

ORDINANCE NO. 2026-11242

AN ORDINANCE AMENDING SECTION 17C-4(b) OF CHAPTER 17C OF THE LAND DEVELOPMENT CODE OF THE CITY OF IRVING, TEXAS, RELATED TO AMENDMENTS TO THE 2021 INTERNATIONAL FIRE CODE ADOPTED BY THE CITY OF IRVING BY ADDING SECTION 1208 "ELECTRIC VEHICLE CHARGING STATIONS (EVCS)" OF CHAPTER 12 "ENERGY SYSTEMS" TO THE FIRE CODE OF THE CITY OF IRVING; PROVIDING SEVERABILITY AND REPEALER CLAUSES; PROVIDING PENALTY PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Irving, Texas (the "City") is a home-rule municipality possessing the full power of local self-government pursuant to Article XI, Section 5 of the Texas Constitution and Section 51.072(a) of the Texas Government Code; and

WHEREAS as a home-rule municipality, the City of Irving has the power to enact ordinances in accordance with Article III, Section 2 of the Irving City Charter; and

WHEREAS, pursuant to the laws of the State of Texas, including Section 51.001 of the Texas Local Government Code, the City Council has the authority to adopt an ordinance that, among other things, is for the good government, peace, or order of Irving and to protect the health, safety and welfare of its citizens; and

WHEREAS, Subchapter G of Chapter 214 of the Texas Local Government Code authorizes municipalities to adopt national model codes, including the International Fire Code, as well as local amendments to those codes; and

WHEREAS, the State of Texas is ranked third in the nation for registered electric vehicles; and

WHEREAS, the recent proliferation of electric vehicles containing lithium-ion batteries has exposed the fire dangers associated with lithium-ion batteries due to their highly combustible nature; and

WHEREAS, the National Transportation Safety Board has investigated the safety risks to emergency responders from lithium-ion battery fires in electric vehicles and in a report published on November 13, 2020, found that they pose a risk of electric shock to emergency responders from exposure to the high-voltage components of a damaged lithium-ion battery and further identified a risk of the lithium-ion batteries experiencing uncontrolled increases in temperature and pressure (known as thermal runaway), which can lead to battery reignition/fire; and

WHEREAS, in order to avoid the life safety risk posed by lithium-ion batteries and to control the additional fire spread potential of electric vehicle fires caused by lithium-ion batteries, the City Council of the City of Irving finds it is in the best interest of the public health, safety and welfare of its citizens and for the protection of life and property to adopt this ordinance enacting

regulations of electric vehicle charging stations as local amendments to the International Fire Code, and that said amendments are consistent with the laws of the State of Texas; and

WHEREAS, the City of Irving posted this draft proposed ordinance amending the 2021 International Fire Code conspicuously on the City's website on or before the 21st day before the date the City Council takes action on the ordinance in accordance with Section 214.217(c) of the Texas Local Government Code.

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

SECTION 1. That the findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. That Section 17C-4(b) of Chapter 17C of the Land Development Code of the City of Irving, Texas, is hereby amended by adding Section 1208 entitled "**Electric Vehicle Charging Stations (EVCS)**" as an amendment to the 2021 International Fire Code, said section to be inserted in numerical order with the remainder of the Section 17C-4(b) to be renumbered accordingly, which section shall read in its entirety as follows:

1208. ELECTRIC VEHICLE CHARGING STATIONS

1208.1 Applicability. The installation and operation of *Electric vehicle charging stations* in new and existing buildings shall comply with this section.

1208.2 Electric vehicle charging stations parking space dimensions. All accessible EVCS spaces shall have a minimum width of 11 feet, with an adjacent access aisle no less than 5 feet in width.

1208.3 Electric vehicle charging stations location. EVCS shall be installed a minimum of 20 feet away from any structure, with all charging equipment positions a minimum of 10 inches behind the curb line or bollards, as approved by the fire code official. Permanently installed Electric Vehicle Supply Equipment (EVSE) shall be installed in compliance with NFPA 70 Section 625.50, with the following height requirements:

1. Indoor location: the EVSE must be a minimum of 1.5 feet above the floor level.
2. Outdoor location: the EVSE must be a minimum of 2 feet above the floor level.

1208.4 Electric vehicle charging station access. Accessibility to electric vehicle charging stations shall be in accordance with this section and the *International Building Code Section 1108*. Access to EVCS equipment must remain unobstructed at all times, free from any fixed or movable objects such as fences, bushes, trees, or walls. A minimum clearance of 36 inches must be maintained to ensure proper access to equipment.

1208.5 Electric vehicle charging station power disconnect. All electric vehicle charging stations must be equipped with a Knox Remote Power Box to facilitate emergency power disconnects. The Knox Remote Power Disconnect shall be positioned a minimum of 30 feet and a maximum of 50 feet away from the EVCS, with the exact location subject to the

approval of the fire code official. The Knox Remote Power Box shall be installed at a height not less than 42 inches and not more than 48 inches, measured vertically from the finished floor level. The disconnect must remain unobstructed at all times and clearly marked with a reflective sign, not less than 6 inches by 6 inches with white lettering labeled "FIRE DEPT. USE ONLY," and mounted adjacent to or on the post to identify the location of Knox Remote Power Box.

1208.6 Electric vehicle charging station fire protective barrier installation. A 2- hour fire protective barrier, constructed of masonry, with a minimum height of 3 feet, shall be built along the perimeter of the EVCS, excluding the access side. A minimum clearance of 3 feet as required by Section 1208.4, shall be maintained between the fire protective barrier and the EVCS equipment to ensure compliance with accessibility requirements.

1208.7 Electric vehicle charging station requirements. Where provided, electric vehicle charging stations must be installed in compliance with NFPA 70. The electric vehicle charging equipment must be listed and labeled following UL 2022, and the electric vehicle supply equipment should be listed and labeled following UL 2594 or an equivalent standard. Wireless power transfer equipment must be listed and labeled following UL 2750.

1208.8 Electric vehicle charging stations charging cords. The charging cord shall meet one of the following requirements:

1. The charging cord shall not exceed 25 feet in length; or
2. When equipped with a cable management system that is an integral part of the EVSE, cord length may exceed 25 feet. The charging cord shall be a sufficient length to reach the vehicle's charging inlet without creating excessive slack.

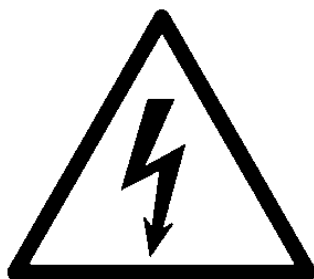
1208.9 Electric vehicle charging stations impact protection. The EVSE shall be protected from vehicular impact by one of the following methods:

1. Wheel stops or barriers;
2. Bollards; or
3. Other approved barriers.

1208.10 Electric vehicle charging stations in parking structures prohibited. Electric Vehicle charging stations shall not be installed or operated in any type of parking structure, such as underground or multilevel parking garages (open or closed), and covered parking facilities. EVCS may be installed on the top level of an open parking garage, provided that the level has no ceiling coverings, or construction located above the floor where the EVCS are installed. This restriction does not apply to existing installations, carports, canopies, and garages of single-family residential dwellings.

1208.11 Residential electric vehicle charging stations and battery storage systems. Electric vehicle charging stations and battery storage systems (BESS) installed in single-family residential structures shall be provided with high voltage alert decals. These decals shall be installed on the garage door frame or exterior access closest to the EVCS or

BESS, and on the base of the electrical meter. The high voltage alert decal shall be weather-resistant with a reflective surface, have a minimum height of 1.5 inches, and consist of a black graphic on a yellow background and with the illustration as shown below:



SECTION 3. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this ordinance.

SECTION 4. That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Irving, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION 5. Any person violating or failing to comply with any provision of this ordinance shall be fined upon conviction not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00). Each day any violation of any provision of this ordinance continues constitutes a separate offense. An offense under this chapter is a strict liability offense and the culpable mental state required by the Texas Penal Code is hereby specifically negated and clearly dispensed with for the commission of an offense under this section.

SECTION 6. That this ordinance shall become effective on March 28, 2026.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,
on February 26, 2026.

RICHARD H. STOPFER
MAYOR

ATTEST:

Shanae Jennings
City Secretary/Chief Compliance Officer

APPROVED AS TO FORM:

Kuruvilla Oommen
City Attorney