CITY OF HOUSTON

EXECUTIVE ORDER

SUBJECT	E. O. No.
Hazardous Chemical/Material Regulations affecting General Purpose Warehouses Having a City of Houston Building Code Occupancy Group Designation of B or H	**1-35 (Revised)**
	Effective Date **August 2, 1995**

1. **PURPOSE:** To confirm and implement my verbal instructions of August 2, 1995 and to ensure General Purpose Warehouses with a City of Houston Building Code Occupancy Group designation of B or H located within a 1000 foot radius of a residential neighborhood do not store hazardous chemicals or materials in contravention of Federal and State laws and regulations, the City of Houston Building Code or the Fire Code. This Executive Order is also intended to ensure that adequate notice and public information is provided to residential neighborhoods located adjacent to such warehouse facilities concerning the material stored therein.

2. **OBJECTIVES:** To establish a consistent policy regarding the stated purpose and procedures for administration thereof. This Executive Order is supplemental to State and Federal laws and City ordinances and procedures, and no provision of this policy shall be construed to excuse compliance with any law or any procedure authorized by law.

3. **SCOPE:** This Executive Order applies to all General Purpose Warehouses, as determined by the Building Official and Fire Chief, throughout the City of Houston which are located within a 1000 foot radius of a residential neighborhood and which fall within the City of Houston Building Code Occupancy Groups of B or H.

4. **REQUIREMENTS**

   4.1 The Fire Department and the Code Enforcement Division of the Public Works and Engineering Department shall institute procedures to implement this Executive Order and shall coordinate and share all available information to ensure residential neighborhoods located adjacent to such warehouse facilities are protected and provided adequate notice and public information concerning the material being stored therein.

   4.2 In light of the Fire Chief's preliminary determination that Thermo Plastic Rubber (Styrene-Butadiene-Styrene & Styrene-Isoprene-Styrene), Poly bd (CIS Polybutadiene), and E P D M (Ethylene/Propylene Co Polymer) may constitute a fire hazard if not properly handled and stored, all necessary steps shall be taken to ensure that this material shall not be stored within a general warehouse facility located with a 1000 foot radius of a residential neighborhood until a final determination is made by the Fire Chief or Fire Marshal that these substances are safe and do not constitute a fire hazard.

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4.3 The Fire Chief or Fire Marshal shall immediately commence further detailed studies to determine whether Thermo Plastic Rubber (Styrene-Butadiene-Styrene & Styrene-Isoprene-Styrene), Poly bd (CIS Polybutadiene), and E P D M (Ethylene/Propylene Co Polymer) should be classified as a hazardous substance or permanently regulated as a fire hazard.

4.4 The Fire Chief, Fire Marshal and the Building Official in conjunction with the Legal Department are directed to develop, to the extent legally feasible, language to be included in all Certificates of Occupancy for Groups B or H issued by the City giving notice and requiring the holder of such Certificates of Occupancy to make available and provide to the public information concerning the material stored in the facility, that the Certificate of Occupancy is subject to revocation if material is stored in violation of appropriate Federal, State and City laws, ordinances and regulations and that such facilities will be subject to, at a minimum, twice annual inspections by Fire Department or Building Code personnel.

5. PROCEDURES

5.1 No Certificate of Occupancy, Fire Code Permit or other applicable permit or license, will be issued for a General Purpose Warehouse use in Occupancy Group B or H which are located within a 1000 foot radius of a residential neighborhood until a thorough inspection has been made and approved by both the Fire Department and the Code Enforcement Group of the Public Works and Engineering Department.

5.2 All holders of General Purpose Warehouse occupancy group B or H certifications within the 1000 foot radius area will acknowledge the prohibition against the storage of Thermo Plastic Rubber (Styrene-Butadiene-Styrene & Styrene-Isoprene-Styrene), Poly bd (CIS Polybutadiene), and E P D M (Ethylene/Propylene Co Polymer) until a final determination is made by the Fire Chief or Fire Marshal as to the permanent storage or regulation requirements concerning this material.

5.3 All holders of General Purpose Warehouse occupancy group B or H Certificates of Occupancy shall acknowledge the requirement to notify the City and to provide adequate public notice and public information to residential neighborhoods concerning the material being stored and the potential hazard by notifying civic clubs in the warehouse's zip code and surrounding zip codes.

5.4 All such warehouse facilities located within a 1000 foot radius of a residential neighborhood will be subject to a minimum twice per year inspection by the Fire Department to ensure compliance with all applicable Federal, State and City laws, ordinances and regulations.

5.5 All holders of Certificates of Occupancy issued by the City for General Purpose warehouse use in Occupancy Groups B or H will acknowledge that any violation of Federal, State and City laws, ordinances or regulations concerning the storage of hazardous material will be cause for revocation.