

An Ordinance of the City of Plano, Texas, amending City of Plano Ordinance No. 2025-6-14, codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances; revising the procedures for issuance and revocation of certificates of occupancy; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.

WHEREAS, on June 9, 2025, by Ordinance No. 2025-6-14, the City Council of the City of Plano amended Ordinance No. 2022-1-10 to reflect changes to the International Building Code, and such were codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances of the City of Plano ("City"); and

WHEREAS, on July 15, 2025, the Building Standards Commission held a public hearing to discuss the revisions to Article II to clarify the procedures for issuance and revocations of certificates of occupancy, and to receive input from the general public and all persons who may be affected by the proposed adoption; and

WHEREAS, upon recommendation of the Building Standards Commission and upon full review and consideration of all matters attendant and related thereto, the City Council is of the opinion that the recommended revisions to the Building Code, as presented herein, should be approved and adopted as part of the Building Code of the City.

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

Section I. Section 6-37, Deletions, Additions, Amendments, of Division 2, Amendments, of Article II, Building Code, of Chapter 6, is amended to revise certain provisions of the 2024 Edition of the International Building Code, regarding the issuance and revocation of certificates of occupancy, to read as follows:

"Sec. 6-37. Deletions, Additions, Amendments.

The following deletions, additions, and amendments to the International Building Code adopted herein are hereby approved and adopted:

...

Section 111.1, 111.2, 111.2.1 and 111.2.2; amended and added to read as follows:

Section 111.1 Change of occupancy. A building or structure shall not be used or occupied in whole or in part until the building official has issued a certificate of occupancy therefor as provided herein. A change in legal or assumed name of the business, the names of the business owners, the occupancy classification of a building or structure, or any change in the purpose of, or a change in the level of activity within, a building or structure or portion thereof shall not be made before issuance of a new certificate of

occupancy. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

Section 111.2 Certificate issued. After the *building official* inspects the building or structure and does not find violations of this code or other laws that are enforced by the department, the *building official* shall issue a certificate of occupancy that contains the following:

1. The *permit* number.
2. The address of the structure.
3. The legal or assumed name of the business.
4. The name(s) and addresses of *owner(s)*.
5. A description of that portion of the structure for which the certificate is issued.
6. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
7. The name of the *building official*.
8. The edition of the code under which the *permit* was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3 and the Comprehensive Zoning Ordinance.
10. The type of construction as defined in Chapter 6.
11. The design *occupant load*.
12. Where an *automatic sprinkler system* is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the building *permit*.

Section 111.2.1 Grace period for changes to information provided within a certificate of occupancy issued by the building official. The designated contact person, authorized agent, or owner(s) must submit an

application for a new certificate of occupancy regarding a change to any of the following within 30 days of such change:

1. The legal or assumed name of the business;
2. The name(s) of the business owner(s).

Section 111.2.2 Voluntary Surrender of a certificate of occupancy. An owner of the occupancy may voluntarily surrender their certificate of occupancy. A voluntary surrender of a certificate of occupancy must be presented to the *building official* in writing. Upon the *building official's* receipt of the written statement of surrender, the certificate of occupancy is void, and no use or occupancy, in whole or in part, may be made of the building or structure until a new certificate of occupancy has been applied for and issued by the *building official*.

...

Section 111.4 and 111.4.1; amended and added to read as follows:

111.4 Revocation. The *building official* is authorized to suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, in the following instances:

1. The certificate was issued in error.
2. The certificate was issued on the basis of incorrect information supplied by the applicant or certificate holder.
3. The applicant or certificate holder failed to obtain a new certificate of occupancy after a change of occupancy in accordance with Section 111.1 or a change to the ownership of the business or in the legal or assumed name of the business, in accordance with the provisions of Section 111.2.1.
4. Where it is determined that the building or structure or portion thereof is in violation of the provisions of this code or other ordinance of this jurisdiction.

Section 111.4.1 Revocation procedures for a certificate of occupancy. If the certificate of occupancy is revoked as a result of error, misinformation, or violation of any provision in the Plano Zoning Ordinance, the appeal procedures contained in the Zoning Ordinance apply and must be followed. If the certificate of occupancy is revoked as a result of error, misinformation, or violation of any provision of this code or other ordinance of this jurisdiction that is not contained in the Zoning Ordinance, the appeal procedures contained in this code apply and must be followed.”

Section II. All provisions of the Code of Ordinances of the City of Plano 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, not in conflict with the provisions of 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 thereof, 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 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 of any Ordinances at the time of passage of this Ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section I-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. This Ordinance shall become effective September 1, 2025, after its passage and publication as required by law.

PASSED AND APPROVED on the 28th day of July, 2025.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY