



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 25, 2011		
Department:		Property Standards		
Department Head		Cynthia O'Banner		
Agenda Coordinator (include phone #): Gloria Carter - (972) 941-5150				
CAPTION				
An Ordinance of the City of Plano, Texas amending Ordinance No. 2008-12-3, Section IV, codified as Section 6-70 of Article III Property Maintenance Code, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano to change the annual registration due date; providing a penalty clause, a repealing clause, a severability clause, a savings clause, a publication clause; and an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: FY 10-11	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	-275,310	0	-275,310
BALANCE	0	-275,310	0	-275,310
FUND(S): GENERAL FUND				
COMMENTS: This item will modify the annual registration due dates to coincide with the fiscal year. The budgeted revenues of \$275,310 for 2010-11 will not be collected this fiscal year but will be collected next fiscal year due to the change in collection dates.				
STRATEGIC PLAN GOAL: Amending an ordinance to modify the registration due dates from June 30 th to October 31 st relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Amending the annual due date will allow the collection of registration fees and applicable systematic inspections to occur during the same fiscal year. Implementation of the scheduled modification will initially cause a one-time shift in fee collections; shifting the projected FY 2010-11 collections to FY 2011-12.				
List of Supporting Documents: Memo & Ordinance			Other Departments, Boards, Commissions or Agencies	



MEMORANDUM

To: Bruce D. Glasscock, City Manager
Thru: Frank Turner, Deputy City Manager
From: Cynthia O'Banner, Property Standards Director
Re: Rearrangement of Multi-Family Rental Registrations & Inspections
Date: March 24, 2011

Since the inception of the Rental Registration and Inspection Program (RRIP), the following schedule has been in effect:

Registration Fees Collected	→	June through September
Initial Inspection Period	→	July through January
Re-inspection Period	→	February through May
Preparation for Next Cycle	→	February through May

Beginning the program cycle with registration fees due June 30th of each year creates operational complexities as well as efficiency challenges in analyzing the cost recovery component of the program. These complexities and challenges include revenue collection and creation of expenditures during different budget fiscal years, having to conduct the greatest volume of the required initial inspections during the hottest and coldest months of the year and needing to reconcile the cost analysis data for budget and activity based management preparation.

Therefore, rearrangement of the annual program schedule is being proposed to the following:

Registration Fees Collected	→	October through January
Initial Inspection Period	→	November through May
Re-inspection Period	→	June through September
Preparation for Next Cycle	→	June through September

Registration fee collections are projected at \$275,310 for the upcoming registration cycle. Implementation of the proposed schedule will initially cause a one-time shift in fee collections due to the collection period change from June through September 2011 (FY 10-11) to October 2011 through January 2012 (FY 11-12). Implementation of the proposed schedule will require an ordinance amendment to modify the change in due date from June 30th to October 31st.

Please advise of any questions or concerns.

/CO'B

Attachment: RRIP Yearly Process Schedule

An Ordinance of the City of Plano, Texas amending Ordinance No. 2008-12-3, Section IV, codified as Section 6-70 of Article III Property Maintenance Code, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano to change the annual registration due date; providing a penalty clause, a repealing clause, a severability clause, a savings clause, a publication clause; and an effective date.

WHEREAS, on December 3, 2008, the City Council of the City of Plano enacted Ordinance No. 2008-12-3 amending certain sections of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano; and

WHEREAS, such regulations are now codified in Article III, Property Maintenance Code, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano; and

WHEREAS, it is necessary to amend Ordinance No. 2008-12-3, Section IV, codified as Section 6-70 of Article III Property Maintenance Code, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano to change the annual registration due date to allow registration and inspection of multi-family dwelling complexes to be completed in the same fiscal year.

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

Section I. Section 6-70 of Article III, Property Maintenance Code, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano is hereby amended to read as follows:

“Sec. 6-70. Registration required.

- (a) The landlord of a multi-family dwelling complex that is five (5) years old or older with five (5) or more dwelling units shall annually register the complex with the property standards director by October 31st of each calendar year.
- (b) A registration is valid for one calendar year, unless the ownership of the complex changes.
- (c) If a change in ownership of the complex occurs during the period that a registration is otherwise valid, the landlord of the complex shall have thirty (30) days from the date the change of ownership occurred to file a new registration with the property standards director and shall pay a twenty-five dollar (\$25.00) fee to re-issue the registration.

- (d) Annual registration or renewals postmarked or received after October 31st shall be assessed an additional fee increase of:

 - (1) Ten (10) percent of registration fee if within one month of due date;
 - (2) Thirty (30) percent of registration fee if within two (2) months of due date;
 - (3) Fifty (50) percent of registration fee thereafter.
- (e) Registration re-issues received after thirty (30) days of ownership change shall be assessed a late fee of seventy-five dollars (\$75.00) at the time of registration re-issue.
- (f) All fees and assessments must be current with the city prior to the renewal of a registration certificate.
- (g) The registration shall be on a form prescribed by the property standards director and shall at a minimum contain the following information about the complex:

 - (1) The trade name, physical address, business mailing address and total number of units;
 - (2) The names of designated employees or authorized representatives who shall be assigned to respond to emergency conditions and a telephone number where said employees can be contacted during any twenty-four (24) hour period. Emergency conditions shall include fire, natural disaster, flood, burst pipes, collapse hazard and violent crime;
 - (3) The names, addresses, and telephone numbers of the property owner, property manager, resident manager, registered agent, all federal, state, and local funding agencies; and the type of business entity which owns the complex;
 - (4) The names, addresses and telephone numbers of any mortgage lienholders;
- (h) A landlord commits an offense if the landlord operates a multi-family dwelling complex which is not currently registered with the director as prescribed.”

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

Section III. All provisions of the 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 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 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 other portion of this Ordinance.

Section V. 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 provision of any Ordinances at the time of passage of this Ordinance.

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

DULY PASSED AND APPROVED this the 25th day of April, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY