

An Ordinance of the City of Plano, Texas, amending Section 6-3. (a) Structure, of Building standards commission organization and authority, of Division 2. Building Standards Commission, of Article I. In General, of Chapter 6. Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, Texas to reinstate alternate members to the Building Standards Commission; and providing a repealer clause, a severability clause, a savings clause and an effective date.

WHEREAS, the City Council of the City of Plano is authorized to provide for the boards and commissions in the City of Plano; and

WHEREAS, Ordinance No. 2004-10-7, adopted on October 11, 2004 established the duties, powers and enforcement authority of the Building Standards Commission; and

WHEREAS, Ordinance No. 2013-8-7, adopted on August 12, 2013 changed the membership of the Building Standards Commission, by increasing the regular membership and eliminating alternate members entirely; and

WHEREAS, staff recommends reinstating alternate members to the Building Standards Commission, by adding up to two (2) alternate members to ensure the Commission meets quorum; and

WHEREAS, the City Council deems it in the best interest of the City to reinstate alternate members to the Building Standards Commission by adding up to two (2) alternate members to the Building Standards Commission and to amend Section 6-3. (a) Structure, of Building standards commission organization and authority, of Division 2. Building Standards Commission, of Article I. In General, of Chapter 6. Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, Texas as provided herein.

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

Section I. Section 6-3. (a) Structure, of Building standards commission organization and authority, of Division 2. Building Standards Commission, of Article I. In General, of Chapter 6. Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, Texas is hereby amended to read as follows:

“Sec. 6-3. - Building standards commission organization and authority.

(a) Structure.

- (1) The building standards commission will consist of eight (8) members, duly appointed by the city council for two-year terms. Each member is removable for cause on a written charge. Prior to making a decision regarding removal, the city council must hold a public hearing on the matter if requested by the commission member subject to the removal action.
- (2) City council may appoint up to two (2) alternate members of the building standards commission who shall serve in the absence of one (1) or more of the regular members. The alternate members, when appointed, shall serve the same period as the regular members, when appointed, which is for a term of two (2) years expiring October 31st of the appropriate year, and any vacancy shall be filled in the same manner as for regular members, and alternate members shall be subject to removal under the same provisions as regular members.

- (3) The city council must fill any and all vacancies.
- (4) The city council will appoint a commission chair, who has authority to administer oaths and compel witness attendance at commission hearings. The chair may designate an "acting chair," who in the chair's absence will have the same authority as the chair."

Section II. All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section III. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

Section V. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 22nd day of August, 2022.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY