**Section 505.1; to read as follows:**

**505.1 Address Identification.** New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6-inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6-inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30-inch (762 mm) background on border. Address identification shall be maintained.

**Exception:** R-3 Single Family occupancies shall have approved numerals of a minimum 3 ½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

*(Reason: To increase the minimum addressing requirements for commercial properties and establish a minimum for single-family residential properties. Such improves legibility of these signs which are critical to emergency response in a more timely manner.)*



**Section 503.6.1; to read as follows:**

**503.6.1 Emergency Vehicle Access.** All security gates shall be provided with a manual means of operating the security gate and an automatic means of operation. The automatic and manual means of operation shall be accomplished by the requirements of the AHJ.

*(Reason: Provide access for emergency vehicles during normal operating conditions and in the event of a power failure to the security gate control equipment.)*



**Section 507.4; to read as follows:**

**507.4 Water Supply Test Date and Information.** The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*, as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire

protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as approved by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

*(Reason: Clarifies intent of the test to ensure contractor accounts for water supply fluctuations.)*

**Section 507.5.1 to read as follows:**

**Where required.** Where a portion of the facility or building hereafter constructed or moved in or within the jurisdiction is more than 300-feet from a fire hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Marshal. A minimum of one fire hydrant shall be located within 100ft of the fire department connection and on the same side of the roadway as the facility or building. As properties develop (commercial, industrial, and residential), fire hydrants shall be located at all intersecting streets and at the minimum spacing indicated in table 507.5.1. There shall be a minimum of two (2) fire hydrants serving each property within the prescribed distances listed in Table 507.5.1.

**Maximum Distance Between Hydrants TABLE 507.5.1**

OCCUPANCY	SPRINKLERED	NOT SPRINKLERED
Residential (1 & 2 Family)	500 feet	500 feet
Residential (Multi Family)	400 feet	300 feet
All Other	500 feet	300 feet

**Section 507.5.4; to read as follows:**

**507.5.4 Obstruction.** Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

*(Reason: Additional guidance based on legacy language to ensure these critical devices are available in an emergency incident.)*

**Section 509.1.2; to read as follows:**

**509.1.2 Sign Requirements.** Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2-inches (50.8 mm) when located inside a building and 4inches (101.6 mm) when located outside, or as approved by the *fire code official*. The letters shall be of a color that contrasts with the background.

*(Reason: Provides direction as to appropriate sign criteria to develop local and regional consistency in this regard.)*

**Section 605.4 through 605.4.2.2; to read as follows:**

**605.4 Fuel oil storage systems.** Fuel oil storage systems shall be installed and maintained in accordance with this code. Tanks and fuel-oil piping systems shall be installed in accordance with Chapter 13 of the *International Mechanical Code* and Chapter 57.

**605.4.1 Fuel oil storage in outside, above-ground tanks.** Where connected to a fuel-oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660-gallons (2498 L). The storage of fuel oil above ground in quantities exceeding 660-gallons (2498 L) shall comply with NFPA 31 and Chapter 57.

**605.4.1.1 Approval.** Outdoor fuel oil storage tanks shall be in accordance with UL 142 or UL 2085, and also listed as double wall/secondary containment tanks.

**605.4.2 Fuel oil storage inside buildings.** Fuel oil storage inside buildings shall comply with Sections 605.4.2.2 through 605.4.2.8 and Chapter 57.

**605.4.2.1 Approval.** Indoor fuel oil storage tanks shall be in accordance with UL 80, UL 142 or UL 2085.

**605.4.2.2 Quantity limits.** One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all tanks shall not exceed the following:

1. 660-gallons (2498 L) in un-sprinklered buildings, where stored in a tank complying with UL 80, UL 142 or UL 2085, and also listed as a double-wall/secondary containment tank for Class II liquids.
2. 1,320-gallons (4996 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in a tank complying with UL 142 or UL 2085. The tank shall be listed as a secondary containment tank, and the secondary containment shall be monitored visually or automatically.
3. 3,000-gallons (11 356 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in protected above-ground tanks complying with UL 2085 and Section 5704.2.9.7. The tank shall be listed as a secondary containment tank, as required by UL 2085, and the secondary containment shall be monitored visually or automatically.

*(Reason: Issues addressed by Chapter 57, such as venting to outside of buildings, remote fill to outside of building, overfill protection, physical protection, etc., are not included in Section 605.4, so compliance with Chapter 57 is also required. The Board removed the applicability to heating systems only from the charging statement based on this more prudent method of diesel storage for generators, boilers, fire pumps and other fuel-fired equipment inside buildings without requiring Group H occupancy classification – this is now established practice in the region as well.)*

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**Section 807.5.2.2 and 807.5.2.3 applicable to Group E occupancies; to read as follows:**

**807.5.2.2 Artwork in Corridors.** Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

**Exception:** Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

**807.5.2.3 Artwork in Classrooms.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

*(Reason: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)*

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**Section 807.5.5.2 and 807.5.5.3 applicable to Group I-4 occupancies; to read as follows:**

**807.5.5.2 Artwork in Corridors.** Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

**Exception:** Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

**807.5.5.3 Artwork in Classrooms.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

*(Reason: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)*

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**Section 901.6.1.1; to read as follows:**

**901.6.1.1 Standpipe Testing.** Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed or inspected by approved camera when foreign material is present or when caps are missing, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the *fire code official*.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe

riser in the building. The tag shall be check-marked as “Fifth Year” for Type of ITM, and the note on the back of the tag shall read “5 Year Standpipe Test” at a minimum.

6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected nighttime freezing conditions.
9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.

*(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)*

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**Section 901.6.4; to read as follows:**

**901.6.4 False Alarms and Nuisance Alarms.** False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

*(Reason: Places the responsibility on the business or property owner to maintain their fire alarm systems in approved condition. Allows the enforcement of “prohibition of false alarms”. Replaces text lost from the legacy codes that helps to ensure the maintenance of life safety systems.)*

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**Section 901.7; to read as follows:**

**901.7 Systems Out of Service.** Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated, or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service. ... *{Remaining text unchanged}*

*(Reason: Gives fire code official more discretion with regards to enforcement of facilities experiencing nuisance alarm or fire protection system activations necessitating correction/repair/replacement. The intent of the amendment is to allow local jurisdictions to enforce fire watches, etc., where needed to ensure safety of occupants where fire protection systems are experiencing multiple nuisance activations.)*

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**Section 901.9; to read as follows:**

**901.9 Termination or Change of Monitoring Service.** Notice shall be made to the fire code official whenever contracted alarm services for monitoring of any fire alarm system are terminated for any reason, or a

change in alarm monitoring provider occurs. Notice shall be made in writing to the fire code official by the building owner and monitoring service provider prior to the service being terminated.

(Reason: To ensure the property's monitored fire alarm system is maintained for proper notification of emergency response in the event of an emergency incident.)

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**Section 903.1.1; to read as follows:**

**903.1.1 Alternative Protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard or as approved by the fire code official.

*(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection. Most gaseous type systems are highly susceptible to open doors, ceiling or floor tile removal, etc. However, an applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths.)*

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**Section 903.2; to read as follows:**

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoist ways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

**Exception:** {Delete}

*(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3005.4, such that passive fire barriers for these areas are maintained. The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building.)*

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**Section 903.2.4.2; to read as follows:**

**903.2.4.2 Group F-1 distilled spirits.** An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits involving more than 120-gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

*(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small distillery type operations without sprinkler requirements as has been historically allowed.)*

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**Section 903.2.9.3; to read as follows:**

**903.2.9.3 Group S-1 distilled spirits or wine.** An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

*(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small storage operations without sprinkler requirements as has been historically allowed.)*

**Section 903.2.9.4 and 903.2.9.5; to read as follows:**

**903.2.9.4** {Delete}

**903.2.9.5 Self-Service Storage Facility.** An automatic sprinkler system shall be installed throughout all self-service storage facilities.

*(Reason: Fire departments are unable to regularly inspect the interior of these commercial occupancies and are unaware of the contents being stored. Previous allowance to separate units by fire barriers is difficult to enforce maintenance after opening.)*

## **Option B**

**Section 903.2.11; 903.2.11.3 and 903.2.11.7, 903.2.11.8, and 903.2.11.9 to read as follows:**

**903.2.11.3 Buildings 35-feet or more in height.** An automatic sprinkler system shall be installed throughout buildings that have one or more stories other than penthouses in compliance with Section 1511 of the International Building Code, located 35-feet (10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

**Exception:**

1. {Delete}

**903.2.11.7 High-Piled Combustible Storage.** For any building with a clear height exceeding 12-feet (4572 mm), see Chapter 32 to determine if those provisions apply.

**903.2.11.8 Spray Booths and Rooms.** New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

**903.2.11.9 Buildings Over 6,000 sq. ft.** An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

**Exception:** Open parking garages in compliance with Section 406.5 of the International Building Code where all the following conditions apply:

- a. The structure is freestanding.

- |  |
|--|
| <ul style="list-style-type: none"> <li>b. The Structure does not contain any mixed uses, accessory uses, storage room, electrical room, elevators, or spaces used or occupied for anything other than motor vehicle parking.</li> <li>c. The Structure does not exceed 3 stories.</li> <li>d. An approved fire apparatus access road is provided around the entire structure.</li> </ul> |
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*(Reason: Provides jurisdictions options as to their desired level of sprinkler protection based on multiple factors including firefighting philosophies/capabilities.)*

**Section 903.3.1.1.1; to read as follows:**

**903.3.1.1.1 Exempt Locations.** When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such ... *{text unchanged}* ... because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire resistance rating of not less than 2 hours.
4. {Delete.}
5. Elevator machine rooms, machinery spaces, and hoist ways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. 6. {Delete.}

*(Reason: Gives more direction to code official. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)*

**Section 903.3.1.2; to read as follows:**

**903.3.1.2 NFPA 13R Sprinkler Systems.** Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is 35-feet (10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is 35-feet (10668 mm) or less below the lowest level of fire department vehicle access.

{No change to remainder of section.}

*(Reason: The change to the 2021 IFC over-reached to limit 13R systems to 30 ft. high at topmost floor level, which basically results in limiting 13R systems to 3 story buildings in reality. This change to 35 ft. would still allow 13R systems in 4 story apartment buildings, as has been allowed historically and as intended by 13R's scope.)*



**Section 903.3.1.2.2; to read as follows:**

**903.3.1.2.2 Corridors and Balconies.** Sprinkler protection shall be provided in all corridors and for all balconies. *{Delete the rest of this section.}*

*(Reason: Corridor protection is critical to the means of egress, and corridors are regularly utilized for miscellaneous storage, fixtures, artwork, food kiosks and beverage dispensers, and furnishings. Balcony protection is required due to issues with fire exposure via soffit vents and the potential for significant combustible loading.)*

**Section 903.3.1.2.3; to read as follows:**

**Section 903.3.1.2.3 Attached Garages and Attics.** Sprinkler protection is required in attached garages, and in the following attic spaces:

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
2. Where fuel-fired equipment is installed in an un-sprinklered attic, not fewer than one quickresponse intermediate temperature sprinkler shall be installed above the equipment.
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following:
  - 4.1. Provide automatic sprinkler system protection.
  - 4.2. Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.
  - 4.3. Construct the attic using noncombustible materials.
  - 4.4. Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the International Building Code.
  - 4.5. Fill the attic with noncombustible insulation.

*(Reason: Attic protection is required due to issues with fire exposure via soffit vents, as well as firefighter safety. Several jurisdictions indicated experience with un-protected attic fires resulting in displacement of all building occupants. NFPA 13 provides for applicable attic sprinkler protection requirements, as well as exemptions to such, based on noncombustible construction, etc. Attached garages already require sprinklers via NFPA 13R – this amendment just re-emphasizes the requirement.)*

**Section 903.3.1.3; to read as follows:**

**903.3.1.3 NFPA 13D Sprinkler Systems.** Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

*(Reason: To allow the use of the Plumbing section of the International Residential Code (IRC) and recognize current state stipulations in this regard.)*

**Section 903.3.1.4; to read as follows:**

**903.3.1.4 Freeze Protection.** Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

**903.3.1.4.1 Attics.** Only dry-pipe, pre-action, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

**Exception:** Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

**903.3.1.4.2 Heat Trace/Insulation.** Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

*(Reason: In the last few years, severe winters brought to light several issues with current practices for sprinklered attics, not the least of which was wet-pipe sprinklers in ventilated attics provided with space heaters, etc. for freeze protection of such piping. This practice is not acceptable for the protection of water-filled piping in a ventilated attic space as it does not provide a reliable means of maintaining the minimum 40 degrees required by NFPA, wastes energy, and presents a potential ignition source to the attic space. Listed antifreeze is specifically included because NFPA currently allows such even though there is no currently listed antifreeze at the time of development of these amendments. The intent of this amendment is to help reduce the large number of freeze breaks that have occurred in the past with waterfilled wet-pipe sprinkler systems in the future, most specifically in attic spaces.)*

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**Section 903.3.5; second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective NFPA standards; however, every water-based fire protection system shall be designed with a 10-psi safety factor. Reference Section 507.4 for additional design requirements.

*(Reason: To define uniform safety factor for the region.)*

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**Section 903.4; second paragraph after the Exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

*(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9.)*

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**Section 903.4.2; second paragraph to read as follows:**

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

*(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access and ease of recognition of the FDC location, especially at night.)*

**Section 905.3.9; to read as follows:**

**905.3.9 Buildings Exceeding 10,000 sq. ft.** In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200-feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

**Exceptions:**

1. Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

*(Reason: Allows for the rapid deployment of hose lines to the body of the fire in larger structures.)*

**Section 905.4; change Items 1, 3, and 5, and Item 7 to read as follows:**

1. In every required exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.

**Exception:** {No change.}

2. {No change.}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

**Exception:** Where floor areas adjacent to an exit passageway are reachable from an exit stairway hose connection by a {remainder of text unchanged}

4. {No change.}
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located to serve the roof or at the highest landing of an exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

*(Reason: Item 1, 3, and 5 amendments to remove 'interior' will help to clarify that such connections are required for all 'exit' stairways, to ensure firefighter capabilities are not diminished in these tall buildings, simply because the stair is on the exterior of the building. Item 5 reduces the amount of pressure required to facilitate testing and provides backup protection for fire fighter safety. Item 7 allows for the rapid deployment of hose lines to the body of the fire.)*

**Section 905.8; to read as follows:**

**905.8 Dry standpipes.** Dry standpipes shall not be installed.

**Exception:** Where subject to freezing and in accordance with NFPA 14. Additionally, manual dry standpipe systems shall be supervised with a minimum of 10-psig and a maximum of 40-psig air pressure with a high/low Supervisory alarm.

*(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm. NFPA 14 requires supervisory air for such but does not provide pressure criteria for what that means. This is a long-standing regional requirement.)*

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**Section 905.9; second paragraph to read as follows:**

**Exceptions:** { 1 and 2 No Change }

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

*(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)*

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**Section 906.1; to read as follows:**

1. In new and existing Group, A, B, E, F, H, I, M, R-1, R-2, R-4, and S occupancies.

**Exceptions:**

1. {No Change}
2. {No Change}
3. {Delete including 3.1 through 3.5}

{No Change to the remainder of the section 2 through 6 and exception}

*(Reason: This provision of only having vehicle-mounted fire extinguishers is not at all consistent with historical practice of requiring extinguishers throughout based on travel distance. Often times, the vehicle is what has caused the incident and/or may be the source of the incident, so having the extinguisher vehicle-mounted results in greater potential injury of the user. This assumes the only occupants in the building are on a vehicle, which again, significantly reduces access to fire extinguishers throughout the building to other occupants. Future use of the building/tenancy may change further complicating the issue.)*

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**Section 907.1.4; to read as follows:**

**907.1.4 Design Standards.** Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

*(Reason: Provides for the ability of descriptive identification of alarms and reduces need for panel replacement in the future. Change of terminology allows for reference back to definitions of NFPA 72.)*

**Section 907.1.5; to read as follows:**

**907.1.5 Required Installations.** Where required installation of a fire alarm notification system.

1. Any commercial building over 5,999 sq. ft. shall install a fire alarm notification system (In Compliance with 907.5.2.3.1) to compliment the sprinkler system. Approved systems shall include full audio/visual notification services. The system shall be monitored by an approved supervising station.
2. Buildings 5,999 sq. ft. and under shall install an approved automatic and manual fire alarm system and shall include full audio/visual notification services and requirements that meets NFPA 72. The system shall be monitored by an approved supervising station. Shall be required in any of the following:
  - 2.1 New multiple occupancy commercial construction.
  - 2.2 Existing multiple occupancy commercial building with a change of occupancy use.
  - 2.3 Existing commercial building that has been changed into a multiple occupancy use.

*(Reason: To provide notification within each individual suite or occupancy, and to provide protect to those in multiple occupancy commercial structures that do not normally require building occupant notification.)*

**Section 907.2.1; to read as follows:**

**907.2.1 Group A.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons, or where the occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

**Exception:** {No change.}

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

*(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices or reduces ability of fire alarm system to notify occupants of the emergency condition.)*

**Section 907.2.3; to read as follows:**

**907.2.3 Group E.** A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or

smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E Day Care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

**Exceptions:**

1. {No change.}
  - 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)  
{No change to remainder of exceptions.}

*(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems. Exceptions provide consistency with State law concerning such occupancies.)*

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**Section 907.2.10; to read as follows:**

**907.2.10 Group S.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: {No change.}

*(Reason: Because of the potential unknown fire load and hazards in self-storage type facilities, which could include flammable liquids for instance, as well as other hazardous materials, prompt evacuation in the event of fire alarm is needed; therefore, notification in the corridors/common areas is critical to all such occupancies, regardless of height.)*

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**Section 907.2.13, to read as follows:**

**Exception:**

1. {No change.}
2. {No change.}
3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

{No change to remainder of exceptions.}

*(Reason: To indicate that enclosed areas within open air seating type occupancies are not exempted from automatic fire alarm system requirements.)*

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**Section 907.4.2.5.1; to read as follows:**

**907.4.2.5.1 Protective Covers.** Protective covers for the double action manual pull stations, that are located at the designated emergency exits, are required in " I " occupancies when magnetic locking devices are allowed to

be utilized on the designated emergency exits and signage is posted above the manual pull stations stating, " Pull to Release Door in an Emergency."

*(Reason: Helps to reduce false alarms.)*

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**Section 907.4.2.7; to read as follows:**

**907.4.2.7 Type.** Manual alarm initiating devices shall be an approved double action type.

*(Reason: Helps to reduce false alarms.)*

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**Section 907.5.2.1; to read as follows:**

**907.5.2.1 Audible Alarms.** Audible fire alarm notification appliances shall be provided, audible appliances shall emit a distinctive sound that is not to be used for any purpose other than that of a fire alarm. Each individual suite or occupancy, within a sprinklered building, that is not required in other sections of this code to provide audible notification to the building occupants and shall install audible fire alarm devices with a temporal pattern connected to the fire alarm panel that provides notification of a fire alarm condition if one is detected in the building.

{No change to exceptions.}

*(Reason: To provide notification within each individual suite or occupancy to protect those in single or multiple occupancy commercial structures that do not normally require building occupant notification.)*

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**Section 907.5.2.3; to read as follows:**

**907.5.2.3 Visible Alarms.** Visible alarm notification appliances shall be provided in accordance with maintain consistency throughout all commercial Section 907.5.2.3.1 through 907.5.2.3.3. Each individual suite or occupancy, within a sprinklered building, that is not required in other sections of this code to provide visible notification to the building occupants and shall install visible fire alarm devices connected to the fire alarm panel that provides notification of a fire alarm condition if one is detected in the building.

**Exceptions:**

1. (Remove exception.)

{No change to remainder of exceptions.}

*(Reason: To provide clarity for NFPA 72 and to maintain consistency throughout all commercial structures, and to provide notification within each individual suite or occupancy to protect those in single or multiple occupancy commercial structures that do not normally require building occupant notification.)*

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**Section 907.6.1.1; read as follows:**

**907.6.1.1 Wiring Installation.** All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be

installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

*(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)*

**Section 907.6.3; to read as follows:**

**Exceptions:** { 1 through 4 are deleted }

*(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This is moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections.)*

**Section 907.6.6; to read as follows:**

**907.6.6 Monitoring.** Fire Alarm systems required by this chapter of the *International Building Code* shall be monitored by an approved supervising station in accordance with NFPA 72. See 907.6.3 for the required information transmitted to the supervising station.

**Exceptions:** {No change.}

*(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This was moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections (legacy language).)*

**Section 907.9; to read as follows:**

**907.9 Where Required in Existing Buildings and Structures.** An approved fire alarm system shall be provided in existing buildings and structures where required by Chapter 11. Each individual suite or occupancy, within a sprinklered building that is not required in other sections of this code to provide visible and audible notification to the building occupants and shall install audible fire alarm devices with a temporal pattern connected to the fire alarm panel that provides notification of a fire alarm condition if one is detected in the building.

*(Reason: To provide notification within each individual suite or occupancy to protect those in single or multiple occupancy commercial structures that do not normally require building occupant notification.)*

**Section 910.2; to read as follows:**

**Exceptions:**

1. {No change.}
2. Only manual smoke and heat removal shall be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index of  $50(m*S)^{1/2}$  or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.



*(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while still prohibiting such systems from being automatically activated, which is a potential detriment to the particular sprinkler systems indicated.)*

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**Section 910.2.3; to read as follows:**

**910.2.3 Group H.** Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m<sup>2</sup>) in single floor area.

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

*(Reason: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish. This is based on legacy language establishing long-standing historical practice.)*

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**Section 910.4.3.1; to read as follows:**

**910.4.3.1 Makeup Air.** Makeup air openings shall be provided within 6-feet (1829 mm) of the floor level. Operation of makeup air openings shall be automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m<sup>2</sup> per 0.4719 m<sup>3</sup>/s) of smoke exhaust.

*(Reason: Makeup air has been required to be automatic for several years now in this region when mechanical smoke exhaust systems are proposed. This allows such systems to be activated from the smoke control panel by first responders without having to physically go around the exterior of the building opening doors manually. Such requires a significant number of first responders on scene to conduct this operation and significantly delays activation and/or capability of the smoke exhaust system.)*

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**Section 912.2.3; to read as follows:**

**912.2.3 Hydrant Distance.** An approved fire hydrant shall be located within 100-feet of the fire department connection as the fire hose lays along an unobstructed path.

*(Reason: To accommodate limited hose lengths, improve response times where the FDC is needed to achieve fire control, and improve ease of locating a fire hydrant in those situations also. Also, consistent with NFPA 14 criteria.)*

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**Section 912.2.4; to read as follows:**

**912.2.4 Fire Department Connection Distance from Fire Lane.** All fire department connections shall be located within 50 feet of an approved fire lane access roadway.

*(Reason: To accommodate limited hose lengths and improve response times where the FDC is needed to achieve fire control)*

**Section 913.2.1; second paragraph added to read as follows:**

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

**Exception:** When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by Section 506.1.

*(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)*

**\*\*Section 914.3.1.2; to read as follows:**

**914.3.1.2 Water Supply to required Fire Pumps.** In all buildings that are more than 120-feet (36.6 m) in *building height*, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

**Exception:** {No change to exception.}

*(Reason: The 2009 edition of the IFC added this requirement based on a need for redundancy of the water supply similar to the redundancy of the power supply to the fire pumps required for such tall buildings, partially due to the fact that these buildings are rarely fully evacuated in a fire event. More commonly, the alarm activates on the floor of the event, the floor above and the floor below. Back-up power to the fire pump becomes critical for this reason. Certainly, the power is pointless if the water supply is impaired for any reason, so a similar requirement is provided here for redundant water supplies. The 2015 edition changes the requirement to only apply to very tall buildings over 420 ft. This amendment modifies/lowers the requirement to 120 ft., based on this same height requirement for fire service access elevators. Again, the language from the 2009 and 2012 editions of the code applied to any high-rise building. This compromise at 120 ft. is based on the above technical justification of defend-in-place scenarios in fire incidents in such tall structures.)*

**Section 1006.2.1; to read as follows:**

**1006.2.1 Egress based on occupant load and common path of egress travel distance.** Two exits or exit doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1. The cumulative occupant load from adjacent rooms, areas or space shall be determined in accordance with Section 1004.2.

**Exceptions:**

1. {No change.}
2. {No change.}
3. Unoccupied rooftop mechanical rooms and penthouses are not required to comply with the common path of egress travel distance measurement.

*(Reason: Add "rooftop" to Exception No. 3 to clarify that only such mechanical rooms located on the roof may be exempted.)*

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**Section 1008.3.3; to read as follows:**

1. {No change.}
2. {No change.}
3. {No change.}
4. {No change.}
5. All public restrooms in a building that is required to provide illumination for the means of egress.

*(Reason: Allow for visibility in all public restrooms in the event of power supply failure.)*

---

**Section 1009.1; to read as follows:**

**Exceptions:**

1. {No change.}
2. {No change.}
3. Buildings regulated under State Law and built-in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009.

*(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments to Chapter 11.)*

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**Section 1009.8; to read as follows:**

**Exceptions:**

1. {No change.}
2. {No change.}
3. {No change.}
4. {No change.}
5. {No change.}
6. {No change.}
7. Buildings regulated under State Law and built-in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and Chapter 11.

*(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments in Chapter 11.)*

**Section 1010.2.5; to read as follows:**

**Exceptions:**

1. {No change.}
2. {No change.}
3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy.  
(Remainder unchanged)
4. Where a pair of doors serves a Group A, B, F, M or S occupancy (remainder unchanged)
5. {No change.}

*(Reason: It is common in our region to see the 2nd leaf locked, when that leaf is not part of the required egress door clear width, such as in a typical Group M occupancy. Exception No. 4 was expanded to Group A due to it being a similar situation for Group A restaurants.)*

**Section 1015.8 Window Openings; to read as follows:**

1. Operable windows where the top of the sill of the opening is located more than 55-feet (16,764 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.

{No change to remainder of exceptions.}

*(Reason: In Option B jurisdictions, change 75 feet" to " 55 feet", which coincides with high rise.)*

**Section 1020.2; to read as follows:**

**Exceptions:**

1. {No change.}
2. {No change.}
3. {No change.}
4. {No change.}
5. {No change.}
6. In un-sprinklered group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector must activate selfannunciating alarms audible in all areas within the corridor. Smoke detectors must be connected to an approved automatic fire alarm system where such system is provided.

*(Reason: Similar concept was previously in UBC – legacy language. This scenario occurs primarily in existing, non-sprinklered buildings, which under current IBC would be required to have a fire resistance rated corridor. This exception provides a cost-effective solution for single tenant space in lieu of the base IBC requirement to retrofit a fire sprinkler system throughout the building.)*

**Section 1030.1.1.1; to read as follows:**

**Exceptions:**

1. {No change. }
2. {No change. }
3. {No change. }
4. Where alternate means or methods are submitted to and approved by the Building and Fire Officials.

*(Reason: This base IBC provision applies to all grandstands and bleachers and does not differentiate between open air grandstands & bleachers, smaller, less complex grandstands, and bleachers and or movable/non-fixed grandstands and bleachers. The new exception permits the AHJ to be presented with alternate means or methods that take into consideration these differentiators that are unique to the specific grandstand and/or bleacher.)*

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**Section 1032.2; to read as follows:**

**1032.2 Reliability.** Required *exit accesses*, *exits*, and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.

*(Reason: Maintain legacy levels of protection and long-standing regional practice and provide firefighter safety.)*

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**Section 1103.2 Emergency responder radio coverage in existing buildings; to read as follows:**

1. {No Change}
2. Shall be completed within 24 months from date of notification by the fire code official.

*(Reason: to provide radio communication to responding emergency personnel within the structure)*

---

**Section 1103.3; added sentence to end of paragraph to read as follows:**

Provide emergency signage as required by Section 604.4.

*(Reason: This signage to avoid elevators in a fire emergency is critical to life safety justifying the retroactive requirement.)*

---

**Section 1103.5.1; added sentence to end of paragraph to read as follows:**

Fire sprinkler system installation shall be completed within 24 months from date of notification by the fire code official.

*(Reason: Regional consistency of this retroactive requirement to allow business owners adequate time to budget to accommodate the cost of the fire sprinkler system.)*

---

**Section 1103.5.6; to read as follows:**

**1103.5.6 Spray Booths and Rooms.** Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

*(Reason: Consistent with amendment to IFC 2404, and long-standing regional requirement to protect this hazardous operation.)*

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**Section 1103.7.7; to read as follows:**

**1103.7.7 Fire Alarm System Design Standards.** Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

**Exception:** Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

**1103.7.7.1 Communication requirements.** Refer to Section 907.6.6 for applicable requirements.

*(Reason: To assist responding personnel in locating the emergency event and provide clarity as to percentages of work that results in a requirement to upgrade the entire fire alarm system.)*

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**Section 1203; to read as follows:**

**1203.1.1** {No change.}

**1203.1.2** {No change.}

**1203.1.3 Installation.** Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

**1203.1.4** {No change.}

**1203.1.5 Load Duration.** Emergency power systems and standby power systems shall be designed to provide the required power for a minimum duration of 2 hours without being refueled or recharged, unless specified otherwise in this code.

**Exception:** Where the system is supplied with natural gas from a utility provider and is approved.

**1203.1.6 through 1203.1.9** {No changes to these sections.}

**1203.1.10 Critical Operations Power Systems (COPS).** For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

**1203.2 Where Required.** Emergency and standby power systems shall be provided where required by Sections 1203.2.1 through 1203.2.4826 or elsewhere identified in this code or any other referenced code.

**1203.2.1 through 1203.2.3** {No change.}

**1203.2.4 Emergency Voice/alarm Communications Systems.** Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

1. Covered and Open Malls, Section 907.2.20 and 914.2
2. Group A Occupancies, Sections 907.2.1 and 907.5.2.2
3. Special Amusement Areas, Section 907.2.12 and 914.7
4. High-rise Buildings, Section 907.2.13 and 914.3
5. Atriums, Section 907.2.14 and 914.4
6. Deep Underground Buildings, Section 907.2.19 and 914.5

**1203.2.5 through 1203.2.14** {No change.}

**1203.2.15 Means of Egress Illumination.** Emergency power shall be provided for *means of egress* illumination in accordance with Sections 1008.3 and 1104.5.1. (90 minutes)

**1203.2.16 Membrane Structures.** Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the *International Building Code*. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4.

**1203.2.17** {No change.}

**1203.2.18 Smoke Control Systems.** Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11:

1. Covered Mall Building, *International Building Code*, Section 402.7
2. Atriums, *International Building Code*, Section 404.7
3. Underground Buildings, *International Building Code*, Section 405.8
4. Group I-3, *International Building Code*, Section 408.4.2
5. Stages, *International Building Code*, Section 410
6. Special Amusement Areas (as applicable to Group A's), *International Building Code*, Section 411
7. Smoke Protected Seating, Section 1030.6.2

**1203.2.19** {No change.}

**1203.2.20 Covered and Open Mall Buildings.** Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.

**1203.2.21 Airport Traffic Control Towers.** A standby power system shall be provided in airport traffic control towers more than 65-feet. in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment, and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

**1203.2.22 Smokeproof Enclosures and Stair Pressurization Alternative.** Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.7.2.

**1203.2.23 Elevator Pressurization.** Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

**1203.2.24 Elimination of Smoke Dampers in Shaft Penetrations.** Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

**1203.2.25 Common Exhaust Systems for Clothes Dryers.** Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code*, Section 504.11, Item 7.

**1203.2.26 Means of Egress Illumination in Existing Buildings.** Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

**1203.3** {No change.}

**1203.4** {No change.}

**1203.5** {No change.}

**1203.6** {No change.}

*(Reason: These amendments were moved from Chapter 6, due to relocation of the published sections to this new Chapter 12 in the past edition of the code and have now been updated for this edition. These provisions provide a list to complete and match that throughout the codes. The only additional requirements are the reference to COPS in NFPA 70, and the specified Energy time duration. Other changes are a reference to a code provision that already exists.)*

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**Section 2304.1; to read as follows:**

**2304.1 Supervision of Dispensing.** The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant; and/or,
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2304.3.

At any time, the qualified attendant of item Number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2304.3.

*(Reason: Allows a facility to apply the attended and unattended requirements of the code when both are potentially applicable.)*

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**Section 2401.2; section deleted in its entirety.**

*(Reason: This section eliminates such booths from all compliance with Chapter 24 including, but not limited to: size, ventilation, fire protection, construction, etc. If the product utilized is changed to a more flammable substance, the lack of compliance with Chapter 15 could result in significant fire or deflagration and subsequent life safety hazard.)*

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**Section 3103.3.1; section deleted in its entirety**



*(Reason: This section requires a fire sprinkler system to be installed in temporary tents and membrane structures, which is not a reasonable or enforceable requirement for a temporary use. A fire watch or fire alarm system is a more advisable approach for such occupancies that are only temporary in nature.)*

**Table 3206.2, footnote h; to read as follows:**

h. Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of  $50 (m \cdot s)^{1/2}$  or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

*(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while ensuring proper operation of the sprinkler protection provided. Also, gives an alternative to smoke and heat vents.)*

**Table 3206.2; added footnote j to row titled 'High Hazard' and 'Greater than 300,000' to read as follows:**

j. High hazard high-piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with Section 706 of the *International Building Code* shall be used to divide high-piled storage exceeding 500,000 square feet in area.

*(Reason: This is a long-standing legacy requirement and provides passive protection for extremely large buildings where it would be otherwise impossible to control the spread of fire without the fire wall in place in an uncontrolled fire event, which is much more likely in high hazard commodities, such as tires, flammable liquids, expanded plastics, etc.)*

**Section 3311.1; to read as follows:**

**Section 3311.1 Required access.** Approved vehicle access for firefighting and emergency response shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 50-feet (15 240 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, access shall be approved prior to the time which construction has progressed beyond completion of the foundation of any structure. Whenever the connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign.

*(Reason: Improves access to the FDC where required, as well as coordinates with the timing of installation amendment from Section 501.4.)*

**Section 5601.1.3; to read as follows:**

**5601.1.3 Fireworks.** The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

**Exceptions:**

1. Only when approved for fireworks displays, the storage and handling of fireworks as allowed in Section 5604 and 5608.
2. {Delete.}
3. The use of fireworks for approved fireworks displays as allowed in Section 5608.
4. {Delete.}

*(Reason: Restricts fireworks to approved displays only, which is consistent with regional practice. Such is intended to help protect property owners and individuals from unintentional fireworks fires within the jurisdiction, as well as to help protect individuals from fireworks injuries. It is noted that there has been a change in the State Law to allow possession of unopened fireworks in certain areas of the vehicle, and it is highly recommended that AHJ's familiarize themselves with the applicable State Laws in this regard.)*

**Section 5703.6; added sentence to end of paragraph to read as follows:**

An *approved* method of secondary containment shall be provided for underground tank and piping systems.

*(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)*

**Section 5704.2.11.4; to read as follows:**

**5704.2.11.4 Leak Prevention.** Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

*(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)*

**Section 5704.2.11.4.2; to read as follows:**

**5704.2.11.4.2 Leak Detection.** Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

*(Reason: Reference to IFC Section 5704.2.11.4.3 amendment.)*

**Section 5704.2.11.4.3; to read as follows:**

**5704.2.11.4.3 Observation Wells.** Approved sampling tubes of a minimum 4 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12-inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50-feet routed along product lines towards the dispensers, a minimum of two are required.

*(Reason: Provides an economical means of checking potential leaks at each tank site. This is longstanding regional practice.)*

**Section 5707.4; added paragraph to read as follows:**

Mobile fueling sites shall be restricted to commercial, industrial, governmental, or manufacturing, where the parking area having such operations is primarily intended for employee vehicles. Mobile fueling shall be conducted for fleet fueling or employee vehicles only, not the general public. Commercial sites shall be restricted to office-type or similar occupancies that are not primarily intended for use by the public.

*(Reason: The general public does not expect a hazardous operation to be occurring in a typical parking lot or for a fuel truck to be traversing such parking lot, temporarily fueling a vehicle, and moving on to the next area in the parking lot to fuel the next vehicle. Vehicular accidents occur in parking lots on a regular basis, but the presence of a fuel truck, especially one in the process of fueling a vehicle with gasoline, greatly adds to the potential risk involved in such accidents. By restricting such operations to the occupancies in question, the employees of the business may be adequately notified to expect such operations to occur in the parking lot.)*

**Section 6103.2.1.8; to read as follows:**

**6103.2.1.8 Jewelry Repair, Dental Labs and Similar Occupancies.** Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20-feet.

*(Reason: To provide a consistent and reasonable means of regulating the use of portable LP-Gas containers in these situations. Reduces the hazard presented by portable containers when natural gas is already available. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)*

**Section 6104.2; to read as follows:**

**Exceptions:**

1. {existing text unchanged}
2. Except as permitted in Sections 308 and 6104.3.3, LP-gas containers are not permitted in residential areas.

*(Reason: To provide a consistent and reasonable means of regulating the use LP-Gas containers. Reduces the hazard presented by such containers when natural gas is already available. References regional amendment to IFC 6104.3.3. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)*

**Section 6104.3.3; to read as follows:**

**6104.3.3 Spas, Pool Heaters, and Other Listed Devices.** Where natural gas service is not available, an LP-gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 6104.3 for location of containers.

**Exception:** Lots where LP-gas can be off-loaded wholly on the property where the tank is located may install up to 500 gallon above ground or 1,000 gallon underground approved containers.

*(Reason: Allows for an alternate fuel source. Dwelling density must be considered and possibly factored into zoning restrictions. Reduces the hazard presented by over-sized LP-Gas containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)*

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**Section 6107.4 and 6109.13; to read as follows:**

**6107.4 Protecting Containers from Vehicles.** Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators, and piping shall be protected in accordance with Section 312.

**6109.13 Protection of Containers.** LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

**Exception:** {Delete.}

*(Reason: NFPA 58 does not provide substantial physical protection [it allows raised sidewalks, fencing, ditches, parking bumpers as 'vehicle barrier protection'] of the container(s) from vehicular impact as is required and has been required historically, as per Section 312, i.e. bollard protection. Further, the exception to Section 6109.13 would allow for portable containers in ventilated metal cabinets to not require any physical protection whatsoever from vehicular impact, regardless of the location of the containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)*

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**{Appendix B Fire-Flow Requirements for Buildings amendments}**

**Table B105.2; footnote a. to read as follows:**

- a. The reduced fire-flow shall be not less than 1,500-gallons per minute.

*(Reason: The minimum fire-flow of 1,500 gpm for other than one- and two- family dwellings has existed since the 2000 edition of the IFC, as well as the Uniform Fire Code before that. Little to no technical justification was provided for the proposed code change at the code hearings. The board believes that the already-allowed 75 percent reduction in required fire-flow for the provision of sprinkler protection is already a significant trade-off. The minimum 1,500 gpm is not believed to be overly stringent for the vast majority of public water works systems in this region, especially since it has existed as the requirement for so many years. Further, the continued progression of trading off more and more requirements in the codes for the provision of sprinkler protection has made these systems extremely operation-critical to the safety of the occupants and properties in question. In other words, should the sprinkler system fail for any reason, the fire-flow requirements drastically increase from that anticipated with a sprinkler-controlled fire scenario.)*

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**{Appendix D Fire Apparatus Access Roads amendments}**

**Section D102.1; to read as follows:**

**D102.1 Access and loading.** Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete, or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing up to 85,000-pounds (38 556 kg).

*(Reason: To address the current size of fire trucks in use – figure derived from DOT requirements for waiver of vehicle exceeding such weight and from current maximum weights of fire trucks being purchased by jurisdictions in North Texas.)*

**Section D103.4; to read as follows:**

**D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150-feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4  
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0–150	24	None required
151–500	24	120-foot Hammerhead, 60-foot “Y” or 100-foot diameter cul-de-sac in accordance with Figure D103.1
501–750	26	120-foot Hammerhead, 60-foot “Y” or 100-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

*(Reason: Reflects current increased apparatus access roadway widths as indicated in the recommended amendment to 503.2.1.)*

**Section D103.5; Item 1 to read as follows:**

**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 24-feet (7315.2 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12-feet (3658 mm).

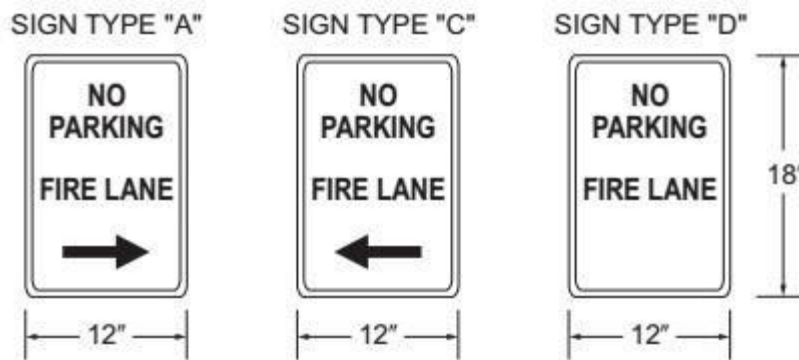
*(Reason: Reflects current increased apparatus access roadway widths as indicated in the recommended amendment to 503.2.1.)*

**Section D103.6; to read as follows:**

**D103.6 Marking.** Striping, signs, or other markings, when approved by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads, or prohibit the obstruction thereof. Striping, signs, and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) **Striping** – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” shall appear in four inch (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) **Signs** – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high (See Figure D103.6). Signs shall have red letters on a white reflective background, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.



**FIGURE D103.6 FIRE LANE SIGNS**

*(Reason: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to Section 503.3)*

**Section D103.6.1 and D103.6.2; delete sections.**

*(Reason: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to 503.3 and D103.6, which requires the signage on both sides of the fire apparatus access roads, regardless of width)*

**Section D104.3; to read as follows:**

**D104.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

*(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)*

**Section D105.3; to read as follows:**

**D105.3 Proximity to building.** Unless otherwise approved by the fire code official, one or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved* by the *fire code official*.

*(Reason: To provide some additional flexibility to the fire code official on the location of the aerial fire apparatus access roads.)*

**Section D106.3; to read as follows:**

**D106.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

*(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)*

**Section D107.2; to read as follows:**

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

*(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)*

**{Appendix L Requirements for Fire Fighter Air Replenishment Systems amendments}**

**Section L101.1; to read as follows:**

**Section L101.1 Scope.** Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in new buildings when any of the following conditions occur:

- 1. Any new building 55-feet or more in height.
- 2. Any new building with 2 or more floors below grade.
- 3. Any new building 500,000 square feet or more in size.

Each stairwell shall have a supply riser. SCBA fill panels shall be located on odd numbered floors commencing at the first level in the primary stairwell and on even numbered floors commencing at level 2 in the remaining stairwells. Fill panels in buildings over 500,000 square feet shall be located adjacent to each standpipe connection.

*(Reason: Breathing air is critical for firefighting operations. Historically, fire departments have supplied air bottles by manually transporting air bottles up stairways or across long distances in a building, which is an extraordinarily intensive process and takes firefighters away from their primary mission of rescue and firefighting. The FARS technology in Appendix L exists to address this issue using in-building air supply systems. Many jurisdictions in North Texas and across the country have already adopted this Appendix and are enforcing and installing these systems to improve the life safety of firefighters and enhance their firefighting capabilities in an emergency incident, which is one of the reasons for recommending this*

*Appendix for adoption – to ensure regional consistency, as well as to improve mutual emergency aid among jurisdictions in North Texas.)*

**Section L104.13.1; delete this section in its entirety.**

*(Reason: The amendment to Section L101.1 above addresses the location criteria for SCBA fill panels.)*

**Section L104.14; added paragraph to read as follows:**

The external mobile air connection shall be located with approved separation from the Fire Department Connection (FDC) to allow functionality of both devices by first responders; shall be visible from and within 50 ft. of a fire apparatus access road along an unobstructed path; and shall be located in an approved signed, secured cabinet.

*(Reason: To accommodate the needs of first responders to be able to locate and utilize the required connection to ensure air supply availability to this system, similar to the requirements of FDC's.)*

**END**



## EXHIBIT F



### North Central Texas Council of Governments Recommended Amendments to the *2023 National Electrical Code* North Central Texas Council of Governments

The following articles, paragraphs, and sentences of the *2023 National Electrical Code (NEC)* are hereby amended as follows: Standard type is text from the NEC. Highlighted with gray shading is text inserted. Lined through type is deleted text from NEC. A double asterisk (\*\*\*) at the beginning of an article identifies an amendment carried over from the 2020 edition of the code and a triple asterisk (\*\*\*) identifies a new or revised amendment with the 2023 code.

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**\*\*\*Article 100; add the following to definitions:**

Engineering Supervision. Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations **as referenced by TBPELS 137.59 (a)(b) as acceptable by the AHJ**

*(REASON FOR CHANGE: To better define the qualifications for engineering supervision. This term is used twenty-nine times in the 2023 National Electrical Code.)*

---

**\*\*Article 110.2; change the following to read as follows:**

**110.2 Approval.** The conductors and equipment required or permitted by this *Code* shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency or a field evaluation by a Field Evaluation Body accredited by either the International Code Council International Accreditation Service AC354 or ANSI National Accreditation Board programs and approved by the AHJ.

*Exception: Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field evaluation by a NRTL or qualified third-party inspection agency or a field evaluation by a Field Evaluation Body accredited by either the ICC IAS AC354 or ANAB programs and approved by the AHJ*

~~Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.~~

Informational Note No. 1: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of *Approved*, *Identified*, *Labeled*, and *Listed*.

Informational Note No. 2: Manufacturer's self-certification of equipment may not necessarily comply with U.S. product safety standards as certified by an NRTL.

Informational Note No. 3: National Fire Protection Association (NFPA) 790 and 791 provide an example of an approved method for qualifying a third-party inspection agency.

*(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval of unlisted equipment.)*

---

**\*\*\*Article 110.12 B; add the following to:**

**(B) Integrity of Electrical Equipment and Connections.**

Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, corrosive residues or influences, fire, products of combustion, or water. There shall be no damaged parts that may adversely affect safe operation or mechanical strength of the equipment such as parts that are broken; bent, cut; or deteriorated by corrosion, chemical action, or overheating. Except where prohibited elsewhere in this Code, equipment shall be specifically evaluated by its manufacturer or a qualified testing laboratory prior to being returned to service .

*(REASON FOR CHANGE: To better define a Plan of Action for equipment that is compromised prior to restoring to service)*

---

**\*\*Article 210.8 A 1 Bathrooms Exception; change the following to read as follows:**

**(A) Dwelling Units.**

All 125-volt through 250-volt receptacles installed in the following locations and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel:

(1) Bathrooms

*Exception No. 4: Factory-installed receptacles that are not readily accessible and are mounted internally to bathroom exhaust fan assemblies shall not require GFCI protection unless required by the installation instructions or listing.*

*(REASON FOR CHANGE: to cover all locations that exhaust fans could be installed)*

---

**\*\*Article 210.52 C 1 Countertop and Work Surfaces Exception; change the following to read as follows:**

**C) Countertops and Work Surfaces.**

In kitchens, pantries, breakfast rooms, dining rooms, and similar areas of dwelling units, receptacle outlets for countertop and work surfaces that are 300 mm (12 in.) or wider shall be installed in accordance with 210.52(C)(1) through (C)(3) and shall not be considered as the receptacle outlets required by **210.52(A)**.

For the purposes of this section, where using multioutlet assemblies, each 300 mm (12 in.) of multioutlet assembly containing two or more receptacles installed in individual or continuous lengths shall be considered to be one receptacle outlet.

**(1) Wall Spaces.**

Receptacle outlets shall be installed so that no point along the wall line is more than 600 mm (24 in.) measured horizontally from a receptacle outlet in that space. The location of the receptacles shall be in accordance with **210.52(C)(3)**.

*Exception No. 1: Receptacle outlets shall not be required directly behind a range, counter-mounted cooking unit, or sink in the installation described in **Figure 210.52(C)(1)**.*

*Exception No. 2: Where a required receptacle outlet cannot be installed in the wall areas shown in **Figure 210.52(C)(1)**, the receptacle outlet shall be permitted to be installed as close as practicable to the countertop area to be served. The total number of receptacle outlets serving the countertop shall not be less than the number needed to satisfy **210.52(C)(1)**. These outlets shall be located in accordance with **210.52(C)(3)**.*

(REASON FOR CHANGE: Elimination of receptacles in an area with a concept window wall configuration over the countertop is not the only option as there are devices available for a compliant installation)

**\*\*Article 210.52 C 2 Island and Peninsular Countertops and Work Surfaces: Change the following to read as follows:**

Receptacle outlets, if installed to serve an island or peninsular countertop or work surface, shall be installed in accordance with **210.52(C)(3)**. If a receptacle outlet is not provided to serve an island or peninsular countertop or work surface, provisions shall be provided at the island or peninsula for a chapter 3 wiring method shall be installed and supplied from a Small Appliance Branch Circuit to a Listed Outlet Box in the Peninsular or Island Cabinet at an Accessible Location, for future addition of a receptacle outlet to serve the island or peninsular countertop or work surface.

(REASON FOR CHANGE: to clarify what the provisions are for positive options for enforcement and approval)

---

**\*\*Article 210.63 B 1 Equipment Requiring Servicing.; change the following to read as follows:**

**(B) Other Electrical Equipment.**

In other than one- and two-family dwellings, a receptacle outlet shall be located as specified in 210.63(B)(1) and (B)(2).

**(1) Indoor Service Equipment.**

The required receptacle outlet shall be located within the same room or area as the service equipment.

**(2) Indoor Equipment Requiring Dedicated Equipment Spaces.**

Where equipment, other than service equipment, requires dedicated equipment space as specified in 110.26(E), the required receptacle outlet shall be located within the same room or area as the electrical equipment ~~and shall not be connected to the load side of the equipment's disconnecting means.~~

(REASON FOR CHANGE: to clarify that this is not any practical method for enforcement)

---

**\*\*\* New Article 220.7 Load Calculation; add the following:**

A load calculation shall be provided upon request when modifications to the electrical installation occur.

(REASON FOR CHANGE: to provide sufficient information as to the adequacy of existing conditions for the modifications proposed and substantiating the capacity of Power Production Systems used for Optional Standby/ Backup Use)

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**\*\*\*Article 230.85 C Emergency Disconnects: Change the following to read as follows:**

For one- and two-family dwelling units, an emergency disconnecting means shall be installed.

**(C) Replacement.**

Where service equipment is replaced, all of the requirements of this section shall apply.

*Exception: Where a pre-existing installation is Code Compliant with 230.70 A, only meter sockets, service entrance conductors, or related raceways and fittings are replaced, the requirements of this section shall not apply.*

(REASON FOR CHANGE: to clarify that there are pre-existing that were approved but were not Code Compliant and when modified shall comply with Code)

**\*\*\*Article 408.4 Descriptions ~~Field Identification~~ Required: Change the following to read as follows**

**(A) Circuit Directory or Circuit Description.**

Every circuit and circuit modification shall be provided with a legible and permanent description that complies with all of the following conditions as applicable:

- (1) Located at each switch or circuit breaker in a switchboard or switchgear
- (2) Included in a circuit directory that is located on the face of, inside of, or in an approved location adjacent and permanently affixed to the panel door in the case of a panelboard
- (3) Clear, evident, and specific to the purpose or use of each circuit including spare positions with an unused overcurrent device
- (4) Described with a degree of detail and clarity that is unlikely to result in confusion between circuits
- (5) Not dependent on transient conditions of occupancy
- (6) Clear in explaining abbreviations and symbols when used

*(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval)*

**\*\*Article 410.118: Change the following to read as follows**

**410.118 Access to other boxes.**

Luminaires recessed in the ceilings, floors, or walls shall not be used to access outlet, pull, or junction boxes or conduit bodies, unless the box or conduit body is an integral part of the listed luminaire.

Exception: removable luminaires with a minimum measurement of 22 in. X 22 in. shall be permitted to be used as access to outlet, pull, junction boxes or conduit bodies.

*(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval. This will allow access to boxes not integral with the luminaire. This measurement aligns with the limited access above a lay-in ceiling measurement in 110.26(A)(4).*

**\*\*Article 422.31 B: Change the following to read as follows**

**422.31 B Appliances Rated over 300 Volt-Amperes**

(B) Appliances Rated over 300 Volt-Amperes. For permanently connected appliances rated over 300 volt-amperes, the branch-circuit switch or circuit breaker shall be permitted to serve as the disconnecting means where the switch or circuit breaker is within sight from and is readily accessible to the appliance it serves or is capable of being locked in the open position in accordance with 110.25 and is readily accessible to the appliance it serves.

Informational Note No. 1: For appliances employing unit switches, see 422.34.

Informational Note No 2: The following means of access are considered to constitute readily accessible for this code change when conforming to the additional access requirements of the I Codes:

- (1) A permanent stair.
- (2) A pull-down stair with a minimum 300 lb. (136 kg) capacity.
- (3) An access door from an upper floor level.

*(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval)*

---

**\*\*\*Article 500.8 (A) (3); change to read as follows:**

### **500.8 Equipment.**

Articles 500 through 504 require equipment construction and installation that ensure safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to installation and maintenance.

Informational Note No. 2: Since there is no consistent relationship between explosion properties and ignition temperature, the two are independent requirements.

Informational Note No. 3: Low ambient conditions require special consideration. Explosion proof or dust-ignition proof equipment may not be suitable for use at temperatures lower than -25°C (-13°F) unless they are identified for low-temperature service. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified as Class I, Division 1 at normal ambient temperature.

**(A) Suitability.** Suitability of identified equipment shall be determined by one of the following:

- (1) Equipment listing or labeling;
- (2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation; or,
- (3) By Special Permission Only, Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation *accompanied by* or an owner's engineering judgment an engineering judgment signed and sealed Under Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations as referenced by TBPELS 137.59 (a)(b) as acceptable by the AHJ.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information.

*(REASON FOR CHANGE: It was revised to reflect new language and rearrangement of that section)*

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**\*\*\*Article 505.7 and 505.7 (A); change to read as follows:**

### **505.7 Special Precaution.**

~~Article 505~~ This article requires equipment construction and installation that ensures safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care ~~with regard~~ to regarding the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: ~~Low ambient conditions require special consideration.~~ Electrical equipment ~~depending~~ that is dependent on the protection ~~techniques described~~ technique permitted by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. ~~However,~~ Low ambient conditions require special consideration. At low ambient temperatures, flammable concentrations of vapors ~~may~~ might not exist in a location classified Class I, Zones 0, 1, or 2 at normal ambient temperature.

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed ~~By Special Permission Only,~~ under Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations as referenced by TBPELS 137.59 (a)(b) as acceptable by the AHJ.

(B) GO TO TBPE LAW FOR THE DEFINITION OF AN ENGINEER  
<https://pels.texas.gov/>  
<https://pels.texas.gov/downloads/lawrules.pdf>

*(REASON FOR CHANGE: Carryover from previous amendment with change to better define the qualifications for an engineering judgement. Code revision language included.)*

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**\*\*Article 695.6 A 1: Change the following to read as follows:**

**695.6 (A) Supply Conductors.**

**(1) Services and On-Site Power Production Facilities.**

Service conductors and conductors supplied by on-site power production facilities shall be physically routed outside a building(s) and shall be installed as service-entrance conductors in accordance with 230.6, 230.9, and Parts III and IV of Article 230. Where supply conductors cannot be physically routed outside of buildings, the conductors shall be permitted to be routed through the building(s) where installed in accordance with

230.6(1) or (2).

~~Exception: The supply conductors within the fire pump room shall not be required to meet 230.6 (1) or (2)~~

*(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval. All Fire Pump rooms are not Fire Rated as on all 4 sides. There are Fault Currents that could exceed 150,000-190,000 amps and protection of these Service Conductors is essential and conflict with other codes, specifically 230.70(A)(1).)*

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**\*\*\*Article 690.9 D: Change the following to read as follows:**

**690.9(D) Transformers.** Overcurrent protection for power transformers shall be installed in accordance with 705.30(F).

**~~Exception:~~ A power transformer with a current rating on the side connected toward the interactive inverter output, not less than the rated continuous output current of the inverter, shall be permitted without overcurrent protection from the inverter.**

(REASON FOR CHANGE: is that this removes the requirements for 240.21(C) for transformer secondaries when the inverters 125% output is smaller than the transformers rating.)

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**\*\*\*Article 705.8 System Installation: Change the following to read as follows:**

705.8 System Installation. Installation of one or more electrical power production sources operating in parallel with a primary source(s) of electricity shall be performed only by qualified persons. During the installation there shall be on site one of the following:

(1) A person holding a Master Electrician License issued by the Texas Department of Licensing and Regulation.

(2) A person holding a Journeyman Electrician License issued by the Texas Department of Licensing and Regulation.

~~(3) A person holding a Residential Wireman License issued by the Texas Department of Licensing and Regulation. Additionally this person must have formal training in interconnected electric power production sources. This training must be approved by the AHJ.~~

(REASON FOR CHANGE: These are specialized systems as evidenced by the Code, which contain installation requirements from chapter 6, Special Equipment and chapter 7 Special Conditions)

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### **705.80 Power Source Capacity.**

For interconnected power production sources that operate in island mode, capacity shall be calculated using the sum of all power source output maximum currents for the connected power production source. Solar photovoltaic (PV) and wind systems shall not be included in the sum capacity.

(REASON FOR CHANGE: to keep unreliable production sources out of the calculation as 705 creates conflicts with all standby systems.)

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**\*\*\*Article 710.15 A: Change the following to read as follows**

### **710.15 General**

#### **710.15(A) Supply Output.**

~~Power supply to premises wiring systems fed by stand-alone or isolated microgrid power sources shall be permitted to have less capacity than the calculated load. The capacity of the sum of all sources of the stand-alone supply shall be equal to or greater than the load posed by the largest single utilization equipment connected to the system. Calculated general lighting loads shall not be considered as a single load have adequate capacity to meet the calculated load in accordance with Article 220.~~



~~Informational Note: For general-use loads the system capacity can be calculated using the sum of the capacity of the firm sources, such as generators and ESS inverters. For specialty loads intended to be powered directly from a variable source, the capacity can be calculated using the sum of the variable sources, such as PV or wind inverters, or the combined capacity of both firm and variable sources.~~

*(REASON FOR CHANGE: The Scope of the Article has been clarified and the amendment is no longer necessary.)*

**END**

**Recommended Amendments to the  
2021 International Energy Conservation Code  
And the energy provisions of the  
2021 International Residential Code**  
North Central Texas Council of Governments Region  
(Climate Zone 2 & 3 of the IECC)

The following sections, paragraphs, and sentences of the *2021 International Energy Conservation Code* (IECC) are hereby amended as follows: Standard type is text from the IECC. Underlined type is text inserted. ~~Lined through type is deleted text from IECC.~~ A double (\*\*) asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple (\*\*\*) asterisk identifies a new or revised amendment with the 2021 code. Section numbers in parenthesis represent the corresponding numbers of the energy provisions of the *2021 International Residential Code* for parallel amendments.

## 2021 IECC (Energy Provisions of the 2021 IRC)

**\*\*\*Section 105.2 Required Inspections; Changed numbering and to read as follows:**

***R105.2.1 Footing and foundation inspection.***

Inspections associated with footings and foundations shall verify compliance with the code as to R-value, location, thickness, depth of burial and protection of insulation as required by the code and approved plans and specifications.

***R105.2.2 Framing and Air Barrier rough-in inspection.***

Inspections at framing and rough-in shall be made before application of interior finish insulation and shall verify compliance with the code as to: ~~types of insulation and corresponding R-values and their correct location and proper installation; fenestration properties such as U-factor and SHGC and proper installation;~~ air leakage controls as required by the code; and approved plans and specifications.

***R105.2.3 Insulation and Fenestration rough-in inspection.***

Inspections at framing and rough-in shall be made before application of interior finish and shall verify compliance with the code as to: types of insulation and corresponding R-values and their correct location and proper installation; fenestration properties such as U-factor and SHGC and proper installation.

***R105.2.34 Plumbing rough-in inspection.***

Inspections at plumbing rough-in shall verify compliance as required by the code and approved plans and specifications as to types of insulation and corresponding R-values and protection and required controls.

***R105.2.45 Mechanical rough-in inspection.***

Inspections at mechanical rough-in shall verify compliance as required by the code and approved plans and specifications as to installed HVAC equipment type and size, required controls, system insulation and corresponding R-value, system air leakage control, programmable thermostats, dampers, whole-house ventilation, and minimum fan efficiency.

**Exception:** Systems serving multiple dwelling units shall be inspected in accordance with Section C105.2.4.

***R105.2.56 Final inspection.***

The building shall have a final inspection and shall not be occupied until approved. The final inspection shall include verification of the installation of all required building systems, equipment and controls and their proper operation and the required number of high-efficacy lamps and fixtures.

**\*\*Section C102/R102 General; add Section C102.1.2 and R102.1.2 (N1101.4.1) to read as follows:**

**C102.1.2 Alternative compliance.** A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

**R102.1.2 (N1101.4.1) Alternative compliance.** A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4.1.2 (N1102.4.1.2) and R403.3.3 (N1103.3.3) respectively.

*(Reason: This amendment is added to allow alternative compliance in accordance with Texas HB 1365, 78<sup>th</sup> Legislature. Codified in Chapter 388 Texas Building Energy Performance Standards: §388.003(i). The last sentence to Section R102.1.2 (N1101.4.1) was added to ensure that every house is tested in accordance with the mandatory provisions of the code.)*

**Section R202 (N1101.6) Definitions; add the following definition:**

**\*\*PROJECTION FACTOR.** The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device.

*(Reason: The amendment to Section 402.3.2 (N1102.3.2) Glazed fenestration SHGC was proposed by the TAB. ESL determined the proposal to be not less restrictive than the 2015 IECC. This added definition is necessary as part of that amendment. The amendment will provide additional options for SHGC selection.)*

**Section R202 (N1101.6) Definitions; add the following definition:**

**\*\*DYNAMIC GLAZING.** Any fenestration product that has the fully reversible ability to change its performance properties, including U-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

*(Reason: This term is referenced in Section R402.3.2. This definition of DYNAMIC GLAZING is also found in the Commercial provisions of the code.)*

**\*\*\*Table 402.1.2 Maximum Assembly/Climate Zone items: amend table as follows.**

Climate Zone	Fenestration U-Factor <sup>f</sup>	Ceiling U-Factor
2	.40	0.26-0.29
3	0.30-0.32	0.26-0.29

**\*\*\*Table 402.1.3 Insulation/Climate Zone items: amend table as follows.**

Climate Zone	Fenestration U-Factor <sup>b,i</sup>	Ceiling R-Value	Wood Frame Wall R-Value	Slab R-Value & Depth
2	.40	49-42	13 or 0 + 10	0

3	<del>0.30</del> 0.32	49-42	19 or 13+53ci, 0+15	<del>10ci, 2-ft 0</del>
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*(Reason: Amended table to meet current building techniques, market conditions and product availability. Amended to avoid conflict between North Texas termite zone and slab R value in code.)*

**\*\*\*Section C402.5.2 Dwelling and sleeping unit enclosure testing. Added the underlined to read as follows**

C402.5.2 Dwelling and sleeping unit enclosure testing. The building thermal envelope shall be tested in accordance with ASTM E779, ANSI/RESNET/ICC 380, ASTM E1827 or an equivalent method approved by the code official. The measured air leakage shall not exceed 0.30 cfm/ft<sup>2</sup> (1.5 Us m<sup>2</sup>) of the testing unit enclosure area at a pressure differential of 0.2 inch water gauge (50 Pa). Where multiple dwelling units or sleeping units or other occupiable conditioned spaces are contained within one building thermal envelope, each unit shall be considered an individual testing unit, and the building air leakage shall be the weighted average of all testing unit results, weighted by each testing unit's enclosure area. Units shall be tested separately with an unguarded blower door test as follows:

1. Where buildings have fewer than eight testing units, each testing unit shall be tested.
2. For buildings with eight or more testing units, the greater of seven units or 20 percent of the testing units in the building shall be tested, including a top floor unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit enclosure area. For each tested unit that exceeds the maximum air leakage rate, an additional two three units shall be tested, including a mixture of testing unit types and locations.

*(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are in line with RESNET sampling guidelines.)*

**\*\*\*Section R402.4.1 Building thermal envelope; add section R402.4.1.4 to read as follows**

R402.4.1.4 Sampling options for R2 multifamily dwelling units. For buildings with eight or more testing units that must be tested as required by R402.4.1.2 or R402.4.1.3, the greater of seven units or 20 percent of the testing units in the building shall be tested, including a top floor unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit enclosure area. For each tested unit that exceeds the maximum air leakage rate, an additional three units shall be tested, including a mixture of testing unit types and locations. Where buildings have fewer than eight testing units, each testing unit shall be tested.

*(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are in line with the commercial provisions of the commercial 2021 IECC and RESNET sampling guidelines.)*

**\*\*\*Section R403.3 Ducts; add section R403.3.8 to read as follows**

R403.3.8 Sampling options for R2 multifamily dwelling units. For buildings with eight or more testing units that must be tested as required by R403.3.5, the greater of seven units or 20 percent of the testing units in the building shall be tested, including a top floor unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit floor area. For each tested unit that exceeds the maximum duct leakage rate, an additional three units shall be tested, including a mixture of testing unit types and locations. Where buildings have fewer than eight testing units, each testing unit shall be tested.

(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are in line with the commercial provisions of the commercial 2021 IECC and RESNET sampling guidelines.)

**\*\*\*Section R403.6 Mechanical Ventilation; add section R403.6.4 to read as follows**

R403.6.4 Sampling options for R2 multifamily dwelling units. For buildings with eight or more testing units that must be tested as required by R403.6.3, the greater of seven units or 20 percent of the testing units in the building shall be tested, including a top floor unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit floor area. For each tested unit that does not meet the minimum ventilation rate, an additional three units shall be tested, including a mixture of testing unit types and locations. Where buildings have fewer than eight testing units, each testing unit shall be tested.

(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are in line with the commercial provisions of the commercial 2021 IECC IECC and RESNET sampling guidelines.)

**\*\*\*R405.2 Performance-based compliance. Added to underlined to read as follows.**

R405.2 Performance-based compliance. Compliance based on total building performance requires that a proposed design meets all of the following:

1. The requirements of the sections indicated within Table R405.2.
2. The building thermal envelope greater than or equal to levels of efficiency and solar heat gain coefficients in Table R402.1.1 or R402.1.3 of the 2009 *International Energy Conservation Code*.
3. An annual energy cost that is less than or equal to the annual energy cost of the 2021 standard reference design or 8% less than the annual energy cost of the 2018 standard reference design. Energy prices shall be taken from a source approved by the code official, such as the Department of Energy, Energy Information Administration's State Energy Data System Prices and Expenditures reports. Code officials shall be permitted to require time-of-use pricing in energy cost calculations.

Exception: The energy use based on source energy expressed in Btu or Btu per square foot of conditioned floor area shall be permitted to be substituted for the energy cost. The source energy multiplier for electricity shall be 3.16. The source energy multiplier for fuels other than electricity shall be 1.1.

(Reason: At the time of the approval of these recommended amendments, software to calculate and show compliance with section R405 of the 2021 IECC was not available. The underlined amendment allows an alternative option to show compliance until software is available.)

**\*\*\*Section R401.2.5 Additional Energy efficiency; deleted in its entirety.**

(Reason: The deletion is based on the Complexity of the section and lack of tools to verify compliance and due to conflict with HB2439, 86th Regular Session)

**\*\*\*Section R408 ADDITIONAL EFFICIENCY PACKAGE OPTIONS; deleted in its entirety.**

(Reason: The deletion is based on the omission of R401.2.5 and R408 no longer applies and due to conflict with HB2439, 86th Regular Session.)

**\*\*\* Section R402.4.6 Electrical and Communication outlet boxes. Delete after the first sentence to read as follows.**

~~\*\*\*R402.4.6 Electrical and communication outlet boxes (air-sealed boxes). Electrical and communication outlet boxes installed in the building thermal envelope shall be sealed to limit air leakage between conditioned and unconditioned spaces. Electrical and communication outlet boxes shall be tested in accordance with NEMA OS 4, Requirements for Air-Sealed Boxes for Electrical and Communication Applications, and shall have an air leakage rate of not greater than 2.0 cubic feet per minute (0.944 L/s) at a pressure differential of 1.57 psf (75 Pa). Electrical and communication outlet boxes shall be marked “NEMA OS 4” or “OS 4” in accordance with NEMA OS 4. Electrical and communication outlet boxes shall be installed per the manufacturer’s instructions and with any supplied components required to achieve compliance with NEMA OS 4.~~

(Reason: Allow for alternatives and Avoid requiring proprietaries products.)

**\*\*\*Section R404.2 Interior Lighting Controls; deleted in its entirety.**

(Reason: The deletion is to eliminate confusion as the intent does not reflect what is written.)

**\*\*TABLE R406.4 (N1106.4) MAXIMUM ENERGY RATING INDEX; amend to read as follows:**

**TABLE R406.4 (N1106.4)<sup>1</sup>  
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
2	52-63
3	52-63

<sup>1</sup> This table is effective until August 31, 2022.

**TABLE R406.4 (N1106.4)<sup>2</sup>  
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
2	52-59
3	52-59

<sup>2</sup> The table is effective from September 1, 2022 to August 31, 2025.

**TABLE R406.4 (N1106.4)<sup>3</sup>  
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
2	52-57
3	52-57

<sup>3</sup> The table is effective from September 1, 2025 to August 31, 2028.

**TABLE R406.4 (N1106.4)<sup>3</sup>  
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
2	52-55
3	52-55

<sup>4</sup> This table is effective on or after September 1, 2028.

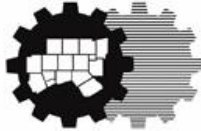
(Reason: The tables reflect the values and timetable set forth in HB 3215, 87<sup>th</sup> Regular Session Codified in Chapter 388 Texas Building Energy Performance Standards: §388.003.)

**NOTE : HB 3215 was signed into law by the Governor on June 14, 2021 as part of the 87<sup>th</sup> Regular Session Codified in Chapter 388 Texas Building Energy Performance Standards: §388.003 (i), (j), and (k).** HB 3215 now allows a **Home Energy Rating System Index (ex. HERS Index)** utilizing ANSI/RESNET/ICC Standard 301 (as it existed on January 1, 2021) shall be considered in compliance with State law provided that:

- *The home includes compliance with the Mandatory requirements of 2018 IECC Section R406.2.*
- *The home includes compliance with Building thermal envelope provisions of Table R402.1.2 or Table R402.1.4 of the 2018 IECC*

**END**

# EXHIBIT H



North Central Texas  
Council of Governments

## Recommended Amendments to the

### 2021 International Fuel Gas Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Fuel Gas Code* are hereby amended as follows: Standard type is text from the IFGC. Underlined type is text inserted. Lined through type is deleted text from IFGC. A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk identifies a new or revised amendment with the 2021 code.

#### **\*\*Section 101.2**

*{Local amendments to Section 101.2 may be necessary to correspond with the State Plumbing Licensing Law.}*

#### **\*\*Section 102.2; add an exception to read as follows:**

**Exception:** Existing dwelling units shall comply with Section 621.2.

*(Reason: Previous code provisions made unvented heater provisions retroactive except as provided for in local amendment. This amendment and amendment to IFGC 621.2 better clarify what the code already states: existing systems may stay unless considered unsafe.)*

#### **\*\*\*Section 102.8; change to read as follows:**

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the National Electrical Code shall mean the Electrical Code as adopted.

*(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)*

#### **\*\*Section 306.5; change to read as follows:**

**[M] 306.5 Equipment and Appliances on Roofs or Elevated Structures.** Where *equipment* requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, an interior or exterior means of access shall be provided. Exterior ladders providing roof access need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . *{bulk of section to read the same}* . . . on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). . . . *{remainder of text unchanged}*.



*(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)*

**\*\*Section 306.5.1; change to read as follows:**

**[M] 306.5.1 Sloped roofs.** Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

*(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)*

**\*\*Section 401.5; add a second paragraph to read as follows:**

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING  
1/2 to 5 psi gas pressure  
Do Not Remove"

*(Reason: To protect homeowners and plumbers.)*

**\*\*Section 404.12; change to read as follows:**

**404.12 Minimum burial depth.** Underground piping systems shall be installed a minimum depth of 42 18 inches (305 458 mm) top of pipe below grade, except as provided for in Section 404.12.1.

**404.12.1 Delete in its entirety.**

*(Reason: To provide increased protection to piping systems and address reference number change.)*

**\*\*\*Section 406.4; change to read as follows:**

**406.4 Test pressure measurement.** Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure. Spring type gauges do not meet the requirement of a calibrated gauge.

*(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)*

**\*\*\*Section 406.4.1; change to read as follows:**

**406.4.1 Test pressure.** The test pressure to be used shall be no less than 4 1/2 times the proposed maximum working pressure, but no less than 3 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury,

measured with a manometer or slope gauge, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 15 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 50 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

*(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)*

**\*\*Section 409.1; add Section 409.1.4 to read as follows:**

**409.1.4 Valves in CSST installations.** Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

*(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)*

**\*\*Section 410.1; add a second paragraph and exception to read as follows:**

Access to regulators shall comply with the requirements for access to appliances as specified in Section 306.

**Exception:** A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

*(Reason: To require adequate access to regulators.)*

**\*\*Section 621.2; add exception as follows:**

**621.2 Prohibited use.** One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

**Exception:** Existing approved unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

*(Reason: Gives code official discretion.)*

**END**

# EXHIBIT I

**Recommended Amendments to the 2021  
International Property Maintenance Code**  
North Central Texas Council of Governments Region

No recommended changes

# EXHIBIT J

## Recommended Amendments to the 2021 International Existing Building Code North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Existing Building Code* are hereby amended as follows: Standard type is text from the IEBC. Underlined type is text inserted. ~~Lined through type is deleted text from IEBC.~~ A double asterisk (\*\*) at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk (\*\*\*) identifies a new or revised amendment with the 2021 code.

### **\*\*Section 102.4; change to read as follows:**

**[A] 102.4 Referenced codes and standards.** The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2. {No change to rest of section.}

*(Reason: To not inadvertently adopt other codes (i.e., Wildland Urban Interface Code etc....) by reference.)*

### **\*\*\*Section 110.2; delete number 11 as follows:**

~~*11. Where an automatic sprinkler system is provided, and whether an automatic sprinkler system is required.*~~

(Reason: This has not been historically required on C.O.'s creating inconsistency and is not easily implemented to modify C.O.'s, and is short sided in only identifying one fire protection system. Further, the system must be maintained whether voluntarily installed or not.)

### **\*\*\*Section 202; amend definition of Existing Building as follows:**

**Existing Building** - A building, structure, or space with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use, erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.

### **\*\*\*Section 202; amend definition of Existing Structure as follows:**

**Existing Structure**- A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use, erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.

*(Reason: To prevent potential abuses in new construction and shell buildings.)*

**\*\*\*Section 306.1; add exceptions to read as follows:**

**Exceptions:**

- 1. Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.**
- 2. If the cost of the project is less than \$50K, it must comply with ICC A117.1, or it shall be reviewed and inspected to the Texas Accessibility Standards by a Registered Accessibility Specialist.**

(Reason: To coordinate with the IBC and State Law for accessibility.)

**\*\*\*Section 306.2; add exception to read as follows:**

**Exception:** Projects subject to the Texas Accessibility Standards as adopted by the Texas Department of Licensing and Regulation are exempt from this section. Projects with a valuation of less than \$50,000.00 (which are subject to the Texas Accessibility Standards) may be accepted as equivalent to this section where reviewed and inspected to the Texas Accessibility Standards by a Texas Department of Licensing and Regulation Registered Accessibility Specialist when a plan review report and a compliant inspection report are provided to the building code official.

(Reason: To coordinate with the IBC and State Law for accessibility.)

**\*\*\*Section 306.5.1; add to read as follows:**

**306.5.1 Complete change of occupancy.** Where an entire building undergoes a *change of occupancy*, it shall comply with Section 305.4.1 and shall have all of the following accessible features:

- 1. Not fewer than one accessible building entrance.**
- 2. Not fewer than one accessible route from an accessible building entrance to *primary function areas*.**
- 3. Signage complying with Section 1111 of the *International Building Code*.**
- 4. Accessible parking, where parking is being provided.**
- 5. Not fewer than one accessible passenger loading zone, where loading zones are provided.**
- 6. Not fewer than one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.**
- 7. At least one accessible family or assisted use toilet room shall be provided in accordance with Chapter 11 of the International Building Code.**

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, Items 1 through 6 shall conform to the requirements to the maximum extent technically feasible.

**Exception:** The accessible features listed in Items 1 through 6 are not required for an accessible route to Type B units.

(Reason: Maintains legacy language from the 2018 IEBC to identify accessibility criteria for changes of occupancy, and adds the required accessible toilet for disabled occupants, as per previous 2018 IEBC amendments.)

**\*\*Section 401.3 Flood Hazard Areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*Section 405.2.6 Flood Hazard Areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*Section 406.1; add a code reference to read as follows:**

**406.1 Material.** Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

*(Reason: To ensure compliance with the NEC relative to any electrical repairs/replacement.)*

**\*\*Section 502.3 Flood Hazard Areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city)*

**\*\*\*Section 503.2 Flood hazard areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city)*

**\*\*\*Section 503.16; add exception to read as follows:**

**Exception:** Compliance with the Texas Accessibility Standards is not considered equivalent compliance for the purpose of enforcement of this code section.

*(Reason: TAS does not address this criteria in their evaluation, and it is justifiably required for alterations in existing buildings.)*

**\*\*Section 504.1.2; change to read as follows:**

**504.1.2 Existing fire escapes.** Existing fire escapes shall continue to be accepted as a component in the means of egress in existing buildings only. Existing fire escapes shall be permitted to be repaired or replaced.

*(Reason: To add clarity and help reduce confusion associated with the amendment preventing new fire escapes.)*

**\*\*Section 504.1.3; delete this section:**

~~**504.1.3 New fire escapes.** New fire escapes for existing buildings shall be permitted only where exterior stairways cannot be utilized due to lot lines limiting stairway size or due to the sidewalks, alleys, or roads at grade level. New fire escapes shall not incorporate ladders or access by windows.~~

*(Reason: To generally require a higher level of egress protection and consistent with regional practice.)*

**\*\*Section 507.3 Flood Hazard Areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*Section 701.3 Flood Hazard Areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*\*Section 702.4; add exception 2 to read as follows:**

2. Operable windows with openings that are provided with window fall prevention devices that comply with ASTM F2090.

*(Reason: Maintains legacy language of the 2018 IFC to identify fall prevention devices as acceptable alternate/exception.)*

**\*\*Section 702.7; add a code reference to read as follows:**

**702.7 Materials and methods.** All new work shall comply with the materials and methods requirements in the *International Building Code, International Energy Conservation Code, International Mechanical Code, National Electrical Code,* and *International Plumbing Code*, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

*(Reason: To provide a more complete list of potentially adopted codes.)*

**\*\*Section 802.5.1; change to read as follows:**

**802.5.1 Minimum requirement.** Every portion of a floor, such as a balcony or a loading dock, open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps, and landings that is more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

*(Reason: To be consistent with Building Code requirements for guards and unsafe conditions.)*

**\*\*Section 803.1; add sentence to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

*(Reason: The intent is to avoid work area protection that would result in partial sprinkler or fire alarm protection. Partial sprinkler protection not delineated by walls would be a clear violation of NFPA 13 and would not allow the sprinkler to perform or function as intended. Also, partial fire alarm coverage is a clear violation of the Fire Code, NFPA 72, and ADA.)*

**\*\*Section 803.2.6; change exception to read as follows:**

**Exception:** Supervision is not required where the Fire Code does not require such for new construction. for the following:

- ~~1. Underground gate valve with roadway boxes.~~
- ~~2. Halogenated extinguishing systems.~~
- ~~3. Carbon dioxide extinguishing systems.~~
- ~~4. Dry and wet chemical extinguishing systems.~~

5. ~~Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic and automatic sprinkler systems and a separate shutoff valve for the automatic sprinkler system is not provided.~~

*(Reason: The published exceptions are over-reaching and will result in inconsistencies among supervised protection systems and cause confusion for first responders as well.)*

**\*\*Section 803.3; change section to read as follows:**

**803.3 Standpipes.** Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements.  
{Delete rest of Section 803.3.}

*(Reason: The Fire Code already requires standpipes in these buildings (greater than 50 ft.) retroactively in Section 1103.6. This new section would negate/lessen those retroactive provisions already contained in the Fire Code.)*

**\*\*Section 804.2; delete Exception #1 as follows:**

**Exceptions:** ~~1. Where the work area and the means of egress serving it complies with NFPA101.~~

~~2.~~ [Remain unchanged]

*(Reason: NFPA 101 is not a commonly adopted code in the region and enforcement would be problematic, especially due to contradictions with the requirements of the IBC.)*

**\*\*Section 804.4.1.2; change to read as follows:**

**804.4.1.2 Fire Escapes required.** For other than Group I-2, where more than one exit is required, an existing or newly constructed fire escape complying with section 805.3.1.2.1 shall be accepted as providing one of the required means of egress.

*(Reason: Higher level of safety by not allowing new fire escapes and consistent with regional practice.)*

**\*\*Section 804.4.1.2.1; change to read as follows:**

**804.4.1.2.1 Fire Escape access and details - ...**

1. [Remain unchanged]

2. Access to a new fire escape shall be through a door...

~~3. Newly constructed fire escapes shall be permitted only where exterior stairways cannot be utilized because of lot lines limiting the stairway size or because of the sidewalks, alleys, or roads at grade level.~~

4. [Remain unchanged]

5. In all buildings of Group E occupancy up to and including the 12<sup>th</sup> grade, buildings of Group I occupancy, rooming boarding houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.

*(Reason: Higher level of safety by not allowing new fire escapes. Consistency with language and defined term in IBC.)*

**\*\*Section 804.6.2 Transoms; add language to read as follows:**



## **804.6.2 Transoms.** *In all buildings of Group B, E, I-1, I-2, R-1 and R-2 occupancies, ...[Remainder unchanged]*

*(Reason: Transom windows were historically a common practice in school buildings and each jurisdiction should evaluate the impact on their stakeholders and their community with regards to this section.)*

### **\*\*Section 904.1; add sentence to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

*(Reason: The intent is to avoid work area protection that would result in partial sprinkler or fire alarm protection. Partial sprinkler protection not delineated by walls would be a clear violation of NFPA 13 and the Fire Code and would not allow the sprinkler system to perform or function as intended. Also, partial fire alarm coverage is a clear violation of the Fire Code, NFPA 72, and ADA.)*

### **\*\*Section 904.1.1; change to read as follows:**

**904.1.1 High-rise buildings.** An automatic sprinkler system shall be provided in work areas ~~of where the~~ high-rise buildings. ~~has a sufficient municipal water supply for the design and installation of an automatic sprinkler system at the site.~~

*(Reason: Level 3 alterations are affecting more than 50% of the existing high-rise building, and as such, sprinkler protection is more than justifiable, even when fire pumps, etc., are necessary. It is noted that the work area method is one of three different methods available to the designer/owner in the IEBC.)*

### **\*\*\*Section 1011.2.1: change to read as follows:**

**1011.2.1 Fire sprinkler system.** Where a change in occupancy classification occurs or where there is a *change of occupancy* within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code* that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*. The installation of the automatic sprinkler system shall be required within the area of the *change of occupancy* and areas of the building not separated horizontally and vertically from the *change of occupancy* by one of the following:

- ~~1. Nonrated permanent partition and horizontal assemblies.~~
- ~~2. Fire partition.~~
- ~~3. Smoke partition.~~
- ~~4. Smoke barrier.~~
5. Fire barrier, as required by Section 707 of the IBC.
6. Fire wall, as required by Section 706 of the IBC.

**Exceptions:** [Remain unchanged.]

*(Reason: Maintains legacy language requiring at least fire barrier separation between a newly sprinklered more hazardous 'change of occupancy' from non-sprinklered existing occupancies, as is required for fire area separation by the IBC.)*

**\*\*\*Section 1102.2.1; add to read as follows:**

**1102.2.1 Fire Separations.** *Where fire separations are utilized to allow additions without exceeding the allowable area provisions of Chapter 5 of the IBC for either the existing building or the new addition, the decreased clear space where the two buildings adjoin shall be accounted for in such calculation relative to the allowable frontage increase.*

(Reason: This issue of evaluating allowable area for additions is commonly miscalculated due to the above issue. This amendment provides clarification but is not more stringent than what is currently required by the Building Code as to allowable area calculations.)

**\*\*Section 1103.3 Flood Hazard Areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*Section 1201.4 Flood Hazard Areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*Section 1301.3.2; change to read as follows:**

***1301.3.2 Compliance with other codes.*** *Buildings that are evaluated in accordance with this section shall comply with the International Fire Code. ~~and International Property Maintenance Code.~~*

(Reason: NCTCOG does not currently recommend, nor review the IPMC for recommended amendments at this time.)

**\*\*Section 1301.3.3 Compliance with Flood Hazard Provisions; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*Section 1402.6 Flood Hazard Areas; delete this section.**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*\*Section 1509; delete Section 1509.1 through 1509.5 and add Section 1509.1 to read as follows:**

**1509.1 When required.** *An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. The water supply design and the timing of the water supply installation relative to building construction shall comply with the adopted Fire Code.*

*(Reason: Maintains legacy language for the water supply and ensures adequate water supply as required by the Fire Code for construction that is already well-established. The changes in the published 2021 IEBC drastically reduce the required water supply of the Fire Code without adequate or reasonable justification.)*

---

**END**

# EXHIBIT K

## Recommended Regional Amendments to the 2021 International Swimming Pool and Spa Code North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Swimming Pool and Spa Code* are hereby amended as follows: Standard type is text from the ISPSC. Underlined type is text inserted. ~~Lined-through type is deleted text from ISPSC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code. A triple asterisk (\*\*\*) identifies a new or revised amendment with the 2021 ISPSC code.

### **\*\*Section 102.9; Change to read as follows:**

**Section 102.9 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, to include but not limited to:

1. Texas Department of State Health Services (TDSHS); Standards for Public Pools and Spas; §285.181 through §285.208, (TDSHS rules do not apply to pools serving one- and two-family dwellings or townhouses).
2. Texas Department of Licensing and Regulation (TDLR); 2012 Texas Accessibility Standards (TAS), TAS provide the scoping and technical requirements for accessibility for Swimming Pool, wading pools and spas and shall comply with 2012 TAS, Section 242. (TAS rules do not apply to pools serving one- and two-family dwellings or townhouses).

**Exception:** Elements regulated under Texas Department of Licensing and Regulation (TDLR) and built in accordance with TDLR approved plans, including any variances or waivers granted by the TDLR, shall be deemed to be in compliance with the requirements of this Chapter.

*(Reason: To clarify specific Texas statutes which regulate public pools and spas.)*

### **\*\*\*Section 113.4 Violation penalties; Changed to read as follows:**

**113.4 Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair a pool or spa in violation of the *approved* construction documents or directive of the *code official*, or of a permit or certificate issued under the provisions of this code may be punishable for each day of the violation set forth by the authority having jurisdiction. ~~, shall be guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such a fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

*(Reason: Covered by general provisions of the Code of Ordinances.)*

### **\*\*\*Section 305; Change to read as follows:**

#### **305.1 General.**

The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. In only one-and two-family dwellings and townhouses, ~~where spas or hot tubs are equipped with a lockable safety cover complying with [ASTM F1346](#) and swimming pools are equipped with a powered safety cover that complies with [ASTM F1346](#),~~ the areas where those spas, hot tubs or pools are located shall not be required to comply with [Sections 305.2](#) through [305.7](#).

*(Reason: To clarify requirements for dwellings and commercial properties and specific Texas statutes which regulate public pools and spas.)*

**\*\* Add subsection 305.2.7.1; to read as follows:**

**305.2.7.1 Chain link fencing prohibited.** Chain link fencing is not permitted as a barrier in public pools built after January 1, 1994.

*(Reason: To clarify specific Texas Health and Safety Code Chapter 757.003 (f).)*

**\*\*\*Section 305.4 structure wall as a barrier; Changes as follows:**

**305.4 Structure wall as a barrier.** Where a wall of a dwelling or structure of a one- and two-family dwelling or townhouse or its accessory structure serves as part of a barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Remainder Unchanged
2. Remainder Unchanged
3. Remainder Unchanged
4. Remainder unchanged
5. Remainder unchanged
6. Remainder unchanged

*(Reason: To clarify specific Texas Health and Safety Code Chapter 757.007.)*

**\*\*Section 305.6; Change to read as follows:**

**305.6 Natural barriers used in a one- and two-family dwelling or townhouse.** In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge a minimum of eighteen (18) inches, a barrier is not required between the natural body of water shoreline and the pool or spa.

*(Reason: Specific Texas statutes do not allow the use of natural barriers in lieu of fencing for public pools per Chapter 757.003).*

**\*\*Section 307.1.4 Accessibility; Add exception to Section to 307.1.4 as follows:**

**Exception:** Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

*(Reason: To accommodate buildings regulated under state law. Further clarified to mean Components that are specifically addressed by TDLR shall be exempt.)*

**\*\*\*Section 307.2.2.2; add to read as follows:**

**Section 307.2.2.2. Adjacency to Structural Foundation.** Depth of the swimming pool and spa shall maintain a ratio of 1:1 from the nearest building foundation or footing of a retaining wall.

Exception: A sealed engineered design drawing of the proposed new structure shall be submitted for approval.

*(Reason: To clarify specific distances for pools and spas, correlates with IRC 327.1.)*

**\*\*Section 310; Change to read as follows:**

**310.1 General.** Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7 (ANSI/PHTA/ICC 7) or for public swimming pools in accordance with State of Texas Rules for Public Swimming Pools and Spas, Title 25 TAC Chapter 265 Subchapter L, Rule §265.190.

*[Remainder unchanged]*

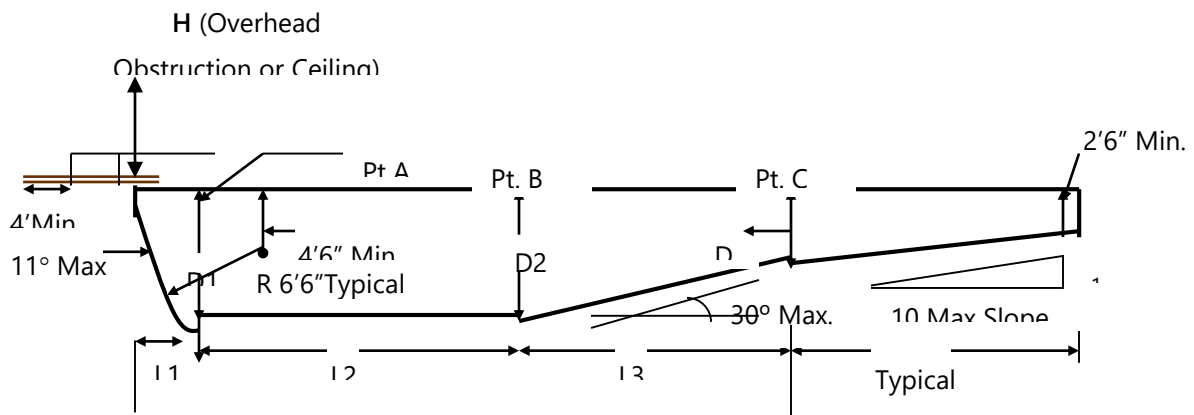
*(Reason: To clarify specific Texas statutes which regulate public pools and spas.)*

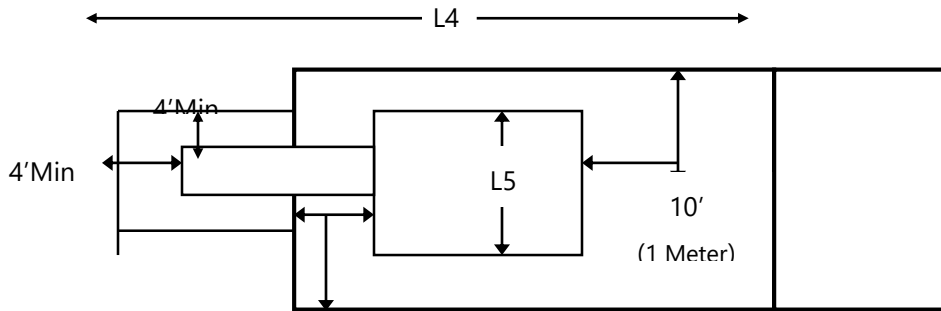
**\*\* Section 402.12; Change to read as follows:**

**402.12 Water envelopes.** The minimum diving water envelopes shall be in accordance with Table 402.12—Texas Department of State Health services, Administrative Code Title 25, Chapter 265, Section 186 (e) and Figure: 25 TAC 256.186 (e) (6). (Delete Table 402.12 and Figure 402.12)

**ADD: Figure: 25 TAC §265.186 (e) (6)**

Maximum Diving Board Height Over Water	¾ Meter	1 Meter	3 Meters
Max. Diving Board Length	12 ft.	16 ft.	16 ft.
Minimum Diving Board Overhang	2 ft. 6 in.	5 ft.	5 ft.
D1 Minimum	8 ft. 6 in.	11 ft. 2 in.	12 ft. 2 in.
D2 Minimum	9 ft.	10 ft. 10 in.	11 ft. 10 in.
D3 Minimum	4 ft.	6 ft.	6 ft.
L1 Minimum	4 ft.	5 ft.	5 ft.
L2 Minimum	12 ft.	16 ft. 5 in.	19 ft. 9 in.
L3 Minimum	14 ft. 10 in.	13 ft. 2 in.	13 ft. 11 in.
L4 Minimum	30 ft. 10 in.	34 ft. 7 in.	38 ft. 8 in.
L5 Minimum	8 ft.	10 ft.	13 ft.
H Minimum	16 ft.	16 ft.	16 ft.
From Plummets to Pool Wall at Side	9 ft.	10 ft.	11 ft. 6 in.
From Plummets to Adjacent Plummets	10 ft.	10 ft.	10 ft.





(Reason: To avoid conflict with 25 TAC Chapter 265.)

**\*\*Section 411.2.1 & 411.2.2; Change to read as follows:**

**411.2.1 Tread dimensions and area.** Treads shall have a minimum unobstructed horizontal depth (i.e., horizontal run) of 12 inches and a minimum width of 20 inches, not be less than 24 inches (607mm) at the leading edge. Treads shall have an unobstructed surface area of not less than 240 square inches (154838mm<sup>2</sup>) and an unobstructed horizontal depth of not less than 10 inches (254 mm) at the center line.

**411.2.2 Risers.** Risers for steps shall have a maximum uniform height of 10 inches, with the bottom riser height allowed to taper to zero except for the bottom riser, shall have a uniform height of not greater than 12 inches (305 mm) measured at the center line. The bottom riser height is allowed to vary to the floor.

(Reason: To avoid conflict with 25 TAC Chapter 265.186 (c)(7)(A)& (B).)

**\*\*Section 411.5.1 & 411.5.2; Change to read as follows:**

**411.5.1 Swimouts.** Swimouts, located in either the deep or shallow area of a pool, shall comply with all of the following:

1. Unchanged
2. Unchanged
3. Unchanged
4. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.

**411.5.2 Underwater seats and benches.** Underwater seats and benches, whether used alone or in conjunction with pool stairs, shall comply with all of the following:

1. Unchanged
2. Unchanged
3. Unchanged
4. Unchanged
5. The leading edge shall be visually set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.
6. Unchanged
7. Unchanged

*(Reason: To avoid conflict with 25 TAC Chapter 265.184 (u) & 265.186 (c)(10).)*

**\*\*Section 610.5.1; Change to read:**

**610.5.1 Uniform height of 9-10 inches.** Except for the bottom riser, risers at the centerline shall have a maximum uniform height of 9-10 inches (~~229-254~~ mm). The bottom riser height shall be permitted to vary from the other risers.

*(Reason: To avoid conflict with 25 TAC Chapter 265.186 (c)(7)(B).)*

**\*\*Section 804 Diving Water Envelopes; Change to read as follows:**

**Section 804.1 General.** The minimum diving water envelopes shall be in accordance with Table 804.1 and Figure 804.1, or the manufacturer's specifications, whichever is greater. Negative construction tolerances shall not be applied to the dimensions of the minimum diving water envelopes given in Table 804.1.

*(Reason: To provide minimum standards and to clarify specific manufactures specifications of the diving equipment.)*

**END**



# HICKORY CREEK LEISURE CENTER MASTER PLAN

May 2024

PRESENTED BY:

Layne Olivo

Landscape Architecture Project Manager

Halff Associates, Inc.

FORT WORTH

2601 Meacham Blvd., Suite 600

Fort Worth, TX 76137-4204

Voice: 817.847.1422

# HICKORY CREEK LEISURE CENTER MASTER PLAN

## AGENDA

1. Project Overview
2. Survey Results
3. Design Process
4. Final Design

# HICKORY CREEK LEISURE CENTER MASTER PLAN

## PROJECT OVERVIEW

### 1. DATA COLLECTION AND BASE MAPPING

DECEMBER 2023

- Aerial Photography
- Public Survey
- Topography, Utilities, Other Infrastructure
- Property Boundaries, etc.
- Base Plan for Concept Development

### 2. MASTER PLAN

JANUARY – MAY 2024

- Site Analyses
- Relational Concepts
- Preliminary Concept Plans
- Final Master Plan & Opinion of Probable Cost
- Aerial Perspectives of Final Master Plan



TO LAKE LEWISVILLE



SCHOOL

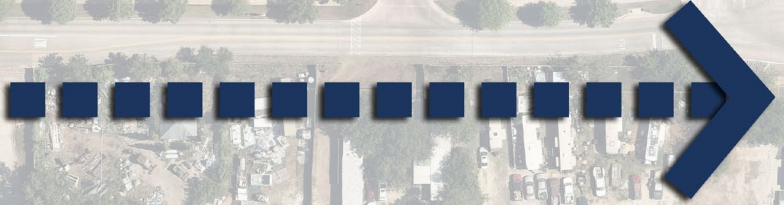
PROJECT SITE

TOWN HALL

LAKE/TRAIL

Ronald Reagan Ave

Tuberville Rd.



TO I-35



# HICKORY CREEK LEISURE CENTER MASTER PLAN SURVEY RESULTS

January 5 - January 12 2024

Responses: 46

Questions: 6

**Q1: Please Select the Amenities that you would most like to see offered at Hickory Creek's Leisure Center.**

**Q2: Of the 5 options you selected in the previous question, which option would you most like to see at Hickory Creek's Leisure Center?**

**Q3: When visiting the Leisure Center, will you primarily go as an individual or as a group?**

**Q4: What method of transport will you primarily use to access the Leisure Center?**

**Q5: Approximately how much time do you anticipate you will spend at the Leisure Center per visit?**

**Q6: If you are comfortable sharing, please select your age range.**



Trails  
**47.5%**



Indoor Facilities  
**45.7%**



Pickleball Courts  
**39.1%**



Multi-purpose Fields  
**34.8%**



Playgrounds  
**34.8%**



Food Truck  
**28.3%**

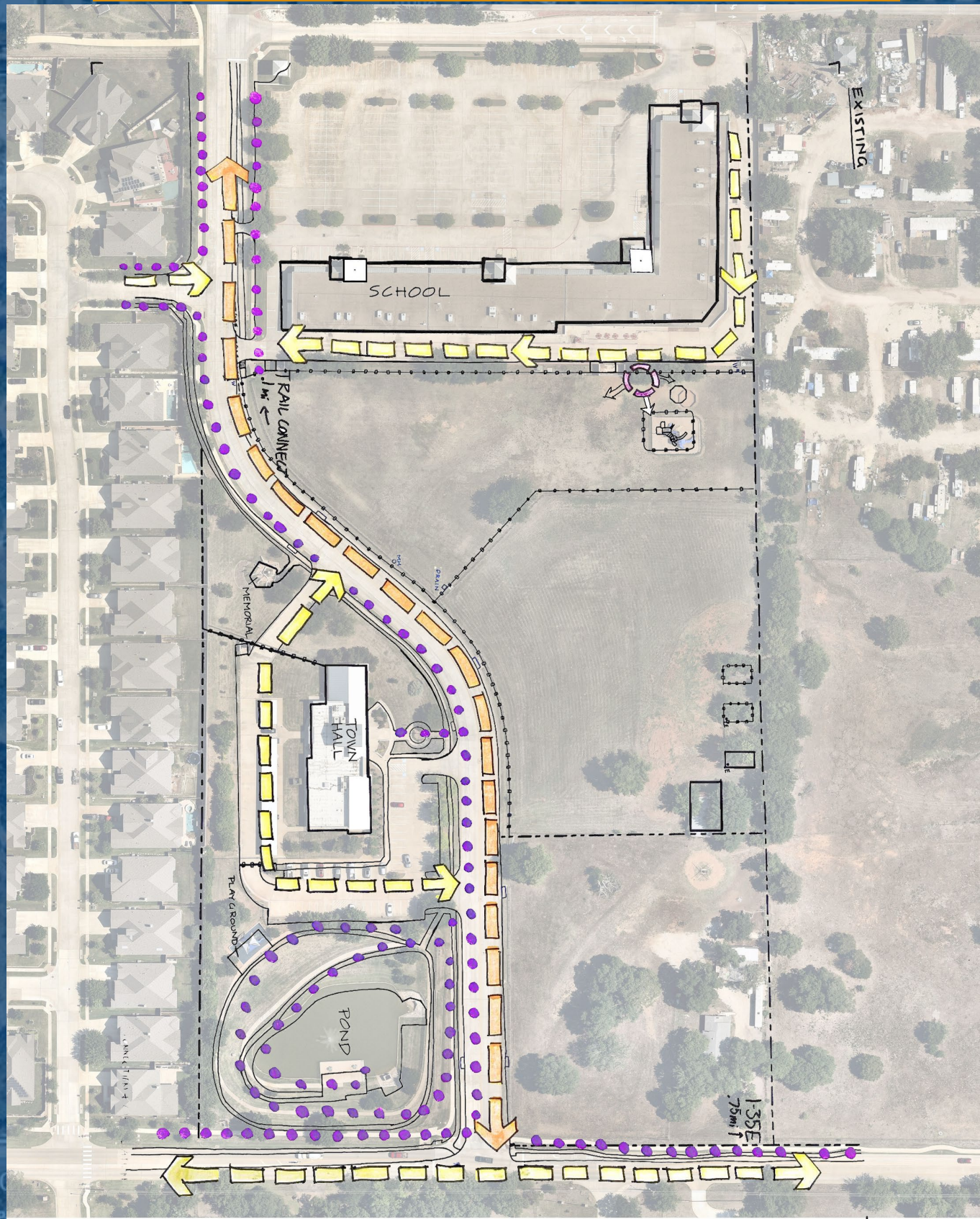
# HICKORY CREEK LEISURE CENTER MASTER PLAN DESIGN PROCESS

## SITE INVENTORY ANALYSIS

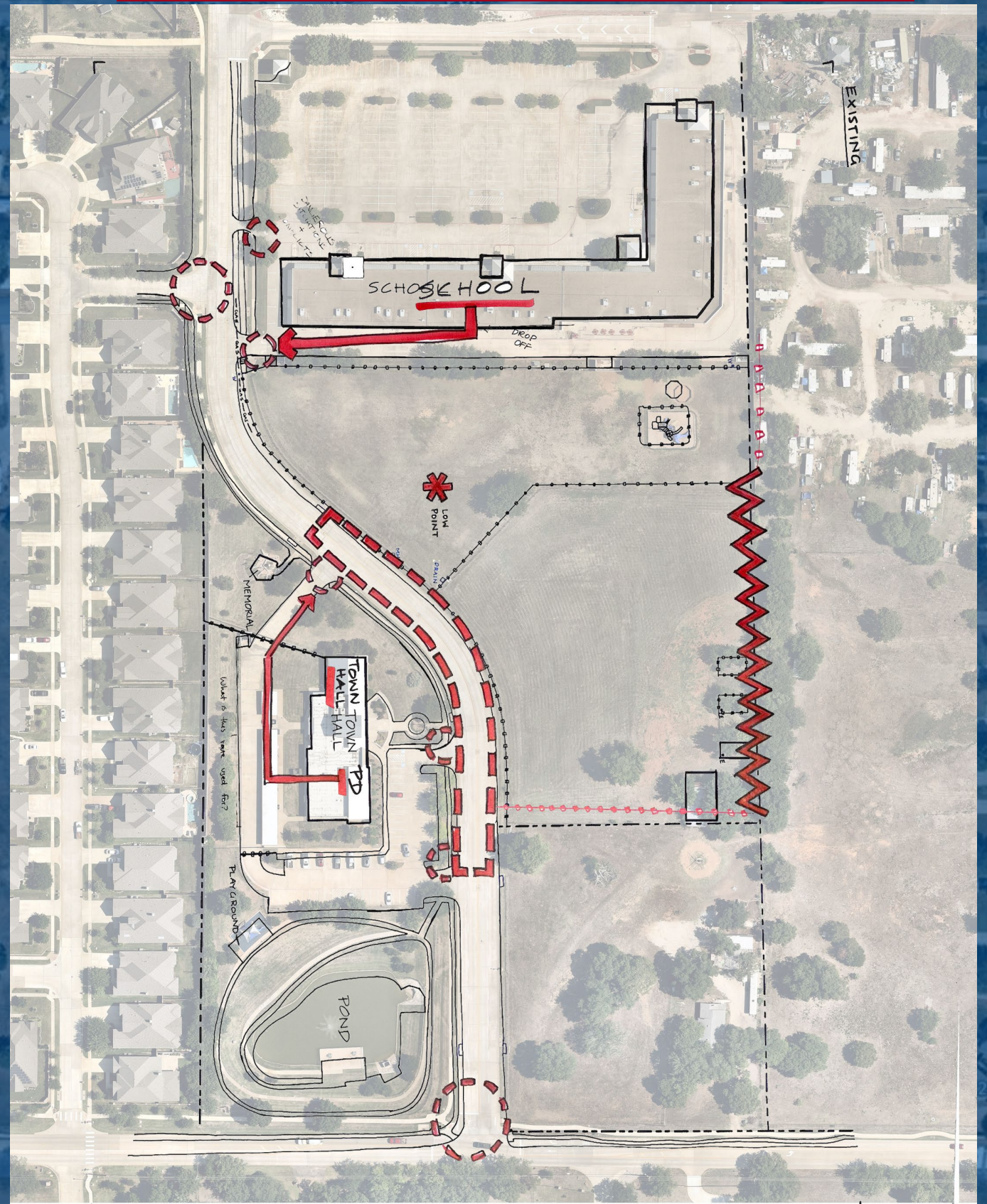




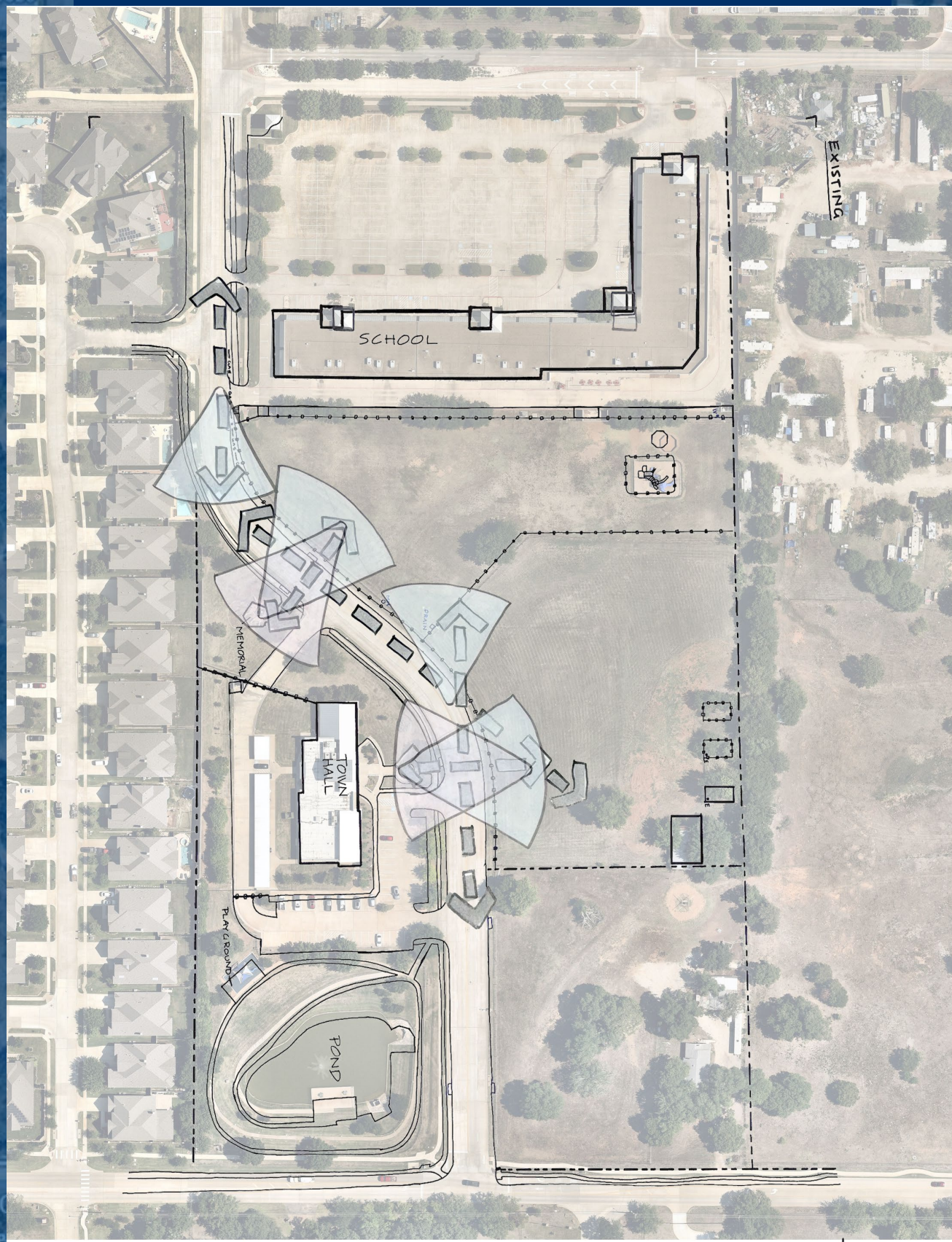
# Circulation Analysis



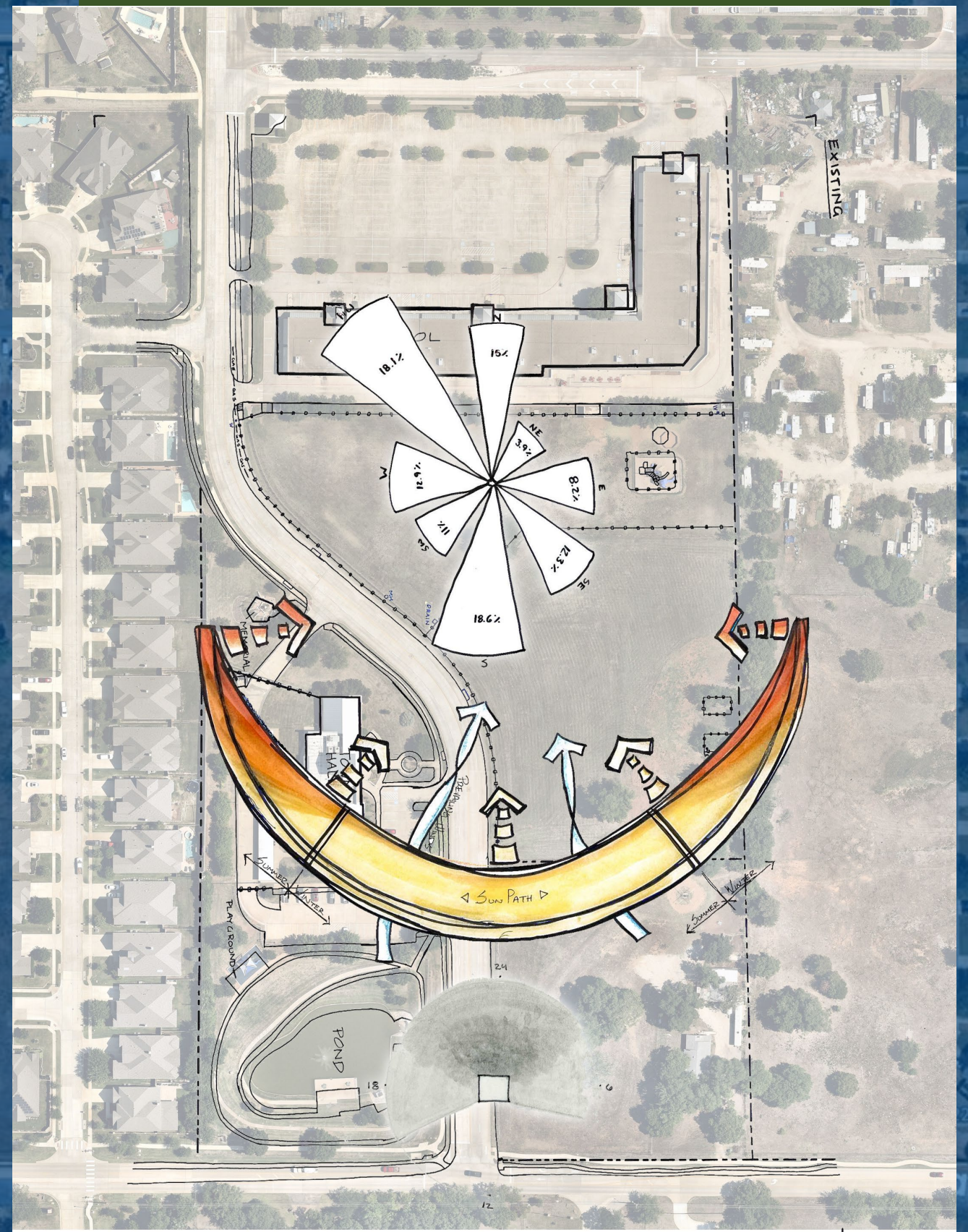
# Constraints Analysis



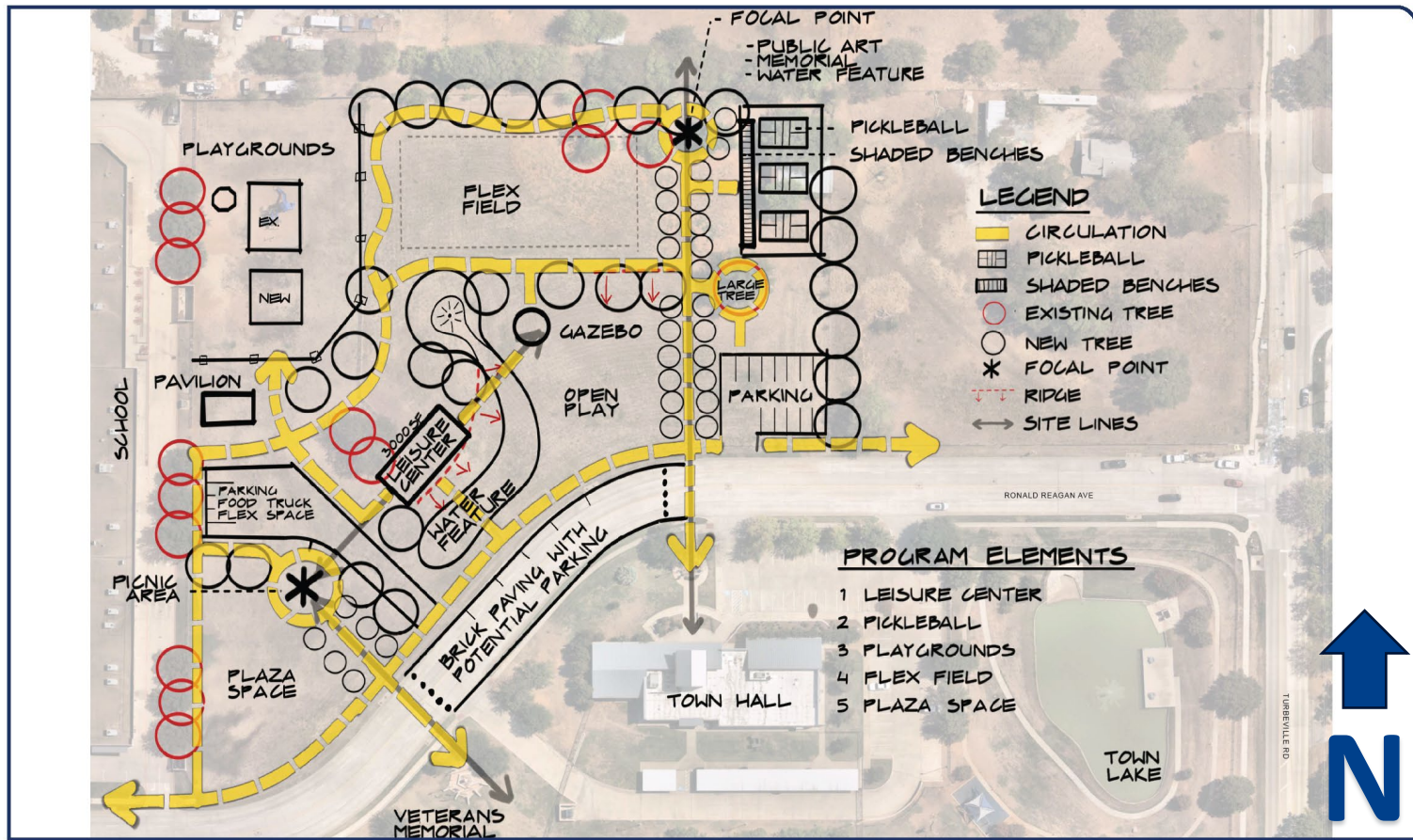
# Site Lines and Views Analysis



# Sun Path, Wind Rose, Shade Analysis



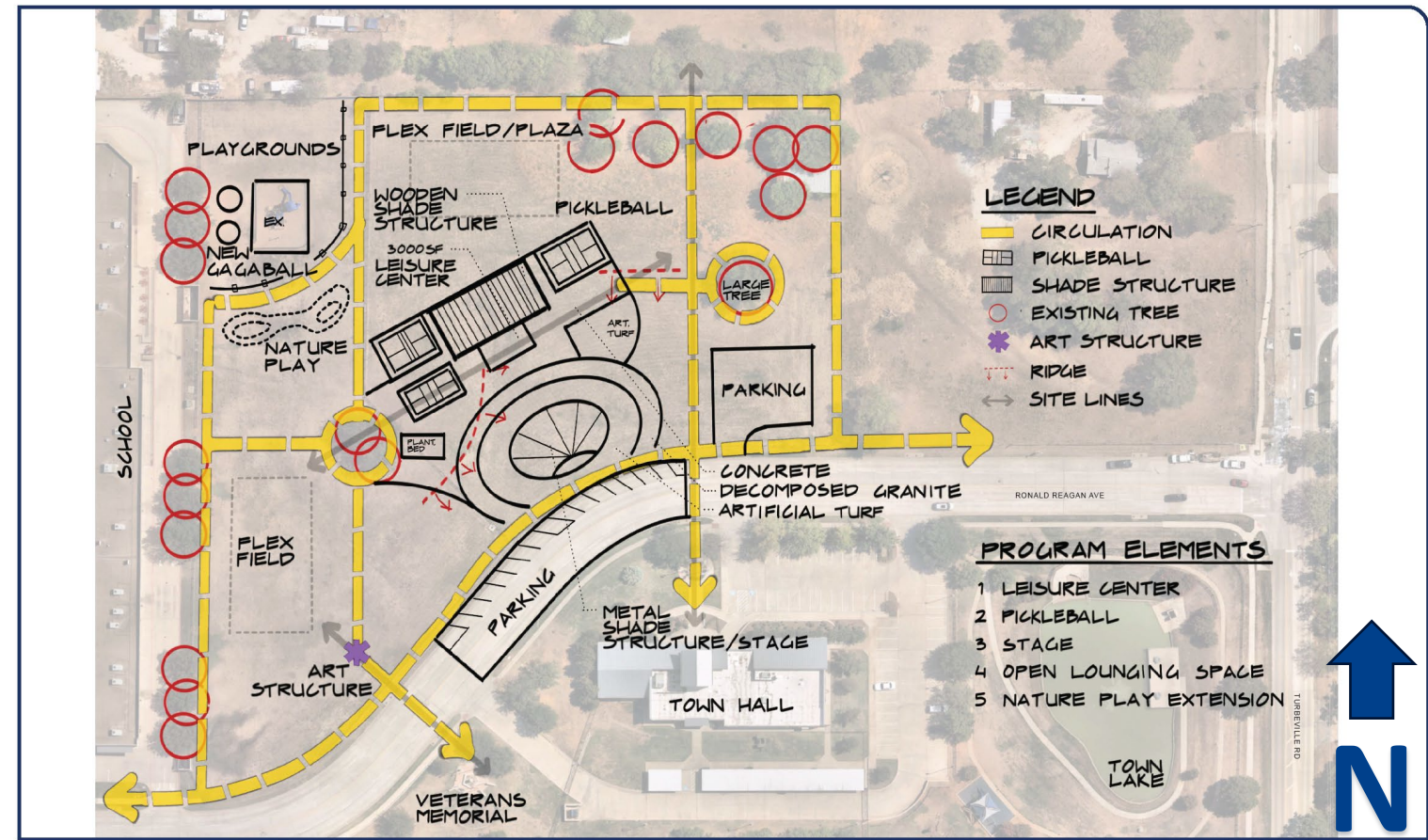
# HICKORY CREEK LEISURE CENTER MASTER PLAN DESIGN PROCESS CONCEPT DESIGNS



HICKORY CREEK LEISURE CENTER CONCEPT 1

FEBRUARY 2024 SCALE: 1" = 40'-0"

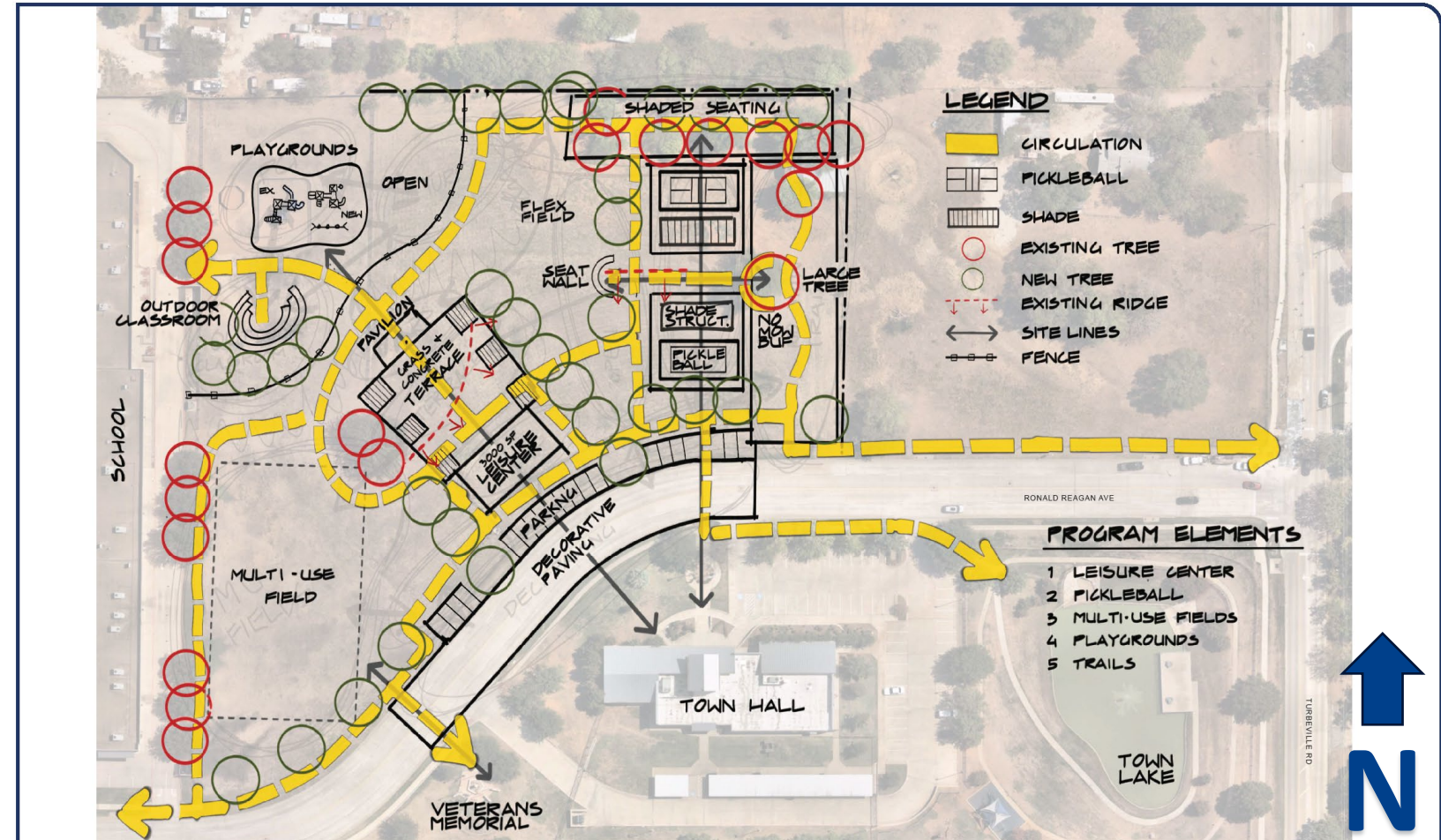
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HICKORY CREEK LEISURE CENTER CONCEPT 2

FEBRUARY 2024 SCALE: 1" = 40'-0"

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HICKORY CREEK LEISURE CENTER CONCEPT 3

FEBRUARY 2024 SCALE: 1" = 40'-0"

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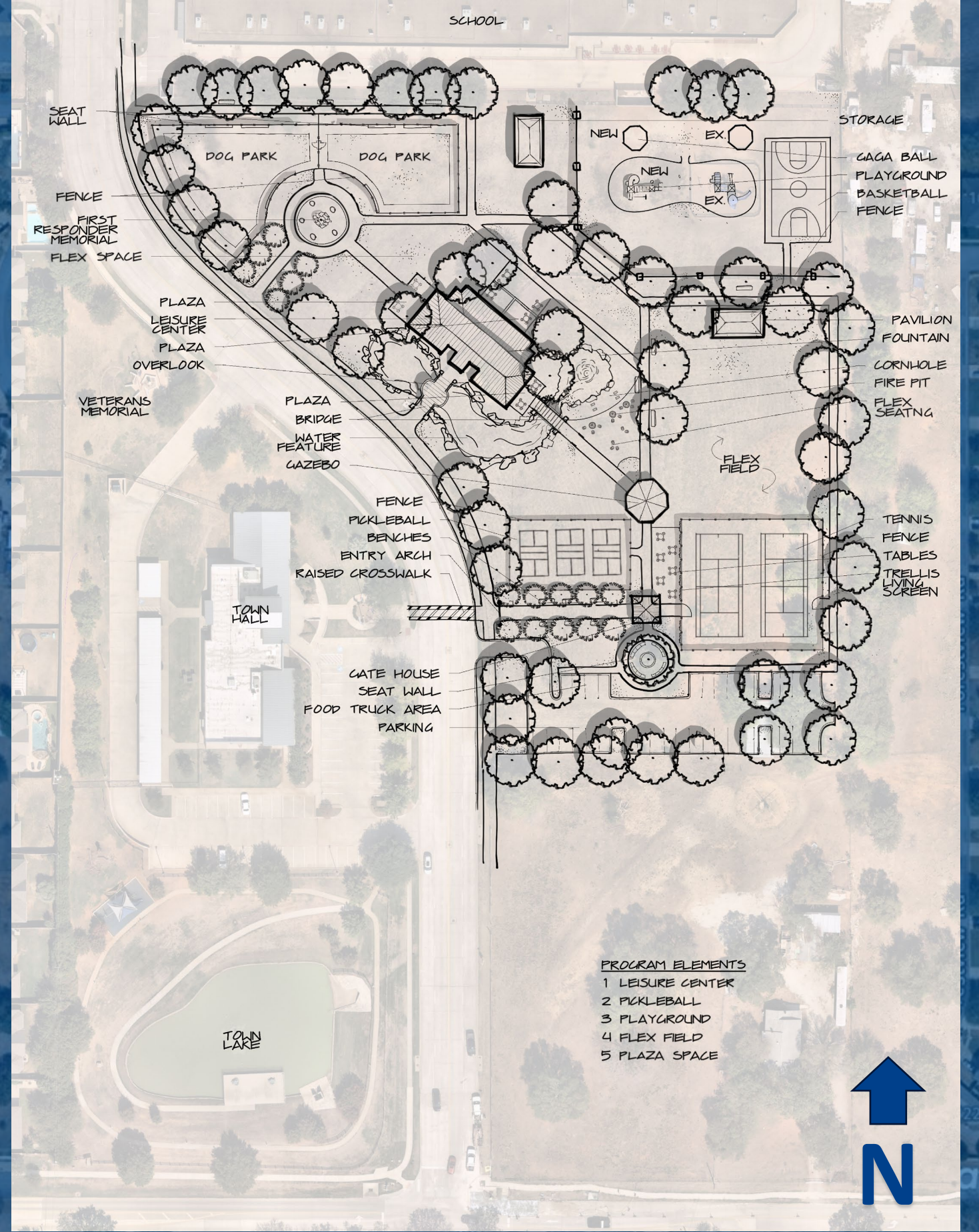


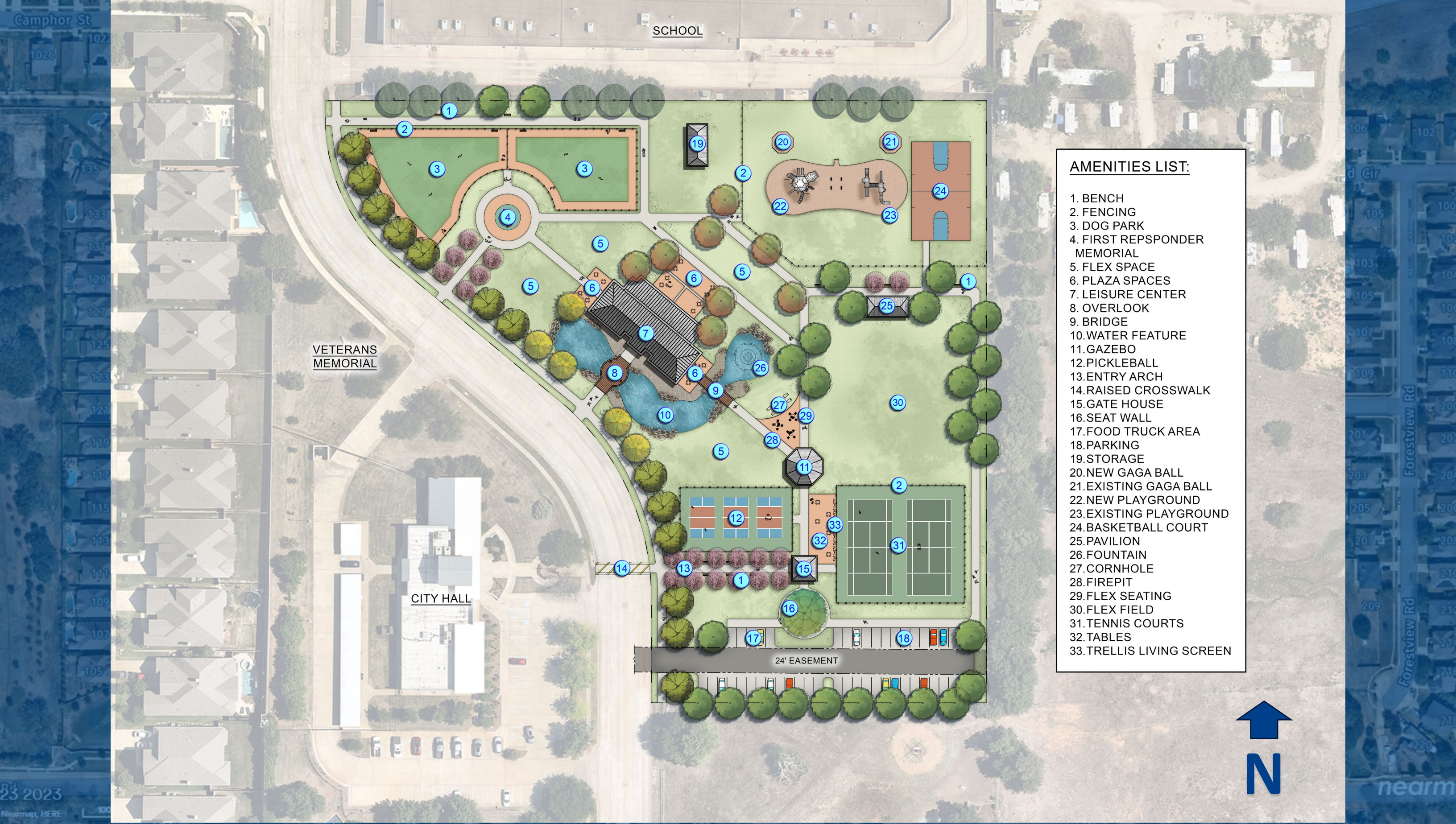
These drawings and the information contained herein are for general presentation purposes only and are not intended nor shall be used for design or as construction plans. The owner reserves the right to modify or change all designs without notice to the public.

# HICKORY CREEK LEISURE CENTER MASTER PLAN DESIGN PROCESS FINAL CONCEPT

# FINAL PROGRAM ELEMENTS

- LEISURE CENTER
- PLAZA SPACE
- PICKLEBALL COURT
- PLAYGROUND
- FOOD TRUCKS / PARKING LOT
- FLEX FIELD
- DOG PARK
- BASKETBALL COURT
- TENNIS COURT
- PUBLIC ART MEMORIAL





- AMENITIES LIST:**
1. BENCH
  2. FENCING
  3. DOG PARK
  4. FIRST RESPONDER MEMORIAL
  5. FLEX SPACE
  6. PLAZA SPACES
  7. LEISURE CENTER
  8. OVERLOOK
  9. BRIDGE
  10. WATER FEATURE
  11. GAZEBO
  12. PICKLEBALL
  13. ENTRY ARCH
  14. RAISED CROSSWALK
  15. GATE HOUSE
  16. SEAT WALL
  17. FOOD TRUCK AREA
  18. PARKING
  19. STORAGE
  20. NEW GAGA BALL
  21. EXISTING GAGA BALL
  22. NEW PLAYGROUND
  23. EXISTING PLAYGROUND
  24. BASKETBALL COURT
  25. PAVILION
  26. FOUNTAIN
  27. CORNHOLE
  28. FIREPIT
  29. FLEX SEATING
  30. FLEX FIELD
  31. TENNIS COURTS
  32. TABLES
  33. TRELLIS LIVING SCREEN





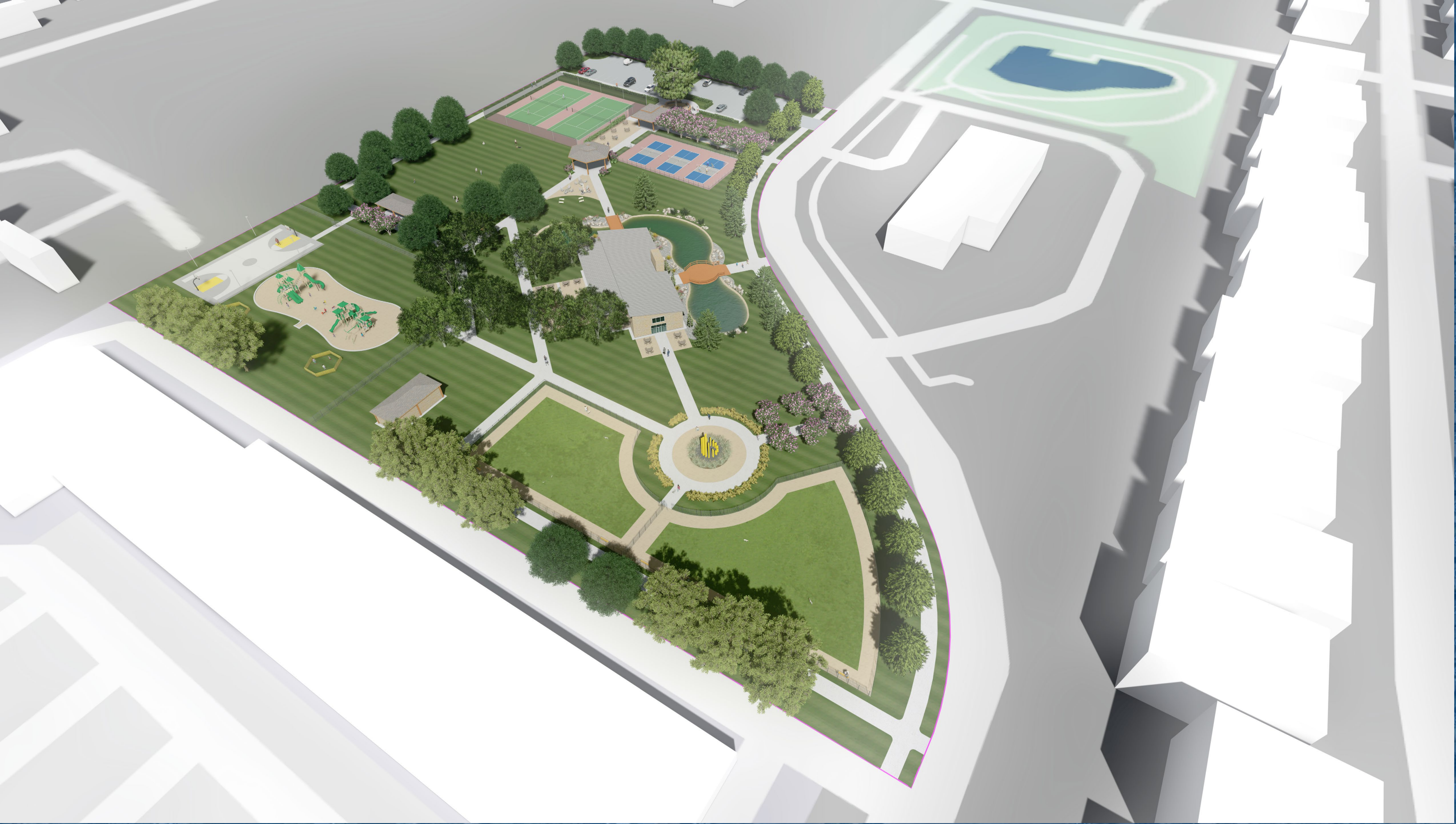


# North Perspective









# HICKORY CREEK LEISURE CENTER MASTER PLAN

## OPINION OF PROBABLE CONSTRUCTION COST

# BUDGET

**SITework** **\$737,800**

SITE PREPARATION  
UTILITIES, GRADING, ETC.

**LEISURE CENTER** **\$2,280,000**

**SITE ACCESS** **\$505,412**

PARKING  
VEHICULAR ACCESS  
PEDESTRIAN ACCESS

**SITE IMPROVEMENTS** **\$2,393,150**

AMENITIES  
STRUCTURES  
PLAYGROUND,  
DOG PARK  
LANDSCAPE  
PUBLIC ART

**COURTS** **\$377,500**

PICKLEBALL  
TENNIS  
BASKETBALL

**SITE CONTINGENCY** **\$1,258,772**

**SOFT COSTS** **\$1,132,894**

DESIGN COSTS  
SUPPORT SERVICES

**GRAND TOTAL** **\$8,685,528**

# HICKORY CREEK LEISURE CENTER MASTER PLAN

# QUESTIONS?

PRESENTED BY:

Layne Olivo

Landscape Architecture Project Manager

Halff Associates, Inc.

FORT WORTH

2601 Meacham Blvd., Suite 600

Fort Worth, TX 76137-4204

Voice: 817.847.1422