

Chapter 38 – Fire Prevention and Protection

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ARTICLE I. - IN GENERAL

Sec. 38-1. - Emergency regulations to prevent wildfire.

- (a) A person commits an offense if he or she burns any combustible materials outside an enclosure which serves to contain all flames and/or sparks, or orders such burning by others. Burning of household trash in barrels meeting the county fire marshal's office guidelines, trench burning and charcoal grills are exempt from this restriction.
- (b) Any violation of this section may result in a citation being issued for a misdemeanor punishable by a fine up to \$1,000.00.

(Ord. No. 2000-1710, §§ A, B, 8-29-2000)

Secs. 38-2—38-30. - Reserved.

ARTICLE II. - FIRE CODE¹

Sec. 38-31. - Adopted.

- a) The Commissioners Court of Dallas County hereby adopts and amends, as necessary, the Dallas County Fire Code for the purpose of establishing regulations governing conditions hazardous to life and property from fire or explosion. The Dallas County Fire Code shall remain in effect as amended from time to time by order of the Commissioners Court. The provisions of the Dallas County Fire Code shall be controlling within the unincorporated areas of Dallas County and in all buildings, facilities, and properties owned or operated by Dallas County, regardless of location.
- b) The Dallas County Fire Code incorporates by reference the International Fire Code, as adopted and amended by order of the Commissioners Court, together with all appendices and referenced standards incorporated therein. The Dallas County Fire Code also recognizes and applies nationally accepted fire protection standards and practices, including, but not limited to, those published by the National Fire Protection Association (NFPA), Underwriters Laboratories (UL), and FM Global, as may be applicable to the design, installation, and maintenance of fire protection systems, equipment, and facilities. Future editions or updates to these referenced codes and standards, as adopted or accepted by the Commissioners Court, shall automatically become part of the Dallas County Fire Code without further amendment to this Section.
- c) A copy of the Dallas County Fire Code shall be maintained on file in the office of the Dallas County Fire Marshal and shall be available for public inspection during regular business hours. The Dallas County Fire Code shall also be made available online at www.dallascounty.org/firemarshal.

(Ord. No. 91-047, 1-9-1991; Ord. No. 2015-1143, 8-25-2015, Ord. No 2025-1239, 10-1-2025)

Secs. 38-32—38-60. - Reserved.

¹ **State Law reference**— County Authority to Adopt Fire Code, authorized , V.T.C.A., [Health and Safety Code § 233.061](#) et seq.

ARTICLE III. - UNDERGROUND STORAGE TANKS¹

Sec. 38-61. - Coordination and assistance; responsibilities of fire marshal.

The underground storage tank program for the county will be coordinated through the office of the county fire marshal with assistance from the Institute of Forensic Sciences and the county health department. It will be the fire marshal's responsibility to ensure that federal and state regulations regarding underground storage tanks are implemented in the county. These activities include:

- (1) Reviewing on a regular basis product inventory records, monthly monitoring data, and maintenance and repair records of underground storage tanks.
- (2) Maintaining copies of all records relevant to underground storage tanks in the county.
- (3) Coordinating response and disposal secondary to leaks and spills of underground storage tank products.
- (4) Developing and implementing a training program for communication of the procedures of this article to users and operators of underground storage tanks.

(Ord. No. 89-1502, 9-5-1989; Ord. No. 2015-1143, 8-25-2015)

Sec. 38-62. - Operational procedures.

(a) *Tank filling.*

- (1) Ensure volume available in tank is greater than the volume of product to be transferred before the transfer is made.
- (2) Ensure transfer operation is watched constantly to prevent spill or overflow.
- (3) Ensure that product is not released when truck's delivery hose is disconnected.

(b) *Leaking underground storage tanks.* The following conditions require immediate action as outlined in subsections (c)—(f) of this section:

- (1) The spill or release of petroleum product including the presence of free product or vapors in soils, basements, sewer and utility lines, and nearby surface water.
- (2) Unusual operating conditions of dispensing equipment.
- (3) Release noted by release detection methods unless:
 - a. Monitoring device is proved to be defective.
 - b. Second month's inventory control does not confirm a leak.

(c) *Confirmed leaks and spills greater than 25 gallons.*

- (1) Take immediate action to stop and contain the leak or spill by using absorbent booms, petroleum adsorbent, diking the spill, etc.
- (2) Notify the county fire marshal's office immediately (214-653-7970).
- (3) Notify the state natural resource conservation commission (TNRCC) within 24 hours of the leak or spill: Duncanville: 298-6171 and Austin (24 hours) 512-463-7727.
- (4) Ensure that explosive vapors do not accumulate. Call the fire department if necessary.

¹ **State Law reference**— Underground storage of flammable liquids, V.T.C.A., [Health and Safety Code § 753.001](#) et seq.

- (5) All contaminated soil, water, adsorbent, etc., must be evaluated by the fire marshal prior to disposal.
 - (6) Begin to recover free product. This free product must be contained for proper disposal at a later time.
 - (7) Work with the state natural resource conservation commission to provide any necessary information and to begin a corrective action plan if necessary.
- (d) *Confirmed leaks and spills less than 25 gallons.*
- (1) Immediately contain the product with adsorbent.
 - (2) Call the county fire marshal's office (214-653-797).
 - (3) It is not necessary to contact state natural resource conservation commission if the spill is cleaned up within 24 hours.
 - (4) Retain all contaminated soil, adsorbent, etc., for proper disposal at a later date.
- (e) *Suspected release.*
- (1) Contact the county fire marshal's office (214-653-7970).
 - (2) Investigate suspected leak using approved tank and piping testing methods.
 - (3) Notify the state natural resource conservation commission of results of tests within seven days of suspecting the leak.
- (f) *Tank and piping repairs secondary to leaks.*
- (1) Contact the county fire marshal's office (214-653-7970).
 - (2) Repairs on the tank may be allowed under certain conditions. Records must be kept and the tank tested for tightness within 30 days.
 - (3) Damaged metal piping cannot be repaired, but must be replaced. Loose fittings may be tightened if that solves the problem.
- (g) *Underground storage tank maintenance.*
- (1) Implement regular leak detection procedures which will be developed on a site specific basis.
 - (2) Monitor operation of equipment used for leak detection, corrosion protection, spill and overfill prevention.
 - (3) Notify the fire marshal's office if a leak or spill is suspected.
- (h) *Tank closure.*
- (1) Contact the county fire marshal's office (214-653-7970).
 - (2) Contact the state natural resource conservation commission 30 days prior to removing the tank from the ground. In an emergency, shorter notification may be allowed.
- (i) *New tank installation.*
- (1) Contact the county fire marshal's office prior to arranging for tank installation (214-653-7970).
 - (2) The tank must be:
 - a. Certified as properly installed;
 - b. Have spill and overfill protection;
 - c. Have corrosion protection; and
 - d. Be equipped with leak detection.

- (3) The state natural resource conservation commission must be notified within 30 days of new tank installation by submitting a notification for underground storage tanks.
- (j) *Annual tank registration.* All underground storage tanks must be registered with the state natural resource conservation commission. An annual registration fee must be paid.
- (k) *Change in tank contents.*
 - (1) Contact the county fire marshal's office (214-653-7970).
 - (2) Contact the state natural resource conservation commission within 30 days.
- (l) *Recordkeeping.* All records regarding suspected or confirmed leaks, underground storage tank repair, underground storage tank maintenance, underground storage tank testing and underground storage tank installation or closure must be maintained in a readily accessible location for the life of the tank. Copies of records must be sent to the fire marshal's office.

(Ord. No. 89-1502, §§ I—XII, 9-5-1989; Ord. No. 2015-1143, 8-25-2015)