

An Ordinance of the City of Plano, Texas, amending Section 8-19, of Article III, of Chapter 8, Fire Prevention and Protection, of the City of Plano Code of Ordinances to remove the authority to assess certain occupancy inspection fees; and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, for improved efficiency and reduced administrative costs, staff recommends amending Section 8-19, of Article III, of Chapter 8, Fire Prevention and Protection, of the City of Plano Code of Ordinances to remove for certain occupancy inspection fees beginning October 1, 2023; and

WHEREAS, the City Council, after all things considered, deems it is in the best interest of the citizens of the City of Plano, to amend the ordinance as requested.

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

Section I. Section 8-19, of Article III, of Chapter 8, Fire Prevention and Protection, is hereby amended to read in its entirety as follows:

“Section 8-19. Fire inspection program.

- (a) *Purpose.* The purpose of this section is to establish the fire inspection program and authorize the fire department to conduct inspection of commercial and industrial businesses for fire hazards and compliance with the International Fire Code.
- (b) *Authority to inspect.* In addition to the authority to inspect provided under the International Fire Code, the fire department is authorized to inspect commercial and industrial businesses on either an annual or biennial basis for fire hazards and compliance with the International Fire Code.
- (c) *Frequency of inspection.* Businesses that are issued a certificate of occupancy by the City of Plano Building Inspections Department are subject to inspection as follows:
 - 1. Businesses that are less than twenty thousand (20,000) square feet and do not serve or sell alcohol as part of the business operation are subject to biennial inspection.
 - 2. Businesses that are twenty thousand (20,000) square feet or greater, or any size business that serves or sells alcohol are subject to annual inspection.

3. Residential dwellings not permitted for commercial use are not subject to inspection under this article.”

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of Ordinances of the City of Plano, codified or uncodified, in conflict with the provision of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, not in conflict with this Ordinance shall remain in full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

Section III. It is the intention of the City Council that this Ordinance and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion 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 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 October 1, 2023.

PASSED AND APPROVED on the 11th day of September, 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY