



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		January 10, 2011		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): <b>Diana Casady #5993</b>				
<b>CAPTION</b>				
<p>An Ordinance of the City of Plano, Texas, amending Section 6-3(b)(4) of Division 2, Building Standards Commission of Article I, In General, and Subsection 304.3, Premises Identification of Section 6-52, Deletions, additions, and amendments to Chapter 3 of the International Property Maintenance Code of Division 2, Amendments, of Article III, Property Maintenance Code to Chapter 6, Building and Building Regulations of the Code of Ordinances to change the manner in which approval occurs from a supermajority to a simple majority vote of commission members and to provide the correct chapter reference regarding premises identification; providing a penalty clause; a severability clause; a repealer clause; a savings clause; a publication clause and an effective date.</p>				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2010-11</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
<b>BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>FUND(S):</b>				
<b>COMMENTS:</b> This item has no fiscal impact.				
<b>SUMMARY OF ITEM</b>				
<p>This Ordinance changes the manner in which approval occurs from a supermajority to a simple majority vote of Building Standard Commission members and to provide the correct chapter reference regarding premises identification</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
			Building Standards Commission	



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COUNCIL AGENDA ITEM**

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**An Ordinance of the City of Plano, Texas, amending Section 6-3(b)(4) of Division 2, Building Standards Commission of Article I, In General, and Subsection 304.3, Premises Identification of Section 6-52, Deletions, additions, and amendments to Chapter 3 of the International Property Maintenance Code of Division 2, Amendments, of Article III, Property Maintenance Code to Chapter 6, Building and Building Regulations of the Code of Ordinances to change the manner in which approval occurs from a supermajority to a simple majority vote of commission members and to provide the correct chapter reference regarding premises identification; providing a penalty clause; a severability clause; a repealer clause; a savings clause; a publication clause and an effective date.**

**WHEREAS**, on September 24, 2004 the City Council of the City of Plano, Texas passed Ordinance No. 2004-9-30 adopting the International Property Maintenance Code along with the appendices of such Code; and

**WHEREAS**, on October 11, 2004 the City Council of the City of Plano, Texas passed Ordinance No. 2004-10-7 setting forth regulations and enforcement authority for regulating building standards for the City of Plano, including establishing the power and duties of the building standards commission; and

**WHEREAS**, the City Council of the City of Plano, Texas hereby recognizes the existence of state law as provided in Chapter 54.038 of the Texas Local Government Code and the authority of the International Property Maintenance Code; and

**WHEREAS**, the City Council of the City of Plano, Texas after consideration of the recommendation of staff and upon full review and consideration of all matters attended and related thereto, is of the opinion that the recommended changes are necessary and in the best interest of the City of Plano and its citizens.

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

**Section I.** Section 6-3(b)(4) of Division 2, Building Standards Commission of Article I, In General, and Subsection 304.3, Premises Identification of Section 6-52, Deletions, additions, and amendments to Chapter 3 of the International Property Maintenance Code of Division 2, Amendments, of Article III, Property Maintenance Code to Chapter 6, Building and Building Regulations, of the Code of Ordinances are hereby amended to read as follows:

**“Section 6-3. Building standards commission organization and authority.**

*(b) Proceedings of commission.*

(4) Any action taken by the commission requires a majority vote of the commission members as authorized by Subchapter C, Chapter 54, Texas Local Government Code, as amended.

**Section 6-52. Deletions, additions, and amendments to Chapter 3 of the International Property Maintenance Code.**

*Subsection 304.3, Premises Identification*, is changed to read as follows:

Building shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property and rear alleyway where such alleyway exists in accordance to City Code of Ordinance Chapter 8, Section 8-17. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters.”

**Section II.** Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4 (b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section III.** The repeal of any ordinance or part of ordinances 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 IV.** 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 portion of this Ordinance.

**Section V.** All provisions of the Code of Ordinances of the City of Plano, codified or uncoded, 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 not codified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section VI.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**DULY PASSED AND APPROVED** this the 10th day of January, 2011.

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Phil Dyer, MAYOR

ATTEST:

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Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

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Diane C. Wetherbee, CITY ATTORNEY