

CITY COUNCIL

1520 AVENUE K



DATE: 10/28/2013
CALL TO ORDER: 7:00 p.m.
INVOCATION: Pastor Bob Rice
Northeast Bible Church
PLEDGE OF ALLEGIANCE: Cub Scout Pack 18
Saigling Elementary

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>OUR MISSION - THE CITY OF PLANO IS A REGIONAL AND NATIONAL LEADER, PROVIDING OUTSTANDING SERVICES AND FACILITIES THROUGH COOPERATIVE EFFORTS THAT ENGAGE OUR CITIZENS AND THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>PROCLAMATIONS & SPECIAL RECOGNITION</u></p> <p>PROCLAMATION: Pancreatic Cancer Month, November, is a time used by the Pancreatic Cancer Action Network in order to help raise awareness of pancreatic cancer</p> <p>PROCLAMATION: Saturday, November 2, is Arbor Day in Plano. Plano has been a Tree City for 24 years.</p> <p>PROCLAMATION: Animal Shelter Appreciation Week is the first full week in November</p> <p><u>OATHS OF OFFICE</u></p> <p><u>Library Advisory Board</u></p> <p>Diane Gonzales</p> <p><u>Photographic Traffic Signal Advisory Committee</u></p> <p>Keith Weiss</p> <p><u>Self Sufficiency Committee</u></p> <p>Aaron Juniper, Andrew "Drew" Wight</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Animal Shelter Advisory Committee</u></p> <p>Elizabeth Felker</p> <p><u>Board of Adjustment</u></p> <p>Mark Godfrey</p> <p><u>Building Standards Commission</u></p> <p>Mukesh Patel, Sylvia Reid</p> <p><u>Community Relations Commission</u></p> <p>Philip F. Pollacia, Alfonso "Al" Valente</p> <p><u>Cultural Affairs Commission</u></p> <p>Marilyn Mahoney, Margaret S.C. Tsai</p> <p><u>Heritage Commission</u></p> <p>Clarence "Cal" Young</p> <p><u>Library Advisory Board</u></p> <p>Shelly Bracken, Dustin N. Kolb, Russ Kissick</p> <p><u>Parks and Recreation Planning Board</u></p> <p>Kayci Brooks Prince</p> <p><u>Photographic Traffic Signal Advisory Committee</u></p> <p>Doug A. Bender</p> <p><u>Planning and Zoning Commission</u></p> <p>Douglas B. Cargo, Christopher J. Caso, Alan E. Smith</p> <p><u>Self Sufficiency Committee</u></p> <p>Pat Hartman, Donna Irby</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Senior Citizens Advisory Board</u></p> <p>Barbara Johnson, Jane Sackett</p> <p><u>Tax Increment Financing Reinvestment Zone No. 2 Board</u></p> <p>Shawn Gay, Alan Michael Then</p> <p><u>COMMENTS OF PUBLIC INTEREST</u> <u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></p> <p><u>CONSENT AGENDA</u> <u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></p> <p><u>Approval of Minutes</u></p> <p>(a) October 14, 2013</p> <p><u>Approval of Expenditures</u></p> <p><u>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</u></p> <p>(b) Bid No. 2013-338-B for the purchase of Oak Point Recreation Center Exterior Weatherproofing Repair to Western Waterproofing Company of America in the amount of \$135,500 and authorizing the City Manager to execute all necessary documents.</p> <p>(c) Bid No. 2013-221-C for an annual contract with three (3) City optional renewals for EMS Medical Supplies for the Fire Department to Bound Tree Medical, LLC, Henry Schein, Inc. and MMS - A Medical Supply Company in the total estimated annual amount of \$ 122,083 and authorizing the City Manager to execute all necessary documents.</p> <p>(d) Rejection of Bid No. 2013-385-B for Chisholm Trail Drainage Improvements at Spring Creek Parkway, Project No. 6295, from all bidders.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(e)	<p>Approval of Contract Modification</p> <p>To approve and authorize Contract Modification No. 2 for the addition of a collections program from Redflex Traffic Systems, Inc. and the establishment of an escrow account in the amount of \$185,000 and to authorize the City Manager to execute all related documents.</p>	
(f)	<p>Approval of Change Order</p> <p>To Jerusalem Corporation, increasing the contract by \$182,555 for the 2011-12 Residential Concrete Pavement Rehab Zone I10 & J9, Project No. 6211, Change Order No. 1, Bid No. 2012-269-B, and authorizing the City Manager to execute all necessary documents.</p>	
(g)	<p>To Jim Bowman Construction, LP, increasing the contract by \$309,880 for the 2011-12 Residential Concrete Pavement Rehab, Zone J3, Project No. 6229, Change Order No. 1, Bid No. 2013-40-B, and authorizing the City Manager to execute all necessary documents.</p>	
(h)	<p>Approval of Expenditure</p> <p>To approve the purchase of maintenance support for public safety system software from the sole source supplier, Colossus, Incorporated d/b/a InterAct Public Safety Systems, in the amount of \$50,313 through the use of the general exemption as allowed by Local Government Code, Chapter 252, Subchapter B, Section 252.022(a)(7)(A), and authorizing the City Manager to execute all necessary documents.</p>	
(i)	<p>Adoption of Strategic Vision</p> <p>To adopt the City Council Strategic Vision for Excellence for Fiscal Year 2013-14.</p>	
(j)	<p>Adoption of Resolutions</p> <p>To adopt an Amended Legislative Program for the City of Plano, Texas; directing the City Manager or his designee to act with regard to the City's Legislative Program; and providing an effective date.</p>	
(k)	<p>Adoption of Ordinances</p> <p>To amend Section 12-12(b) of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas, repealing one-way traffic flow at all times on Midcrest Drive and Rockbrook Drive within the corporate limits of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	
(l)	<p>To amend Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to allow the stopping, standing, or parking of motor vehicles on certain sections of Midcrest Drive, Rockbrook Drive, Winterplace Circle, and Winterstone Drive within the city limits of the City of Plano; declaring it lawful to park motor vehicles upon such sections of such roadway within the limits herein defined; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(m)	To amend Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bronze Leaf Drive, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause, and an effective date.	
(n)	To repeal Section III of Ordinance No. 2000-10-5 codified as Section 14-109, Environmental Assessments, of Article VII, Chapter 14 of the Code of Ordinances of the City of Plano, Texas; and providing a repealer clause, a severability clause, a savings clause, and an effective date.	
(o)	To repeal Ordinance No. 2011-4-15, codified as Article II, Fire Code, of Chapter 8 of the Code of Ordinances of the City; adopting the 2012 Edition of the International Fire Code, with certain revised additions, deletions, and amendments as the Fire Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.	
(p)	To adopt a new Article III, Section 8-19 of Chapter 8, Fire Prevention and Protection, of the City of Plano Code of Ordinances, to establish the Fire Inspection Program and authorize the Fire Department to conduct inspection of commercial or industrial businesses in Plano for fire hazards and compliance with the International Fire Code; and providing a repealer clause, a severability clause, a savings clause, and an effective date.	
(q)	To repeal in its entirety City of Plano Ordinance No. 2011-1-7, codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Building Code, with certain additions, deletions, and amendments, as the Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.	
(r)	To partially repeal City of Plano Ordinance No. 2011-1-13 codified as Article XX, Residential Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Residential Code with certain additions, deletions, and amendments, as the Residential Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.	
(s)	To repeal in its entirety City of Plano Ordinance No. 2011-1-8, codified as Division 2, Plumbing Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Plumbing Code, with certain additions, deletions and amendments, as the Plumbing Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.	

ITEM NO.	EXPLANATION	ACTION TAKEN
(t)	To repeal in its entirety City of Plano Ordinance No. 2011-1-9, codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; and adopting the 2012 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.	
(u)	To repeal in its entirety City of Plano Ordinance No. 2011-1-10, codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Fuel Gas Code, with certain additions, deletions, and amendments, as the Fuel Gas Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.	
(v)	To repeal in its entirety City of Plano Ordinance No. 2011-1-11, codified as Article XVIII, Energy Conservation Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Energy Conservation Code, with certain additions, deletions and amendments, as the Energy Conservation Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.	
(w)	To repeal in its entirety City of Plano Ordinance Nos. 2004-9-30; 2010-2-16; 2011-1-14; and 2012-12-12, codified as Divisions 1 and 2 of Article III, Property Maintenance Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Property Maintenance Code, with certain additions, deletions, and amendments, as the Property Maintenance Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.	
(x)	To repeal Ordinance No. 2013-9-32; establishing a certification pay plan for classified members of the Plano Fire and Police Departments; establishing an assignment pay plan for members of the Plano Fire Department serving in the capacity of paramedic; establishing a Paramedic Preceptor pay plan for members of the Plano Fire Department; establishing an assignment pay plan for members of the Plano Police Department serving in the capacity of Field Training Officers; and providing a repealer clause, a severability clause and an effective date.	
	<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></p>	
(1)	<p>Consideration of an Ordinance to amend Ordinance No. 2013-1-4 codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano to increase the water rate schedules for residential and non-residential customers for services rendered on or after December 1, 2013, and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>	
(2)	<p>Public Hearing and consideration of an Ordinance as requested in Zoning Case 2013-13 to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses), Subsection 2.821 (BG - Downtown Business/Government) and Subsection 2.829 (UMU - Urban Mixed-Use) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses), and Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to establish regulations for mid-rise multifamily residential development; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano</p>	
(3)	<p>Public Hearing and consideration of an Ordinance as requested in Zoning Case 2013-29 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended; amending Heritage Resource Designation No. H-1 to allow a minimum 16-foot front yard building setback from Gardengrove Court, located at the southeast corner of West 15th Street and Pitman Drive, and being more particularly described as Lot 1, Block A, Ammie Wilson Addition, an addition to the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-9 with Heritage Resource Designation H-1; directing a change accordingly in the official Zoning Map of the City; and providing a penalty clause, a repealer clause, a savings clause, a publication clause, a severability clause, and an effective date. Applicant: Heritage Farmstead Museum</p>	
	<p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></p>	



**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:		10/28/2013		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): Melinda White X7548, Cindy Pierce X5161				
CAPTION				
PROCLAMATION: Pancreatic Cancer Month, November, is a time used by the Pancreatic Cancer Action Network in order to help raise awareness of pancreatic cancer				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	



**CITY OF PLANO
COUNCIL AGENDA ITEM**

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Department Head		Bruce Glasscock		
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CAPTION				
PROCLAMATION: Saturday, November 2, is Arbor Day in Plano. Plano has been a Tree City for 24 years.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	



**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:		10/28/13		
Department:		City Manager's Office		
Department Head		Thomas Muehlenbeck		
Agenda Coordinator (include phone #): Melinda White X7548, Cindy Pierce X5161				
CAPTION				
PROCLAMATION: Animal Shelter Appreciation Week is the first full week in November				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
October 14 2013**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
André Davidson
Jim Duggan
Patrick Gallagher
David Downs

COUNCIL MEMBERS ABSENT

Lissa Smith, Mayor Pro Tem

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Monday, October 14, 2013, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071; receive information regarding Economic Development, Section 551.087; and Real Estate, Section 551.072 and to discuss Personnel, Section 551.074 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 6:07 p.m. in the Senator Florence Shapiro Council Chambers. Council Member Duggan was seated at 6:08 p.m.

Consideration and action resulting from Executive Session discussion

Collin County Central Appraisal District Board

The Council spoke to the nomination of Michael Pirek.

Personnel Appointments

Library Advisory Board

Upon a motion made by Council Member Gallagher and seconded by Deputy Mayor Pro Tem Harris, the Council voted 7-0 to appoint Diane Gonzalez.

Photographic Traffic Signal Advisory Committee

Council Member Duggan appointed Keith Weiss. Upon a motion made by Mayor LaRosiliere and seconded by Council Member Miner, the Council voted 7-0 to appoint Phil Head as Chair. Upon a motion made by Mayor LaRosiliere and seconded by Council Member Duggan, the Council voted 7-0 to appoint Robert Drotman as Vice Chair. Mayor Pro Tem Smith's appointment was deferred.

Self Sufficiency Committee

Upon a motion made by Council Member Gallagher and seconded by Deputy Mayor Pro Tem Harris, the Council voted 7-0 to appoint Aaron Juniper and Andrew Ryan Wight as members.

Discussion and Direction Regarding Retail Report and Recommendation Prepared by Gibbs Planning Group

Planning Director Jarrell spoke to review of the local retail market and recommendations on shopping center updating and redevelopment as a revitalization strategy as well as use of the revitalization fund approved by voters in May. She advised that Mr. Gibbs toured the City, met with local retail brokers and found that Plano's vacancy rate is in line with the Metroplex as a whole, business-to-business sales is an increasing portion of the market, and that the City has a higher than average amount of retail space. Ms. Jarrell advised that findings indicate that the retail market overall is healthy, but has suffered from a loss of market share as centers have developed in neighboring communities; Plano continues to be a strong market and companies look to debut new store and restaurant concepts here; there is room for more grocery stores and new formats; some centers have non-traditional anchors that do not drive retail sales; and many need updated facades, although surrounding neighborhoods are stable. She spoke to older centers with lower rental rates that provide opportunities for start-up businesses, newer centers with high vacancy rates which may indicate management issues, and opportunities for infill development in large parking areas.

Ms. Jarrell reviewed the recommendations to: conduct a general market study to determine Plano's trade area; use targeted market studies to determine feasibility of revitalizing/redeveloping selected centers; categorize shopping centers based on market, building condition and location; identify tools to facilitate and incentivize; develop a pilot program to determine best strategies and a proposal process to qualify developers to participate in the pilot; and plan and design an overall corridor streetscape enhancement program. She responded to Council regarding consideration of locations for improvements.

City Manager Glasscock requested Council clarification on their recommended use of revitalization funds for either retail corners or corridors and Mayor LaRosiliere and Council Member Downs stated support for addressing retail areas. Council Member Miner spoke to consideration of centers in the eastern portion of the City and Council Member Davidson stated support for development of criteria and a pilot project to stimulate interest. Deputy City Manager Turner spoke to strong interest in development in Plano and the possibility that a beta case will present itself. He spoke to working with retail corners and their approaching corridors as a blended strategy and advised that Staff will bring forward recommended criteria.

Screening Wall Update

Director of Public Works Cosgrove spoke to the requirement for screening walls between non-residential and residential uses, the 140 miles of walls with approximately 50% City-owned and reviewed the various types. He reviewed Staff identified issues and actions as follows:

- Resolution 74-12-4(R) covering City participation in installation has been repealed.
- Private walls owned by residential property owners will be maintained by the City as long as necessary easements are dedicated with no change in the management of HOA owned walls.
- The City should continue to allow living screens as long as the right-of-way is dedicated as outlined in the Subdivision Ordinance.
- Replacement of living screens with brick walls will be considered on a case-by-case basis based on spacing and potential conflicts.
- Brick walls should not be constructed where there is no screen and lots either back or side to a roadway.
- There is no current policy to address private walls/entry features abandoned by an HOA with the exception of replacing landscaping with turf.
- Painting of City walls is considered on a case-by-case basis and Staff is working with Property Standards to develop standards for the painting of private commercial walls.
- The City should continue to require residential screening walls and they may still be dedicated to the City.
- The City should continue to require screening walls rather than ornamentals or other items.

The Council spoke to the challenges of addressing HOA walls when the associations have been discontinued. Mr. Cosgrove reviewed the impact of construction methods on the lifespan of the walls and advised that panel replacements are accomplished from the Capital Reserve Fund while whole wall replacements are managed through the Community Investment Program.

Council items for discussion/action on future agendas

Deputy Mayor Pro Tem Harris requested information be brought forward regarding the possibility of a permitting process to allow dogs on outdoor patios of dining establishments.

Consent and Regular Agendas

No items were discussed.

Nothing further was discussed. Mayor LaRosiliere adjourned the Preliminary Meeting at 6:54 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Diane Zucco, City Secretary

PLANO CITY COUNCIL
October 14, 2013

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Ben Harris, Deputy Mayor Pro Tem
Pat Miner
André Davidson
Jim Duggan
Patrick Gallagher
David Downs

COUNCIL MEMBERS ABSENT

Lissa Smith, Mayor Pro Tem

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, October 14, 2013, at 7:01 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Pastor Brian McClane of Northpoint Church led the invocation and Junior Girl Scout Troop 3461 led the Pledge of Allegiance.

Mayor LaRosiliere recognized Council Member Duggan for his work with the Boys and Girls Clubs and administered oaths of office to incoming board and commission members.

Comments of Public Interest

Citizen John Lingenfelder stated concern regarding the impact a planned music festival at Oak Point Park and Nature Preserve will have on a specific area of prairie land. B. Ross-Williams of Texas Communities Foundation, requested the City establish a division to address homeless individuals, particularly women and children.

Consent Agenda.

Upon a motion made by Council Member Duggan and seconded by Council Member Miner, the Council voted 7-0 to approve and adopt all items on the consent agenda as recommended and as follows:

Approval of Minutes (Consent Agenda Item "A")
September 23, 2013

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

Bid No. 2013-328-B for the purchase of Rowlinson Natatorium Structural Roof Framing Repair Project to Reconstruction Experts, Inc., in the amount of \$135,503 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Bid No. 2013-222-C for a one (1) year contract with three (3) City optional renewals to purchase supply of water meters for Public Works, Customer & Utility Billing, and Inventory Control and Asset Disposal (ICAD) to HD Supply Waterworks, Ltd. in the estimated annual amount of \$348,666 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2013-367-B for Early Morn Drive & Rosehill Lane Drainage Improvements to Jim Bowman Construction Co., L.P. in the amount of \$385,006 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Bid No. 2013-351-B for Alley Reconstruction – Dallas North Estates to Jim Bowman Construction Company, L.P. in the amount of \$611,392 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Bid No. 2013-363-B for the purchase of two (2) Ford F350 Platform Trucks from Caldwell Country Automotive in the amount of \$61,782 for Fleet Services, to be utilized by Public Works, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)

To approve a Professional Services Agreement by and between the City of Plano and Half Associates, Inc., in the amount of \$404,700 for Brown Branch 18-inch and 15-inch Sanitary Sewer Interceptor Capacity Improvements project; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

To approve of a Landscape Architecture Services Agreement by and between the City of Plano and La Terra Studio, Inc. in the amount of \$97,740 for design services for a Skate Park Facility and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

To approve of a Landscape Architecture Services Agreement by and between the City of Plano and David C. Baldwin, Inc. in the amount of \$129,195 for design services for McCall Plaza and Parking Lot Renovation and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

Approval of Change Order

To Parkscape Construction, Inc., increasing the contract by \$139,252 for the Oak Point Park & Nature Preserve, North Trail Extension, Change Order No. 1, Bid No. 2013-26-B. (Consent Agenda Item “J”)

Approval of Expenditure

To approve the purchase of replacement parts for Neptune Technology Group, Inc. brand water meters in the estimated annual amount of \$177,846 from HD Supply Waterworks, Ltd., a sole source provider; through the use of the general exemption as allowed by Local Government Code, Chapter 252, Subchapter B, Section 252.022(a)(7)(A) and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “K”)

Adoption of Resolutions

Resolution No. 2013-10-1(R): To approve the terms and conditions of an Economic Development Agreement by and between West Plano Village, Ltd. and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2013-10-2(R): To approve and authorize the execution of a Special Escrow Agreement for the deposit of funds in an amount sufficient to defease and pay certain outstanding “City of Plano, Texas, General Obligation Refunding and Improvement Bonds, Series 2005”; providing for the redemption of certain outstanding bonds of such series and resolving other matters incident and related thereto; and authorizing its execution by the City Manager and providing an effective date. (Consent Agenda Item “M”)

Adoption of Ordinances

Ordinance No. 2013-10-3: To abandon all right, title and interest of the City, in and to a portion of that certain 20-foot Sanitary Sewer Easement within the Villas of Pecan Creek, recorded in Volume 1004, Page 410, of the Deed Records of Collin County, Texas and being situated in the J. M. Salmons Survey, Abstract No. 815, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, Jen Texas I, LLC., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “N”)

Ordinance No. 2013-10-4: To approve a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2013 Annual Rate Review Mechanism filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; requiring the Company to reimburse Cities’ reasonable ratemaking expenses; repealing conflicting resolutions or ordinances; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; providing a most favored nations clause; and requiring delivery of this ordinance to the Company and the Steering Committee’s legal counsel. (Consent Agenda Item “O”)

Ordinance No. 2013-10-5: To approve the carrying-forward of certain fiscal year 2012-13 funds to fiscal year 2013-14; and providing an effective date. (Consent Agenda Item “P”)

Ordinance No. 2013-10-6: To amend Section 2-1(e) of the City Code of Ordinances of the City of Plano, Texas to authorize use of the City logos and/or brand by licensees of the Plano Centre for the duration of their City license agreement and by partners or sponsors of the City of Plano Convention and Visitors Bureau in conjunction with events promoting, marketing and publicizing the City upon written approval of the City Manager; providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “Q”)

END OF CONSENT

Public Hearing and consideration of Ordinances requested in Zoning Cases 2013-16 through 2013-20 all of which are limited to the repeal of certain Specific Use Permits for Private Clubs. The following ordinances are proposed to be repealed which, if approved, will result in the rescission of the Specific Use Permit for an additional use of a Private Club and the applicant is the City of Plano. (Regular Agenda Item “1”)

Ordinance No. 2013-10-7: Zoning Case 2013-16 - To rescind Specific Use Permit #506 for Private Club on 0.1± acre located on the west side of Bishop Road, 70± feet north of Kincaid Road. Zoned Planned Development-65-Central Business-1/Dallas North Tollway Overlay District with Specific Use Permit #506 for Private Club.

Ordinance No. 2013-10-8: Zoning Case 2013-17 - To rescind Specific Use Permit #502 for Private Club on 0.6± acre located on the west side of Bishop Road, 345± feet south of Legacy Drive. Zoned Planned Development-65-Central Business-1/Dallas North Tollway Overlay District with Specific Use Permit #502 for Private Club.

Ordinance No. 2013-10-9: Zoning Case 2013-18 - To rescind Specific Use Permit #509 for Private Club on 1.1± acres located on the west side of H Avenue, 250± feet north of 15th Street. Zoned Downtown Business/Government with Heritage Resource #24 Designation and Specific Use Permit #509 for Private Club.

Ordinance No. 2013-10-10: Zoning Case 2013-19 - To rescind Specific Use Permit #450 for Private Club on 0.1± acre located on the east side of the DART railroad tracks, 25± feet north of 15th Place. Zoned Downtown Business/Government with Specific Use Permit #450 for Private Club.

Ordinance No. 2013-10-11: Zoning Case 2013-20 - To rescind Specific Use Permit #533 for Private Club on 0.3± acre located at the northwest corner of K Avenue and 16th Street. Zoned Downtown Business/Government with Specific Use Permit #533 for Private Club.

All locations are located within the City of Plano, Collin County, Texas, and the repeal of each ordinance will amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano (Regular Agenda Item “1”)

Planning Director Jarrell advised restaurants no longer exist or the original private club has changed to a mixed-beverage license for these locations and the ordinances would repeal unused specific use permits. She advised that the Planning and Zoning Commission recommended approval as submitted.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Duggan and seconded by Council Member Miner, the Council voted 7-0 to repeal Specific Use Permits for Private Clubs as requested in Zoning Cases 2013-16 through 2013-20 as recommended by the Planning and Zoning Commission and further to adopt Ordinances No. 2013-10-7 through 2013-10-11.

Public Hearing and adoption of Ordinance No. 2013-10-12 as requested in Zoning Case 2013-15, repealing in its entirety Ordinance No. 91-11-19; thereby rescinding Specific Use Permit No. 188 for the additional use of a Private Club on 1.0± acre of land out of the J.A. Salmons Survey, Abstract No. 814, located on the west side of U.S. Highway 75, 130± feet south of Chisholm Place in the City of Plano, Collin County, Texas, currently zoned Corridor Commercial with Specific Use Permit No. 187 for Restaurant and Specific Use Permit No. 188 for Private Club, and amending the Comprehensive Zoning Ordinance of the city, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; directing a change accordingly in the official zoning map of the city; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano (Regular Agenda Item “2”)

Planning Director Jarrell advised regarding a letter of opposition received from the property owner which requires a three-quarter vote of the Council to approve repealing the specific use permit. She stated that in this particular case, the permit was issued to the restaurant itself which is no longer in operation and that it cannot be utilized in the future.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Duggan and seconded by Council Member Davidson, the Council voted 7-0 to repeal in its entirety Ordinance No. 91-11-19; thereby rescinding Specific Use Permit No. 188 for the additional use of a Private Club located on the west side of U.S. Highway 75, 130± feet south of Chisholm Place in the City of Plano, Texas; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2013-15; and further to adopt Ordinance No. 2013-10-12.

Ordinance No. 2013-10-13: To repeal Chapter 17.5, Sexually Oriented Businesses, of the City of Plano Code of Ordinances and adopting a new Chapter 17.5, Sexually Oriented Businesses of the City of Plano Code of Ordinances; providing definitions, licensing and regulations for Sexually Oriented Businesses, providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date. (Regular Agenda Item “3”)

Ordinance No. 2013-10-13 (cont'd)

City Attorney Wetherbee spoke to changes occurring in court and case studies to support City regulation of sexually oriented businesses to address negative effects including criminal activities and property values. She spoke maintaining the 3,000 foot separation from protected uses as included in the original 1993 ordinance, the availability of .8% of property for uses and the review of variances. Ms. Wetherbee reviewed other revisions including restriction of minors, exterior signage/coloration, prevention of patron-employee contact, restricted hours of operation and penalties.

Upon a motion made by Council Member Davidson and seconded by Council Member Miner, the Council voted 7-0 to repeal Chapter 17.5, Sexually Oriented Businesses, of the City of Plano Code of Ordinances and adopting a new Chapter 17.5, Sexually Oriented Businesses of the City of Plano Code of Ordinances; and further to adopt Ordinance No. 2013-10-13.

Resolution No. 2013-10-14(R): To authorize the establishment of fees for application and licensing of Sexually Oriented Businesses pursuant to Chapter 17.5, Sexually Oriented Businesses, of the City Code of Ordinances for the City of Plano, Texas; and providing an effective date. (Regular Agenda Item "4")

Police Legal Advisor Howard advised that a revised fee structure is proposed in conjunction with the updated ordinance for sexually oriented businesses to provide fees for additional administrative functions.

Upon a motion made by Council Member Downs and seconded by Council Member Gallagher, the Council voted 7-0 to authorize the establishment of fees for application and licensing of Sexually Oriented Businesses pursuant to Chapter 17.5, Sexually Oriented Businesses, of the City Code of Ordinances for the City of Plano, Texas; and further to adopt Resolution No. 2013-10-14(R).

Ordinance No. 2013-10-15: To amend Section 6-487, Prohibited signs, and Section 6-491, Political signs/noncommercial purpose signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, and adding Article XII, Prohibited Signs on Public Property, to Chapter 14, Offenses – Miscellaneous, of the Code of Ordinances of the City of Plano, to provide sign regulations on public property; and providing repealer, severability, savings, penalty, and publication clauses and setting an effective date. (Regular Agenda Item "5")

City Attorney Wetherbee advised that the Texas Legislature passed a bill in the last session allowing electioneering on public property used as a voting location. She spoke to the ability for cities to adopt reasonable regulations to address concerns and the proposed ordinance covering safety issues, preservation of parking spaces, preventing destruction of public property and implementing reasonable time limits for signage.

Upon a motion made by Council Member Miner and seconded by Council Member Downs, the Council voted 7-0 to amend Section 6-487, Prohibited signs, and Section 6-491, Political signs/noncommercial purpose signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, and adding Article XII, Prohibited Signs on Public Property, to Chapter 14, Offenses – Miscellaneous, of the Code of Ordinances to provide sign regulations on public property; and further to adopt Ordinance No. 2013-10-15.

Resolution No. 2013-10-16(R): To nominate an individual for election to the Collin County Central Appraisal District Board of Directors; and providing an effective date. (Regular Agenda Item “6”)

Upon a motion made by Council Member Downs and seconded by Council Member Miner, the Council voted 7-0 to nominate Michael A. Pirek for election to the Collin County Central Appraisal District Board of Directors; and further to adopt Resolution No. 2013-10-16(R).

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:45 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Diane Zucco, City Secretary



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:		10/28/13			
Department:		Engineering			
Department Head		Gerald Cosgrove			
Agenda Coordinator (include phone #): Michael Parrish x7554					
CAPTION					
Bid No. 2013-338-B for the purchase of Oak Point Recreation Center Exterior Weatherproofing Repair to Western Waterproofing Company of America in the amount of \$135,500, and authorizing the City Manager to execute all necessary documents.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR:	2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		54,597	1,630,403	0	1,685,000
Encumbered/Expended Amount		-54,597	-1,462,577	0	-1,517,174
This Item		0	-135,500	0	-135,500
BALANCE		0	32,326	0	32,326
FUND(S): CAPITAL RESERVE					
COMMENTS: Funds are included in the FY 2013-14 Capital Reserve Fund. This item, in the amount of \$135,500 will leave a balance of \$32,326 for the projects to maintain and repair Oak Point Rec Center.					
STRATEGIC PLAN GOAL: Exterior weatherproofing repairs relate to the City's Goal of Financially Strong City with Service Excellence.					
SUMMARY OF ITEM					
Staff recommends the bid of Western Waterproofing Company of America in the amount of \$135,500, be accepted as the lowest, responsive, responsible bid, and conditioned upon timely execution of any necessary contract documents. This purchase is for the Oak Point Recreation Center (2013-338-B).					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Award Memo, Bid Recap					



City of Plano
1520 K Avenue
Plano, TX 75074

P.O. Box 860358
Plano, TX 75086-0358
Tel: 972.941.7000
plano.gov

TO: Michael Parrish, Sr. Buyer

FROM: Richard Medlen,
Facilities Maintenance Superintendent

DATE: September 18, 2013

SUBJECT: **Oak Point Recreation Center – Weatherproofing Repair – Bid #2013-338-B**

I have reviewed the bids submitted for Oak Point Recreation Center waterproofing repairs and recommend award to the lowest responsive responsible bid submitted by Western Waterproofing Company of America for \$135,500. Additional bids were received from Frontier Waterproofing Inc. for \$156,757 and Chamberlin Dallas LLC, whose bid was deemed non responsive because they did not meet the site visit requirement per the bid specifications.

The exterior sealants in the brick around the building have deteriorated such that replacement is required to protect the interior of the building from future water damage.

The funding for the project is Capital Reserve Fund Account #54488.

Please contact me if you have any questions.

Thanks

/liw

Xc: Jim Razinha
Matt Yager
Colette Hall
Steven Drennan
Steve Healy
Marny Tackett

CITY OF PLANO

BID NO. 2013-338-B OAK POINT RECREATION CENTER EXTERIOR WEATHERPROOFING BID RECAP

<u>Bid Opening Date/Time:</u>	September 4, 2013 @ 3:00 PM
<u>Number of Vendors Notified:</u>	686
<u>Vendors Submitting "No Bids":</u>	0
<u>Number of Non-Responsive Bids:</u>	1
<u>Number of Responsive Bids Submitted:</u>	2

Western Waterproofing Company of America	\$135,500
Frontier Waterproofing Inc.	\$156,757

Recommended Vendor:

Western Waterproofing Company of America	\$135,500
--	-----------

Michael Parrish

October 1, 2013

Michael Parrish, Senior Buyer

Date



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:	October 28, 2013
Department:	Fire Department
Department Head	Brian Crawford
Agenda Coordinator (include phone #): Teresa Shelstad Ext:7539	

CAPTION

Bid No. 2013-221-C for an annual contract with three (3) City optional renewals for EMS Medical Supplies for the Fire Department to Bound Tree Medical, LLC, Henry Schein, Inc. and MMS - A Medical Supply Company in the total estimated annual amount of \$ 122,083, and authorizing the City Manager to execute all necessary documents.

FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2013-14, 2014-15, 2015-16, 2016-17	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	410,620	366,249	776,869
Encumbered/Expended Amount		0	-15,109	0	-15,109
This Item		0	-122,083	-366,249	-488,332
BALANCE		0	273,428	0	273,428
FUND(s): GENERAL FUND					

COMMENTS: This item establishes an annual contract with three optional renewals for the purchase of EMS medical supplies and approves price quotes. Expenditures will be made in the Fire cost center based on need within the approved budget appropriations for each year of the contract. The estimated expenditure for medical supplies to be purchased from this contract in FY 2013-14 is \$122,083. Future purchases will be made within annually approved budget appropriations at an estimated annual expenditure of \$122,083 per year for fiscal years 2014-15, 2015-16, and 2016-17. The remaining budget funds for FY 13-14 will be used for other medical supplies.

STRATEGIC PLAN GOAL: Contracts for the purchase of EMS medical supplies relate to the City's Goal of Financially Strong City with Service Excellence.

SUMMARY OF ITEM

Staff recommends approval of a one (1) year contract with three (3) City optional renewals to purchase EMS medical supplies for the Fire Department to Bound Tree Medical, LLC in the estimated annual amount of \$73,080, Henry Schein, Inc. in the estimated annual amount of \$36,368, and MMS - A Medical Supply Company in the estimated annual amount of \$12,635. For a total estimated annual amount of \$122,083.(2013-221-C)

List of Supporting Documents:	Other Departments, Boards, Commissions or Agencies
Award Memo, Bid Recap	



Memorandum

Date: October 9, 2013
To: Diane Palmer-Boeck, Purchasing Manager
From: Alan Storck, Deputy Chief
Subject: Award of Bid 2013-221-C EMS Medical Supplies

The City of Plano Fire-Rescue Department provides EMS services throughout the City. To effectively provide these services, it is necessary to ensure that the needed medical supplies are available. As such, the Fire and Purchasing Departments worked together to develop a solicitation for an EMS Supply contract.

The City of Plano recently solicited bids for EMS Medical Supplies. 998 vendors were notified and five (5) responses were received. Of these responses, two (2) were complete bids and three (3) were partial bids. Some vendors were cheaper on some items and other vendors were cheaper on other items. It is our recommendation to award the Medical Supply contract by line item versus a total award to one vendor due to total dollar savings achieved.

The lowest prices on all of the items that were bid on were provided by four vendors. One vendor, Practical A/R Solutions was the lowest responsive bidder on the following lines: Section 2 – Line 11, Section 4 – Line 2, Section 6 – Line 3, 12, & 13. Since they were the lowest vendor on only a very small number items, We believe it is beneficial to the City of Plano to award those few line items to the secondary vendor in terms of decreased administrative costs achieved through contracting with three (3) vendors as opposed to four (4).

Therefore, it is the recommendation of the Department to award the contract 2013-221-C as follows:

Bound Tree Medical, LLC:

Section 1 Line Items: 1,2,7,8,9,10,11,12,22,23,24,25,27,29,34,38,39,51,52,53,54,55,56,57,58

Section 2 Line Items: 1-7,13,14,20,21,22

Section 3 Line Items: 1,2,4-7,9,10

Section 4 Line Items: 2,7

Section 5 Line Items: 1,2,5,8,10,12,13,18,22,25,27,28

Section 6 Line Items: 1,2,4,7,12,13,14,16,18,19,21,23,25,27,32

Estimated Annual Amount: \$73,080

Henry Schein, Inc.:

Section 1 Line Items: 14,15,16,28,30,31,32,33,35,36,40,41,49,50,59

Section 2 Line Items: 8,12,15,18,19

Section 3 Line Items: 8

Section 4 Line Items: 5,6,8

Section 5 Line Items: 3,4,6,7,17,19,24,26,29

Section 6 Line Items: 5,10,15,17,24,26,31,33

Estimated Annual Amount: \$36,368



Memorandum

MMS – A Medical Supply Company:

Section 1 Line Items: 3,4,5,6,13,17,18,19,20,21,26,37,42,43,44,45,46,47,48

Section 2 Line Items: 9,10,11,16,17,23

Section 3 Line Items: 3

Section 4 Line Items: 1,3,4,9

Section 5 Line Items: 9,11,14,15,16,20,21,23

Section 6 Line Items: 3,6,8,9,20,22,28,29,30

Estimated Annual Amount: \$12,635

Total Estimated Annual Amount: \$122,083

Not having contract in place will have an impact in purchasing equipment and supplies we need to perform our mission of maintaining the high standard of patient care we provide to the citizens of Plano. There are several areas that would be impacted. The two main areas of impact would be increased cost and loss of employee productivity. We can reduce cost by bidding out the EMS supplies that the fire department needs to insure competition and getting the best price for needed supplies. This process has been completed and completing a contract will insure the best pricing in the future. The second area of impact would be the loss of efficiency through decreased employee productivity. By having a contract in place, we know who and where to purchase the items we need on a daily basis. This will reduce the time it takes to order equipment and supplies. The EMS Supply Coordinator will not have to search and compare different vendor prices each time an order needs to be placed. This process has been completed by the Fire and Purchasing Departments by reviewing the bids received, and in the development of this proposed contract. By awarding this EMS contract, we reduce cost and improve employee efficiency.

CITY OF PLANO

**BID NO. 2013-221-C
EMS Medical Supplies**

BID RECAP

Bid opening Date/Time: July 1, 2013

Number of Vendors Notified: 998

Vendors Submitting "No Bids": 0

Bids Evaluated Non-Responsive to Specifications: 0

Number of Bids Submitted Responsive to Bid: 5

<u>Vendor</u>	<u>Total Amount Bid</u>	<u>#Items Bid</u>
Bound Tree Medical, LLC	\$142,901.0166	165/165
Henry Schein, Inc.	\$211,696.03	165/165
MMS- A Medical Supply Company	\$130,611.9212	143/165
Med Part	\$731.40	3/165
Practical A/R Solutions, Inc.	\$62,567.32	65/165

Recommended Vendor:

Bound Tree Medical, LLC:

Section 1 Line Items: 1,2,7,8,9,10,11,12,22,23,24,25,27,29,34,38,39,51,52,53,54,55,56,57,58

Section 2 Line Items: 1-7,13,14,20,21,22

Section 3 Line Items: 1,2,4-7,9,10

Section 4 Line Items: 2,7

Section 5 Line Items: 1,2,5,8,10,12,13,18,22,25,27,28

Section 6 Line Items: 1,2,4,7,12,13,14,16,18,19,21,23,25,27,32

Estimated Annual Amount: \$73,080

Henry Schein, Inc:

Section 1 Line Items: 14,15,16,28,30,31,32,33,35,36,40,41,49,50,59

Section 2 Line Items: 8,12,15,18,19

Section 3 Line Items: 8

Section 4 Line Items: 5,6,8

Section 5 Line Items: 3,4,6,7,17,19,24,26,29

Section 6 Line Items: 5,10,15,17,24,26,31,33

Estimated Annual Amount: \$36,368

MMS- A Medical Supply Company:

Section 1 Line Items: 3,4,5,6,13,17,18,19,20,21,26,37,42,43,44,45,46,47,48

Section 2 Line Items: 9,10,11,16,17,23

Section 3 Line Items: 3

Section 4 Line Items: 1,3,4,9

Section 5 Line Items: 9,11,14,15,16,20,21,23

Section 6 Line Items: 3,6,8,9,20,22,28,29,30

Estimated Annual Amount: \$12,635

Total Estimated Annual Amount: \$122,083

Teresa Shelstad

Teresa Shelstad
Buyer I

August 15, 2012

Date



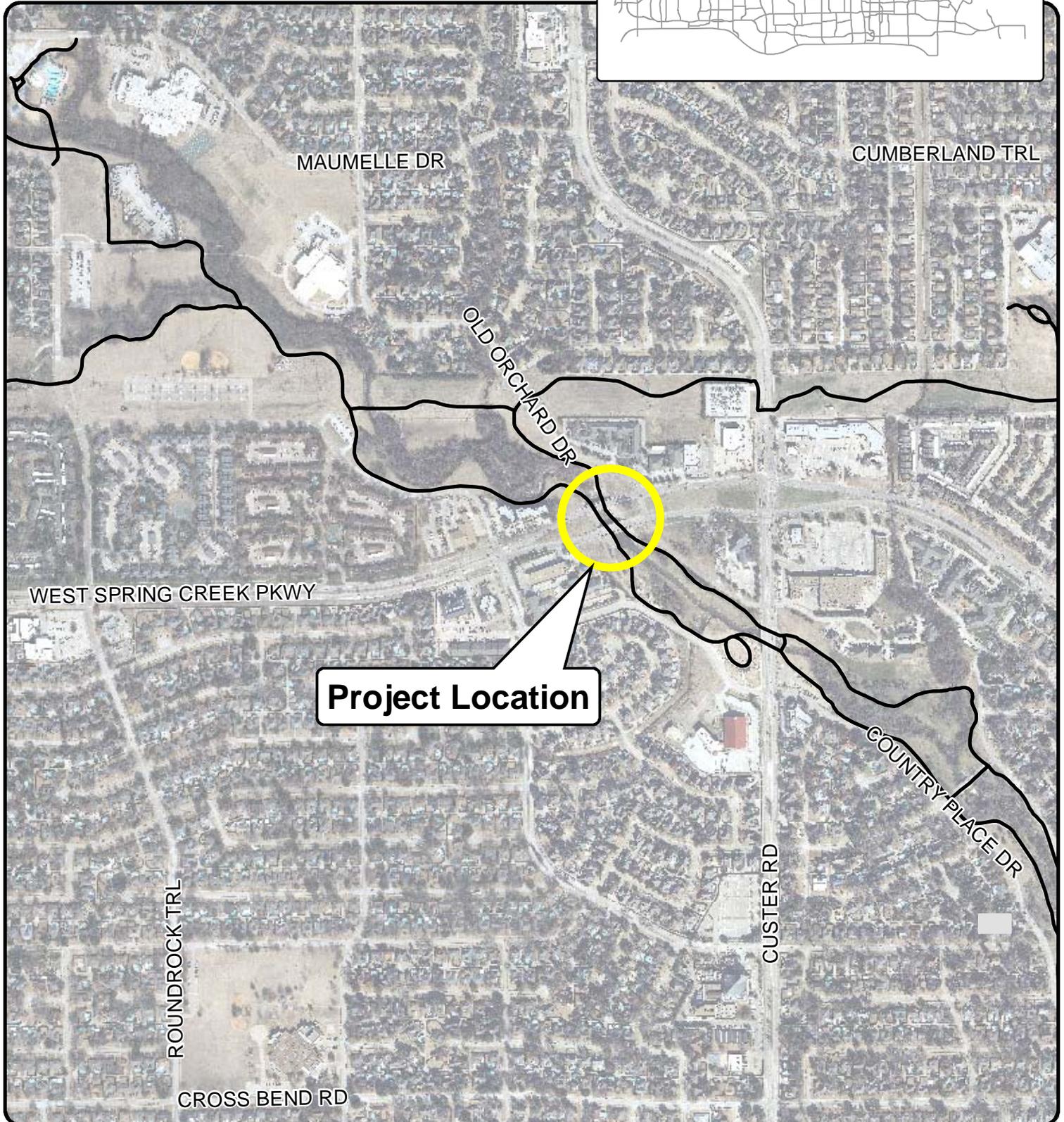
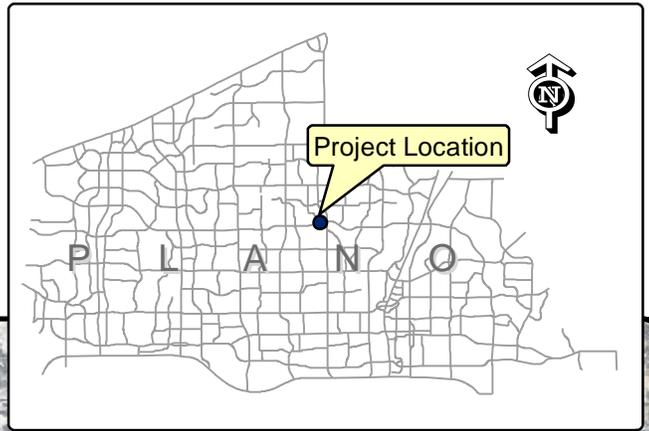
CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		10/28/13		
Department:		Parks and Recreation		
Department Head		Amy Fortenberry		
Agenda Coordinator (include phone #): Susan Berger (7255)				
CAPTION				
Rejection of Bid 2013-385-B for Chisholm Trail Drainage Improvements at Spring Creek Parkway, Project No. 6295, from all bidders.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2013-14	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): N/A				
COMMENTS: This item has no financial impact.				
STRATEGIC PLAN GOAL: Rejection of the sole unsatisfactory bid for the Chisholm Trail Drainage at Spring Creek Parkway project relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
<p>The bid of \$267,500 submitted by GHB Equipment, LLC was the only bid received. The bid significantly exceeds the consultants estimated cost of \$104,500. Staff recommends that the bid be rejected and that the project be rebid. Staff will work with the consultant to identify the reasons for the discrepancy and modify the project scope prior to rebidding.</p> <p>The project is located on Chisholm Trail where the trail passes under Spring Creek Parkway. Improvements are intended to address drainage issues on the trail. Improvements include modifying the drainage system, improving the trail surface, sealing bridge embankments, erosion control improvements and aesthetic improvements.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Map				
Bid Recap				



Location Map

Chisholm Trail Drainage Improvements
at Spring Creek Parkway
Project No. 6295



CITY OF PLANO

BID NO. 2013-385-B

Chisholm Trail Drainage Improvements at Spring Creek Parkway- Project No 6295

BID RECAP

Bid opening Date/Time: September 30, 2013 @ 2:00 pm

Number of Vendors Notified: 3321

Vendors Submitting "No Bids": 0

Bids Evaluated Non-Responsive to Specifications: 0

Number of Bids Submitted Responsive to Bid: 1

GHB Equipment, LLC \$267,500.00

Recommended Vendors:

GHB Equipment, LLC \$267,500.00

Nicole Griffin

October 7, 2013

Nicole Griffin
Buyer II

Date



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:		October 28, 2013			
Department:		Police Department			
Department Head		Gregory W. Rushin			
Agenda Coordinator (include phone #): Kellie Boyer x7248					
CAPTION					
To approve and authorize Contract Modification No. 2 for the addition of a collections program from Redflex Traffic Systems, Inc. and the establishment of an escrow account in the amount of \$185,000 and to authorize the City Manager or his designee to execute all related documents.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2013-14 thru 2021-22	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(S): TRAFFIC SAFETY FUND					
<p>COMMENTS: Approval of this item will allow Redflex Traffic Systems, Inc. to establish an initial escrow account on behalf of the City of Plano with TxDOT in the amount of \$185,000. Redflex will recover this initial expense from fines collected. After this initial cost recovery, the City of Plano will then collect \$90 in revenue on each past due violation.</p> <p>STRATEGIC PLAN GOAL: Contracting with Redflex Traffic System, Inc. for violation collection services relates to the City's Goal of Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
<p>Staff recommends the approval of Contract Modification No. 2 for the addition of the collections program to increase the number of collections on violations that would otherwise go uncollected. If approved, Redflex Traffic Systems, Inc. will establish an initial escrow account on behalf of the City of Plano in the amount of \$185,000. Redflex Traffic Systems, Inc. will recover the initial expense from fines collected. After the initial cost recovery, the City of Plano will collect \$90 in revenue on each past due violation.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Memo					



P.O. Box 860358
Plano, Texas 75086-0358
972-424-5678
Fax 972-424-0099
<http://www.planopolice.org>

MEMORANDUM

DATE: October 10, 2013
TO: LaShon Ross, Deputy City Manager
FROM: Gregory W. Rushin, Chief of Police
SUBJECT: Red Light Camera Collection Program Offered by Redflex Traffic Systems, Inc.

The City of Plano began its Red Light Camera program in March 2006 with the installation of the first four cameras. We are currently operating 19 cameras at 16 intersections. Since the inception of the program we have contracted with Redflex Traffic Systems, Inc. We pay Redflex a fixed monthly fee per camera approach. Redflex installs and maintains the equipment and also bills and collects on violations issued. A red light camera violation carries a \$75 civil penalty. A \$25 fee is assessed if the violation becomes past due and is sent to collections. Currently, Redflex contracts with Penn Credit for collection services. There is no action taken against a violator if he/she does not pay the penalty.

Plano's collection rate of violations, even though it is higher than the state average, is dropping. In 2011, Plano's collection rate was 80.4% and the state average was 70.5%. For 2012, Plano's rate dropped to 77% and the state rate dropped to 68.4%. As of June 2013, there were 48,512 violations that were more than 90 days past due. This amounts to approximately \$4.7 million in uncollected revenue. The number of uncollected violations is growing at a rate of approximately 450 per month. Due to this drop in collections, we are moving forward with the Redflex ASP program.

Redflex is offering to contract with the City to provide up-to-date information on outstanding, past due violations to TxDOT. TxDOT would then flag the registration of the vehicle and the owner would not be able to register the vehicle without first paying the violation. Once the violation is paid, Redflex would send the clearance request to TxDOT. Redflex completes all of the billing and collections already; therefore, this information is readily available in the Redflex computer system and would be accurate and timely. Reflex would be providing an additional service with data that already exists in their system.

Redflex estimates the initial batch of entries to be flagged by TxDOT to be 37,000. Redflex would charge the City \$5 for each entry for a total of \$185,000. After the initial batch the cost would be \$10 each. Redflex's collection program will maintain and fund the required escrow account at TxDOT. This is an account from which TxDOT draws its processing fees. Redflex would fund this escrow account up front. Redflex would collect its \$185,000 initial fee only after twice that amount has been collected and is available in the escrow account. Redflex will collect their \$185,000, the remaining \$185,000 will function as our escrow account with TxDot.

Through the Redflex collection program, the City will collect \$95 or \$90 (dependent on whether we paid \$5 or \$10) on each past due violation. Currently, if the collection agency is successful, the City collects \$86 and pays the collection agency \$14. Redflex advises that flagging has proven four times as effective as the phone call that violators receive from the collection agency. We would have to collect 1948 past due violations (5%) of the initial batch to cover the cost of Redflex's services.

Redflex prints and mails a letter to the registered owner notifying him/her of the hold being placed on his/her registration. Redflex has found this to be more effective than the owner finding out at registration renewal time. Upon payment, Redflex generates a receipt and a paid-in-full letter, which the owner then presents to complete registration of the vehicle.

The following cities are already using Redflex collection program: Corpus Christi, El Paso, Richland Hills, North Richland Hills, Haltom City, Denton, Hurst, Balch Springs and University Park. Grand Prairie and Richardson will be implementing the program on the same date as Plano. All three of these cities will be granting a grace period until December 1, 2013. After that date Redflex will begin to flag registrations.

The Collin County Tax Assessor-Collector, Kenneth Maun does not intend to honor the flags if the owner walks into the tax office or mails in; therefore, these customers will be able to renew their registration even if they have outstanding violations. Persons who complete their registration online or at off-site locations such as Tom Thumb, will not be able to complete the process without first clearing their violation. TxDOT does not keep figures on the number who walk into the tax office and those that register by alternate methods, but a representative of TxDOT estimated that 75% use the alternate methods.

The City would have no upfront investment. Redflex would cover the escrow necessary for the initial batch entry and would not charge us until the escrow account has grown to double that size.

If we do not accept this contract with Redflex for this service we will continue to collect less than 10% of the \$4.7 million in outstanding violation revenues.



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:		10/28/2013		
Department:		Public Works / David Falls		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): Kim McFarland (972.769.4109)				
CAPTION				
<i>To Jerusalem Corporation, increasing the contract by \$182,555 for the 2011-12 Residential Concrete Pavement Rehab Zone I10 & J9, Project No. 6211, Change Order No. 1, Bid No. 2012-269-B, and authorizing the City Manager or his designee to execute all necessary documents.</i>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	2,867,227	4,462,773	3,000,000	10,330,000
Encumbered/Expended Amount	-2,867,227	-1,459,724	0	-4,326,951
This Item	0	-182,555	0	-182,555
BALANCE	0	2,820,494	3,000,000	5,820,494
FUND(s): CAPITAL RESERVE CIP				
COMMENTS: Funds are budgeted in the 2013-14 Capital Reserve CIP. This item, in the amount of \$182,555, will leave a balance of \$2,820,494 for projects relating to residential street & alley replacements. STRATEGIC PLAN GOAL: Replacing residential streets & alleys, repairing sidewalks and installing barrier free ramps relate to the City's Goal of Great Neighborhoods - 1st Choice to Live.				
SUMMARY OF ITEM				
This change order is for additional concrete pavement and sidewalk repairs in the project area. As the project progressed and while working in the area, additional areas of concrete pavement were identified as being in need of repair. The size of the repairs identified has increased since the original inventory was completed in 2011.				
Staff recommends approval of Change Order No. 1. The total Contract will be \$1,553,297.10 which is a 13.32% increase of the original contract amount of \$1,370,741.85.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Change Order No. 1; Location Map				

CHANGE ORDER NO. 1

2011-2012 RESIDENTIAL CONCRETE PAVEMENT REHAB ZONE I10 & J9

PROJECT NO. 6211

PURCHASE ORDER NO. 104182

CIP NO. 51118

BID NO. 2012-269-B

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **JERUSALEM CORPORATION** for the **2011-2012 RESIDENTIAL CONCRETE PAVEMENT REHAB PROJECT**, dated August 27, 2012.

B. DESCRIPTION OF CHANGE

The change order is for additional pavement repair in zone I-10 that has been identified due to additional locations developing since the original inventory was completed in early 2012 and scheduled locations increasing in size due to weather and deterioration of pavement and subgrade.

C. EFFECT OF CHANGE

This change order will have the following effect on the cost of this project:

ITEM NO.	ITEM DESCRIPTION	ORIGINAL QUANTITY	REVISED QUANTITY	UNIT	UNIT PRICE	AMOUNT OF CHANGE
100	Full depth Saw Cut	23,761	25,000	LF	\$0.75	\$929.25
101	F/I Long. & Trans. Butt joint	23,761	25,000	LF	\$2.00	\$2,478.00
102	R/D Concrete Street Paving	11,446	13,358	SY	\$5.90	\$11,280.80
105	F/I 8" Concrete Street Paving	11,446	13,358	SY	\$42.00	\$80,304.00
107	F/I 6" Monolithic Curb	7,473	8,000	LF	\$1.00	\$527.00
111	F/I Top Soil Backfill	312	500	CY	\$1.00	\$188.00
112	R/D/I 4" Sidewalk	71,312	88,385	SF	\$3.40	\$58,048.20
113	R/D/I BFR Type A	8	14	EA	\$1,200.00	\$7,200.00
115	R/D/I BFR Type D	43	115	EA	\$300.00	\$21,600.00
	TOTAL:					\$182,555.25

Original Contract Amount	\$	1,370,741.85
Contract Amount (Including Previous Change Orders)	\$	1,370,741.85
Amount, Change Order No. 1	\$	182,555.25
Revised Contract Amount	\$	1,553,297.10
Total Percent Increase Including Previous Change Orders		13.32%

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add **20** day(s) to this project:

Original Contract Time	120 working days
Amount (Including Previous Change Orders)	120 working days
Amount, Change Order No. 1	16 working days
Revised Contract Time	136 working days
Total Percent Increase Including Previous Change Orders	13.33%

E. AGREEMENT

In the event of any conflict or inconsistency between the provisions set forth in this Change Order No. 1 and the contract, this Change Order No. 1 shall govern and control. For and in consideration of the covenants, duties and obligations herein contained, the parties do mutually agree that except as provided above, all other terms and conditions of the Contract shall remain unchanged and in full force and effect.

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **JERUSALEM CORPORATION**, do hereby agree to append this Change Order No. 1 to the original contract between themselves, dated August 27, 2012.

F. AUTHORITY TO SIGN

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto.

OWNER: CITY OF PLANO

CONTRACTOR: JERUSALEM CORPORATION

By: _____
(signature)

By:  _____
(signature)

Print
Name: Bruce D. Glasscock

Print
Name: Jerusalem A. Alhakim

Print
Title: City Manager

Print
Title: President

Date: _____

Date: 10-4-2013

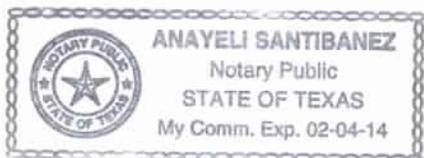
APPROVED AS TO FORM:

By: _____
Diane C. Wetherbee, City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF COLLIN_ §

This instrument was acknowledged before me on the 4th day of October, 2013, by **JERUSALEM A. ALLHAKIM, PRESIDENT** of **JERUSALEM CORPORATION**, a **TEXAS** corporation, on behalf of said corporation.



Anayeli Santibanez

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2013, by **BRUCE D. GLASSCOCK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas



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:		10/28/2013		
Department:		Public Works / David Falls		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): Kim McFarland (972.769.4109)				
CAPTION				
<i>To Jim Bowman Construction, LP, increasing the contract by \$309,880 for the 2011-12 Residential Concrete Pavement Rehab, Zone J3, Project No. 6229, Change Order No. 1, Bid No. 2013-40-B, and authorizing the City Manager or his designee to execute all necessary documents.</i>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	3,069,520	6,090,479	4,100,000	13,259,999
Encumbered/Expended Amount	-3,069,520	-1,887,924	0	-4,957,444
This Item	0	-309,880	0	-309,880
BALANCE	0	3,892,675	4,100,000	7,992,675
FUND(s): CAPITAL RESERVE CIP & STREET IMPROVEMENT CIP				
<p>COMMENTS: Funds are budgeted in the 2013-14 Capital Reserve CIP and Street Improvement CIP. This item, in the amount of \$309,880, will leave a current year balance of \$3,892,675 for projects relating to residential street & alley replacements, sidewalk repairs and barrier free ramps.</p> <p>STRATEGIC PLAN GOAL: Replacing residential streets & alleys, repairing sidewalks and installing barrier free ramps relate to the City's Goal of Great Neighborhoods - 1st Choice to Live.</p>				
SUMMARY OF ITEM				
<p>This change order is for additional quantities of streets, inlet throats, and barrier free ramps that are needed due to sub-grade movement since the inventory was completed in 2012 and the decision to complete repairs on Greenway Drive, Monticello Circle and Claridge Circle that have future planned improvements that will be scheduled more than three years from the present date. The cause of the subgrade movement is due to the age of the infrastructure and extreme weather conditions. Additional sidewalk quantities are needed due to lead walks not being compliant with ADA regulations.</p>				
<p>Staff recommends approval of Change Order No. 1. The total Contract will be \$2,082,668.45 which is a 17.48% increase of the original contract amount of \$1,772,788.45.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Change Order No. 1: Location Map				

CHANGE ORDER NO. 1

2011-12 RESIDENTIAL CONCRETE PAVEMENT REHAB, ZONE J3

PROJECT NO. 6229

PURCHASE ORDER NO. 104291

CIP NO. 5118/51128/34556

BID NO. 2013-40-B

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **JIM BOWMAN CONSTRUCTION** for the **2011-12 RESIDENTIAL CONCRETE PAVEMENT REHAB, ZONE J3 PROJECT**, dated January 14, 2013.

B. DESCRIPTION OF CHANGE

The change order is for additional quantities on streets, inlet throats, and BFR's that are needed due to sub-grade movement since the inventory was completed in 2012 and the decision to complete repairs on Greenway Drive, Monticello Circle and Claridge Circle that have future planned improvements that will be scheduled more than three years from the present date. The cause of the subgrade movement is due to the age of the infrastructure and extreme weather conditions. Additional sidewalk quantities are needed due to lead walks not being compliant with ADA regulations.

C. EFFECT OF CHANGE

This change order will have the following effect on the cost of this project:

<i>ITEM NO.</i>	<i>ITEM DESCRIPTION</i>	<i>ORIGINAL QUANTITY</i>	<i>REVISED QUANTITY</i>	<i>UNIT</i>	<i>UNIT PRICE</i>	<i>AMOUNT OF CHANGE</i>
100	Saw cut with Vacuum	9,556	14,756	LF	\$0.85	\$4,420.00
101	Butt Joint	9,556	14,756	LF	\$1.35	\$7,020.00
102	Remove Existing Street Pvmt	25,011	29,711	SY	\$6.00	\$28,200.00
105	8", 4200 psi Conc. Pavement	25,011	29,711	SY	\$39.20	\$184,240.00
115	R/R Inlet Throat	1	12	EA	\$500.00	\$5,500.00
117	R/R Concrete Sidewalk	10,335	32,335	SF	\$3.50	\$77,000.00
120	BFR, Type D	17	27	EA	\$350.00	\$3,500.00
	TOTAL:					\$309,880.00

Original Contract Amount	\$	1,772,788.45
Contract Amount (Including Previous Change Orders)	\$	1,772,788.45
Amount, Change Order No. 1	\$	309,880.00
Revised Contract Amount	\$	2,082,668.45
Total Percent Increase Including Previous Change Orders		17.48%

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add **19** day(s) to this project:

Original Contract Time	120 working days
Amount (Including Previous Change Orders)	120 working days
Amount, Change Order No. 1	50 working days
Revised Contract Time	170 working days
Total Percent Increase Including Previous Change Orders	41.67%

E. AGREEMENT

In the event of any conflict or inconsistency between the provisions set forth in this Change Order No. 1 and the contract, this Change Order No. 1 shall govern and control. For and in consideration of the covenants, duties and obligations herein contained, the parties do mutually agree that except as provided above, all other terms and conditions of the Contract shall remain unchanged and in full force and effect.

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **JIM BOWMAN CONSTRUCTION, LP**, do hereby agree to append this Change Order No. 1 to the original contract between themselves, dated January 14, 2013.

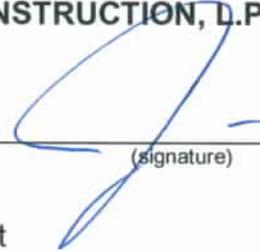
F. AUTHORITY TO SIGN

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto.

OWNER: CITY OF PLANO

**CONTRACTOR: JIM BOWMAN
CONSTRUCTION, L.P.**

By: _____
(signature)

By:  _____
(signature)

Print
Name: Bruce Glasscock

Print
Name: Jim Bowman

Print
Title: City Manager

Print
Title: Sole Manager

Date: _____

Date: 10/2/13

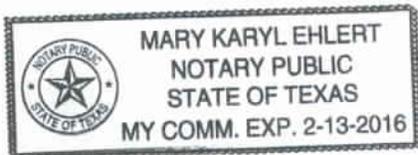
APPROVED AS TO FORM:

By: _____
Diane C. Wetherbee, City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 2nd day of Sept ~~October~~, 2013, by **JIM BOWMAN, SOLE MANAGER** of **JIM BOWMAN CONSTRUCTION COMPANY, L.P.**, a **TEXAS** corporation, on behalf of said corporation.



Mary Karyl Ehlert

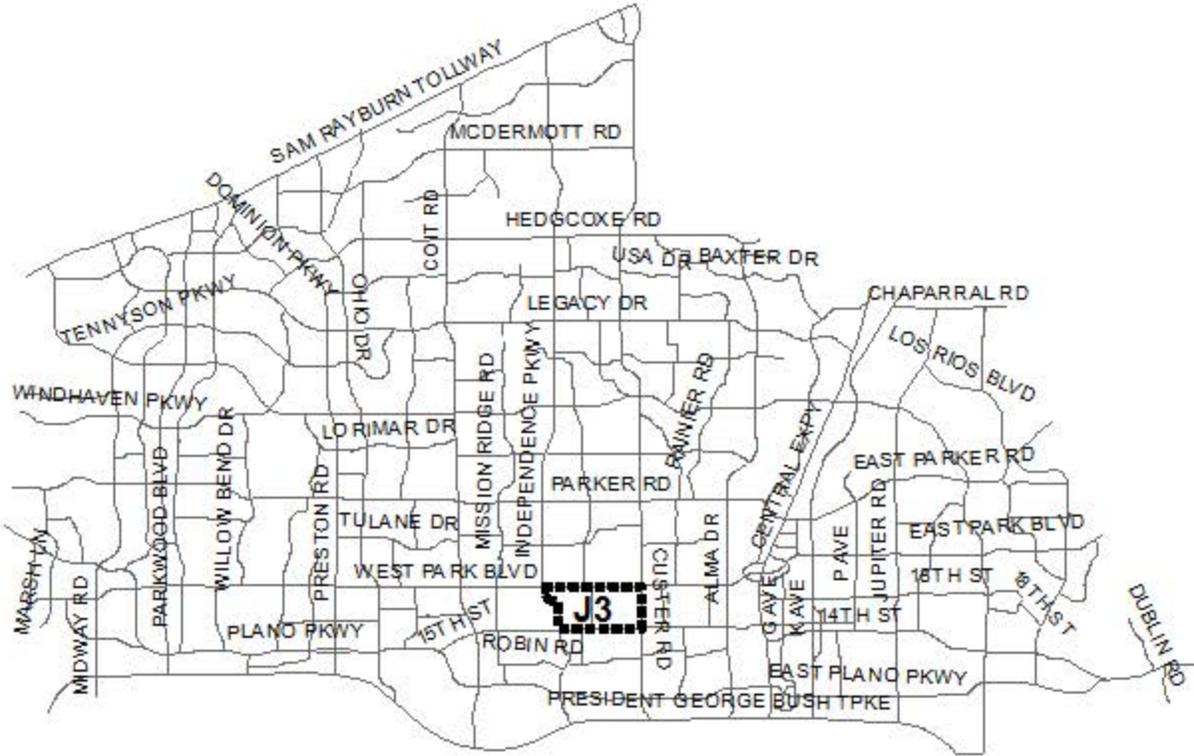
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2013, by **BRUCE GLASSCOCK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

LOCATION MAP





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:		10/28/2013		
Department:		Technology Services		
Department Head		David Stephens		
Agenda Coordinator (include phone #): Dianna Wike x7549				
CAPTION				
To approve the purchase of maintenance support for public safety system software from the sole source supplier, Colossus, Incorporated d/b/a InterAct Public Safety Systems, in the amount of \$50,313, through the use of the general exemption as allowed by Local Government Code Chapter 252 Subchapter B Section 252.022(a)(7)(A), and authorizing the City Manager to execute all necessary documents.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2013-14	Prior Year (CIP Only)	Current Year	Future Years
				TOTALS
Budget		0	778,633	0
Encumbered/Expended Amount		0	0	0
This Item		0	-50,313	0
BALANCE		0	728,320	0
FUND(s): TECHNOLOGY SERVICES FUND				
COMMENTS: Funds are included in the 2013-14 Public Safety Support budget for this maintenance agreement. The remaining balance will be used throughout the year for other maintenance agreements.				
STRATEGIC PLAN GOAL: Maintenance agreements relate to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
The Technology Services Department recommends the purchase of maintenance support for the PacketCluster suite of mobile software products and FireRMS suite of software products from the sole source supplier, Colossus, Incorporated d/b/a InterAct Public Safety Systems in the amount of \$50,313. This software provides law enforcement officers in the field with direct access to motor vehicle and warrant information within seconds. The City is exempt from the competitive bid process for this purchase as allowed by Local Government Code Chapter 252 Subchapter B Section 252.022(a)(7)(A).				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memorandum				



Memorandum

Date: October 3, 2013

To: Diane Palmer-Boeck, Purchasing Manager

From: David Stephens, Director Technology Services

Subject: **Approval of purchase of InterAct Public Safety Systems maintenance**

Technology Services proposes purchasing the annual software maintenance support for the PacketCluster suite of mobile software products and FireRMS suite of software products from Colossus, Incorporated d/b/a InterAct Public Safety Systems. The PacketCluster suite of mobile software products is a wireless query and messaging solution that provides law enforcement officers in the field with direct access to motor vehicle and warrant information within seconds. The FireRMS suite of software products is an enterprise-class, NFIS 5.0 compliant Fire Records Management System (FRMS). These software packages are part of the comprehensive public safety technology improvement project.

This purchase will allow the City of Plano to obtain maintenance for the PacketCluster and FireRMS software with 7x24 coverage and a 4 hour response. Without this support Technology Services may not be able to provide adequate support to the Police and Fire Departments on these critical systems.

This purchase is in the amount of \$50,312.98 for FY 2013-14. InterAct Public Safety Systems is a sole source supplier of software maintenance for this application suites.



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:		10/28/13		
Department:		City Manager's Office		
Department Head		Bruce D. Glasscock		
Agenda Coordinator (include phone #): Cindy Pierce, ext. 5161				
CAPTION				
Adoption of City Council Strategic Vision for Excellence for Fiscal Year 2013-14				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
COMMENTS: This item has no fiscal impact.				
STRATEGIC PLAN GOAL: Adoption of the City's Strategic Vision for 2013-14 relates to the City's goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Adoption of City Council Strategic Vision for Excellence for Fiscal Year 2013-14, setting forth goals and principles for City Council decisions, policies and actions.				
List of Supporting Documents: City Council Strategic Vision for Excellence for Fiscal Year 2013-14			Other Departments, Boards, Commissions or Agencies	



OUR MISSION

The City of Plano is a regional and national leader, providing outstanding services and facilities through cooperative efforts that engage our citizens and that contribute to the quality of life in our community.

PLANO BELIEFS

Working as a team, we pledge to be:

- > Respectful of individual dignity and rights,
- > Financially responsible,
- > Innovative in addressing community needs and
- > An organization in which we can serve with pride.

PILLARS OF SERVICE

- > Provide outstanding services and facilities
- > Through cooperative efforts with citizens
- > That contribute to the overall quality of life

OUR VISION

Plano is a vibrant, safe and sustainable city with attractive neighborhoods and urban centers, a vital economy, a high degree of mobility and an abundance of educational, recreational and cultural opportunities



PILLARS FOR PLANO'S VISION

- > A diverse, international and emerging urban city and metropolitan center
- > A multifaceted city which meets the needs of its citizens to work, live and play here
- > A city known for very high quality city services
- > A city of vibrant and renewing neighborhoods
- > A city of business and enterprise of national and international importance
- > A city that partners with a variety of educational institutions to support and encourage exceptional quality of education at all levels

Strategic Vision for Excellence

Fiscal Year 2013-14



REPUTATIONAL DRIVERS

- > THE place to live
- > A place that values and expects excellence
- > High quality of life
- > A progressive city
- > Excellent schools
- > Home to major corporations
- > Broad variety of desirable housing
- > Easy access to the entire region and to jobs
- > Employment Center
- > Family oriented
- > A destination location
- > Reestablished identity

OPERATIONAL DRIVERS

- > Exceptional quality city services
- > A well maintained community that has a very attractive appearance
- > A safe city
- > Highly professional staff
- > A high quality customer service orientation
- > High quality and ample parks and green space
- > Successfully transitioning into a mature city
- > Innovative programs and solutions

MAYOR, COUNCIL & CITY MANAGER

Harry LaRosiliere, *Mayor*

Lissa Smith, *Mayor Pro Tem*

Ben Harris, *Deputy Mayor Pro Tem*

Pat Miner, *Council Member*

Jim Duggan, *Council Member*

André Davidson, *Council Member*

Pat Gallagher, *Council Member*

David Downs, *Council Member*

Bruce D. Glasscock, *City Manager*

Strategic Goals for Excellence

Fiscal Year 2013-14

The City Council developed the strategic goals for excellence from the strategic vision adopted in 2012. Many of the initiatives are a continuation of those goals reflecting the next steps towards achievement.



1. PROTECT AND SUSTAIN QUALITY OF GOVERNANCE

- > Maintain the current atmosphere of civility, respect, decisiveness and courage
- > Ensure all Council members are properly prepared to make decisions based on thoughtful and thorough analysis and deliberation



2. DELIVER OUTSTANDING OPERATIONAL ANALYSIS AND EFFECTIVENESS

- > Define why action is needed and what the key issues are
- > Present fact-based information
- > Provide options that can be compared in a consistent manner and without bias
- > Provide costs (O&M and Capital) and proposed funding sources
- > Provide long term implications (benefits or costs) of delaying decisions
- > Anticipate and answer likely questions
- > Articulate clear expectations of results
- > Provide adequate lead time to make an informed decision
- > Provide professionally based recommendations without bias



3. AFFIRM AND REINFORCE PLANO'S COMMITMENT TO EXCELLENCE

- > Create a culture of excellence in customer service in every department of the City of Plano
- > Develop city-wide customer service standards and provide training to achieve
- > Evaluate mechanisms for receiving feedback on the quality of customer service
- > Develop a plan to address neighborhood revitalization with measurable, results-oriented criteria to evaluate the impact of a program and how it would work with the "Love Where You Live" project
- > Evaluate criteria to qualify for revitalization incentives
- > Develop options for impacting the four corners retail centers in neighborhoods



Strategic Goals for Excellence

Fiscal Year 2013-14



4. IMPROVE COMMUNICATIONS

- > Develop a comprehensive marketing strategy and plan that reaches the citizens of Plano as well as a state and national audience with a consistent message

5. EVALUATE OPTIONS FOR REVITALIZING COLLIN CREEK MALL

- > City staff should continue meetings with the mall owners to determine what options exist and return to Council with available actions

6. ENHANCE PLANO'S ROLE AS A REGIONAL LEADER

- > Position Plano to provide a stronger voice and leadership regionally

7. STRENGTHEN THE WORKING RELATIONSHIP WITH OUR EDUCATIONAL PARTNERS

- > City Manager should continue formal and informal meetings and discussions to further strengthen the relationship and reinforce the City's commitment to an exceptional educational environment





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:		10/28/2013			
Department:		Policy and Government Relations			
Department Head		Mark Israelson			
Agenda Coordinator (include phone #): Andrea Park 972-941-5113					
CAPTION					
A Resolution of the City Council of the City of Plano, Texas, adopting an amended City of Plano 2013 Legislative Program; directing the City Manager or his designee to act with regard to the City's Legislative Program; and providing an effective date.					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(S): N/A					
COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: Revising the Legislative Program relates to the City's goal of Financially Strong City with Service Excellence and Partnering for Community Benefit.					
SUMMARY OF ITEM					
Adopting an amended City of Plano 2013 Legislative Program.					
List of Supporting Documents: Memorandum, Resolution			Other Departments, Boards, Commissions or Agencies		

Date: October 17, 2013

To: Bruce Glasscock, City Manager

From: Mark Israelson, Director of Policy & Government Relations

Subject: Overview of Amendments to the City of Plano Legislative Program

The City's involvement in the legislative process has grown into a year round activity at the local, regional, state and federal levels. Issues that impact the City of Plano have emerged and are being actively debated across multiple levels of government. With this in mind, it is necessary to amend the City of Plano Legislative Program to adopt positions that will allow staff to continue to actively advocate on the City's behalf at all levels of government.

The goal of the City legislative efforts is the protection of municipal interests and to use the City's legislative program as a guide for City position. The design of the Plano Legislative Program was to establish policy direction to be applied to general topics that would affect the City of Plano. This approach allows the Council and staff to act on numerous bills that address topics of interest. The City Council of the City of Plano adopted the legislative program on November 12th, 2012 by Resolution No. 2012-11-4.

Below is a brief summary of each amendment to the City of Plano Legislative Program:

1. *Supports expedited expansion of regional passenger rail service*

This will allow for support of passenger rail solutions, which may include, but is not limited to the Cotton Belt, DART Red Line, and DART 2nd Alignment in Downtown Dallas (D2). Regional passenger rail service will help alleviate traffic congestion.

2. *Support a State Constitutional amendment which provides funding for transportation*

In November 2014, a proposition on the state ballot will consider funding for transportation. Once a minimum fund balance has been reached in the Economic Stabilization Fund or "Rainy Day fund" half of the oil and gas severance tax above the fund balance would be diverted to fund state transportation projects. This will provide additional resources to address aging infrastructure as well as population growth.

3. *Support a Federal transportation bill which provides dependable funding*

Currently the federal transportation bill (MAP -21) is set to expire in October of 2014. Cities need a consistent source of funding for transportation projects, including transit.

- 4. *Support a State Constitutional amendment which provides funding for the State Water Plan***
In November 2013, Proposition 6 of the state ballot will consider a one time transfer of \$2 billion from the Economic Stabilization Fund or “Rainy Day fund” to create a revolving fund to fund projects in the statewide water plan.
- 5. *Support a State Boundary Commission to return the NTMWD Lake Texoma pump station to Texas***
A state boundary commission studied the state boundary between Texas and Oklahoma in 2000, and the resulting compact accidentally bisected a North Texas Municipal Water District (NTMWD) water pump station, which now has ½ of the pump station in Texas and ½ in Oklahoma. The boundary commission used an incorrect survey to establish the state line, which now needs to be correct to re-establish the entire pump station in Texas.
- 6. *Support fairness and equity in the application of sales and use taxes to goods and services***
The US Senate has passed a Marketplace Fairness Act which will be considered by the US House of Representatives sometime in 2014. This Act would apply sales tax equally to all businesses, whether local or online.
- 7. *US Conference of Mayors***
This will allow for staff to endorse the legislative program of the US Conference of Mayors except as it conflicts with a City of Plano position.

A Resolution of the City Council of the City of Plano, Texas, adopting an Amended Legislative Program for the City of Plano, Texas; directing the City Manager or his designee to act with regard to the City's Legislative Program; and providing an effective date.

WHEREAS, Legislative activities are ongoing in Congress and during the interim of the State Legislature; and

WHEREAS, it is anticipated that many legislative issues affecting local government will be considered; and

WHEREAS, City Staff prepared the recommended City of Plano 2013-14 Amended Legislative Program attached hereto as Exhibit "A" and the Legislative Program has been reviewed by the City Council of the City of Plano; and

WHEREAS, the City Council is of the opinion that such Legislative Program is in the best interest of the City and its citizens, should be adopted, and should be forwarded for consideration by the Legislature; and

WHEREAS, the City Council is of the further opinion that the City Manager or his designee should be directed to take action with regard to the Legislative Program as outlined below.

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

Section I. The City of Plano 2013-14 Amended Legislative Program that is attached hereto as "Exhibit A" is hereby adopted and approved as the Legislative Program for the City of Plano.

Section II. The City Manager or his designee is directed to communicate the items included in the City's Legislative Program to members of Congress, the Texas Legislature, in general, and/or to the appropriate legislative committees, committee members and others designated by the City Manager.

Section III. For those items designated as "support", the City Manager or his designee is directed to actively pursue passage of the appropriate legislation if it is introduced by some other entity. The City Manager's efforts to obtain passage of the legislation may include drafting appropriate legislation, seeking a sponsor, and actively pursuing passage of such legislation by providing testimony and through other means.

Section IV. For those items designated as "oppose", the City Manager or his designee is directed to attempt to impede the passage of any such legislation.

Section V. It is recognized this policy will often be implemented in the context of great numbers of legislative proposals being considered within short time periods. City representatives, under the direction of the City Manager, shall be authorized to act on behalf of the City consistent with the necessary broad policy concerns set forth in this program.

Section VI. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

THE CITY OF PLANO AMENDED LEGISLATIVE PROGRAM

Support:

- Transportation
 - Support a regional transportation funding option which allows for participation by all cities within a region.
 - Supports expedited expansion of regional passenger rail service.
 - Support a State Constitutional amendment which provides funding for transportation.
 - Support a Federal transportation bill which provides dependable multi-year funding.

- Water
 - Support a water plan that encourages conservation through contracts and rate structures and keeps revenues within the region they are collected.
 - Support a State Constitutional amendment which provides funding for the State Water Plan.
 - Support a State Boundary Commission to return the NTMWD Lake Texoma pump station to Texas.

- Economic Development
 - Support economic development bills that create jobs which benefit the region and does not create a disadvantage for DART cities.
 - Support fairness and equity in the application of sales and use taxes to good and services.

- Truth in Taxation
 - Support the revision or removal of mandatory property tax rate adoption language which misleads citizens.

- Utilities
 - Support the timely relocation of utility facilities.

- Finance
 - Support the tax exempt status of municipal bonds.

Endorse:

- Legislative programs of (except as they conflict with a City of Plano position):
 - Texas Municipal League
 - Texas Coalition for Affordable Power
 - Texas Coalition of Cities for Utility Issues
 - Dallas Area Rapid Transit
 - Texas Civil Service Cities Coalition
 - Plano Independent School District
 - US Conference of Mayors

- Utilities
 - Endorse legislation that would create a local option for undergrounding utilities.
 - Endorse a change in the use of video Public Educational and Government (PEG) fees to allow use for operational expenses associated with running a cable television channel.

Oppose:

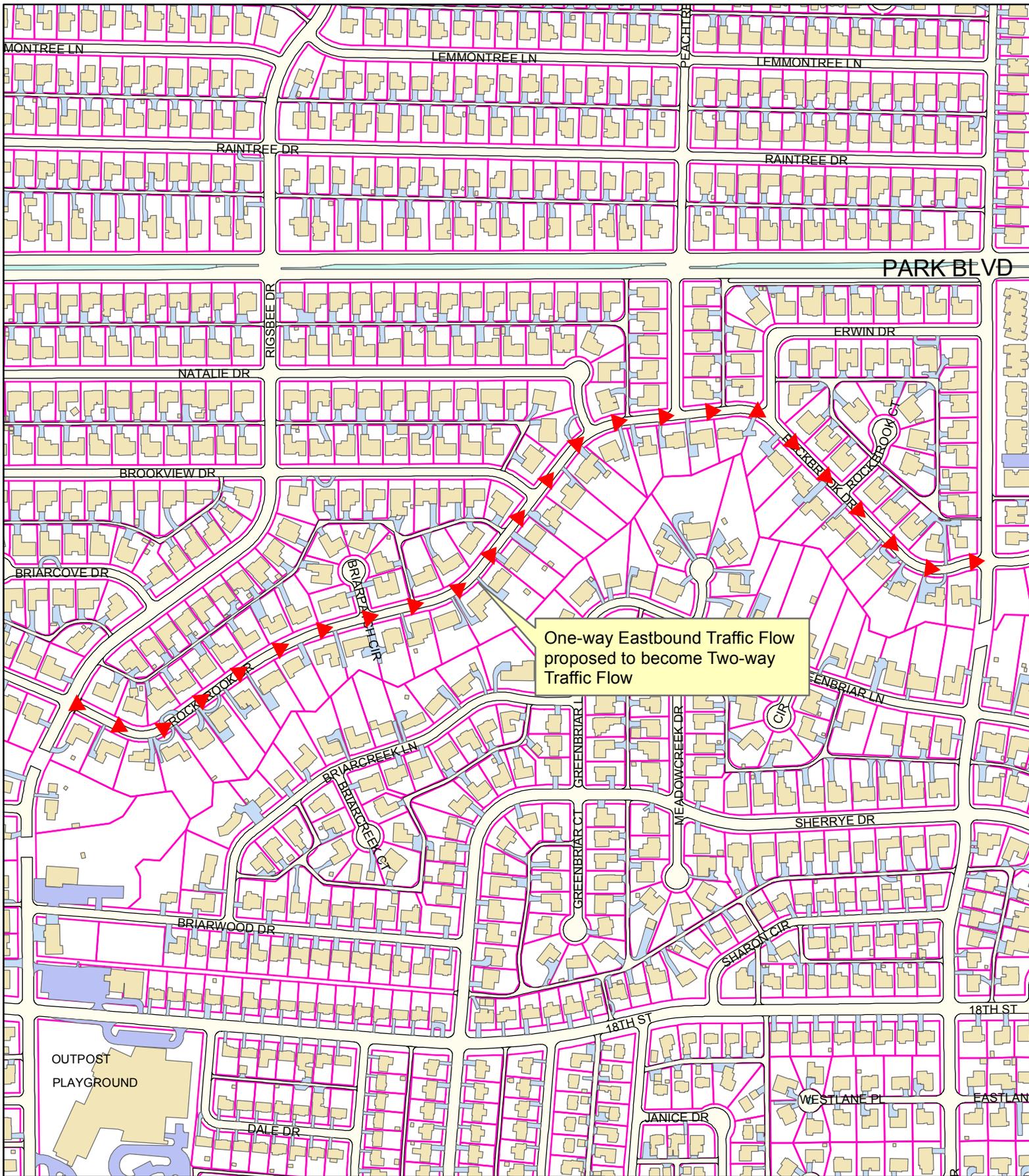
- Oppose legislation that would erode or otherwise diminish:
 - Local control over operations
 - Local control over resources
 - Local control over pension elections
 - Local control over operations and revenue from red light cameras
 - Local control over placement of electronic billboards
 - Expansion of collective bargaining rights
 - Local authority as a home rule city or impose a duty or responsibility that the city would otherwise not perform

- Oppose legislation that would create:
 - An unfunded duty, responsibility or standard on local government.

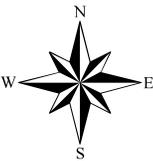


CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		10/28/2013			
Department:		Engineering			
Department Head		Gerald Cosgrove			
Agenda Coordinator (include phone #): Kathleen Schonne X-7198					
CAPTION					
<p>An Ordinance of the City of Plano, Texas, amending Section 12-12(b) of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas, repealing one-way traffic flow at all times on Midcrest Drive and Rockbrook Drive within the corporate limits of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(S): N/A					
<p>COMMENTS: . This item has no financial impact, as the current ordinance has not been enforced since the completion of construction.</p> <p>STRATEGIC PLAN GOAL: Repealing ordinances that have no compelling reason to be codified relates to the City's Goal of Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
<p>In May 1990, the City Council enacted an ordinance to establish one-way traffic flow on certain sections of Midcrest Drive and Rockbrook Drive to facilitate construction on these 26-foot wide local residential streets.</p> <p>After construction was completed, the ordinance should have been repealed, but was not. It has laid dormant as part of Section 12-12(b) of the Plano City Code until recently identified by staff while researching the prohibition of stopping, standing, or parking on these same streets. Signs giving notice of the one-way traffic flow operation have long since been removed and the streets currently operate as two-way streets. The Transportation Engineering Division (TED) finds no compelling reason to retain these streets as one-way traffic flow and has prepared the attached Ordinance repealing the one-way traffic flow at all times on certain sections of Midcrest Drive and Rockbrook Drive for City Council consideration. The TED recommends approval of this Ordinance.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies:		
Ordinance Location Maps			N/A		



Proposed Traffic Flow Change on Rockbrook Drive



An Ordinance of the City of Plano, Texas, amending Section 12-12(b) of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas, repealing one-way traffic flow at all times on Midcrest Drive and Rockbrook Drive within the corporate limits of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the City Council of the City of Plano, Texas has authority under its charter and under and by virtue of the laws of the State of Texas, being Section 542.202(a)(10) of the Texas Transportation Code, as amended, to regulate the directional movement of vehicles on its streets, alleys, and highways; and

WHEREAS, the City Council of the City of Plano found it necessary to establish one-way traffic flow on certain sections of Midcrest Drive and Rockbrook Drive within the city limits of the City of Plano while said streets were under repair, construction and maintenance; and

WHEREAS, the repair, construction, and maintenance activities that necessitated the establishment of one-way traffic flow have been completed and ceased; and

WHEREAS, upon review of the traffic flow within the area, the Engineering Department recommends returning Midcrest Drive and Rockbrook Drive to two-way streets in order to re-establish normal traffic flow.

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

Section I. Section 12-12(b) of Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances is hereby amended by deleting the following:

<u>Street</u>	<u>Extent</u>	<u>Direction of Traffic</u>
"Midcrest Drive	Dartbrook Drive to Westwood Drive	Easterly"
"Rockbrook Drive	Rigsbee Drive to Ridgewood Drive	Easterly"

Section II. 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 full 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 any Ordinance affected 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. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED this 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

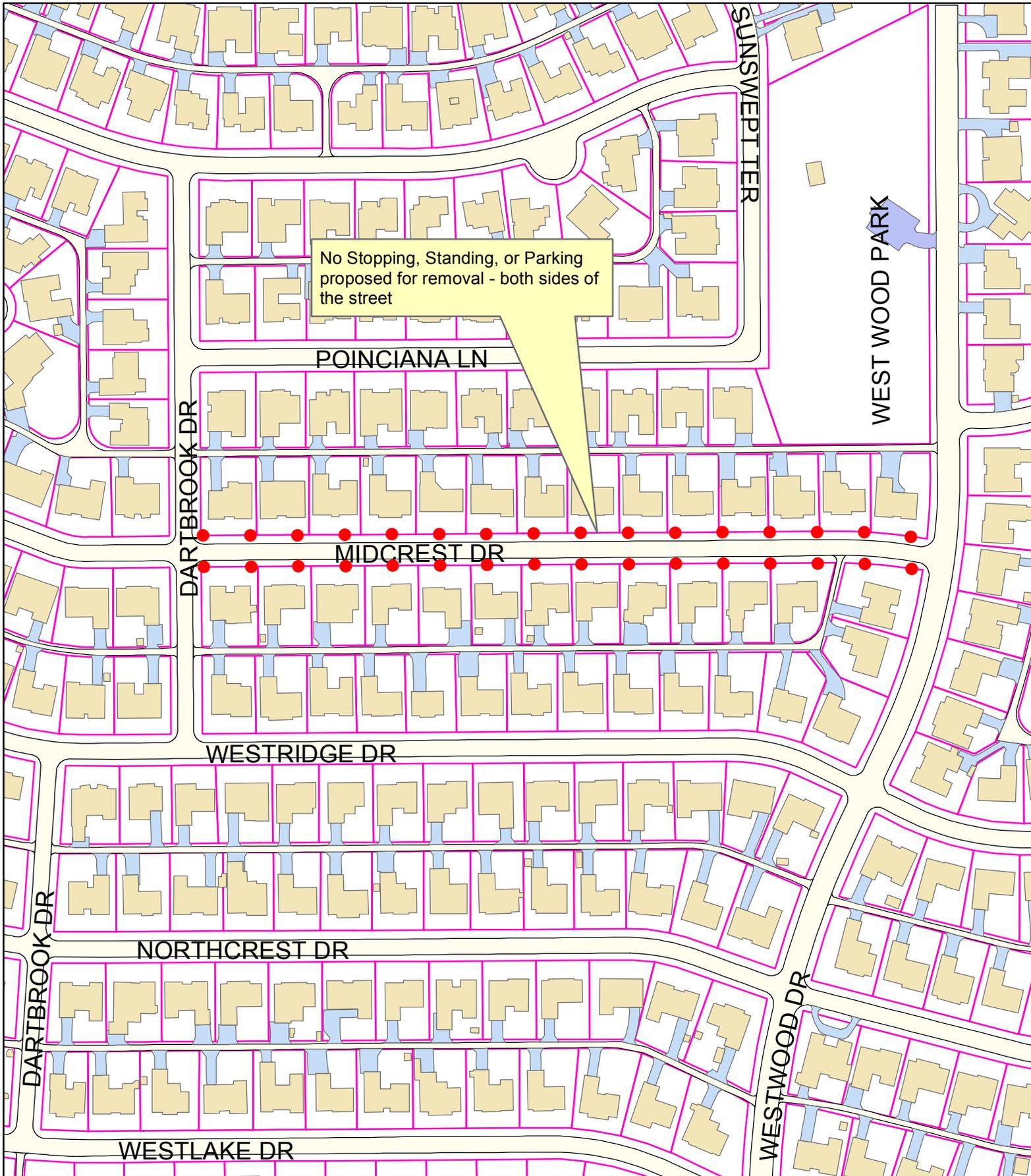
APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

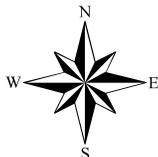


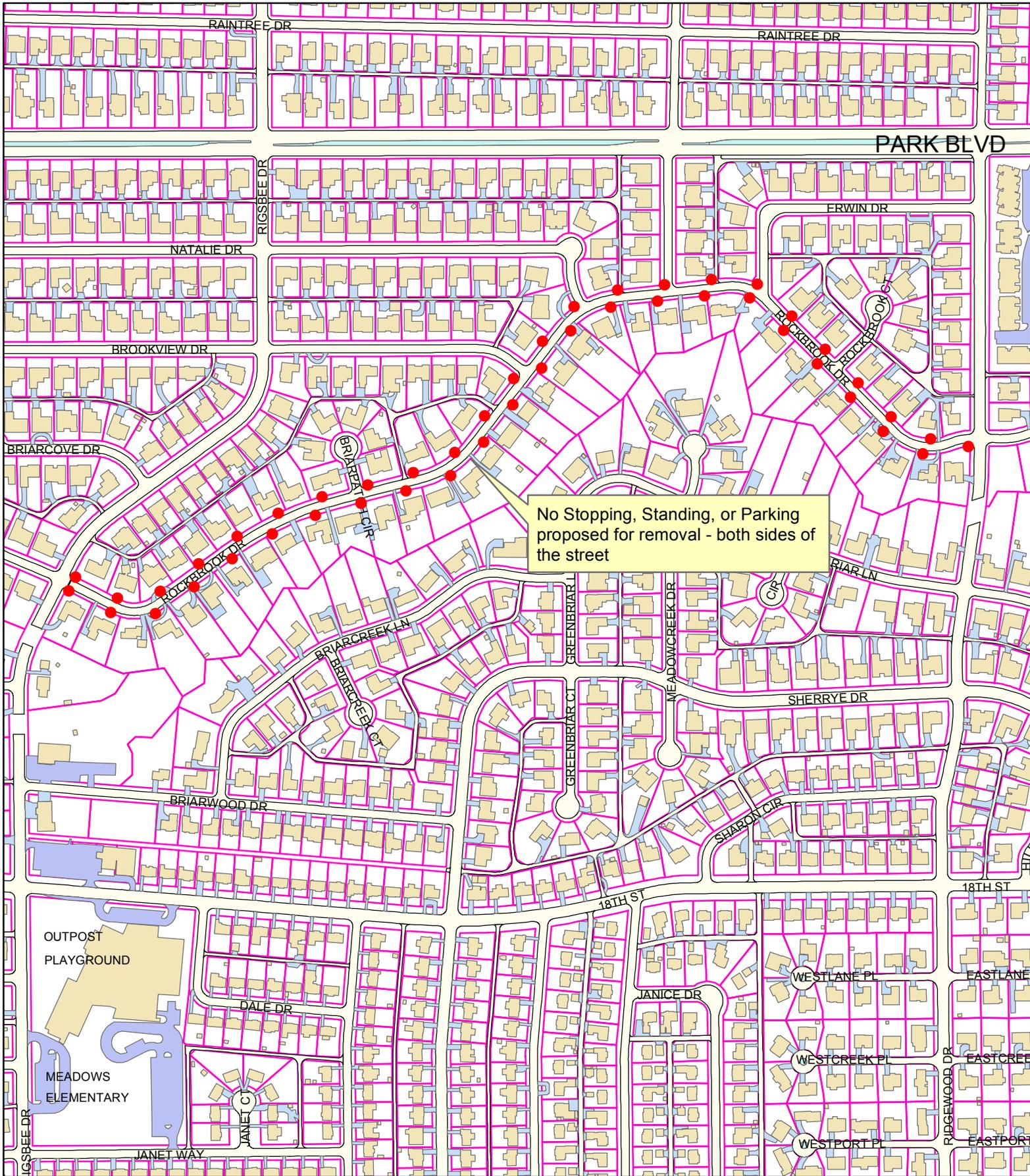
CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		10/28/2013			
Department:		Engineering			
Department Head		Gerald Cosgrove			
Agenda Coordinator (include phone #): Kathleen Schonke X-7198					
CAPTION					
<p>An Ordinance of the City of Plano, Texas amending Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to allow the stopping, standing, or parking of motor vehicles on certain sections of Midcrest Drive, Rockbrook Drive, Winterplace Circle, and Winterstone Drive within the city limits of the City of Plano; declaring it lawful to park motor vehicles upon such sections of such roadway within the limits herein defined; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(s): N/A					
<p>COMMENTS: This item has no financial impact, as the current ordinance has not been enforced since the completion of construction.</p> <p>STRATEGIC PLAN GOAL: Repealing ordinances that have no compelling reason to be codified relates to the City's Goal of Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
<p>In May 1990, the City Council enacted an ordinance to prohibit the stopping, standing, or parking of vehicles on certain sections of Midcrest Drive, Rockbrook Drive, Winterplace Circle, and Winterstone Drive to facilitate construction on these 26-foot wide local residential streets.</p> <p>After construction was completed, the ordinance should have been repealed, but was not. It has laid dormant as part of Section 12-101 of the Plano City Code until recently brought to the attention of City staff by a resident on Rockbrook Drive. Signs giving notice to the parking prohibition have long since been removed, and the Transportation Engineering Division (TED) finds no compelling reason that stopping, standing, and parking should currently be prohibited on these streets. The TED has prepared the attached Ordinance allowing the stopping, standing, or parking of vehicles on certain sections of Midcrest Drive, Rockbrook Drive, Winterplace Circle, and Winterstone Drive for City Council consideration and recommends approval of this Ordinance.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies:		
Ordinance			N/A		
Location Maps					

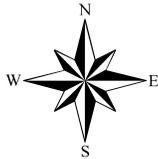


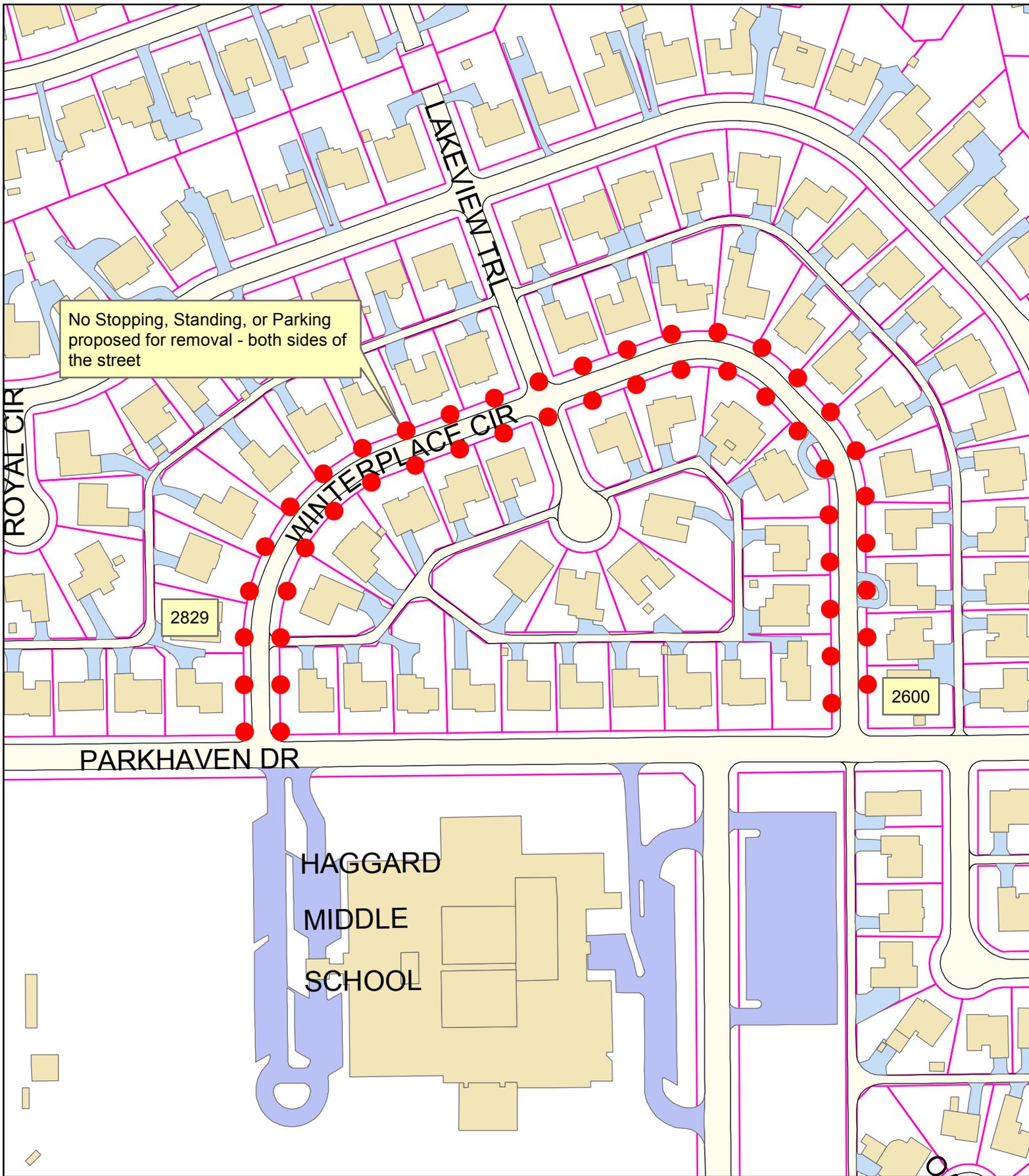
Proposed Removal of
No Stopping, Standing,
or Parking on Midcrest
Drive



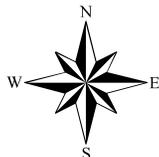


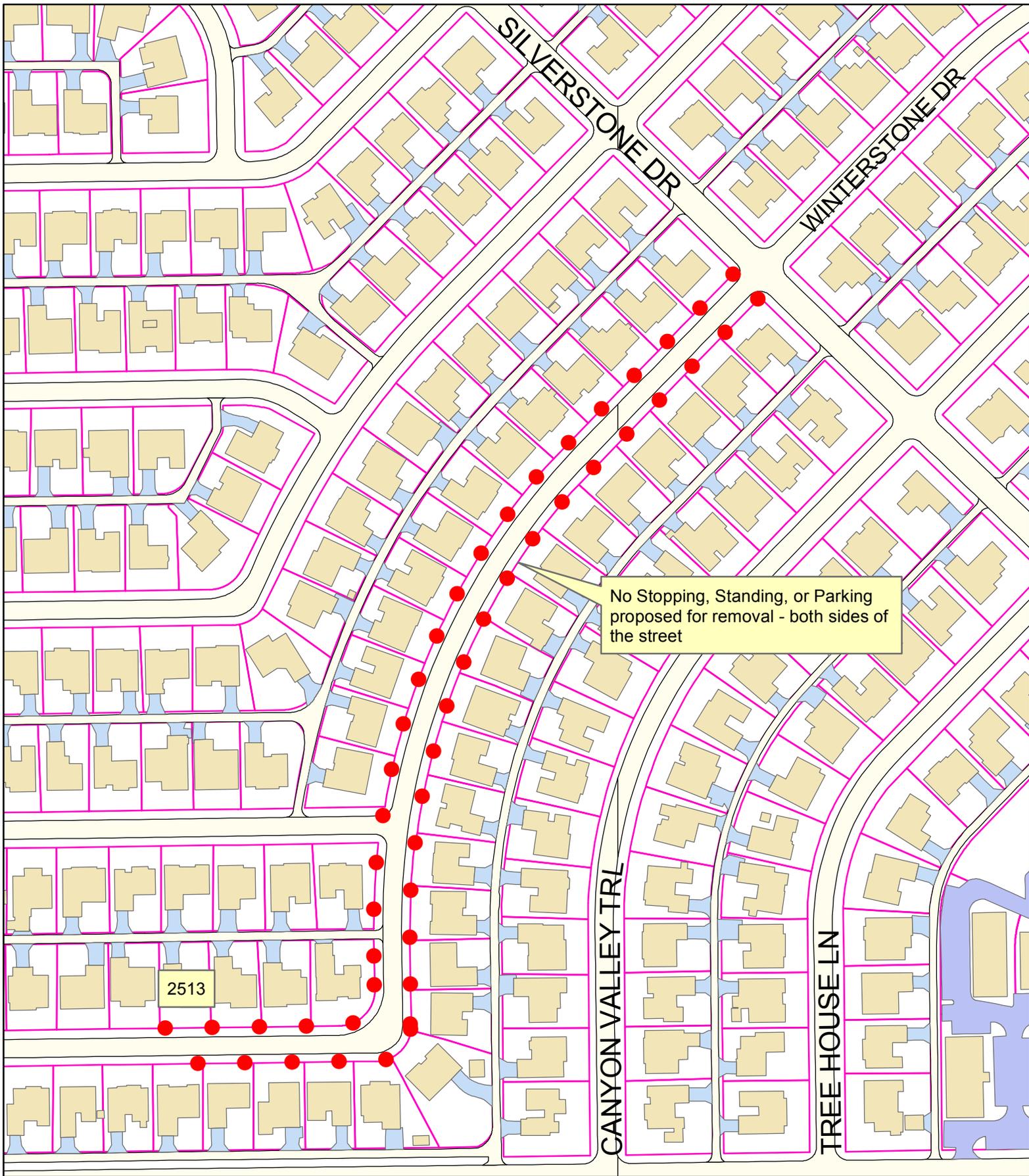
**Proposed Removal of
No Stopping, Standing,
or Parking on Rockbrook
Drive**



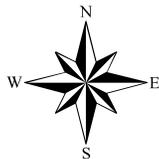


Proposed Removal of
No Stopping, Standing,
or Parking on Winterplace
Circle





Proposed Removal of
No Stopping, Standing,
or Parking on Winterstone
Drive



An Ordinance of the City of Plano, Texas amending Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to allow the stopping, standing, or parking of motor vehicles on certain sections of Midcrest Drive, Rockbrook Drive, Winterplace Circle, and Winterstone Drive within the city limits of the City of Plano; declaring it lawful to park motor vehicles upon such sections of such roadway within the limits herein defined; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the City Council of the City of Plano found it necessary to prohibit parking along and upon certain sections of Midcrest Drive, Rockbrook Drive, Winterplace Circle, and Winterstone Drive within the city limits of the City of Plano while said streets were under repair, construction and maintenance; and

WHEREAS, the repair, construction, and maintenance activities that necessitated the prohibition of parking have been completed; and

WHEREAS, the City Council of the City of Plano no longer finds it necessary to prohibit parking of motor vehicles along and upon certain sections of Midcrest Drive, Rockbrook Drive, Winterplace Circle, and Winterstone Drive within the city limits of the City of Plano;

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

Section I. Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances is hereby amended by the deletion of the following Subsections:

“Midcrest Drive, along either side from its intersection with Dartbrook Drive to its intersection with Westwood Drive.”

“Rockbrook Drive, along either side from its intersection with Rigsbee Drive to its intersection with Ridgewood Drive.”

“Winterplace Circle, along either side from 2600 Winterplace Circle to 2800 Winterplace Circle.”

“Winterstone Drive, along either side from 2513 Winterstone Drive to its intersection with Silverstone Drive.”

Section II. The Traffic Engineer of Plano is hereby authorized and directed to remove all traffic control signs at each approach to the portions of the roadways described herein that prohibit stopping, standing, or parking in this area.

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

DULY PASSED AND APPROVED this 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

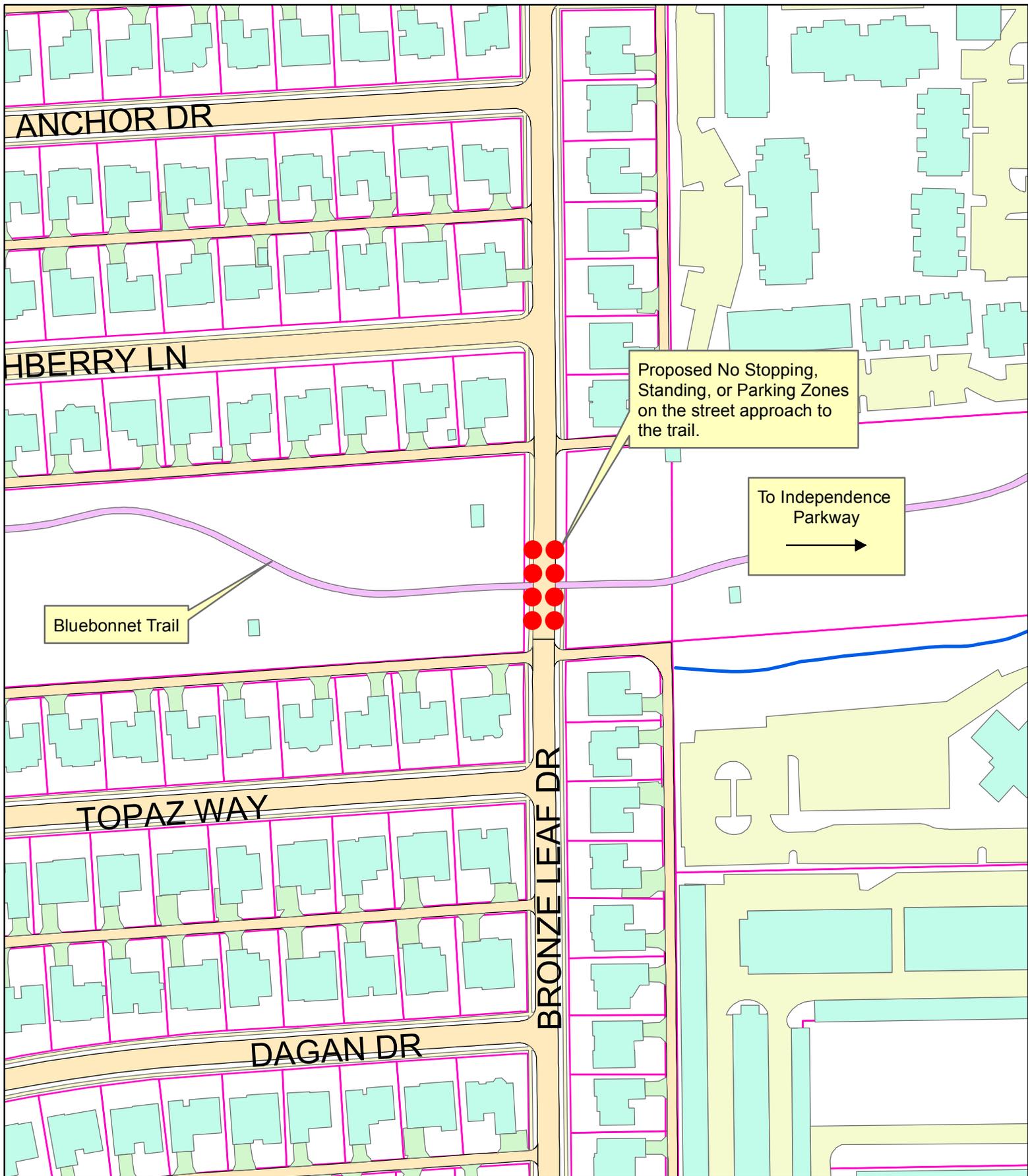
APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:	Engineering			
Department Head	Gerald Cosgrove			
Agenda Coordinator (include phone #): Kathleen Schonne X-7198				
CAPTION				
<p>An Ordinance of the City of Plano, Texas amending Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bronze Leaf Drive, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2013-14	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): GENERAL FUND				
<p>COMMENTS: This item may generate additional revenue via fines; however, at this time the additional amount of parking fines to be collected is undeterminable.</p> <p>STRATEGIC PLAN GOAL: An ordinance prohibiting parking to reduce the obstruction of motorist and trail users vision relates to the City's Goals of Safe Large City and Great Neighborhoods - 1st Choice to Live.</p>				
SUMMARY OF ITEM				
<p>The Transportation Engineering Division has received complaints from area residents concerned about on-street parking on Bronze Leaf Drive. Bronze Leaf Drive is a 26-ft. wide local residential street that crosses the dedicated green belt containing the Bluebonnet Trail. On-street parking occurs on both sides of Bronze Leaf Drive – especially adjacent to the dedicated green belt. Prohibiting parking on the Bronze Leaf Drive approaches to the Bluebonnet Trail crossing will improve sight lines for motorists on the street viewing trail users crossing the street and will also improve the sight lines of trail users viewing traffic on Bronze Leaf Drive. Minimal residential on-street parking should be affected by the proposed parking restriction; however, some additional encroachment of parking into the neighborhood is expected. The Transportation Engineering Division (TED) has prepared the attached Ordinance prohibiting the stopping, standing, or parking of vehicles on both sides of Bronze Leaf Drive within 50 feet of the Bluebonnet Trail crossing for City Council consideration. The TED recommends approval of this Ordinance.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Map			N/A	
Ordinance				



Bluebonnet Trail

Proposed No Stopping, Standing, or Parking Zones on the street approach to the trail.

To Independence Parkway
→

Proposed No Stopping, Standing, or Parking Zones on Bronze Leaf Drive

An Ordinance of the City of Plano, Texas amending Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bronze Leaf Drive, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the Bluebonnet Trail is a public recreational trail located within a dedicated green belt in the City of Plano; and

WHEREAS, the Bluebonnet Trail crosses Bronze Leaf Drive approximately 1,000 feet north of the intersection of Bronze Leaf Drive and Spring Creek Drive; and

WHEREAS, the parking of vehicles along both sides of Bronze Leaf Drive obstructs the vision of motorists of Bluebonnet Trail users entering the street to cross the street, and

WHEREAS, the parking of vehicles along both sides of Bronze Leaf Drive also obstructs the vision of Bluebonnet Trail users of motorists traveling on Bronze Leaf Drive, and

WHEREAS, the parking of vehicles on Bronze Leaf Drive increases the potential for pedestrian – vehicle and bicycle – vehicle collisions involving Bluebonnet Trail users; and

WHEREAS, the City Council of the City of Plano finds it necessary to prohibit parking of motor vehicles along and upon certain sections of Bronze Leaf Drive within the city limits of the City of Plano in order to provide for the safety of the general public within the area.

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

Section I. It shall be unlawful for any person to stop, stand, or park a motor vehicle along the sections of Bronze Leaf Drive described herein, except when necessary to avoid conflict with other traffic or in compliance with law or directions of a police officer.

Section II. Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances is hereby amended by the addition of the following Subsection entitled and to read as follows:

“Bronze Leaf Drive, along both sides of Bronze Leaf Drive from a point fifty (50) feet south of its intersection with the Bluebonnet Trail to a point fifty (50) feet north of its intersection with the Bluebonnet Trail.”

Section III. The Traffic Engineer of Plano is hereby authorized and directed to cause placement of traffic control signs at each approach to the portions of the roadways described herein, and such sign shall give notice to all persons of the prohibition against stopping, standing, or parking in this area.

Section IV. 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 V. 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 VI. 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 not to exceed two hundred dollars (\$200.00) for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. The repeal of any Ordinance or part of an Ordinance affected 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 VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED this 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Fire		
Department Head		Fire Chief Brian Crawford		
Agenda Coordinator (include phone #): Cynthia Morgan, Ext. 7164				
CAPTION				
An Ordinance of the City of Plano, Texas repealing Section III of Ordinance No. 2000-10-5 codified as Section 14-109, Environmental Assessments, of Article VII, Chapter 14 of the Code of Ordinances of the City of Plano, Texas; and providing a repealer clause, a severability clause, a savings 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: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	6,000	0	6,000
Encumbered/Expended Amount	0	0	0	0
This Item	0	-6,000	0	-6,000
BALANCE	0	0	0	0
FUND(S): GENERAL FUND				
COMMENTS: This item negatively impacts revenues to the Fire Department with a projected revenue reduction for 2013-14 of \$6,000. STRATEGIC PLAN GOAL: Repealing Ordinances that are made obsolete under the Public Information Act relates to the City's Goals of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Based on the Public Information Act, the process for compiling reports no longer requires staff to conduct research. The information requested is now available in an electronic data base. The city will continue to provide the requested information at no charge based on the Public Information Act.				
List of Supporting Documents: Ordinance			Other Departments, Boards, Commissions or Agencies	

An Ordinance of the City of Plano, Texas repealing Section III of Ordinance No. 2000-10-5 codified as Section 14-109, Environmental Assessments, of Article VII, Chapter 14 of the Code of Ordinances of the City of Plano, Texas; and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, Section III of Ordinance No. 2000-10-5 codified as Section 14-109, Environmental Assessments, of Article VII, Chapter 14 of the Plano Code of Ordinances authorizes the Fire Department to compile environmental assessment reports and charge a fee; and

WHEREAS, based on requirements under the Public Information Act, the process for compiling reports and assessing charges has changed, and staff recommends deleting the section in its entirety; and

WHEREAS, after consideration of the recommendation of staff and all matters attendant and related thereto, the City Council is of the opinion that it is in the best interest of the City and its citizens to repeal Section III of Ordinance No. 2000-10-5 codified as Section 14-109, Environmental Assessments, of Article VII, Chapter 14 of the Plano Code of Ordinances.

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

Section I. Section III of Ordinance No. 2000-10-5 codified as Section 14-109, Environmental Assessments, of Article VII, Chapter 14 of the Plano Code of Ordinances is hereby repealed.

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 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Fire		
Department Head		Fire Chief Brian Crawford		
Agenda Coordinator (include phone #): Cynthia Morgan, Ext. 7164				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, repealing Ordinance 2011-4-15, codified as Article II, Fire Code, of Chapter 8 of the Code of Ordinances of the City; adopting the 2012 Edition of the International Fire Code, with certain revised additions, deletions, and amendments as the Fire Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013/14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
<p>COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: Adopting the 2012 International Fire Code relates to the City's Goals of Financially Strong City with Service Excellence, Safe Large City, and Great Neighborhoods - 1st Choice to Live.</p>				
SUMMARY OF ITEM				
<p>To provide the most current fire and life safety protection, we recommend the adoption of the 2012 International Fire Code as amended. The Code has been reviewed by the Building Standards Commission and recommended for approval.</p>				
List of Supporting Documents: Ordinance			Other Departments, Boards, Commissions or Agencies	

An Ordinance of the City of Plano, Texas, repealing Ordinance 2011-4-15, codified as Article II, Fire Code, of Chapter 8 of the Code of Ordinances of the City; adopting the 2012 Edition of the International Fire Code, with certain revised additions, deletions, and amendments as the Fire Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.

WHEREAS, on April 25, 2011, the City Council enacted Ordinance No. 2011-4-15 adopting the 2009 Edition of the International Fire Code with certain additions, deletions, and amendments as the Fire Code of the City of Plano; and

WHEREAS, upon full review and consideration of all matters related and attendant thereto, the City Council is of the opinion that Ordinance 2011-4-15 should be repealed and the 2012 Edition of the International Fire Code, along with the revised local amendments thereto, should be adopted as the Fire Code for the City of Plano and that regulations and fees should be established thereunder.

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

Section I. Ordinance No. 2011-4-15 duly passed and approved by the City Council of the City of Plano on April 25, 2011, and codified as Article II, Fire Code, of Chapter 8 of the Code of Ordinances, is hereby repealed in its entirety.

Section II. The 2012 Edition of the International Fire Code with certain revised additions, deletions, and amendments is hereby adopted as the Fire Code of the City of Plano and shall read in its entirety as follows:

“ARTICLE II. FIRE CODE

Section 8-16. Penalty.

Any person, firm, or corporation violating any of the provisions or terms of this Article or the Code adopted herein shall be guilty of a misdemeanor and, upon conviction in the Municipal Court, shall be subject to a fine not to exceed TWO THOUSAND AND NO/100 (\$2000.00) DOLLARS for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 8-17. Adoption of International Fire Code.

There is hereby adopted by the City Council of the City of Plano, Texas, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the 2012 Edition of the International Fire Code, including Appendix B, E, and F of the 2012 Edition of the International Fire Code published by the International Fire Code Institute and the International Conference of Building Officials, being particularly the 2012 Edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended by this Ordinance, of which code and standards copies have been and are now filed in the office of the City Secretary and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Plano.

Section 101. Scope and General Requirements

Section 101.1. Title. These regulations shall be known as the Fire Code of the City of Plano, hereinafter referred to as “this code.”

Section 102. Applicability

Sec. 102.; change #3 to read as follows:

3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code.

Sec. 102.4 is amended to read as follows:

Sec. 102.4. Application of other building codes. The design and construction of new structures shall comply with this code, and other codes as applicable, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the International Building Code, shall be made in accordance herewith.

Sec. 104. General Authority and Responsibilities.

Sec. 104 is amended by the addition of the following:

Sec. 104.12. Fire prevention bureau personnel and police. The chief and members of the fire prevention bureau shall have the power to issue citations for violations of this code. When requested to do so by the fire chief, the chief of police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

Sec. 105. Permits

Sec. 105.6.27 is amended to read as follows:

Sec. 105.6.27. LP-gas. An operational permit is required for:

1. Storage and use of LP-gas.

Exception: A permit is not required for individual containers with a 20 pound (9.0 Kg) water capacity or less serving occupancies in Group R-3.

2. Operation of cargo tankers that transport LP-gas.

Sec. 105.7; add Section 105.7.17 to read as follows:

Sec. 105.7.17. Smoke control or exhaust systems. Construction permits are required for smoke control or exhaust systems as specified in Section 909 and Section 910 respectively. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Section 109. Violations

Sec. 109.4 is amended to read as follows:

Sec. 109.4. Violations penalties. Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not to exceed TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 111 Stop Work Order

Sec. 111.4 is amended to read as follows:

Sec. 111.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine not to exceed TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Sec. 202. General Definitions

Sec. 202; the following are amended to read as follows:

ATRIUM. An opening connecting three or more stories, other than enclosed *stairways*, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or *mezzanines* that comply with Section 505 of the International Building Code.

FIREWATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel, when required by the fire code official for the purpose of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, detonation, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

FIREWORKS, 1.4G. (Formerly known as Class C, Common Fireworks.) Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks which comply with the construction, chemical composition and labeling regulations of the DOT for Fireworks, UN 0336, and the U.S. Consumer Product Safety Commission as set forth in CPSC 16 CFR: Parts 1500 and 1507 are not explosive materials for the purpose of this code.

FIREWORKS, 1.3G. (Formerly Class B, Special Fireworks.) Large fireworks devices, which are explosive materials, intended for use in fireworks displays and designed to produce audible or visible effects by combustion, deflagration, or detonation. Such 1.3G fireworks include, but are not limited to firecrackers containing more than 130 milligrams (2 grains) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces which exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks are also described as Fireworks, UN0335 by the DOT.

HIGH-RISE BUILDING. A building having floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

REPAIR GARAGE. A building, structure, or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification, and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

STANDPIPES, TYPES OF. MANUAL DRY. A dry standpipe system that does not have a permanent water supply attached to the system. Manual dry standpipe systems require water from a fire department pumper to be pumped into the system through the fire department connection in order to supply the system demand. The system must be supervised as specified in Section 905.2.

HIGH-PILED COMBUSTIBLE STORAGE.

Sec. 202; add a second paragraph to the definition of “High-Piled Combustible Storage” to read as follows:

Any building exceeding 6,000 sq. ft. that has a clear height in excess of 12 feet, shall be considered to be high-piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a fire protection system shall be installed as for Class IV commodities, to the maximum pile height.

Sec. 202 is amended by the addition of the following:

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

STANDBY PERSONNEL. Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for the utilization of fire service personnel shall be as normally calculated by the jurisdiction.

Section 307. Open Burning, Recreational Fire and Portable Outdoor Fireplaces.

Sec. 307.1.1 is amended to read as follows:

Sec. 307.1.1. Prohibited Open Burning. Open burning shall be prohibited within the City of Plano.

Exceptions:

1. Permits may be issued for ceremonial campfires not to exceed 3 feet in diameter and 2 feet in height, and located a minimum of 25 feet from any structure or property line.
2. Permits may be issued for warming fires when the following are met:
 - a. The fire is placed in a barrel not to exceed 55 gallons in size.
 - b. The barrel must have a screen secured to the top of the barrel.
 - c. The barrel must be located a minimum of 25 feet from any structure or property line.

Sec. 307.4.3 is amended by the deletion of the following:

Exception:

Portable outdoor fireplaces used at one- and two-family *dwelling*s.

Section 308. Open Flames

Sec 308.1.1; add sentence to read as follows:

Sec. 308.1.1. Unmanned free-floating devices containing open flame or other heat source, such as but not limited to sky lanterns shall be prohibited.

Sec. 308.1.4 is amended to read as follows:

308.1.4. Open-flame cooking devices. Open-flame cooking devices, charcoal grills, and other similar devices used for cooking shall not be located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 lbs (5 containers).
2. Where buildings, balconies, and decks are protected by an approved automatic sprinkler system, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs. (2 containers).

Section 308.1.6.2. Exception #3; change to read as follows:

Exceptions:

3. Torches or flame-producing devices in accordance with Section 308.1.3.

Section 311. Vacant Premises

Section 311.5 is amended to read as follows:

Sec. 311.5. Placards. The Fire Code Official is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, shall be marked as required by Section 311.5.1 through 311.5.5.

Section 401. General

Sec. 401.9; add Section 401.9 to read as follows:

Sec. 401.9. Fire Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled, or transmitted in any manner.

Section 403.3. Crowd Managers.

Sec. 403.3 is amended by the addition of the following:

Sec. 403.3.1. Standby personnel/Crowd managers. When, in the opinion of the code official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ standby personnel/crowd managers, to remain on duty during the times such places are open to the public, or when such activity is being conducted.

Before each performance or the start of such activity, standby personnel/crowd managers shall keep diligent watch for fires during the time such place is open to the public or such activity is being conducted to take prompt measures as directed by the Fire Chief.

There shall be trained crowd managers or crowd manager supervisors at a ratio determined by the Fire Marshal.

Section 405. Emergency Evacuation Drills

Sec. 405.1 is amended to read as follows:

Sec. 405.1. General. Emergency evacuation drills complying with the provisions of this section shall be conducted in the occupancies listed in Table 405.2 or when required by the fire code official. Drills shall be designed in cooperation with the local authorities.

Section 408. Use and Occupancy – Related Requirements

Sec. 408.5.4 is amended to read as follows:

Sec. 408.5.4. Drill frequency. Emergency evacuation drills shall be conducted at least twelve times per year, four times per year on each shift. Drills are not required to comply with the time requirements of Section 405.4.

Section 501. General

Sec. 501.4 is amended to read as follows:

Sec. 501.4. Timing of installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

Section 503. Fire Apparatus Access Roads.

Sec. 503.1.1., Required Access, is amended by the addition of the following to the first paragraph:

Sec. 503.1.1. Required Access. The 150 feet (150') shall be measured along a ten foot (10') wide unobstructed pathway around the external walls of the structure. The grade shall not exceed six (6) percent. The provision of this section notwithstanding, fire lanes may be required to be located within thirty feet (30') of a building if deemed to be reasonably necessary by the Fire Chief to enable proper protection of the building. A five (5) foot wide level pathway shall be provided unobstructed through all barriers. A continuous row of parking between the fire lane and the structure shall be considered a barrier.

Fire lane and access easements shall be provided to serve all buildings through parking areas, to service entrances of buildings, loading areas and trash collection areas, and other areas deemed necessary to be available to fire and emergency vehicles. The Fire Chief is authorized to designate additional requirements for fire lanes where the same is reasonably necessary so as to provide access for fire and rescue personnel.

Fire lanes provided during the platting process shall be so indicated on the plat as an easement. Where fire lanes are provided and a plat is not required, the limits of the fire lane shall be shown on a site plan and placed on permanent file with the Fire Marshal and City Planning Department.

No owner or person in charge of any premises served by a fire lane or access easement shall abandon, restrict or close any fire lane or easement without first securing from the City of Plano approval of an amended plat or other acceptable legal instrument showing the removal of the fire lane.

Sec. 503.1.2. Additional Access is amended by the addition of the following to the first paragraph:

Sec. 503.1.2. Additional Access. All structures and subdivisions shall provide two points of access. The two points of access shall be a minimum of 140 feet apart. The maximum block length shall be 1200' and the maximum cul-de-sac length shall not exceed 600' in length as measured from the centerline of the intersection, street to the center point of the radius.

Sec. 503.2.1. Dimensions is amended to read as follows:

503.2.1. Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7,315 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4,267 mm).

Any such fire lane easement shall either connect both ends to a dedicated street or be provided with a turnaround having a minimum outer radius of 50 feet. If two or more interconnecting lanes are provided, interior radius for that connection shall be required in accordance with the following:

For 90 degree or greater turns only

24' fire lane – minimum radius 20'
30' fire lane – minimum radius 10'

For turns tighter than 90 degrees, American Association of State and Highway Transportation Officials (AASHTO) Geometric Design of Highways and Streets shall be utilized.

Sec 503.2.2 is amended to read as follows:

Sec 503.2.2. Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

Sec. 503.2.3. Surface is amended to read as follows:

Sec. 503.2.3. Surface. Fire lanes shall be constructed of an asphalt or concrete surface capable of supporting the imposed loads of fire apparatus and meeting the requirements of the City of Plano parking lot standards. Those portions of the fire lane within sixty feet (60') of the structure to be protected shall be constructed with 6-inch thick, 3000 psi concrete or 5-inch thick, 3600 psi concrete reinforced with No. 3 bars spaced 24 inches on centers both ways and with sub-grade to a density not less than 95 percent as determined by TSDHPT Test Method Tex-113. Portions of the fire lane constructed of asphalt shall be ninety-five (95) percent compaction with a 6-inch asphalt stabilized base and 2-inch type D hot mix asphalt concrete. (State Highway specification number 292.) Whenever forty percent (40%) of existing, non-conforming fire lanes are replaced within a twelve month period, the entire fire lane shall be replaced according to current standards.

All fire lanes shall be maintained and kept in a good state of repair at all times by the owner and the City of Plano shall not be responsible for the maintenance thereof. It shall further be the responsibility of the owner to insure that all fire lane markings required by Sec. 503.3 be kept so that they are easily distinguishable by the public.

Sec. 503.2.6 is amended by the addition of the following:

Sec. 503.2.6. Bridges and elevated surfaces. All bridges and fire lane grades shall meet the City of Plano Engineering specifications.

Sec. 503.3 is amended to read as follows:

Sec. 503.3. Marking. Approved striping or, when allowed by the code official, signs, or both shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs and striping shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

- (1) STRIPING – Fire apparatus access roads shall be marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “fire lane no parking” shall appear in four inch (4”) white letters at 25 foot intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
- (2) SIGNS – shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high. Signs shall be painted on a white background with letters and borders in red, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

Sec. 503.4 is amended to read as follows:

Sec. 503.4. Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in **Section 503.2.1**, and any area marked as a fire lane as described in **Section 503.3**, shall be maintained at all times. The operator of the premises shall be responsible for removal of obstructions in a fire lane. Any unauthorized vehicle or object in a fire lane is subject to removal by the operator of the premises in accordance with state law, with the expense of removal and storage to be borne by the registered owner of the vehicle/object.

Sec. 503.6 is amended to read as follows:

Sec. 503.6. Security gates. Where security fencing is necessary, the owner shall provide gates or openings which may be secured. Gates when provided must open fully in either direction or be of a sliding or raised arm type. The main entry gates serving Group R & I occupancies shall be equipped with an approved automated entry system. All other entry points along the fire lane must be automated or Knox compatible as approved by the Fire Chief, to permit immediate access by fire personnel and equipment in the event of fire or emergency.

Section 505. Premises Identification.

Sec. 505.1 is amended to read as follows:

Sec. 505.1. Address Identification. Approved numerals of a minimum 6” height and of a color contrasting with the background designating the address shall be placed on all new and existing buildings or structures in such a position as to be plainly visible and legible from the street or road fronting the property and from all rear alleyways where said alleyways exist. Where buildings do not

immediately front a street, approved 6 inch height building numerals or address and 3-inch height suite/apartment numerals of a color contrasting with the background of the building shall be placed on all new and existing buildings or structures. Numerals or addresses shall be posted on a minimum 20 inch by 30 inch background or border. Address numbers shall be Arabic numerals or alphabet letters. The minimum stroke width shall be 0.5 inches.

Exception 1. R-3 Single Family occupancies shall have approved numerals of a minimum 4 inches in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

Section 507. Fire Protection Water Supplies

Sec. 507.4 is amended to read as follows:

Sec. 507.4. Water supply test date and information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within one year of sprinkler plan submittal. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings.

Sec. 507.5.1 is amended to read as follows:

Sec. 507.5.1. Where Required. As properties develop, fire hydrants shall be located at all intersecting streets and at the maximum spacing indicated in Table 903.4.2. Distances between hydrants shall be measured along the route that fire hose is laid by a fire vehicle from hydrant to hydrant.

Maximum Distance Between Hydrants

OCCUPANCY	SPRINKLERED	NOT SPRINKLERED
Residential (1 & 2 Family)	600 feet	500 feet
Residential (Multi Family)	400 feet	300 feet
All Other	500 feet	300 feet

Table 903.4.2

1. **PROTECTED PROPERTIES.** Fire hydrants required to provide a supplemental water supply for automatic fire protection system shall be within 100 feet of the fire department connection for such system and shall have an isolation valve located between the connections to a looped main.

2. **FIRE HYDRANT LOCATIONS.** Fire hydrants shall be located 4 feet to 7 feet back of curb or fire lane and shall not be located in the bulb of a cul-de-sac.

4. **MINIMUM NUMBER OF FIRE HYDRANTS.** There shall be a minimum of two (2) fire hydrants serving each property within the prescribed distances listed above.

Sec 509.1.2; add new Section 509.1.2 to read as follows:

Sec. 509.1.2. Sign Requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 3/4 inch when located inside a building and 2 inches when located outside, or as approved by the *fire code official*. The letters shall be of a color that contrasts with the background.

Section 603. Fuel-Fired Appliances

Sec. 603.1 is amended to read as follows:

Sec 603.1. Installations. The installation of nonportable fuel gas appliances and systems shall comply with the *International Fuel Gas Code*. The installation of all other fuel-fired appliances, oil lamps and portable devices such as blow torches, melting pots and weed burners, shall comply with this section and the *International Mechanical Code*.

Section 807. Decorative Materials other than Decorative Vegetation in New and Existing Buildings

Sections 807.4.3.2 and 807.4.4.2 are amended by the addition of the following:

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

Section 901. General

Sec. 901.4.3 is amended by the deletion of this section.

Section 901.4.3. Fire areas. Where buildings, or portions thereof, are divided into *fire areas* so as not to exceed the limits established for requiring a *fire protection system* in accordance with this chapter, such *fire areas* shall be separated by *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or *horizontal assemblies* constructed in accordance with Section 711 of the *International Building Code*, or both, having a fire-resistance rating of not less than that determined in accordance with Section 707.3.9 of the *International Building Code*.

Sec. 901.5; amended by the addition of the following:

Sec. 901.5. Installation acceptance testing. All required tests shall be conducted by and at the expense of the owner or his representative. The Fire Department shall not be held responsible for any damages incurred in such test. Where it is required that the Fire Department witness any such test, such test shall be scheduled with a minimum of 48 hour notice to the Fire Chief or his representative.

Sec. 901.7 is amended to read as follows:

Sec. 901.7. Systems out of service. Where a required fire protection system is out of service or in the event of an excessive number of activations, the fire department and the code official shall be notified immediately and, where required by the code official, the building shall either be evacuated or standby personnel shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

Where utilized, standby personnel shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

Section 903. Automatic Sprinkler Systems

Sec. 903.1.1 is amended to read as follows:

Sec. 903.1.1. Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard and approved by the *fire code official*.

Sec. 903.2 is amended to read as follows:

Sec. 903.2. Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machines spaces, and elevator hoistways. Storage shall not be allowed within the elevator machine room.

Sec. 903.2 is amended by the deletion of the following:

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or not less than 2-hour horizontal assemblies constructed in accordance, with Section 711 of the *International Building Code*, or both.

Sec. 903.2.1.1, 903.2.1.3, 903.2.1.4, 903.2.3, 903.2.4 903.2.7, 903.2.9, and 903.2.9.1 are amended to read as follows:

Sec. 903.2.1.1. Group A-1. An automatic sprinkler system shall be provided for Group A-1 Occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.4m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.
4. The fire area contains a multi theater complex.

Sec. 903.2.1.3. Group A-3. An automatic sprinkler system shall be for Group A-3 Occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.4m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.

Sec. 903.2.1.4. Group A-4. An automatic sprinkler system shall be provided for Group A-4 Occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.4m²).

2. The fire area has an occupant load of 300 or more
3. The fire area is located on a floor other than the level of exit discharge.

Sec. 903.2.3. Group E. An automatic sprinkler system shall be provided for Group E Occupancies where one of the following conditions exists:

1. Throughout all Group E fire areas greater than 6,000 square feet (557.4m²) in area;
2. Throughout every portion of educational building below the level of exit discharge.

Exception: An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one exterior exit door at ground level.

Sec. 903.2.4. Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 Occupancy where one of the following conditions exists:

1. Where a Group F-1 fire area exceeds 6,000 square feet (557.4m²);
2. Where a Group F-1 fire area is located more than three stories above grade plane; or
3. Where combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230m²).
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

Sec. 903.2.7. Group M. An automatic sprinkler system shall be provided throughout all buildings containing a Group M Occupancy where one of the following conditions exists:

1. Where a Group M fire area exceeds 6,000 square feet (557.4m²);
2. Where a Group M fire area is located more than three stories above grade plane; or
3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230m²).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464m²)

Sec. 903.2.9. Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 Occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 6,000 square feet (557.4m²);
2. A Group S-1 fire area is located more than three stories above grade plane; or
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230m²).

4. A Group S-1 *fire area* used for the storage of commercial trucks or buses where the *fire area* exceeds 5,000 square feet (464m²).
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2500 square feet (232m²).

Sec. 903.2.9.1. Repair Garages. An automatic sprinkler system shall be provided throughout all buildings used as Repair Garages where one of the following conditions exists:

1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 6,000 square feet (557.4m²);
2. One-story buildings with a fire area containing a repair garage exceeding 6,000 square feet (557.4m²);
3. Buildings with a repair garage servicing vehicles parked in the basement.
4. A Group S-1 *fire area* used for the repair of commercial trucks or buses where the *fire area* exceeds 5,000 square feet (464m²).

Sec. 903.2.9 is amended by the addition of the following:

Sec. 903.2.9.3. Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities. A screen shall be installed at eighteen (18) inches below the level of the sprinkler heads to restrict storage above that level. This screen shall be a mesh of not less than one (1) inch nor greater than six (6) inches in size. The screen and its supports shall be installed such that all elements are at least eighteen (18) inches below any sprinkler heads.

Sec. 903.2.11.3 is amended to read as follows:

903.2.11.3. Buildings more than 35 feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the *International Building Code*, that are located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access.

Exception: Open parking structures in compliance with Section 406.5 of the *International Building Code*.

Sec. 903.2.11 is amended by the addition of the following:

Sec. 903.2.11.7. High Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4,572 mm), see Chapter 32 to determine if those provisions apply.

Sec. 903.2.11.8. Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

Sec. 903.2.11.9. Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings over 6,000 sq. ft. and greater, and in all existing buildings that are enlarged to be 6,000 square feet or greater, and in buildings greater than 6,000 square feet which are enlarged. For the purpose of this provision, fire walls, fire barriers, or horizontal assemblies shall not define separate buildings.

Exceptions:

1. Open parking garages in compliance with Section 406.5 of the *International Building Code*.
2. When of non-combustible construction, the area of awning extension or free-standing canopies, both sides, and not used for display or storage shall not be considered for requiring sprinkler protection for areas greater than 6,000 square feet but less than otherwise required in this code.

Sec. 903.2.11.10. Expanded Tenant Spaces. Fire sprinklers shall be installed in all tenant spaces where the total fire area exceeds 6,000 square feet. For the purpose of fire sprinklers, fire walls, fire barriers, or horizontal assemblies shall not be used to separate single tenant fire areas.

Sec. 903.3.1.1.1 is amended to read as follows:

Sec. 903.3.1.1.1. Exempt locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
3. Fire service access elevator machine rooms and machinery spaces.
4. Machine rooms and machinery spaces associated with occupant evacuation elevators designed in accordance with Section 3008 of the *International Building Code*.

Sec. 903.3.1.2; add Section to read as follows:

Sec 903.3.1.2. NFPA 13 R Sprinkler Systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinklers shall be installed throughout in accordance with NFPA 13R. Sprinkler systems installed in accordance with 13R shall include sprinkler protection in combustible attics of buildings two (2) or more stories in height.

Sec. 903.3.1 is amended by the addition of the following:

Sec. 903.3.1.4. Installation. Automatic sprinkler and standpipe systems shall be installed with the following:

1. A single underground supply from a looped water main and point for the Fire Department Connection (FDC) shall be provided for all buildings.
2. Fire department connections serving more than 500 GPM shall be provided with one 5-inch Storz connection and one 2-1/2 inch connection.

3. All inspectors' test, ball-drips, and main-drains shall be piped directly to the outside of the building.
4. At least one inspection test valve shall be located at the remote system area.
5. Risers shall be equipped with a properly sized test header.
6. Fire pumps shall be equipped with a properly sized test header.
7. Underground piping shall have a 10-foot minimum separation from all other utilities and placed in a separate trench. Underground piping within 5 feet of the building may be combined with other utilities for entrance to the building.
8. Porches and balconies shall be sprinklered on all Group R-2 and R-3 occupancies.
9. A minimum of 4-feet of pipe between the check valve and inside wall of the Fire Department Connection.

Sec. 903.3.5 is amended to include a second paragraph to read as follows:

Sec. 903.3.5. Water supplies. Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor.

Sec. 903.4 is amended to include a second paragraph after the exceptions to read as follows:

Sec. 903.4. Sprinkler system monitoring and alarms. Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for a minimum of 45 seconds and not more than 90 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Sec. 903.4.2 is amended to include second paragraph to read as follows:

Sec. 903.4.2. Alarms. The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

Sec. 903.4.3 is amended to read as follows:

903.4.3. Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Section 905. Standpipe Systems

Sec. 905.2 is amended to read as follows:

Sec. 905.2 Installation standards. Standpipe system shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

Sec. 905.3. Required Installations.

Sec. 905.3.2 is amended to read as follows:

Sec. 905.3.2. Group A; delete Exceptions 1 and 2.

1. Open-air-seating spaces without enclosed spaces.
2. Class I automatic dry and semiautomatic dry standpipes or manual wet standpipes are allowed in buildings that are not high-rise buildings.

Sec. 905.3.4; delete the Section.

Sec. 905.3.4. Stages. Stages greater than 1,000 square feet (93 m²) in area shall be equipped with a Class III wet stand-pipe system with 1 ½ -inch and 2 ½ -inch (38mm and 64mm) hose connections on each side of the stage.

Exception: where the building or area is equipped throughout with an *automatic sprinkler system*, a 1 ½ -inch (38mm) hose connection shall be installed in accordance with NFPA 13 or in accordance with NFPA 14 for Class II or III standpipes.

Sec 905.3 is amended to add Section 905.3.9 as follows:

Sec. 905.3.9. Travel Distance. Class I standpipes shall also be required on all occupancies in which the distance from accessible points for Fire Department ingress to any point in the structure exceeds two hundred fifty feet (250') along the route that a fire hose is laid as measured from the fire lane.

Sec. 905.4., item 5 is amended to read as follows:

Sec. 905.4. Location of Class I standpipe hose connections.

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of stairways with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

Sec. 905.4 is amended to by the addition of item 7 as follows:

Sec. 905.4. Location of Class I standpipe hose connections.

6. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter.

Sec. 905.5; delete the section.

Sec. 905.6; delete the section.

Sec. 905.9 is amended to add a second paragraph after the exceptions to read as follows:

Sec. 905.9. Valve Supervision. Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for a minimum of 45 seconds and not more than 90 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section 907. Fire Alarm and Detection Systems

Sec. 907.1.1 is amended by the addition of the following:

Sec. 907.1.1. Construction documents. Plans for fire alarm systems shall be in accordance with Plano Fire Department Fire Alarm Submittal Guidelines.

Sec. 907.1 is amended by the addition of the following:

Sec. 907.1.4. Design Standards. All alarm systems new or replacement shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after January 1, 1998, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 18 months of permit application.

Sec. 907.2.1 is amended to read as follows:

Sec. 907.2.1. Group A. A manual fire alarm system that activates the occupant notification system in accordance with new Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

Sec. 907.2.3 is amended to read as follows:

Sec. 907.2.3. Group E. A manual alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system

shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems. Where automatic fire sprinklers are not provided, a full-coverage smoke detection system shall be provided in all Group E occupancies.

Sec. 907.2.3., Exception 1 is amended to read as follows:

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 30 when provided with an approved automatic sprinkler system.

1.1 Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 ½ or less years of age, see Section 907.2.6)

Sec. 907.2.6.; amended by the addition of the following:

Sec. 907.2.6.4. Group I-4 Occupancies. An approved smoke detection system shall be installed in Group I-4 occupancies. Where automatic fire sprinklers are not provided, a full-coverage smoke detection system shall be provided in all Group I-4 occupancies.

Sec 907.2.13. High-rise Buildings.

Sec. 907.2.13.; Exception 3 is amended to read as follows:

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*, when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.

Sec 907.4. Initiating devices.

Sec. 907.4.2 is amended by the addition of the following:

Sec. 907.4.2.7 Type. Manual alarm actuating devices shall be an approved double action type.

Sec. 907.6.1 is amended by the addition of the following:

Sec. 907.6.1.1. Wiring. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet of separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (ICD) from an addressable input (monitor) module may be wired Class B provided the distance from the addressable module to the initiating devices is ten feet or less.

Sec. 907.6.5 is amended by the addition of the following:

Sec. 907.6.5.3. Communication Requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory, and trouble signals descriptively to the approved central station, remote supervisory station, or proprietary supervising station as defined in NFPA 72, with the device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.

Sec. 907.6.5.4. Flow detectors and electronic monitoring. Sprinkler and standpipe system water flow detectors shall be provided for each floor zone to the sprinkler system and shall cause an alarm upon detection of water flow for a minimum of 45 seconds and not more than 90 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a trouble signal at the central station upon tampering.

Section 909. Smoke Control Systems

Sec. 909.6 is amended by the addition of the following:

Sec. 909.6.3. Pressurized stairways and elevator hoistways. When stairways or elevator hoistways are pressurized, such pressurization systems shall comply with Section 909 as smoke control systems, in addition to the requirements of the Building Code Sections 909.20 and 909.21.

Section 910. Smoke and Heat Removal

Sec. 910.2 is amended by the addition of the following:

Sec. 910.2.3. Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3 and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception. Buildings of noncombustible construction containing only noncombustible materials.

Sec. 910.3 is amended as follows:

Sec. 910.3. Design and installation. Change the title of the first row of the table from “Group F-1 and S-1” to include “Group H” and to read as follows:

Group H, F-1, S-1

Table 910.3.; Change the title of the first row of the table to read as follows:

**[F] TABLE 910.3
REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS^a**

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (feet)	MINIMUM DRAFT CURTAIN DEPTH (feet)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet)	VENT-AREA TO-FLOOR-AREA RATIO^c	MAXIMUM SPACING OF VENT CENTERS (feet)	MAXIMUM DISTANCE TO VENTS FROM WALL OR DRAFT CURTAINS^b (feet)
Group F-1, H and S-1	—	0.2 x Hd but ≥ 4	50,000	1:100	120	60
<i>(Balance of table remains unchanged)</i>						

Sec. 910.3.2.1.; Gravity-operated drop out vents are deleted.

Sec 910.3.2.2 is amended by the addition of the following:

Section 910.3.2.2. Sprinklered Buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100°F (38°C) greater than the temperature rating of the sprinklers installed.

Section 912.2. Fire Department Connections

Section 912.2.3. Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

Section 913. Fire Pumps

Sec. 913.1 is amended to include the following:

Sec. 913.1. General. When located on the ground level, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by Section 506.1.

Sec. 913.4 is amended to read as follows:

Sec. 913.4. Supervision. Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention devices or assembly shall be supervised open by a central-station, proprietary, or remote-station signaling service.

The fire-pump system shall also be supervised for “loss of power”, and “phase reversal” on supervisory circuits, and “pump running” as an alarm condition and shall report individually to the monitoring station.

Section 914. Fire Protection Based on Special Detailed Requirements of Use and Occupancy

Sec. 914.3.1.2 is amended to read as follows:

914.3.1.2. Water supply to required fire pumps. Section 913 Fire Pumps In buildings that are more than 420 feet (128m) in *building height*, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: Two connections to the same main shall be permitted provided the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through no fewer than one of the connections.

Section 1004. Occupant Load

Sec. 1004.1.2 is amended to delete exception as follows:

Sec. 1004.1.1. Areas Without Fixed Seating.

Sec 1004.1.2. Areas without Fixed Seating.

Exception: Where approved by the building official, the actual number of occupants for whom each occupied space, floor, or building is designed, although less than those determined by calculation shall be permitted to be used in the determination of the design occupant load.

Section 1008.1.9.4.; Exceptions 3 and 4 are amended as follows:

Exceptions:

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M, or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars, or similar operating hardware.
4. Where a pair of doors serves a Group A, B, F, M, or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars, or similar operating hardware.

Section 1008.1.9.9. Change to read as follows:

1008.1.9.9. Electromagnetically locked egress doors. Doors in the *means of egress* in buildings with an occupancy in Group A, B, E, I-1, I-2, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, M, R-1, or R-2 shall be permitted to be electromagnetically locked if equipped with *listed* hardware that incorporates a built-in switch and meet the requirements below:

1. The listed hardware that is affixed to the door leaf has an obvious method of operation that is readily operated under all lighting conditions.
2. The listed hardware is capable of being operated with one hand.
3. Operation of the *listed* hardware directly interrupts the power to the electromagnetic lock and unlocks the door immediately.
4. Loss of power to the listed hardware automatically unlocks the door.
5. Where panic or *fire exit hardware* is required by Section 1008.1.10, operation of the *listed* panic or *fire exit hardware* also releases the electromagnetic lock.

Sec. 1016; add new section 1016.2.2 to read as follows:

Sec. 1016.2.2. Group F-1 and S-1 Increase. The maximum exit access travel distance shall be 400 feet (122 m) in Group F-1 or S-1 occupancies where all of the following are met:

1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height;
2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7315 mm); and
3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

Section 1018. Corridors

Sec. 1018.1 is amended by the addition of exception 6 to read as follows:

Sec. 1018.1. Construction.

6. In Group B office buildings, corridor walls, and ceilings need not be of fire-resistive construction within office spaces of a single tenant when the space is equipped with an approved automatic smoke-detection system within the corridor. The smoke-detection system shall be connected to the building's fire alarm system where such a system is provided.

Section 1022. Exit Enclosures

Sec. 1022.10 is amended to read as follows:

Sec. 1022.10. Smokeproof enclosures. In buildings required to comply with Section 403 or 405 of the IBC, each of the exits of a building that serves stores where any floor surface is located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) below the level of exit discharge service such floor levels shall be a smoke-proof enclosure or pressurized stairway in accordance with Section 909.20 of the International Building Code.

Sec. 1029.1 is amended to read as follows:

Sec. 1029.1. General. In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R and I-1 occupancies. *Basements* and sleeping rooms below the fourth *store above grade plane* shall have at least one exterior *emergency escape and rescue opening* in accordance with this section. Where *basements* contain one or more sleeping rooms, *emergency escape and rescue openings* shall be required in each sleeping room, but shall not be required in adjoining areas of the *basement*. Such openings shall open directly into a *public way* or to a *yard or court* that opens to a *public way*.

Exceptions:

1. *Basements* with a ceiling height of less than 80 inches (2032 mm) shall not be required to have *emergency escape and rescue openings*.
2. *Emergency escape and rescue openings* are not required from *basements* or sleeping rooms that have an *exit door* or *exit access door* that opens directly into a *public way* or to a *yard, court, or exterior exit balcony* that opens to a *public way*.
3. *Basements* without habitable spaces and having no more than 200 square feet (18.6 m²) in floor area shall not be required to have *emergency escape and rescue openings*.
4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

Section 1030.2 is amended to read as follows:

Section 1030.2. Reliability. Required *exit accesses, exits, and exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. An *exit or exit passageway* shall not be used for any purpose that interferes with a means of egress.

Section 1103. Fire Safety Requirement for Existing Buildings

Section 1103.5 is amended to read as follows:

1103.5. Sprinkler Systems. An automatic sprinkler system shall be provided in existing buildings in accordance with Sections 1103.5.1 through 1103.5.4.

Sec. 1103.5 is amended by the addition of the following sections:

Sec. 1103.5.3. Spray booths and rooms. Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

Sec. 1103.5.4. Existing R-1, 2, 3, and 4 Occupancies: In R-1, 2, 3, and 4 occupancies where a fire has occurred and displaces one or more occupants, the affected building shall be fire-sprinkled prior to re-occupancy of the unit/building.

Section 2401. General

Sec. 2401.2; delete the section.

Section 2404. Spray Finishing

Sec. 2404.4 is amended to read as follows:

Sec. 2404.4. Fire Protection. New spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 which shall also protect exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.

Sec. 3310.1.; add sentence to end of paragraph to read as follows:

When fire apparatus access roads are required to be installed for any structure or development, they shall be approved and installed prior to the time of which construction has progressed beyond completion of the foundation of any structure.

Section 5601. General

Sec. 5601.1.3.; change to read as follows:

5601.1.3. Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions:

1. Only when approved for fireworks displays, storage and handling of fireworks as provided in Section 5604 and 5608.
2. The use of fireworks for approved display as permitted in Section 5608.

The presence or use of fireworks within the jurisdiction of the City of Plano in violation of this Ordinance is hereby declared to be a common and public nuisance. The restrictions of this Section shall be applicable and in force throughout the territory of the City of Plano, Texas, and extending for a distance outside the City limits for a total of 5,000 feet; provided that this Section shall not be in effect within any portion of such 5,000 feet area which is contained within the territory of any other municipal corporation.

Sec. 5601.3 is amended to read as follows:

Sec. 5601.3. Prohibited explosives. Permits shall not be issued or renewed for possession, manufacture, storage, handling, sale, or use of explosives within the city limits of Plano.

Section 5608. Fireworks Display

Sec. 5608.5 is amended by the addition of the following section:

Sec. 5608.5.6. Marking of shells. Each aerial shell shall have printed directly on its outer casing the following minimum warning 1/8 inch high letters which contrast to the background:

**WARNING
EXPLOSIVES CLASS "C"
FIRE WORKS
DO NOT HANDLE – CALL "911"**

Sec. 5608 is amended by the addition of the following:

Sec. 5608.11. Ignition. Aerial shells shall be ignited by lighting the tips of fuses by an electrical ignition source except when manual ignition is approved by the Fire Chief. Operators shall not place any part of their bodies over the throat of the mortar.

Section 5703.6. General Requirements

Sec. 5703.6 is amended to add the following sentence:

An approved method of secondary containment shall be provided for underground tank and piping systems.

Section 5704. Storage

Sec. 5704.2.7 is amended by the addition of the following:

Secondary containment shall be provided for all Above and Underground Storage Tanks (UST) and product lines in the form of double wall tanks and piping. Alternate methods of secondary containment may be used if approved by the Chief.

Sec. 5704.2.9.6.1 is amended to read as follows:

Sec. 5704.2.9.6.1. Location Where Above-Ground Tanks are Prohibited. The storage of flammable or combustible liquids in outside above ground tanks is prohibited within each and every zoning district within the City of Plano with the exception of those districts which are zoned for light industrial zoning use. Installation of above ground tanks in other than light industrial zoning districts shall be permitted at the discretion of the Fire Chief following his review of the proposed installation location, and the fire protection for the storage area. Tanks shall not be located within one hundred feet (100') of the property line of any Group E, I or R occupancies.

5704.2.11.5 is amended to read as follows:

Sec 5704.2.11.5 Leak prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.5.1 through 5704.2.11.5.3. An approved method of secondary containment shall be provided for underground tank and piping systems.

Sec. 5704.2.11.5.2 is amended to read as follows:

Sec. 5704.2.11.5.2. Leak detection. Underground storage tank systems shall be provided with an approved method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.5.3.

Add Sec. 5704.2.11.5.3 is amended to read as follows:

Sec. 5704.2.11.5.3. Observation Wells. Approved sampling tubes of a minimum 6 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of 4 sumps. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers. A minimum of two are required.

Section 5706. Special Operations

Sec. 5706.5.4.5 and 5706.5.4.5.1 through 5706.5.4.5.3 are amended to read as follows:

Sec. 3406.5.4.5. Commercial, industrial, governmental or manufacturing. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental, or manufacturing establishments is allowed where permitted, provided such dispensing operations are conducted in accordance with Sections 5706.5.4.5.1 through 5706.5.4.5.3.

Section 5706.5.4.5.1. Site requirements.

1. Dispensing may occur at sites that have been permitted to conduct mobile fueling.
2. A detailed site plan shall be submitted with each application for a permit. The site plan must indicate:
 - a) All buildings, structures, and appurtenances on site and their use or function;
 - b) All uses adjacent to the property lines of the site;
 - c) The locations of all storm drain openings, adjacent waterways or wetlands;
 - d) Information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and,
 - e) The scale of the site plan.
3. The Code Official is authorized to impose limits upon the times and/or days during which mobile fueling operations are allowed to take place, and specific locations on a site where fueling is permitted.
4. Mobile fueling operations shall be conducted in areas not generally accessible to the public. Mobile fueling shall not take place within 15 feet (4.572 m) of buildings, property lines, or combustible storage.

Sec. 5706.5.4.5.2. Refueling Operator Requirements.

1. The owner of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill, carry out appropriate mitigation measures, and to indicate its process to properly dispose of contaminated materials when circumstances require.
2. The tank vehicle shall comply with the requirements of NFPA 385 and Local, State and Federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.
3. Signs prohibiting smoking or open flames within 25 feet (7.62 m) of the tank vehicle or the point of fueling shall be prominently posted on 3 sides of the vehicle including the back and both sides.
4. A fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.
5. The dispensing nozzles and hoses shall be of an approved and listed type.

6. The dispensing hose shall not be extended from the reel more than 100 feet (30.48 m) in length.
7. Absorbent materials, non-water absorbent pads, a 10 foot (3.048 m) long containment boom, and approved container with lid, and a non-metallic shovel shall be provided to mitigate a minimum 5-gallon fuel spill.
8. Tanker vehicles shall be equipped with a fuel limit switch such as a count-back switch, limiting the amount of a single fueling operation to a maximum of 500 gallons (1,893 L) between re-settings of the limit switch.

Exception: Tankers utilizing remote emergency shut-off device capability where the operator constantly carries the shut-off device which, when activated, immediately causes flow of fuel from the tanker to cease.

9. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of fire, leak, or spill. Training records shall be maintained by the dispensing company and shall be made available to the Code Official upon request.
10. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.

Sec. 5706.5.4.5.3. Operational Requirements.

1. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
2. Prior to beginning dispensing operations, precautions shall be taken to assure ignition sources are not present.
3. The engines of vehicles being fueled shall be shut off during dispensing operations.
4. Night time fueling operations shall only take place in adequately lighted areas.
5. The tank vehicle shall be positioned with respect to vehicles being fueled so as to preclude traffic from driving over the delivery hose and between the tank vehicle and the motor vehicle being fueled.
6. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place, and warning lights shall be in operation.
7. Motor vehicle fuel tanks shall not be topped off.
8. The dispensing hose shall be properly placed on an approved reel or in an approved compartment prior to moving the tank vehicle.
9. The Code Official and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.

Section 5804. Storage

Flammable Gas.

Sec. 5804.2 is amended by the addition of the following:

Sec. 5804.2. Maximum capacity within established limits. Tanks shall not be located within one hundred feet (100') of the property line of any Group A, E, I, or R occupancies.

Section 6103. Installation of Equipment LP Gas

Sec. 6103.2.1 is amended by the addition of the following sections:

Sec. 6103.2.1.8. Jewelry Repair, Dental Labs, and Similar Occupancies. Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20 pounds (9.0 kg) water capacity. Aggregate capacity shall not exceed 60 pounds (27.2 kg) water capacity. Each device shall be separated from other containers by not less than 20 feet.

Section 6104. Location of LP-Gas Containers

Sec. 6104.2 is amended to read as follows:

Sec. 6104.2. Maximum capacity within established limits. The manufacturing of LP-Gas shall be prohibited in each and every zoning district of the City of Plano. The storage and use of LP-Gas shall be allowed only in industrial zoned districts of the City of Plano and as allowed in specific uses outlined in Section 6103 and 6104. Storage shall not be located within one hundred feet (100') of the property line of E, A, I, or R occupancies, except those permitted in single family districts in accordance with 6104.3.

Sec. 6104.3 is amended by the addition of the following:

Sec. 6104.3.3. Spas, Pool Heaters, and other listed devices. LP-Gas containers are allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 500 gallon water capacity per lot for above ground containers or 1,000 gallon water capacity per lot for underground containers and shall be off loaded wholly on the property where the tank is located. See Table 6104.3 for location of containers.

Section 8-18. Authorizing suits for injunctive relief.

Any person, firm, or corporation violating any of the provisions of this article or the International Fire Code as adopted is subject to a civil lawsuit, including injunctive relief, in addition to and exclusive of any other available legal remedies."

Section III. 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 IV. 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 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 provisions 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 on this 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Fire		
Department Head		Fire Chief Brian Crawford		
Agenda Coordinator (include phone #): Cynthia Morgan, Ext. 7164				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, adopting a new Article III, Section 8-19 of Chapter 8, Fire Prevention and Protection, of the City of Plano Code Ordinances, to establish the Fire Inspection Program and authorize the Fire Department to conduct inspection of commercial or industrial businesses in Plano for fire hazards and compliance with the International Fire Code; and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013/14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
<p>COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: Establishing the Fire Inspection Program Ordinance relates to the City's Goals of Financially Strong City with Service Excellence, Safe Large City, and Great Neighborhoods - 1st Choice to Live.</p>				
SUMMARY OF ITEM				
<p>This Ordinance gives clearer definition and requirements for the fire inspection program for commercial or industrial businesses. The Ordinance gives specifics on the inspection frequency and authorizes the collection of fees for the inspection service conducted by the Fire Department.</p>				
List of Supporting Documents: Ordinance		Other Departments, Boards, Commissions or Agencies N/A		

An Ordinance of the City of Plano, Texas, adopting a new Article III, Section 8-19 of Chapter 8, Fire Prevention and Protection, of the City of Plano Code Ordinances, to establish the Fire Inspection Program and authorize the Fire Department to conduct inspection of commercial or industrial businesses in Plano for fire hazards and compliance with the International Fire Code; and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, staff recommends establishing the Fire Inspection Program to conduct annual and biennial inspections of commercial and industrial businesses in the City of Plano for fire hazards and compliance with the International Fire Code; and

WHEREAS, inspection shall be conducted either annually or biennially depending on the nature and square footage of a particular commercial and industrial business; 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 establish the Fire Inspection Program to conduct inspection of commercial and industrial businesses in the City of Plano for fire hazards and compliance with the International Fire Code.

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 adopted to read 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 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 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 Ordinance.
- (d) Authority to Assess Inspection Fee. The City is authorized to assess a non-refundable fee for inspection services under the Fire Inspection Program in accordance with the fee schedule approved by the City Council. The City shall be entitled to pursue collection of unpaid fees through its employees and agents."

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 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): Diana Casady #5993				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, repealing in its entirety City of Plano Ordinance No. 2011-1-7, codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Building Code, with certain additions, deletions, and amendments, as the Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
COMMENTS: This item has no fiscal impact.				
STRATEGIC PLAN GOAL: An Ordinance of the City of Plano repealing in its entirety the City of Plano Ordinance No. 2011-1-7, and adopting the 2012 Edition of the International Building Code relates to the City's goal of a Safe Large City.				
SUMMARY OF ITEM				
<p>This Ordinance will adopt the most recent version of the International Building Code published by the International Code Council and includes regional amendments which have been developed by the North Central Texas Council of Governments. Public review of the codes was held at the Building Standards Commission meetings held in March, April, May, June, July and August. The Building Standards Commission at its August 20, 2013 meeting voted unanimously to forward this Code and amendments to the City Council for adoption as the Building Code for the City of Plano.</p>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Letter from the Home Builders Association		Building Standards Commission		
Letter from Council of Governments				
Letter from the Building Standards Commission				



5816 West Plano Parkway
Plano, TX 75093
(972) 931-4840 Fax: (972) 267-0426
www.DallasBuilders.com

August 6, 2013

Selso Mata, Chief Building Official
City of Plano
1520 Avenue K
Plano, Texas 75086-0358

Dear Mr. Mata:

The Dallas Builders Association appreciates the role building codes play in maintaining the integrity of home construction in our area. As such, the Association conducts a detailed review of each International Code Council (ICC) code that pertains to the residential construction industry. This review emphasizes health and safety as well as housing affordability concerns.

As it has for many years, the Association was an active participant in reviewing the 2012 ICC codes serving on the North Central Texas Council of Governments Regional Codes Coordinating Committee (RCCC). Our members and staff were provided an opportunity during that process to convey the industry's concerns and many of those concerns were incorporated into the amendments that are now being considered for adoption by the City of Plano.

Thanks to the RCCC process and for the advanced notice that you have provided the Association to review Plano's local amendments, the Dallas Builders Association is comfortable with the residential provisions of Plano's 2012 code amendments package as presented. We appreciate your proactive efforts to seek our input and we look forward to being a continued resource for housing in the City of Plano and throughout the Dallas area.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Crone".

Phil Crone
Executive Officer
Dallas Builders Association

OFFICERS

President

Joe Chamberlain, CGB, GMB, CGP
Caprock Custom Construction, Inc.

First Vice President

Jeff Dworkin, CGP
JLD Custom Homes

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Frank Murphy
Wynne/Jackson Inc.

Treasurer

Ben Beckelman, CGB, CGP

Executive Officer

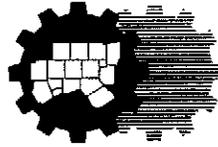
Phil Crone, CGP, JD

2013 INDUSTRY INVESTORS

Almos Energy
The Bath & Kitchen Showplace
Fox Energy Specialists
Holchkiss Insurance Agency
StrucSure Home Warranty
Texas Door & Trim Inc.

AFFILIATED WITH:

Texas Association of Builders
National Association of Home Builders



North Central Texas Council Of Governments

RECEIVED

JUN 14 2013

BG
CITY MANAGER'S OFFICE

TO: Jurisdictions throughout the North Central Texas Region **DATE:** June 10, 2013

SUBJECT: Model Construction Code Recommendations for North Central Texas

The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs.

In 2011, NCTCOG's Regional Codes Coordinating Committee (RCCC) directed its Code Advisory Boards to review the International Code Council's 2012 family of model construction codes. The Advisory Boards, comprised of over 100 code professionals representing local jurisdictions and professional associations, held open meetings to consider the codes and achieve consensus on any needed regional amendments. Many national and regional subject matter experts also gave testimony and participated in the process.

As a result, the NCTCOG Executive Board, upon the recommendation of the RCCC and its Advisory Boards, encourages your jurisdiction to adopt the following model construction codes along with their respective regional amendments:

- ◆ **International Building Code – 2012 Edition**
- ◆ **International Residential Code – 2012 Edition**
- ◆ **International Fire Code – 2012 Edition**
- ◆ **International Plumbing Code – 2012 Edition**
- ◆ **International Mechanical Code – 2012 Edition**
- ◆ **International Fuel Gas Code – 2012 Edition**
- ◆ **International Energy Conservation Code - 2012 Edition**

NCTCOG recommends adopting these codes with no local amendments other than the regional amendments as expeditiously as possible. The ultimate goal is regional uniformity in the model construction codes for the North Central Texas region. NCTCOG feels strongly that municipalities, contractors, architects, builders, and manufacturers will benefit from the positive economic results coming from achievement of that goal.

As a follow-up measure, the RCCC intends to submit some of the regional amendments as proposed changes during the next international code change cycle. In the past, several NCTCOG regional amendments have been incorporated into the codes when those amendments were proposed as code changes to the main documents.

PLEASE NOTE:

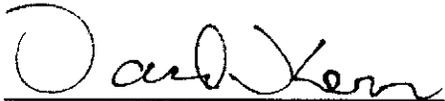
There is a wide range in the fire fighting philosophies/capabilities of cities across the region; the consensus of the RCCC has been to include both an OPTION "A" and an OPTION "B" in the fire, building and residential code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies/capabilities when adopting code amendments.

You may access our website at www.dfwcodes.com to obtain a copy of the recommended regional amendments. For more information regarding regional codes, contact Sam Brush, Manager of Environment & Development, by email at sbrush@nctcog.org or by phone at (817) 695-9213.

We appreciate your support of our continued efforts toward regional code uniformity. Please send a copy of your adopting ordinance(s) to NCTCOG including amendments. Your ordinance will help us to document the effectiveness of the codes coordinating effort in our region and may be used to provide a model to other jurisdictions.



Mike Eastland, Executive Director
North Central Texas Council of Governments



David Kerr, Chairman
Regional Codes Coordinating Committee

SWB/



Memorandum

Date: August 20, 2013
To: Bruce Glasscock, City Manager
From: Art Stone, Chairman of the Building Standards Commission
Subject: Adoption of the 2012 International Codes with Amendments

The Building Standards Commission, along with staff, has reviewed the 2012 International Building Codes with amendments since March of this year. Monthly reviews have continued until completion in August. In addition, staff has vetted the codes with the North Central Council of Governments and made Plano amendment presentations for each code to our Board. All code review is now completed.

It is my pleasure to inform you that the Building Standards Commission unanimously recommends the following codes with amendments to Council for approval and adoption;

2012 International Building Code
2012 International Residential Code
2012 International Plumbing Code
2012 International Mechanical Code
2012 International Fuel Gas Code
2012 International Energy Conservation Code

Sincerely,

A handwritten signature in black ink that reads "Art Stone".

Art Stone
Chairman
Building Standards Commission

An Ordinance of the City of Plano, Texas, repealing in its entirety City of Plano Ordinance No. 2011-1-7, codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Building Code, with certain additions, deletions, and amendments, as the Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on January 10, 2011, by Ordinance No. 2011-1-7, the City Council of the City of Plano established a Building Code and provided regulations thereunder, and such Ordinances were codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances of the City of Plano (“City”); and

WHEREAS, on August 20, 2013 the Building Standards Commission held a public hearing to discuss the adoption of the 2012 Edition of the International Building Code, a publication of the International Code Council (I.C.C.), 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 2012 Edition of the International Building Code, and the additions, deletions, and amendments thereto, should be approved and adopted as the Building Code of the City.

Now, therefore, be it ordained by the City Council of the City of Plano, Texas that:

Section I. The following ordinances or sections thereof, all of which are codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances of the City of Plano, are hereby repealed in their entirety:

Ordinance No. 2011-1-7 duly passed and approved by the City Council of the City of Plano on January 10, 2011.

Section II. A new Article II, Building Code, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

ARTICLE II. BUILDING CODE

DIVISION 1. GENERALLY

Section 6-16. Penalty.

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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section 6-17. Adopted.

The 2012 Edition of the International Building Code, a publication of the International Code Council (I.C.C.), is hereby adopted and designated as the Building Code of the City of Plano to the same extent as if such Code were copied verbatim in this Article, subject to deletions, additions, and amendments prescribed in this Article. A copy of the 2012 Edition of the International Building Code is on file in the office of the City Secretary.

Sections 6-20 through 6-36. Reserved.

DIVISION 2. AMENDMENTS

Section 6-37. Deletions, Additions, Amendments.

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

Section 101.4 Referenced codes; *change to read as follows:*

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

Section 101.4.7 Electrical; *add the following:*

101.4.7 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Section 103 and 103.1: *amend to insert the Department Name*

Section 103

Building Inspections Department, Plano, Texas

103.1 Creation of enforcement agency. Building Inspections Department, Plano, Texas is hereby designated as a Code Enforcement agency and the official in charge thereof shall be known as the *building official*.

Section 104.10.1; Flood hazard areas. *Delete section in its entirety.*

Section 105.1.1 Toilet Facilities; *is changed to read as follows:*

Section 105.1.1 Toilet Facilities.

At least one permanent or temporary toilet facility shall be maintained at every site where a building permit has been issued, as long as a building permit is active for the project.

Permanent toilet facility is defined as a room in an existing building or in the building being constructed with a water closet installed in such a room that conforms to the Plumbing Code and is continuously available to all workers involved in a construction project.

Temporary toilet facility is defined as a portable, fully enclosed, chemically sanitized toilet, which is serviced and cleaned at least once each week.

A Stop Work Order may be issued for any project not in compliance with this section.

105.1.2. Annual permit records; are deleted in their entirety.

Section 105.2 Work exempt from permit; *is amended by the deletion and addition of the following:*

Building:

6. Sidewalks and driveways not more than 30 inches (762mm) above adjacent grade, and not over any basement or story below, and that are not part of an accessible route and not in the city right-of-way.

Section 105.3 Application for permit; *add the following:*

8. Be issued to a registered contractor.

General: To obtain a permit, the applicant shall be registered as a contractor. Contractor may register by making application on forms provided by the Building Official.

Exception:

1. Homeowners may obtain permits for their private residence without being registered, however a contractor working under the homeowner's permit must meet state requirements for license registration.
2. Contractors exempt from local registration fees must show proof of state license.

Revocation/Suspension: A contractor's registration may be suspended for the following causes:

1. The contractor fails to finalize permits by obtaining the required approved inspections.
2. The contractor allows use or occupancy of a structure for which a permit was obtained without first obtaining the required authorization.
3. Expiration, suspension or revocation of required license, or insurance.

Section 105.3.1 Action on application; *is amended by the addition of the following paragraph:*

A demolition permit may be withheld for any building or structure within the Plano Historic Building and Site Survey as designated in the Preservation Plan for a period not exceeding thirty (30) days pending review by the Heritage Commission.

Section 105.8 withdrawn Permits; *is added:*

105.8. Withdrawn Permits. Permits may be withdrawn by the applicant if no work has commenced on the project. Permit fees exceeding \$50.00 may be partially refunded. Where applicable, fees will be refunded at 80 percent of their original value, excluding the plan review and fire protection plan review deposits.

1. Permits for which work has commenced may not be withdrawn unless a subsequent permittee has obtained a permit to complete the work, or when work has started unless an inspection has been made and the Building Official has determined that the existing work has created no violation of any code or ordinance.
2. Expired permits may be withdrawn if determined by the Building Official that no work has commenced.
3. Withdrawn permits with fees of less than fifty (\$50) dollars are nonrefundable.

Section 107.3.1. Approval of construction documents; *amended to read as follows:*

When the building official issues a permit, the construction documents shall be approved, in writing, or by a stamp which states, "APPROVED AND APPROVED AS NOTED BY THE BUILDING OFFICIAL" *{the remainder of the section is unchanged}*

Section 109.7 Re-inspection Fee; *add Section 109.7 to read as follows:*

109.7 Re-inspection Fee. A fee as established by city council resolution may be charged when:

- The inspection called for is not ready when the inspector arrives;
- No building address or permit card is clearly posted;
- City approved plans are not on the job site available to the inspector;
- The building is locked or work otherwise not available for inspection when called;

- The job site is red-tagged twice for the same item;
- The original red tag has been removed from the job site.
- Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any trade final inspections are made on that job site.

Add Sections 109.8; add Section 109.8.1, 109.8.2 and 109.8.3 to read as follows:

109.8 Investigation Fee. Work without a permit.

109.8.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

109.8.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code or the city fee schedule as applicable. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law.

109.8.3 Unauthorized cover up fee. Any work concealed without first obtaining the required inspection in violation of section 110 shall be assessed a fee as established by the city fee schedule.

Section 110.3.5. Lath and gypsum board inspection; *the exception shall be deleted.*

Section 113 Board of Appeal; changed Section title to “**Building Standards Commission,**” and all references to “board” or “board of appeals” shall be replaced by “commission,” and “building standards commission,” as applicable.

Sections 114.2 Notice of Violation through 114.4, Violation penalties; *are deleted in their entirety.*

Section 115.4 Construction debris; *added paragraph;*

a. Whenever work is being done that is authorized by a permit, and construction debris from that work is not confined to a container or to a site on the property approved by the Building Official or his designee, and such construction debris poses a threat to public health, safety and comfort so that it constitutes a nuisance, the Building Official or his designee may order the work stopped and the Contractor shall clean up the construction debris within twenty-four (24) hours of receiving written notice of the violation. After the expiration of the twenty-four (24) hour period, Contractor shall pay City a reinspection fee to offset costs incurred by City due to the necessary reinspection before the stop work order is lifted.

b. As used herein, the term “Construction Debris” shall include all materials utilized in the construction process, including all litter and debris deposited and left remaining upon the premises of a job site by a Contractor, Subcontractor, and their employees, agents, and assigns.

c. As used herein “Costs” shall mean all expenses incurred by City for the cleaning of the job site and the amount of any unpaid municipal court fine.

Section 202; *amend definition of Ambulatory Care Facility as follows:*

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less than 24-hour basis to individuals who are rendered incapable of self-preservation by the services provided. This group includes but is not limited to the following:

- Dialysis centers
- Sedation dentistry (includes med gas)
- Surgery centers
- Colonic centers
- Psychiatric centers

Section 202; *add definition of Assisting Living Facilities to read as follows.*

ASSISTED LIVING FACILITIES. A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

Section 202; *amend definition to read as follows:*

HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16.7m) above the lowest level of fire department vehicle access.

Section 202; *change definition of “Atrium” as follows:*

ATRIUM. An opening connecting three or more stories... *{Balance remains unchanged}*

Section 303.1.3 Associated with Group E occupancies; *add a sentence to read as follows:*

303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy, except when applying the assembly requirements of Chapter 10 and 11.

Section 304 Business Group B; *add the following to the list of occupancies:*

Fire stations

Police stations with detention facilities for 5 or less

Section 307.1 High-hazard Group H; *add the following sentence to Exception 4:*

4. Cleaning establishments... *{text unchanged}* ...with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also International Fire Code, Chapter 12, Dry Cleaning Plant provisions.

Section 403.1 Applicability, *Exception 3; change to read as follows:*

3. Open air portions of buildings with a Group A-5 occupancy in accordance with Section 303.6.

Section 403.3 Automatic sprinkler system; *Exception; delete item 2.*

Section 404.5 Smoke control; *delete Exception.*

Section 406.3.4 Separation; *change item #3 and add items #4 and #5 to read as follows:*

3. A separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides, constructed of non-combustible materials, and that the distance between the two is at least 10 feet (3048 mm) measured eave-to-eave horizontally.

4. A separation is not required between any occupancy and an accessory U carport provided the carport is entirely open on all sides, the eave-to-eave or eave-to-property line (assumed or real) horizontal separation is at least 5 feet, constructed of non-combustible materials, non-sprinklered and for the storage of automobiles.

5. Shade structures used for commercial playgrounds do not require fire separations provided shading materials have flame-retardant certificates and framing members are of non-combustible construction.

Section 406.8 Repair garages; *add a second paragraph to read as follows:*

This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other minor repairs.

Section 501.2, Premises identification; *is changed to read as follows:*

Approved numerals of minimum six (6) inches height and of a color contrasting with the background designating address shall be placed on all new and existing buildings or

structures as to be plainly visible and legible from the street or road fronting the property and from all rear alleyways where said alleyways exist. Where buildings do not immediately front a street, approved six (6) inch height building numerals or address and three (3) inch height suite/apartment numerals of a color contrasting with the background of the building shall be placed on all new and existing buildings or structures. Numerals or addresses shall be posted on a minimum twenty (20) inch by thirty (30) inch background or border.

Section 506.2.2 Open space limits; *add sentence to read as follows:*

506.2.2 Open space limits. Such open space shall be either on the same lot or dedicated for public use and shall be accessed from a street or approved fire lane. In order to be considered accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway meeting fire department access from the street or approved fire lane shall be provided.

Section 712.1.8 Two-story openings; *change item 5 to read as follows:*

5. Is not open to a corridor in Group I, R and H occupancies.

Section 713.14.1 Elevator Lobby; *Exceptions: 4.3 change to read as follows:*

4.3 Elevators serving floor levels over 55 feet (16.7m) above the lowest level of fire department vehicle access in high rise buildings.

Section 901 General

Section 901.4.3 Fire areas; *is amended by the deletion of this section.*

Section 901.4.3 Fire areas. Where buildings, or portions thereof, are divided into fire areas so as not to exceed the limits established for requiring a fire protection system in accordance with this chapter, such fire areas shall be separated by fire barriers constructed in accordance with Section 707 of the International Building code or horizontal assemblies constructed in accordance with Section 711 of the International Building Code, or both, having a fire-resistance rating of not less than that determined in accordance with Section 707.3.9 of the International Building Code.

Section 901.5 Installation acceptance testing; *amended by the addition of the following:*

Section 901.5 Installation acceptance testing. All required tests shall be conducted by and at the expense of the owner or his representative. The Fire Department shall not be held responsible for any damages incurred in such test. Where it is required that the Fire Department witness any such test, such test shall be scheduled with a minimum of 48 hour notice to the Fire Chief or his representative.

Section 901.7 Systems out of service; *is amended to read as follows:*

Section 901.7 Systems out of service. Where a required fire protection system is out of service or in the event of an excessive number of activations, the fire department and the code official shall be notified immediately and, where required by the code official, the building shall either be evacuated or standby personnel shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

Where utilized, standby personnel shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

Section 903 Automatic Sprinkler Systems

Section 903.1.1 Alternative protection; *is amended to read as follows:*

Section 903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard and approved by the *fire code official*.

Section 903.2 Where required; *is amended to read as follows:*

Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machines spaces, and elevator hoistways. Storage shall not be allowed within the elevator machine room.

Section 903.2 Where required; *is amended by the deletion of the following:*

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or not less than 2-hour horizontal assemblies constructed in accordance, with Section 711 of the *International Building Code*, or both.

Section 903.2.1.1, 903.2.1.3, 903.2.1.4, 903.2.3, 903.2.4 903.2.7, 903.2.9, and 903.2.9.1 *are amended to read as follows:*

Section 903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 Occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.4m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.
4. The fire area contains a multi theater complex.

Section 903.2.1.3 Group A-3. An automatic sprinkler system shall be for Group A-3 Occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.4m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.

Section 903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 Occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.4m²).
2. The fire area has an occupant load of 300 or more
3. The fire area is located on a floor other than the level of exit discharge.

Section 903.2.3 Group E. An automatic sprinkler system shall be provided for Group E Occupancies where one of the following conditions exists:

1. Throughout all Group E fire areas greater than 6,000 square feet (557.4m²) in area;
2. Throughout every portion of educational building below the level of exit discharge.

Exception: An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one exterior exit door at ground level.

Section 903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 Occupancy where one of the following conditions exists:

1. Where a Group F-1 fire area exceeds 6,000 square feet (557.4m²);
2. Where a Group F-1 fire area is located more than three stories above grade plane;
or
3. Where combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230m²).
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

Section 903.2.7 Group M. An automatic sprinkler system shall be provided throughout all buildings containing a Group M Occupancy where one of the following conditions exists:

1. Where a Group M fire area exceeds 6,000 square feet (557.4m²);
2. Where a Group M fire area is located more than three stories above grade plane;
or
3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230m²).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464m²)

Section 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 Occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 6,000 square feet (557.4m²);
2. A Group S-1 fire area is located more than three stories above grade plane; or
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230m²).
4. A Group S-1 *fire area* used for the storage of commercial trucks or buses where the *fire area* exceeds 5,000 square feet (464m²).
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2500 square feet (232m²).

Section 903.2.9.1 Repair Garages. An automatic sprinkler system shall be provided throughout all buildings used as Repair Garages where one of the following conditions exists:

1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 6,000 square feet (557.4m²);
2. One-story buildings with a fire area containing a repair garage exceeding 6,000 square feet (557.4m²);
3. Buildings with a repair garage servicing vehicles parked in the basement.
4. A Group S-1 *fire area* used for the repair of commercial trucks or buses where the *fire area* exceeds 5,000 square feet (464m²).

Section 903.2.9 Group S-1; *is amended by the addition of the following:*

Section 903.2.9.3 Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities. A screen shall be installed at eighteen (18) inches below the level of the sprinkler heads to restrict storage above that level. This screen shall be a mesh of not less than one (1) inch nor greater than six (6) inches in size. The screen and its supports shall be installed such that all elements are at least eighteen (18) inches below any sprinkler heads.

Section 903.2.11.3 Buildings more than 35 feet in height; *is amended to read as follows:*

903.2.11.3 Buildings more than 35 feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the *International Building Code*, that are located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access.

Exception: Open parking structures in compliance with Section 406.5 of the *International Building Code*.

Section 903.2.11 Specific building areas and hazards; *is amended by the addition of the following:*

Section 903.2.11.7 High Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4,572 mm), see Chapter 32 to determine if those provisions apply.

Section 903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

Section 903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings over 6,000 sq. ft. and greater, and in all existing buildings that are enlarged to be 6,000 square feet or greater, and in buildings greater than 6,000 square feet which are enlarged. For the purpose of this provision, fire walls, fire barriers, or horizontal assemblies shall not define separate buildings.

Exceptions:

1. Open parking garages in compliance with Section 406.5 of the *International Building Code*.
2. When of non-combustible construction, the area of awning extension or free-standing canopies, both sides, and not used for display or storage shall not be considered for requiring sprinkler protection for areas greater than 6,000 square feet but less than otherwise required in this code.

Section 903.2.11.10 Expanded Tenant Spaces. Fire sprinklers shall be installed in all tenant spaces where the total fire area exceeds 6,000 square feet. For the purpose of fire sprinklers, fire walls, fire barriers, or horizontal assemblies shall not be used to separate single tenant fire areas.

Section 903.3.1.1.1 Exempt locations; *is amended to read as follows:*

Section 903.3.1.1.1 Exempt locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
3. Fire service access elevator machine rooms and machinery spaces.
4. Machine rooms and machinery spaces associated with occupant evacuation elevators designed in accordance with Section 3008 of the *International Building Code*.

Section 903.3.1.2 NFPA 13 R Sprinkler system; *add Section to read as follows:*

Sec 903.3.1.2 NFPA 13 R Sprinkler systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinklers shall be installed throughout in accordance with NFPA 13R. Sprinkler systems installed in accordance with 13R shall include sprinkler protection in combustible attics of buildings two (2) or more stories in height.

Section 903.3.1 Standards; *is amended by the addition of the following:*

Section 903.3.1.4 Installation. Automatic sprinkler and standpipe systems shall be installed with the following:

1. A single underground supply from a looped water main and point for the Fire Department Connection (FDC) shall be provided for all buildings.
2. Fire department connections serving more than 500 GPM shall be provided with one 5-inch Storz connection and one 2-1/2 inch connection.
3. All inspectors' test, ball-drips, and main-drains shall be piped directly to the outside of the building.
4. At least one inspection test valve shall be located at the remote system area.
5. Risers shall be equipped with a properly sized test header.
6. Fire pumps shall be equipped with a properly sized test header.
7. Underground piping shall have a 10-foot minimum separation from all other utilities and placed in a separate trench. Underground piping within 5 feet of the building may be combined with other utilities for entrance to the building.
8. Porches and balconies shall be sprinklered on all Group R-2 and R-3 occupancies.
9. A minimum of 4-feet of pipe between the check valve and inside wall of the Fire Department Connection.

Section 903.3.5 Water supplies; *is amended to include a second paragraph to read as follows:*

Section 903.3.5 Water supplies. Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor.

Section 903.4 Sprinkler system monitoring and alarms; *is amended to include a second paragraph after the exceptions to read as follows:*

Section 903.4 Sprinkler system monitoring and alarms. Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for a minimum of 45 seconds and not more than 90 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section 903.4.2 Alarms; *is amended to include second paragraph to read as follows:*

Section 903.4.2 Alarms. The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

Section 903.4.3 Floor control valves; *is amended to read as follows:*

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Section 905 Standpipe Systems

Section 905.2 Installation standards; *is amended to read as follows:*

Section 905.2 Installation standards. Standpipe system shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

Section 905.3 Required Installations.

Section 905.3.2 Group A; *is amended to read as follows:*

Section 905.3.2 Group A; *delete exceptions 1 and 2.*

Section 905.3.4; *delete the section.*

Section 905.3; *is amended to add section 905.3.9 as follows:*

Section 905.3.9 Travel Distance. Class I standpipes shall also be required on all occupancies in which the distance from accessible points for Fire Department ingress to any point in the structure exceeds two hundred fifty feet (250') along the route that a fire hose is laid as measured from the fire lane.

Section 905.4, item 5; *is amended to read as follows:*

Section 905.4 Location of Class I standpipe hose connections.

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of stairways with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

Section 905.4, *is amended to by the addition of item 7 as follows:*

Section 905.4 Location of Class I standpipe hose connections.

7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter.

Section 905.5; *delete the section.*

Section 905.6; *delete the section.*

Section 905.9 Valve supervision; *is amended to add a second paragraph after the exceptions to read as follows:*

Section 905.9 Valve supervision. Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for a minimum of 45 seconds and not more than 90 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section 907 Fire Alarm and Detection Systems

Section 907.1.1 Construction documents; *is amended by the addition of the following:*

Section 907.1.1 Construction documents. Plans for fire alarm systems shall be in accordance with Plano Fire Department Fire Alarm Submittal Guidelines.

Section 907.1 General; *is amended by the addition of the following:*

Section 907.1.4 Design Standards. All alarm systems new or replacement shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after January 1, 1998, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 18 months of permit application.

Section 907.2.1; *is amended to read as follows:*

Section 907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with new Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the International Building Code shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

Activation of fire alarm notification appliances shall:

1. Cause illumination of the means of egress with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

Section 907.2.3; *is amended to read as follows:*

Section 907.2.3 Group E. A Manual alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems. Where automatic fire sprinklers are not provided, a full-coverage smoke detection system shall be provided in all Group E occupancies.

Section 907.2.3, Exception 1; *is amended to read as follows:*

1. A manual fire alarm system is not required in Group E educational and day care occupancies with an occupant load of less than 30 when provided with an approved automatic sprinkler system.

- 1.1 Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 ½ or less years of age, see Section 907.2.6)

Section 907.2.6; *amended by the addition of the following:*

Section 907.2.6.4 Group I-4 Occupancies. An approved smoke detection system shall be installed in Group I 4 occupancies. Where automatic fire sprinklers are not provided, a full-coverage smoke detection system shall be provided in all Group I-4 occupancies.

Sec 907.2.13 High-rise Buildings.

Section 907.2.13, exception 3; *is amended to read as follows:*

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*, when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.

Sec 907.4 Initiating devices.

Section 907.4.2; *is amended by the addition of the following:*

Section 907.4.2.7 Type. Manual alarm actuating devices shall be an approved double action type.

Section 907.6.1 Wiring; *is amended by the addition of the following:*

Section 907.6.1.1 Wiring. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet of separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (ICD) from an addressable input (monitor) module may be wired Class B provided the distance from the addressable module to the initiating devices is ten feet or less.

Section 907.6.5; *is amended by the addition of the following:*

Section 907.6.5.3 Communication Requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory, and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the device designation and location of addressable device

identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.

Section 907.6.5.4 Flow detectors and electronic monitoring. Sprinkler and standpipe system water flow detectors shall be provided for each floor zone to the sprinkler system and shall cause an alarm upon detection of water flow for a minimum of 45 seconds and not more than 90 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a trouble signal at the central station upon tampering.

Section 909 Smoke Control Systems

Section 909.6; *is amended by the addition of the following:*

Section 909.6.3 Pressurized stairways and elevator hoistways. When stairways or elevator hoistways are pressurized, such pressurization systems shall comply with Section 909 as smoke control systems, in addition to the requirements of the Building Code Sections 909.20 and 909.21.

Section 910 Smoke and Heat Removal

Section 910.2; *is amended by the addition of the following:*

Section 910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3 and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

Section 910.3 *is amended as follows:*

Section 910.3 Design and installation. *Change the title of the first row of the table from "Group F-1 and S-1" to include "Group H" and to read as follows:*

Group H, F-1, S-1

Table 910.3; *Change the title of the first row of the table to read as follows:*

**[F] TABLE 910.3
REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS^a**

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (feet)	MINIMUM DRAFT CURTAIN DEPTH (feet)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet)	VENT-AREA TO-FLOOR-AREA RATIO ^c	MAXIMUM SPACING OF VENT CENTERS (feet)	MAXIMUM DISTANCE TO VENTS FROM WALL OR DRAFT CURTAINS ^b (feet)
Group F-1, H and S-1	—	$0.2 \times Hd$ but ≥ 4	50,000	1:100	120	60
<i>(Balance of table remains unchanged)</i>						

Section 910.3.2.1; *Gravity-operated drop out vents are deleted.*

Sec 910.3.2.2 *is amended by the addition of the following:*

Section 910.3.2.2 Sprinklered Buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100°F (38°C) greater than the temperature rating of the sprinklers installed.

Section 912.2 Fire Department Connections

Section 912.2.3 Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

Section 913 Fire Pumps

Section 913.1; *is amended to include the following:*

Section 913.1 General. When located on the ground level, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by Section 506.1.

Section 913.4; *is amended to read as follows:*

Section 913.4 Supervision. Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention devices or assembly shall be supervised open by a central-station, proprietary, or remote-station signaling service.

The fire-pump system shall also be supervised for “loss of power”, and “phase reversal” on supervisory circuits, and “pump running” as an alarm condition and shall report individually to the monitoring station.

Section 914 Fire Protection Based on Special Detailed Requirements of Use and Occupancy

Section 914.3.1.2; *is amended to read as follows:*

Section 914.3.1.2 Water supply to required fire pumps. Section 913 Fire Pumps In buildings that are more than 420 feet (128m) in *building height*, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: Two connections to the same main shall be permitted provided the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through no fewer than one of the connections.

Section 1007.1; *add the following Exception 4:*

4. Buildings regulated under state law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.

Section 1007.5 Platform lifts; *amend to read as follows:*

1007.5 Platform lifts. Platform (wheelchair) lifts . . . required *accessible route* in Section 1109. 8, Items 1 through 10. Standby power . . {remainder unchanged}

Section 1008.1.9.4 Bolt locks; *amend exceptions 3 and 4 as follows:*

Exceptions:

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy. {*Remainder unchanged*}
4. Where a pair of doors serves a Group A, B, F, M or S occupancy. {*Remainder unchanged*}

Section 1008.1.9.9 Electromagnetically locked egress doors; *change to read as follows:*

1008.1.9.9 Electromagnetically locked egress doors. Doors in the *means of egress* in buildings with an occupancy in Group A, B, E, I-1, I-2, I-4, M, R-1 or R-2 and doors to tenant spaces in Group A, B, E, I-1, I-2, I-4, M, R-1 or R-2 shall be permitted to be electromagnetically locked if equipped with *listed* hardware that incorporates a built-in switch and meet the requirements below: *{remaining text unchanged}*

Section 1015 Electrical Rooms; *add new section 1015.7 to read as follows:*

1015.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

Section 1016 Exit access travel distance; *add new section 1016.2.2 to read as follows:*

1016.2.2 Group F-1 and S-1 Increase. The maximum exit access travel distance shall be 400 feet (122m) in Group F-1 or S-1 occupancies where all of the following are met:

1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height;
2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7.3m); and
3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

Section 1018.1 Construction; *add exception 6 to read as follows:*

6. In Group B office buildings, corridor walls and ceilings within single tenant spaces need not be of fire-resistive construction when the tenant space corridor is provided with system smoke detectors connected to an approved automatic fire alarm, the actuation of any detector shall activate alarms audible in all areas served by the corridor.

Section 1018.6 Corridor continuity; *amend to read as follows:*

1018.6, Corridor continuity. Fire-Resistance-Rated corridors shall be continuous from the point of entry to an *exit*, and shall not be interrupted by intervening rooms. *{Remainder unchanged}*

Section 1026.6 Exterior stairway and ramp protection; *amend to read as follows:*

Exceptions: *{Exceptions 1 through 3 unchanged}*

4. Separation from the interior open-ended corridors of the building... *{remaining text unchanged}*

Section 1028.1.1.1 Spaces under grandstands; delete.

Section 1101.2 Design; add exception to read as follows:

Exceptions: Projects registered with the Architectural Barriers Division of the Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this Chapter.

Section 1103.2 General exceptions; add exceptions

1103.2.16. Religious Facilities. A space used primarily for religious rituals, as determined by the owner or occupant. To facilitate plan review, the owner, or occupant shall include a clear designation of such areas with submitted plans. This exemption does not apply to common areas. Common areas include but are not limited to: parking facilities, accessible routes, walkways, hallways, toilet facilities, entrances, public telephones, drinking fountains, and exits.

Section 1106 Parking and Passenger Loading Facilities, is deleted in its entirety.

Table 1505.1 Minimum roof covering classification for types of construction; delete footnote c and replace footnote b with the following:

b. Non-classified roof coverings shall be permitted on buildings of U occupancies having not more than 120 sq. ft. of protected roof area. When exceeding 120 sq. ft. of protected roof area, buildings of U occupancies may use non-rated non-combustible roof coverings.

c. {delete}

Section 1505.7 Special purpose roofs; delete the section

Section 1510.1 General; add a sentence to read as follows:

1510.1 General. Materials and application methods used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15. All individual replacement shingles or shakes shall be in compliance with the rating required by Table 1505.1.

Section 1603.2; *add chart to read as follows:*

GROUND SNOW LOAD	WIND DESIGN		SEISMIC CATEGORY ^f	DESIGN
	SPEED ^d (mph)	Topographic Effects ^k		
5 lb/ft ²	90 (3-sec-gust)/76 fastest mile	No	A	

SUBJECT TO DAMAGE FROM		
Weathering ^a	Frost line depth ^b	Termite ^c
moderate	6"	very heavy

WINTER DESIGN TEMP ^e	ICE BARRIER UNDER-LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
22°F	No	local code	150	64.9°F

Section 1704.2, Special inspections; *add last sentence to read as follows:*

1704.2 Special inspections. The special inspector shall not be employed by the contractor.

Section 1704.2.1; Special inspector qualification; *is amended to read as follows;*

1704.2.1 Special inspector qualifications. Upon Request...*{remainder unchanged}*

Section 1704.2.4 Report requirement; *is amended to read as follows;*

1704.2.4 Report requirement. Special inspectors shall keep records of inspections. Upon Request, the special inspector*{remainder unchanged}*

Section 1704.2.4 Report requirement; *last sentence is amended to read as follows;*

1704.2.4 Report requirement. A final report documenting required special inspections and correction of any discrepancies noted in the inspections shall be submitted prior to certificate of occupancy is issued.

Section 1704.2.5; *add sentence to read as follows:*

1704.2.5 Inspection of fabricators. This section provides minimum requirements for inspection of fabricators for buildings in Group E Occupancies and buildings in excess of 55 feet in height; *{remainder unchanged}*

Section 1704.2.5.2 Fabricator approval; *is amended to read as follows;*

1704.2.5.2 Fabricator approval. Special inspections are not required where the work is done on premises of a fabricator approved to perform such work based on review of the quality control manual and procedures of the fabricator, approved by an approved special inspection agency. Upon request, at completion of fabrication, the approved fabricator may submit a certificate of compliance to the registered design professional in responsible charge stating.....{remainder unchanged}

Sections 1704.3.2 Seismic thru Section 1704.5.2 Wind requirements; *Delete sections*

Section 1705.10 Wind Resistance; *Delete section:*

Sections 1705.10.1 Special Inspections for Wind Resistance thru Section 1705.12.4 Seismic isolation systems; *Delete sections*

Section 2901.1 Scope; *add a sentence to read as follows:*

2901.1 Scope. *{existing text to remain}* The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

Section 2902.1 Minimum number of fixtures; *add a second paragraph to read as follows:*

In other than E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official.

Table 2902.1; *change footnote f to read as follows:*

f. Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining and/or drinking establishments.

Section 2902.1; *add new Sections to read as follows:*

2902.1.3 Additional fixtures for food preparation facilities. In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

2902.1.3.1 Hand washing lavatory. At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

2902.1.3.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the **City** of Plano Health Department.

Section 2902.2 Separate Facilities; *change Exception 2 as follows:*

2. {Remainder unchanged}..... Unless otherwise required by City of Plano Health Department.

Section 3006.1; *change to read as follows:*

3006.1, Access; Elevator machine rooms shall be provided. *{Remainder unchanged.}*

3006.4. Machine Rooms and Machinery Spaces: *{text unchanged}*... Storage shall not be allowed within the elevator machine room. Provide approved signage at each entry door to the elevator machine room stating “Elevator Machinery – No Storage Allowed.”

Section 3006.4; *Delete exceptions 1 and 2*

Section 3006.5 Shunt trip. *Deleted in its entirety.*

Section 3109.1; *change to read as follows:*

3109.1 General. Swimming pools shall comply with the requirements of sections 3109.2 through 3109.5 and other applicable sections of this code and complying with applicable state laws.

Section 3401.5 Alternative Compliance. Work performed in accordance with the International Existing Building Code shall be deemed to comply with the provisions of this chapter with prior approval from the Building Official.

Section 3401.6 Dangerous Conditions. *{Remainder unchanged.}*

Section III. 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 IV. 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 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 provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. This Ordinance shall become effective January 1, 2014, and after its passage and publication as required by law.

DULY PASSED AND APPROVED this, the 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): Diana Casady #5993				
CAPTION				
<p>An Ordinance of the City of Plano, Texas partially repealing City of Plano Ordinance No. 2011-1-13 codified as Article XX, Residential Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Residential Code with certain additions, deletions, and amendments, as the Residential Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
<p>COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: An Ordinance of the City of Plano repealing in its entirety the City of Plano Ordinance No. 2011-1-13, and adopting the 2012 Edition of the International Residential Code relates to the City's goal of a Safe Large City.</p>				
SUMMARY OF ITEM				
<p>This Ordinance will adopt the most recent version of the International Residential Code published by the International Code Council and includes regional amendments which have been developed by the North Central Texas Council of Governments. Public review of the codes was held at the Building Standards Commission meetings held in March, April, May, June, July and August. The Building Standards Commission at its August 20, 2013 meeting voted unanimously to forward this Code and amendments to the City Council for adoption as the Building Code for the City of Plano.</p>				
List of Supporting Documents: Letter from the Home Builders Association Letter from Council of Governments Letter from the Building Standards Commission		Other Departments, Boards, Commissions or Agencies Building Standards Commission		



5816 West Plano Parkway
Plano, TX 75093
(972) 931-4840 Fax: (972) 267-0426
www.DallasBuilders.com

August 6, 2013

Selso Mata, Chief Building Official
City of Plano
1520 Avenue K
Plano, Texas 75086-0358

Dear Mr. Mata:

The Dallas Builders Association appreciates the role building codes play in maintaining the integrity of home construction in our area. As such, the Association conducts a detailed review of each International Code Council (ICC) code that pertains to the residential construction industry. This review emphasizes health and safety as well as housing affordability concerns.

As it has for many years, the Association was an active participant in reviewing the 2012 ICC codes serving on the North Central Texas Council of Governments Regional Codes Coordinating Committee (RCCC). Our members and staff were provided an opportunity during that process to convey the industry's concerns and many of those concerns were incorporated into the amendments that are now being considered for adoption by the City of Plano.

Thanks to the RCCC process and for the advanced notice that you have provided the Association to review Plano's local amendments, the Dallas Builders Association is comfortable with the residential provisions of Plano's 2012 code amendments package as presented. We appreciate your proactive efforts to seek our input and we look forward to being a continued resource for housing in the City of Plano and throughout the Dallas area.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Crone".

Phil Crone
Executive Officer
Dallas Builders Association

OFFICERS

President

Joe Chamberlain, CGB, GMB, CGP
Caprock Custom Construction, Inc.

First Vice President

Jeff Dworkin, CGP
JLD Custom Homes

Vice President/Secretary

Frank Murphy
Wynne/Jackson Inc.

Treasurer

Ben Beckelman, CGB, CGP

Executive Officer

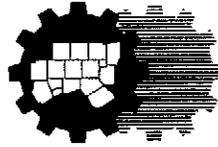
Phil Crone, CGP, JD

2013 INDUSTRY INVESTORS

Atmos Energy
The Bath & Kitchen Showplace
Fox Energy Specialists
Holchkiss Insurance Agency
StrucSure Home Warranty
Texas Door & Trim Inc.

AFFILIATED WITH:

Texas Association of Builders
National Association of Home Builders



North Central Texas Council Of Governments

RECEIVED

JUN 14 2013

BG
CITY MANAGER'S OFFICE

TO: Jurisdictions throughout the North Central Texas Region **DATE:** June 10, 2013

SUBJECT: Model Construction Code Recommendations for North Central Texas

The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs.

In 2011, NCTCOG's Regional Codes Coordinating Committee (RCCC) directed its Code Advisory Boards to review the International Code Council's 2012 family of model construction codes. The Advisory Boards, comprised of over 100 code professionals representing local jurisdictions and professional associations, held open meetings to consider the codes and achieve consensus on any needed regional amendments. Many national and regional subject matter experts also gave testimony and participated in the process.

As a result, the NCTCOG Executive Board, upon the recommendation of the RCCC and its Advisory Boards, encourages your jurisdiction to adopt the following model construction codes along with their respective regional amendments:

- ◆ **International Building Code – 2012 Edition**
- ◆ **International Residential Code – 2012 Edition**
- ◆ **International Fire Code – 2012 Edition**
- ◆ **International Plumbing Code – 2012 Edition**
- ◆ **International Mechanical Code – 2012 Edition**
- ◆ **International Fuel Gas Code – 2012 Edition**
- ◆ **International Energy Conservation Code - 2012 Edition**

NCTCOG recommends adopting these codes with no local amendments other than the regional amendments as expeditiously as possible. The ultimate goal is regional uniformity in the model construction codes for the North Central Texas region. NCTCOG feels strongly that municipalities, contractors, architects, builders, and manufacturers will benefit from the positive economic results coming from achievement of that goal.

As a follow-up measure, the RCCC intends to submit some of the regional amendments as proposed changes during the next international code change cycle. In the past, several NCTCOG regional amendments have been incorporated into the codes when those amendments were proposed as code changes to the main documents.

PLEASE NOTE:

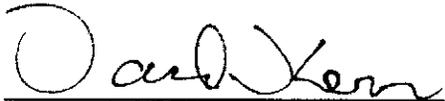
There is a wide range in the fire fighting philosophies/capabilities of cities across the region; the consensus of the RCCC has been to include both an OPTION "A" and an OPTION "B" in the fire, building and residential code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies/capabilities when adopting code amendments.

You may access our website at www.dfwcodes.com to obtain a copy of the recommended regional amendments. For more information regarding regional codes, contact Sam Brush, Manager of Environment & Development, by email at sbrush@nctcog.org or by phone at (817) 695-9213.

We appreciate your support of our continued efforts toward regional code uniformity. Please send a copy of your adopting ordinance(s) to NCTCOG including amendments. Your ordinance will help us to document the effectiveness of the codes coordinating effort in our region and may be used to provide a model to other jurisdictions.



Mike Eastland, Executive Director
North Central Texas Council of Governments



David Kerr, Chairman
Regional Codes Coordinating Committee

SWB/



Memorandum

Date: August 20, 2013
To: Bruce Glasscock, City Manager
From: Art Stone, Chairman of the Building Standards Commission
Subject: Adoption of the 2012 International Codes with Amendments

The Building Standards Commission, along with staff, has reviewed the 2012 International Building Codes with amendments since March of this year. Monthly reviews have continued until completion in August. In addition, staff has vetted the codes with the North Central Council of Governments and made Plano amendment presentations for each code to our Board. All code review is now completed.

It is my pleasure to inform you that the Building Standards Commission unanimously recommends the following codes with amendments to Council for approval and adoption;

2012 International Building Code
2012 International Residential Code
2012 International Plumbing Code
2012 International Mechanical Code
2012 International Fuel Gas Code
2012 International Energy Conservation Code

Sincerely,

A handwritten signature in black ink that reads "Art Stone".

Art Stone
Chairman
Building Standards Commission

An Ordinance of the City of Plano, Texas partially repealing City of Plano Ordinance No. 2011-1-13 codified as Article XX, Residential Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Residential Code with certain additions, deletions, and amendments, as the Residential Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on January 10, 2011, by Ordinance No. 2011-1-13, the City Council of the City of Plano established a Residential Code and provided regulations thereunder, and such Ordinances were codified as Article XX, Residential Code, of Chapter 6 of the Code or Ordinances of the City of Plano (“City”); and

WHEREAS, on August 20, 2013, 2013, the Building Standards Commission held a public hearing to discuss the adoption of the 2012 Edition of the International Residential Code, a publication of the International Code Council (I.C.C.), and to receive input from the general public and all persons who may be affected by the proposed adoption; and

WHEREAS, due to changes in state law, the City Council is of the opinion that Section 6-710, Chapter 3, Section R325 of Article XX of Chapter 6 of the City Code of Ordinances established by Ordinance No. 2008-4-39 regarding Automatic Sprinkler Systems should be retained as codified in the City Code of Ordinances and that all remaining provisions of Ordinance No. 2011-1-13 should be repealed; 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 2012 Edition of the International Residential Code, and the additions, deletions, and amendments thereto, should be approved and adopted as the Residential Code of the City.

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

Section I. All provisions of Ordinance No. 2011-1-13, duly passed and approved by the City Council of the City of Plano on January 10, 2011, codified as Chapter 6, Article XX of the City of Plano Code of Ordinances are hereby repealed, with the exception of the below referenced section which is hereby explicitly retained and shall remain codified in its entirety:

Section 6-710, Chapter 3, Section R325 of Article XX of Chapter 6 of the City of Plano Code of Ordinances established by Ordinance No. 2008-4-39 regarding Automatic Sprinkler Systems as follows:

“Section R325, Automatic Sprinkler Systems. An automatic sprinkler system shall be installed in all new buildings 6,000 square feet and greater, and in all existing buildings that are enlarged to be 6,000 square feet or greater, and in building greater than 6,000 square feet which are enlarged. Only gross floor area within the exterior walls shall be used to calculate the building area.

Exception:

a. The floor areas of covered patios and porches open entirely on at least one side, except for guardrails, need not be included in the calculation of the area of the building.

Section II.

A new Article XX, Residential Code, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

ARTICLE XX. RESIDENTIAL CODE

DIVISION 1. GENERALLY

Sec. 6-708. Penalty.

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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Sec. 6-709. Adopted.

The 2012 Edition of the International Residential Code, a publication of the International Code Council (ICC), along with the Appendices of such Code, is hereby adopted and designated as the Residential Code of the City of Plano to the same extent as if such Code were copied verbatim in this Article, subject to deletions, additions, and amendments prescribed in this Article. A copy of the 2012 Edition of the International Residential Code is on file in the office of the City Secretary.

DIVISION 2. AMENDMENTS

Sec. 6-710. Deletions, Additions, Amendments.

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

Chapter 1, Administration

Section R101.1; Title:

Section R101.1 Title. These regulations shall be known as the Residential Code for One- and Two-family Dwellings of the City of Plano, Texas hereinafter referred to as "this code."

Section R102.4; *change to read as follows:*

Section R102.4 Referenced codes and standards. The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and

R102.4.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

Subsection R104.2, Applications and permits; is amended by the addition of *Subsection R104.2.1.*

Subsection R104.2.1, Adequate toilet facilities.

In partially completed phased subdivisions or projects, more than one permanent or temporary toilet may be required, but not less than one shall be provided and at least one permanent or temporary toilet facility shall be maintained in each subdivision or project for the employees or subcontractors of each builder holding a permit for a building in that subdivision or project. A toilet facility must be provided by each builder as long as the builder holds an active building permit in the subdivision or project.

“Permanent toilet facility” is defined as a room in an existing building or in the building being constructed with a water closet installed in such a room that conforms to the Plumbing Code and is continuously available to all workers involved in a construction project.

“Temporary toilet facility” is defined as a portable, fully enclosed, chemically sanitized toilet, which is serviced and cleaned at least once each week.

A Stop Work Order may be issued for any project not in compliance with this section.

Subsection R105.2, Work exempt from permit.

Building:

1. One-story... {item unchanged} does not exceed 120 square feet.
2. Item Deleted
5. Item Deleted

Subsection R105.3, Application for permit; *is amended by the addition of the following paragraphs:*

Registration:

To obtain a permit the applicant shall be registered as a contractor.

- a. Registration Requirements: Contractor may register by making application on forms provided by the Building Official. Electrical, irrigation, mechanical, and plumbing contractors shall provide proof of required State of Texas licenses and insurance.
- b. Revocation/Suspension: A contractor’s registration may be suspended for the following causes:
 1. The contractor fails to finalize permits by obtaining the required, approved inspections.
 2. The contractor allows use or occupancy of a structure for which a permit was obtained without first obtaining the required authorization.

3. Expiration, suspension or revocation of required license, bond or insurance.

Exception: Homeowners may obtain permits to do work at their residence without being registered.

Subsection R105.3.1, Action on application; *is amended by the addition of the following paragraph:*

A demolition permit may be withheld for any building or structure within the Plano Historic Building and Site Survey as designated in the Preservation Plan for a period not exceeding thirty (30) days pending review by the Heritage Commission.

Subsection R105.10. Withdrawn Permits. Permits may be withdrawn by the applicant if no work has commenced on the project. Permit fees exceeding \$50.00 may be partially refunded. Where applicable, fees will be refunded at 80 percent of their original value, excluding the plan review and fire protection plan review deposits.

Permits for which work has commenced may not be withdrawn unless a subsequent permittee has obtained a permit to complete the work, or when work has started unless an inspection has been made and the Building Official has determined that the existing work has created no violation of any code or ordinance.

Expired permits may be withdrawn if determined by the Building Official that no work has commenced.

Withdrawn permits with fees of less than fifty (\$50) dollars are nonrefundable.

Subsection R106.1, Submittal documents; *is amended by the addition of the following paragraph:*

Foundation plans and braced wall plans shall be submitted with each application. These plans shall be designed by an engineer licensed by the State of Texas and shall bear that engineer's seal, signature, and date. Braced wall design plans may be approved by the building official.

All structural plans, 6,000 square feet and greater under roof, shall be designed by an engineer licensed by the State of Texas and shall bear that engineer's seal, signature, and date.

Subsection R106.3.1, Approval of construction documents; *is changed to read as follows:*

When the building official issues a permit, the construction documents shall be approved, in writing, or by a stamp which states "APPROVED and APPROVED AS NOTED BY THE BUILDING OFFICIAL" {the remainder of the section is unchanged}

Section 108.7 Re-inspection Fee; *add Section 108.7 to read as follows:*

108.7 Re-inspection Fee. A reinspection fee may be charged but not be limited to the following:

- 1.The inspection called for is not ready when the inspector arrives;
- 2.No building address or permit card is clearly posted;
- 3.Approved plans are not on the job site available to the inspector;
- 4.The building is locked or work otherwise not available for inspection when called;
- 5.The job site is red-tagged twice for the same item;
- 6.The original red tag has been removed from the job site and/or,
- 7.Violations exist on the property including failure to maintain erosion control, trash control or tree protection.

Section R110 (R110.1 through R110.5); *is deleted in its entirety.*

Section R112, Board of Appeals; *is changed so that the Section title shall read “Building Standards Commission,”* and each reference to a “board” or “board of appeals,” shall be replaced with “commission,” or “building standards commission,” as applicable.

Subsection R112.2.1, Determination of substantial improvement in areas prone to flooding; *is deleted in its entirety.*

Subsection R112.2.2, Criteria for issuance of a variance of areas prone to flooding; *is deleted in its entirety.*

Subsection R112.3, Qualifications; *is deleted in its entirety*

Subsection R113.2, Notice of violation; *is deleted in its entirety.*

Subsection R113.3, Prosecution of violation; *is deleted in its entirety.*

Subsection R113.4, Violation penalties; *is deleted in its entirety.*

Subsection R114, Stop Work Order; *is amended by the addition of Subsection R114.3, to read as follows:*

Subsection R114.3, Construction debris

a. Whenever work is being done that is authorized by a permit, and construction debris from that work is not confined to a container or to a site on the property approved by the Building Official or his designee, and such construction debris poses a threat to public health, safety and comfort so that it constitutes a nuisance, the Building Official or his designee may order the work stopped and the Contractor shall clean up the construction debris within thirty-six (36) hours of receiving written notice of the violation. After the expiration of the thirty-six (36) hour period, Contractor shall pay City a reinspection fee to offset costs incurred by City due to reinspection and any costs of cleanup incurred by the City before the stop work order is lifted.

b. As used herein, the term “Construction Debris” shall include all materials utilized in the construction process, including all litter and debris deposited and left remaining upon the premises of a job site by a Contractor, Subcontractor, and their employees, agents, and assigns.

Chapter 2, Definitions

Section R202, definition of "Townhouse"; *is changed to read as follows:*

A single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with open space on at least two sides.

Section R202, *add definition of “Floor Area, Gross” as follows:*

The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts;

Section R202; *add definition of “Recreation Room” as follows;*

A room in a dwelling unit which is intended for uses such as viewing television or films, listening to recordings, or participating in video or similar games. The area of this room is not to exceed one-tenth of the floor area of the habitable space of the dwelling unit.

Chapter 3, Building Planning

Table R301.2(1); *fill in as follows:*

Ground Snow Load	Wind Design		Seismic Design Category ^f
	Speed ^d (mph)	Topographic Effects ^k	
5 lb/ft ²	90 (3-sec-gust)/76 fastest mile	No	A

Subject to damage from		
Weathering ^a	Frost line depth ^b	Termite ^c
moderate	6"	very heavy

Winter Design Temp ^e	Ice Barrier Under-Layment ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
22°F	No	01/02/80	69°F	64.9°F

{No change to footnotes }

Section R302.1; *add exceptions to read as follows:*

Exceptions: *{previous exceptions unchanged}*

6. Open metal carport structures may be constructed when also approved within adopted ordinances.
7. Encroachments: In town homes and patio homes, roof overhangs not exceeding two feet in width, and brick ledges which support exterior veneer walls not exceeding six inches in width, may project onto an adjoining property where an easement is provided for this specific purpose.

Section R302.2, *Exception; change to read as follows:*

Exception: A common two-hour fire-resistance-rated wall assembly, or one-hour fire-resistance-rated wall assembly when equipped with a sprinkler system... *{remainder unchanged}*

Section R302.2.4, *Exception 5; change to read as follows:*

Exception:

5. Townhouses separated by a common fire-resistance-rated wall as provided in Section R302.2.

Section R302.3; *add Exception #3 to read as follows:*

Exceptions:

1. *{existing language unchanged}*
2. *{existing language unchanged}*
3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

Section R302.5.1; *change to read as follows:*

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors.

Subsection R303.3, Bathrooms; *exception; is changed to read as follows:*

Exception: The glazed areas *{remainder unchanged}* unless the space contains only a water closet, a lavatory, or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

R303.4 Mechanical Ventilation; *change to read as follows:*

Where the air infiltration rate of a dwelling unit is 5 air changes per hour when tested with a blower door at a pressure of 0.2 inch w.c. (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3.

Subsection R311.2 Egress Door; *addition to read as follows:*

All main or front entry doors to dwelling units shall be arranged so that the occupant has a view of the area immediately outside the door without opening the door. Such view may be provided by a door viewer having a field of view of not less than 180 degrees through windows or through view ports.

Security block strike plate in wood frame construction and open space between trimmers and wood door jambs shall be solid shimmed by a single piece extending not less than 12 inches above and below the strike plate. In wood construction, an open space between trimmers and wood doorjambs shall be solid shimmed extending not less than 6 inches above and below the plate.

Section R313 Automatic Fire Sprinkler Systems. *Delete subsections in their entirety.*
Reference 2006 IRC Section 325, Automatic Sprinkler Systems. Ordinance No. 2008-4-39. Adopted prior to and in place and enforced January 1, 2009.

Subsection R314.3 Location; *is amended with the addition of the following:*

4. Enclosed Recreation/Media Rooms

R314.3.1, Alterations, Repairs and additions, *exception amended with the addition of the following;*

2. Installation, alteration or repairs of plumbing, mechanical, service upgrades, and simple alterations/remodels are exempt from the requirements of this section.

Section R314.4 Power Source; *exception is amended with the addition of the following;*

Exceptions:

1. Smoke alarms/carbon monoxide alarms {remainder unchanged}
2. Interconnection and hard-wiring of smoke alarms/carbon monoxide alarms {remainder unchanged}
3. Projects that may require review by the building official.

Section R315.3, *add exceptions as follows:*

Exceptions:

1. Work involving the exterior surfaces of *dwelling*s, such as the replacement of roofing or siding, or the *addition* or replacement of windows or doors, or the *addition* of a porch or deck, are exempt from the requirements of this section.

2. Installation, *alteration* or repairs of plumbing or mechanical systems are exempt from the requirements of this section.

Section R319.1 Address Numbers; *is amended with the addition of the following;*

Buildings shall...*{bulk of section unchanged}*...street or road fronting the property and from rear alleyways adjacent to the property. *{ remainder unchanged}*

Section R324 is omitted

{Section R325, initially adopted by Ordinance No. 2008-4-39 prior to January 1, 2009 and retained by the herein Ordinance as follows:}

Section R325, Automatic Sprinkler Systems. An automatic sprinkler system shall be installed in all new buildings 6,000 square feet and greater, and in all existing buildings that are enlarged to be 6,000 square feet or greater, and in buildings greater than 6,000 square feet which are enlarged. Only gross floor area within the exterior walls shall be used to calculate the building area.

Exception:

a. The floor areas of covered patios and porches open entirely on at least one side, except for guardrails, need not be included in the calculation of the area of the building.

Section R401.2, *amended by adding a new paragraph following the existing paragraph to read as follows.*

Section R401.2. Requirements. *{existing text unchanged}* ...

Every foundation and/or footing, of any size addition to an existing post-tension foundation regulated by this code shall be designed and sealed by a Texas-registered engineer.

Chapter 6, Wall Construction

Subsection R602.6, Drilling and notching – studs; *is amended by the addition of a sentence to read as follows:*

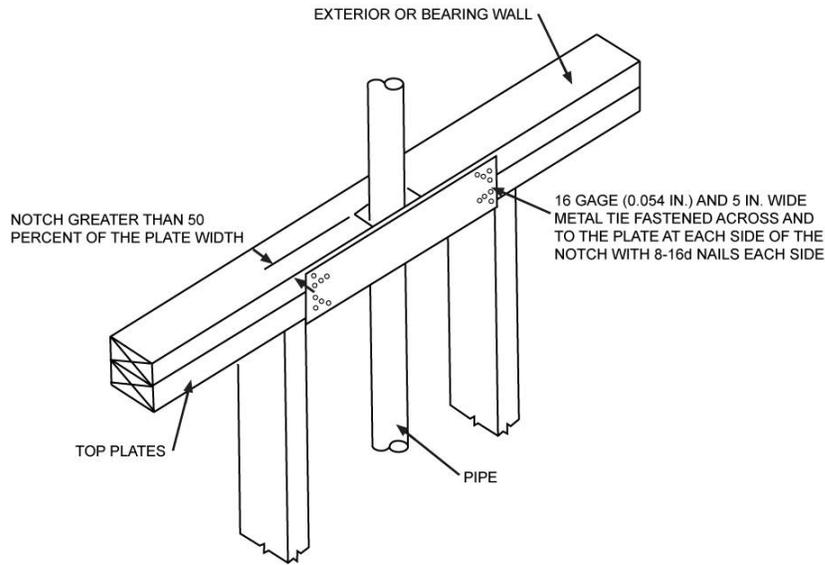
Studs that are drilled or notched for plumbing pipes shall be 2x6 or larger.

Section 602.6.1; *amend the following:*

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1. *{remainder unchanged}*

Figure R602.6.1; delete the figure and insert the following figure:

WALL CONSTRUCTION



For SI: 1 inch = 25.4 mm

FIGURE R602.6.1
TOP PLATE FRAMING TO ACCOMMODATE PIPING

Chapter 7, Wall Covering

Section R703.7.4.1; add a second paragraph to read as follows:

In stud framed exterior walls, all ties shall be anchored to studs as follows:

1. When studs are 16 in (407 mm) o.c. stud ties shall be spaced no further apart than 24 in (737 mm) vertically starting approximately 12 in (381 mm) from the foundation; or
2. When studs are 24 in (610 mm) o.c. stud ties shall be spaced no further apart than 16 in (483 mm) vertically starting approximately 8 in (254 mm) from the foundation.

Section R703.13; Metal Exterior Walls. is an added section to read as follows:

Metal exterior walls are prohibited on residential buildings.

Exception: Accessory Buildings that do not exceed 120 square feet in floor area in SF, PH, and 2F residential zoning districts.

Chapter 9, Roof Assemblies

Section R902.1; *Amend and add exception #3 to read as follows:*

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed. Classes A, B and C roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108

Exceptions:

1. *{text unchanged}*
2. *{text unchanged}*
3. *{text unchanged}*
4. Non-classified roof coverings shall be permitted on one-story detached *accessory structures* used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed (area defined by jurisdiction).

Subsection R905.1, Roof covering applications; *is amended by the addition of the following paragraphs:*

Roof systems in place prior to January 18, 1988, may be repaired with roof coverings of the same type as the original roof when all the following conditions are met:

1. The repair does not exceed twenty-five (25) percent of the roof.
2. The repair does not result in an increase in the total surface area of the roof.
3. Repairs shall not exceed (twenty-five) (25) percent of the roof surface area within any twelve month period unless Class C or better roof covering is provided.

Shingles and shakes shall be applied to roofs with solid sheathing. Existing roofs may be replaced over spaced sheathing. When spaced sheathing is used, sheathing boards shall not be less than 1-inch by 4-inch (25 mm by 102 mm) nominal dimensions and shall be spaced on centers equal to the weather exposure to coincide with the placement of fasteners. When 1-inch by 4-inch (25 mm by 102 mm) spaced sheathing is installed at 10 inches (254 mm) on center, additional 1-inch by 4-inch (25 mm by 102 mm) boards must be installed between the sheathing boards.

Chapter 11, Energy Efficiency

Residential Provisions for Energy Efficiency

Section N1102.2.12; *add Section N1102.2.12 to read as follows:*

N1102.2.12. Insulation installed in walls. Insulation batts installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the *building official*.

Chapter 13, General Mechanical System Requirements

Section M1305.1.3; *change to read as follows:*

M1305.1.3 Appliances in attics. Attics containing appliances requiring access shall be provided . . {bulk of paragraph unchanged} . . . sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger and large enough to allow removal of the largest appliance. As a minimum, access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.

Exceptions:

1. The passageway and level service space are not required where the *appliance* can be serviced and removed through the required opening.
2. Where the passageway is unobstructed...*{remainder unchanged}*

Subsection M1307.3.1, Protection from impact; is deleted in its entirety.

Chapter 14, Heating and Cooling Equipment

Section M1411.3; change to read as follows:

M1411.3 Condensate disposal. Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to an approved place of disposal a sanitary sewer through a trap, by means of a direct or indirect drain. {remaining text unchanged}

Section M1411.3.1, *Items 3 and 4;* add text to read as follows:

M1411.3.1 Auxiliary and secondary drain systems. *{bulk of paragraph unchanged}*

1. *{text unchanged}*
2. *{text unchanged}*
3. An auxiliary drain pan... *{bulk of text unchanged}*... with Item 1 of this section. A water level detection device may be installed only with prior approval of the *building official*.
4. A water level detection device... *{bulk of text unchanged}*... overflow rim of such pan. A water level detection device may be installed only with prior approval of the *building official*.

M1411.3.1.1 Water-level monitoring devices. On down-flow units ...*{bulk of text unchanged}*... installed in the drain line. A water level detection device may be installed only with prior approval of the *building official*.

Chapter 15, Exhaust Systems

M1503.4 Makeup Air Required; *amend and add exception as follows:*

M1503.4 Makeup air required. Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Exception: Where all appliances in the house are sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m³/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m³/s) shall be provided with a makeup air at a rate approximately equal to the difference between the exhaust air rate and 600 cubic feet per minute.

Chapter 20, Boilers/Water Heaters

Section M2005.2; *change to read as follows:*

M2005.2 Prohibited locations. Fuel-fired water heaters shall not be installed in a room used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that *combustion air* will not be taken from the living space. Access to such enclosure may be from the bedroom or bathroom through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an *approved* self-closing device. Installation of direct-vent water heaters within an enclosure is not required.

Section G2408.2 (305.5); Elevations of ignition source; *add exception 2.*

Exceptions:

1. {Unchanged}
2. Electric Water Heater.

Subsection G2408.3, Private garages; is deleted in its entirety.

Section G2415.2.1 (404.2.1); *add a second paragraph to read as follows:*

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an *approved* tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING
1/2 to 5 psi gas pressure
Do Not Remove"

Section G2415.2.2 (404.2.2); *add an exception to read as follows:*

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EDH).

Section G2415.12 (404.12); change to read as follows:

G2415.12 (404.12) Minimum burial depth. Underground *pipng systems* shall be installed a minimum depth of 18 inches (457 mm) below grade, except as provided for in Section G2415.12.1.

Section G2415.12.1 (404.12.1); change to read as follows:

G2415.12.1 Individual outside appliances. Individual lines to outside lights, grills or other appliances shall be installed a minimum of 12 inches (203 mm) below finished grade....{Rest unchanged}.

Section G2417.1 (406.1); change to read as follows:

G2417.1 (406.1) General. Prior to acceptance and initial operation, all *pipng* installations shall be inspected and *pressure tested* to determine that the materials, design, fabrication, and installation practices comply with the requirements of this *code*. The *permit* holder shall make the applicable tests prescribed in Sections 2417.1.1 through 2417.1.5 to determine compliance with the provisions of this *code*. The *permit* holder shall give reasonable advance notice to the *building official* when the *pipng system* is ready for testing. The *equipment*, material, power and labor necessary for the inspections and test shall be furnished by the *permit* holder and the *permit* holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

Section G2417.4; change to read as follows:

G2417.4 (406.4) Test pressure measurement. Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Gauges used to measure... {remainder unchanged}

Section G2417.4.1; change to read as follows:

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be not less than 3 psig (20 kPa gauge), or at the discretion of the Building Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. For tests requiring a pressure of 3 psi gauges shall utilize a dial with a minimum diaphragm diameter of three and one half inches (3 ½”), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½”), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi.

For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa)

(7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Section G2417.4.2; *change to read as follows:*

G2417.4.2 (406.4.2) Test duration. The test duration shall be held for a length of time satisfactory to the Building Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Building Official, but in no case for less than thirty (30) minutes.

Section G2420.1 (406.1); add Section G2420.1.4 to read as follows:

G2420.1.4 Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

Section G2420.5.1 (409.5.1); add text to read as follows:

G2420.5.1 (409.5.1) Located within the same room. The shutoff valve ...*{bulk of paragraph unchanged}*... in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

Section G2421.1 (410.1); add text and Exception to read as follows:

G2421.1 (410.1) Pressure regulators. A line pressure regulator shall be ... *{bulk of paragraph unchanged}*... approved for outdoor installation. Access to regulators shall comply with the requirements for access to appliances as specified in Section M1305.

Exception: A passageway or level service space is not required when the *regulator* is capable of being serviced and removed through the required *attic* opening.

Section G2422.1.2.3 (411.1.3.3); delete Exception 1 and Exception 4.

Section G2445.2 (621.2); add Exception to read as follows:

G2445.2 (621.2) Prohibited use. One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

Exception: Existing approved unvented room heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the

Building Official unless an unsafe condition is determined to exist as described in International Fuel Gas Code Section 108.7 of the Fuel Gas Code.

Section G2448.1.1 (624.1.1); *change to read as follows:*

G2448.1.1 (624.1.1) Installation requirements. The requirements for *water heaters* relative to access, sizing, *relief valves*, drain pans and scald protection shall be in accordance with this *code*.

Section P2603.5.1; *add to read as follows:*

P2603.5.1 Sewer Depth. Building sewers that connect to private sewage disposal systems shall be not less than 6 inches *{remainder unchanged}*. Building sewers shall be not less than 6 inches below grade.

Section P2801.6; *add Exception to read as follows:*

Exception:

1. Electric Water Heater.

Section P2902.5.3; *change to read as follows:*

P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

Table P2905.4; *change to read as follows:*

Table P2905.4 Water Service Pipe is amended by the deletion of PVC plastic pipe.

Section P3005.2.6; *change to read as follows:*

P3005.2.6 Upper Terminal. Each horizontal drain shall be provided with a cleanout at its upper terminal.

Exception: Cleanouts may be omitted on a horizontal drain less than five (5) feet (1524 mm) in length unless such line is serving sinks or urinals.

Section P3111; *delete.*

Section P3112.2; *delete and replace with the following:*

P3112.2 Installation. Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six (6) inches (152 mm) above the flood level rim of the fixtures served. Drainage fittings shall be used on all parts of the vent below the floor level and a minimum slope of one-quarter (1/4) inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drainboard shall be a one (1) piece fitting or an assembly of a forty-five (45) degree (0.79 radius), a ninety (90) degree (1.6 radius) and a forty-five (45) degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this Code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

Chapters 33-42, *Deleted in their entirety. Replace with the 2011 National Electrical Code*

Appendix G is adopted; *Swimming Pools, Spas and Hot Tubs*

Appendix M, *“Home Day Care – R3 Occupancy”* is amended to read as follows:

REQUIREMENTS FOR GROUP R; DIVISION 3.1 OCCUPANCIES
“In Home Daycare”

Subsection AM101.1 *General, changed in its entirety to read as follow:* Building or parts of buildings classified as R3.1 shall comply the provisions noted below along with any non-amended provisions located in Appendix M.

Subsection AM101.2 *Special Provisions* is added: All rooms or spaces used for the purpose of providing daycare shall be located on the ground floor. All stairways or ramps providing access to areas above or below the ground floor shall be made inaccessible to children by means of an approved permanent barrier located at the ground floor.

Subsection AM101.3. *Certificate of Occupancy is added:* A Certificate of Occupancy is required for all buildings containing R-3.1 occupancy. Such Certificate of Occupancy must be renewed annually in conjunction with the State mandated inspections conducted by the Fire Department. The Certificate of Occupancy will only be renewed when it is determined by the Fire Marshall that the building complies with all the provisions of this Chapter. Application for the Certificate of Occupancy shall be made in the Office of the Building Official and a fee shall be collected as prescribed in the approved fee schedule.

Section AM102 – *Definitions added the following:*

In home daycare or Day Care Center (in home) – An operation providing care in the caretaker's residence for less than 24 hours a day for up to 8 children under the age of 14, provided that the total number of children, including the caretaker's own children, is no more than 8 at any time. (ZC 2012-21; Ordinance No. 2012-8-16). *If required by the State of Texas, the daycare must be licensed or registered. Care provided to eight or fewer children is allowed by right.*

Habitable rooms – *Rooms use for living, sleeping, eating, and cooking.*

Subsection AM103.1.2 *Basements is deleted in its entirety.*

Subsection AM103.3 – Type of lock and latches for exits, adds the following: An approved emergency plan shall be posted and maintained in the dwelling.

Section AM104 *Smoke Detection is changed in its entirety and replacing AM104.1, AM104.2, and AM104.3 with the following subsections:*

Subsection AM104.1 *General, changed to read as follow:* Every habitable room in buildings housing R3.1 Occupancies shall be equipped with an approved smoke detector. All such smoke detectors shall be interconnected in such a manner that if smoke is detected by a detector, all of the detectors will alarm.

Exceptions: An approved heat detector may be substituted for the required smoke detector located in the kitchen in R3.1 Occupancies. All other requirements for smoke detection equipment for R3.1 Occupancies must be met.

Subsection AM104.2 *Kitchens is added,* Kitchens in buildings housing R3.1 Occupancies shall be equipped with an approved 2A:10-B:C fire extinguisher. An additional approved 2A:10-B:C fire extinguisher shall be located in the area of the building used for daycare purposes.

Section III. 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 IV. 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 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 provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. This Ordinance shall become effective January 1, 2014, and after its passage and publication as required by law.

DULY PASSED AND APPROVED this the 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): Diana Casady #5993				
CAPTION				
<p>An Ordinance of the City of Plano, Texas repealing in its entirety City of Plano Ordinance No. 2011-1-8, codified as Division 2 Plumbing Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Plumbing Code, with certain additions, deletions and amendments, as the Plumbing Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
<p>COMMENTS: This item has no fiscal impact.</p> <p>STRATEGIC PLAN GOAL: An Ordinance of the City of Plano repealing in its entirety the City of Plano Ordinance No. 2011-1-8, and adopting the 2012 Edition of the International Plumbing Code relates to the City's goal of a Safe Large City.</p>				
SUMMARY OF ITEM				
<p>This Ordinance will adopt the most recent version of the International Plumbing Code published by the International Code Council and includes regional amendments which have been developed by the North Central Texas Council of Governments. Public review of the codes was held at the Building Standards Commission meetings held in March, April, May, June, July and August. The Building Standards Commission at its August 20, 2013 meeting voted unanimously to forward this Code and amendments to the City Council for adoption as the Building Code for the City of Plano.</p>				
List of Supporting Documents: Letter from the Home Builders Association Letter from Council of Governments Letter from the Building Standards Commission		Other Departments, Boards, Commissions or Agencies Building Standards Commission		



5816 West Plano Parkway
Plano, TX 75093
(972) 931-4840 Fax: (972) 267-0426
www.DallasBuilders.com

August 6, 2013

Selso Mata, Chief Building Official
City of Plano
1520 Avenue K
Plano, Texas 75086-0358

Dear Mr. Mata:

The Dallas Builders Association appreciates the role building codes play in maintaining the integrity of home construction in our area. As such, the Association conducts a detailed review of each International Code Council (ICC) code that pertains to the residential construction industry. This review emphasizes health and safety as well as housing affordability concerns.

As it has for many years, the Association was an active participant in reviewing the 2012 ICC codes serving on the North Central Texas Council of Governments Regional Codes Coordinating Committee (RCCC). Our members and staff were provided an opportunity during that process to convey the industry's concerns and many of those concerns were incorporated into the amendments that are now being considered for adoption by the City of Plano.

Thanks to the RCCC process and for the advanced notice that you have provided the Association to review Plano's local amendments, the Dallas Builders Association is comfortable with the residential provisions of Plano's 2012 code amendments package as presented. We appreciate your proactive efforts to seek our input and we look forward to being a continued resource for housing in the City of Plano and throughout the Dallas area.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Crone".

Phil Crone
Executive Officer
Dallas Builders Association

OFFICERS

President

Joe Chamberlain, CGB, GMB, CGP
Caprock Custom Construction, Inc.

First Vice President

Jeff Dworkin, CGP
JLD Custom Homes

Vice President/Secretary

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Wynne/Jackson Inc.

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Ben Beckelman, CGB, CGP

Executive Officer

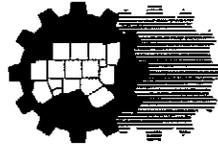
Phil Crone, CGP, JD

2013 INDUSTRY INVESTORS

Almos Energy
The Bath & Kitchen Showplace
Fox Energy Specialists
Holchkiss Insurance Agency
StrucSure Home Warranty
Texas Door & Trim Inc.

AFFILIATED WITH:

Texas Association of Builders
National Association of Home Builders



North Central Texas Council Of Governments

RECEIVED

JUN 14 2013

BG
CITY MANAGER'S OFFICE

TO: Jurisdictions throughout the North Central Texas Region **DATE:** June 10, 2013

SUBJECT: Model Construction Code Recommendations for North Central Texas

The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs.

In 2011, NCTCOG's Regional Codes Coordinating Committee (RCCC) directed its Code Advisory Boards to review the International Code Council's 2012 family of model construction codes. The Advisory Boards, comprised of over 100 code professionals representing local jurisdictions and professional associations, held open meetings to consider the codes and achieve consensus on any needed regional amendments. Many national and regional subject matter experts also gave testimony and participated in the process.

As a result, the NCTCOG Executive Board, upon the recommendation of the RCCC and its Advisory Boards, encourages your jurisdiction to adopt the following model construction codes along with their respective regional amendments:

- ◆ **International Building Code – 2012 Edition**
- ◆ **International Residential Code – 2012 Edition**
- ◆ **International Fire Code – 2012 Edition**
- ◆ **International Plumbing Code – 2012 Edition**
- ◆ **International Mechanical Code – 2012 Edition**
- ◆ **International Fuel Gas Code – 2012 Edition**
- ◆ **International Energy Conservation Code - 2012 Edition**

NCTCOG recommends adopting these codes with no local amendments other than the regional amendments as expeditiously as possible. The ultimate goal is regional uniformity in the model construction codes for the North Central Texas region. NCTCOG feels strongly that municipalities, contractors, architects, builders, and manufacturers will benefit from the positive economic results coming from achievement of that goal.

As a follow-up measure, the RCCC intends to submit some of the regional amendments as proposed changes during the next international code change cycle. In the past, several NCTCOG regional amendments have been incorporated into the codes when those amendments were proposed as code changes to the main documents.

PLEASE NOTE:

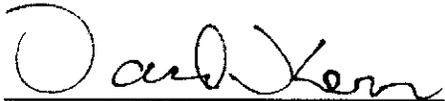
There is a wide range in the fire fighting philosophies/capabilities of cities across the region; the consensus of the RCCC has been to include both an OPTION "A" and an OPTION "B" in the fire, building and residential code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies/capabilities when adopting code amendments.

You may access our website at www.dfwcodes.com to obtain a copy of the recommended regional amendments. For more information regarding regional codes, contact Sam Brush, Manager of Environment & Development, by email at sbrush@nctcog.org or by phone at (817) 695-9213.

We appreciate your support of our continued efforts toward regional code uniformity. Please send a copy of your adopting ordinance(s) to NCTCOG including amendments. Your ordinance will help us to document the effectiveness of the codes coordinating effort in our region and may be used to provide a model to other jurisdictions.



Mike Eastland, Executive Director
North Central Texas Council of Governments



David Kerr, Chairman
Regional Codes Coordinating Committee

SWB/



Memorandum

Date: August 20, 2013
To: Bruce Glasscock, City Manager
From: Art Stone, Chairman of the Building Standards Commission
Subject: Adoption of the 2012 International Codes with Amendments

The Building Standards Commission, along with staff, has reviewed the 2012 International Building Codes with amendments since March of this year. Monthly reviews have continued until completion in August. In addition, staff has vetted the codes with the North Central Council of Governments and made Plano amendment presentations for each code to our Board. All code review is now completed.

It is my pleasure to inform you that the Building Standards Commission unanimously recommends the following codes with amendments to Council for approval and adoption;

2012 International Building Code
2012 International Residential Code
2012 International Plumbing Code
2012 International Mechanical Code
2012 International Fuel Gas Code
2012 International Energy Conservation Code

Sincerely,

A handwritten signature in black ink that reads "Art Stone".

Art Stone
Chairman
Building Standards Commission

An Ordinance of the City of Plano, Texas, repealing in its entirety City of Plano Ordinance No. 2011-1-8, codified as Division 2, Plumbing Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Plumbing Code, with certain additions, deletions and amendments, as the Plumbing Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on January 10, 2011, by Ordinance No. 2011-1-8, the City Council of the City of Plano established a Plumbing Code and provided regulations thereunder, and such Ordinances were codified as Division 2, Plumbing Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City of Plano, and

WHEREAS, on August 20, 2013, the Building Standards Commission held a public hearing to discuss the adoption of the 2012 Edition of the International Plumbing Code, a publication of the International Code Council (I.C.C.), 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 2012 Edition of the International Plumbing Code, and the additions, deletions, and amendments thereto, should be approved and adopted as the Plumbing Code of the City.

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

Section I. Ordinance No. 2011-1-8, duly passed and approved by the city Council of the City of Plano on January 10, 2011 is hereby repealed in its entirety.

Section II. A new Division 2, Plumbing Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

DIVISION 2. PLUMBING CODE

Sec. 6-236. Penalty.

- (a) 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

- (b) Civil. The City may file a civil action for enforcement of this Division with civil penalties up to \$1,000.00 per day for each offense as authorized by Subchapter B of Chapter 54 of the Texas Local Government Code, as amended.

Sec. 6-237. Adopted.

The 2012 Edition of the International Plumbing Code a publication of the International Code Council (I.C.C.), along with the appendices of such Code is hereby adopted and designated as the Plumbing Code of the City, to the same extent as if such code were copied verbatim in this Section, subject to the deletions, additions and amendments prescribed in this Division. A copy of the 2012 Edition of the International Plumbing Code is on file in the office of the City Secretary.

Sec. 6-238. Administrative authority.

For purposes of this Division and interpreting the Code adopted in this Division, the term “Administrative Authority” shall mean the Building Official of the City, and his agents and employees who are hereby empowered with the authority to administer and enforce the provisions of this Division and the Plumbing Code.

Sec. 6-239. Deletions, Additions, Amendments.

The following deletions, additions, and amendments to the International Plumbing Code adopted in this Division are hereby approved and adopted:

Table of Contents, Chapter 7, Section 714; change to read as follows:

Section 714	Engineered Drainage Design	67
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Section 102.8; change to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

Sections 106.6.2 and 106.6.3; change to read as follows:

106.6.2 Fee schedule. The fees for all plumbing work shall be as adopted by resolution of the governing body of the jurisdiction.

106.6.3 Fee Refunds. The Code Official shall establish a policy for authorizing the refunding of fees.

Section 108.2, Notice of violation to 108.4, *Violation penalties, are deleted in their entirety.*

Section 108.7.1 Authority to condemn equipment, *the following sentence of paragraph two is deleted:*

“When such plumbing is to be disconnected, written notice as prescribed in Section 108.2 shall be given.”

Section 108.7.3 Connection after order to disconnect, *the second paragraph is deleted in its entirety.*

Section 109.1; Application for appeal, *change to read as follows:*

109.1 Application for appeal. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Commission as established by ordinance. The Commission shall be governed by the enabling ordinance.

Sections 109.2 to 109.7 *are deleted in their entirety.*

Section 305.4.1; *change to read as follows:*

305.4.1 Sewer depth. Building sewers shall be a minimum of 12 inches (304 mm) below grade.

Section 305.7; *change to read as follows:*

305.7 Protection of components of plumbing system. Components of a plumbing system installed within 3 feet of alleyways, driveways, parking garages or other locations in a manner in which they would be exposed to damage shall be recessed into the wall or otherwise protected in an *approved* manner.

Section 314.2.1; *change to read as follows:*

314.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an *approved* place of disposal. ... {language unchanged} ... Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

Section 314.2.2; *change to read as follows:*

314.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polyethylene, ABS, CPVC, or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, temperature and exposure rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 relative to the material type. Condensate waste and drain line size shall not be less than ¾-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 314.2.2. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope.

Section 401.1; *add a sentence to read as follows:*

The provisions of this Chapter are meant to work in coordination with the provisions of the Building Code. Should any conflicts arise between the two chapters, the Code Official shall determine which provision applies.

Section 403.1; *add*

403.1 Minimum number of fixtures. Where circumstances dictate that a different ratio is needed, the adjustment shall be approved by the Building Official.

1. B,M, and Assembly Occupancies: At least one drinking fountain shall be provided at each floor level in an *approved* location.
Exception: A drinking fountain need not be provided in a drinking or dining establishment and B Occupancies less than 2500 sq.ft. or M Occupancies less than 3000 sq. ft.

Section 409.2; *change to read as follows:*

409.2 Water connection. The water supply to a commercial dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608.

Section 412.4; *change to read as follows:*

412.4 Required location. Floor drains shall be installed in the following areas:

1. In public coin-operated laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.

2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the Code Official may accept floor sinks.
3. Public restrooms.

Section 419.3; *change to read as follows:*

419.3 Surrounding material. Wall and floor space to a point 2 feet (610 mm) in front of a urinal lip and 4 feet (1219 mm) above the floor and at least 2 feet (610 mm) to each side of the urinal shall be waterproofed with a smooth, readily cleanable, hard, nonabsorbent material.

Section 502.6; *add Section 502.6 to read as follows:*

502.6 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: Any water heater of ten (10) gallons or less capacity (or larger with approval) capable of being accessed through a lay-in ceiling or any water heater installed not more than ten (10) feet (3048 mm) above the ground or floor level that may be reached with a portable ladder are excluded from the requirement of this section.

Section 502.6.1; *add section 502.6.1 to read as follows:*

502.6.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 502.1.

Section 504.6; *change to read as follows:*

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

Exception: Multiple relief devices may be installed to a single T & P discharge piping system when *approved* by the administrative authority

and permitted by the manufactures installation instructions and installed with those instructions.

5. Discharge to an indirect waste receptor or to the outdoors. Where discharging to the outdoors in areas subject to freezing, discharge piping shall be first piped to an indirect waste receptor through an air gap located in a conditioned area.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Not terminate less than 6 inches or more than 24 inches (152 mm) above grade nor more than 6 inches above the waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.

Section 604.4; *add Section 604.4.1 to read as follows:*

604.4.1 State maximum flow rate. Where the State mandated maximum flow rate is more restrictive than those in this section, the State flow rate shall take precedence.

Section 604.8.3; *add Section 604.8.3 to read as follows:*

604.8.3 Thermal expansion control. An expansion tank or approved device shall be installed for the water heater with the addition of a pressure reducing valve or regulator creating a closed system.

Table 605.3; Water Service Pipe. *Delete Polyvinyl Chloride (PVC) Plastic Pipe from table.*

Section 606.1; *delete items #4 and #5.*

Section 606.2; *change to read as follows:*

606.2 Location of shutoff valves. Shutoff valves shall be installed in the following locations:

1. On the fixture supply to each plumbing fixture other than bathtubs and showers in one- and two-family residential occupancies, and other than in individual sleeping units that are provided with unit shutoff valves in hotels, motels, boarding houses and similar occupancies.

2 On the water supply pipe to each appliance or mechanical equipment.

Section 608.1; *change to read as follows:*

608.1 General. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from nonpotable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to applicable local regulations, Table 608.1 and as specifically stated in Sections 608.2 through 608.16.10.

Section 608.16.5; *change to read as follows:*

608.16.5 Connections to lawn irrigation systems.

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

Section 608.17; *change to read as follows:*

608.17 Protection of individual water supplies. An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with applicable local regulations. In the absence of other local regulations, installation shall be in accordance with Sections 608.17.1 through 608.17.8.

Section 610.1; *add exception to read as follows:*

Exception: With prior approval the Code Official may waive this requirement when deemed un-necessary by the Code Official.

Section 712; *change to read as follows:*

712.3.3.1 Materials. Pipe and fitting materials shall be constructed of brass, copper, CPVC, ductile iron, stainless steel, galvanized iron, PE, or PVC.

Section 712; *change to read as follows:*

712.3.3.1 Materials. Pipe and fitting materials shall be constructed of brass, copper, CPVC, ductile iron, stainless steel, galvanized iron, PE, or PVC.

Section 712.5; *add Section 712.5 to read as follows:*

712.5 Dual Pump System. All sumps shall be automatically discharged and, when in any “public use” occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

Section 714, 714.1; *change to read as follows:*

SECTION 714 ENGINEERED DRAINAGE DESIGN

714.1 Design of drainage system. The sizing, design and layout of the drainage system shall be permitted to be designed by *approved* design methods.

Section 802.4; *add a sentence to the end of the paragraph to read as follows:*

802.4 Standpipes. Standpipes shall be... *{text unchanged}* ...drains for rodding. No standpipe shall be installed below the ground.

Section 903.1; *change to read as follows:*

903.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least six (6) inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Section 917 Single stack vent system. *Delete entire section.*

Section 1106.1; *change to read as follows:*

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour rainfall rate.

Section 1108.3; *change to read as follows:*

1108.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

Section III. 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 IV. 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 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. 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. This Ordinance shall become effective January 1, 2014, and after its passage and publication as required by law.

DULY PASSED AND APPROVED this 28th day of October, 2013

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): Diana Casady #5993				
CAPTION				
<p>An Ordinance of the City of Plano Texas, repealing in its entirety City of Plano Ordinance No. 2011-1-9, codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; and adopting the 2012 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
COMMENTS: This item has no fiscal impact.				
STRATEGIC PLAN GOAL: An Ordinance of the City of Plano repealing in its entirety the City of Plano Ordinance No. 2008-1-9, and adopting the 2012 Edition of the International Mechanical Code relates to the City's goal of a Safe Large City.				
SUMMARY OF ITEM				
This Ordinance will adopt the most recent version of the International Mechanical Code published by the International Code Council and includes regional amendments which have been developed by the North Central Texas Council of Governments. Public review of the codes was held at the Building Standards Commission meetings held in March, April, May, June, July and August. The Building Standards Commission at its August 20, 2013 meeting voted unanimously to forward this Code and amendments to the City Council for adoption as the Building Code for the City of Plano.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Letter from the Home Builders Association		Building Standards Commission		
Letter from Council of Governments				
Letter from the Building Standards Commission				



5816 West Plano Parkway
Plano, TX 75093
(972) 931-4840 Fax: (972) 267-0426
www.DallasBuilders.com

August 6, 2013

Selso Mata, Chief Building Official
City of Plano
1520 Avenue K
Plano, Texas 75086-0358

Dear Mr. Mata:

The Dallas Builders Association appreciates the role building codes play in maintaining the integrity of home construction in our area. As such, the Association conducts a detailed review of each International Code Council (ICC) code that pertains to the residential construction industry. This review emphasizes health and safety as well as housing affordability concerns.

As it has for many years, the Association was an active participant in reviewing the 2012 ICC codes serving on the North Central Texas Council of Governments Regional Codes Coordinating Committee (RCCC). Our members and staff were provided an opportunity during that process to convey the industry's concerns and many of those concerns were incorporated into the amendments that are now being considered for adoption by the City of Plano.

Thanks to the RCCC process and for the advanced notice that you have provided the Association to review Plano's local amendments, the Dallas Builders Association is comfortable with the residential provisions of Plano's 2012 code amendments package as presented. We appreciate your proactive efforts to seek our input and we look forward to being a continued resource for housing in the City of Plano and throughout the Dallas area.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Crone".

Phil Crone
Executive Officer
Dallas Builders Association

OFFICERS

President

Joe Chamberlain, CGB, GMB, CGP
Caprock Custom Construction, Inc.

First Vice President

Jeff Dworkin, CGP
JLD Custom Homes

Vice President/Secretary

Frank Murphy
Wynne/Jackson Inc.

Treasurer

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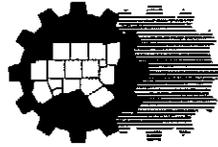
Phil Crone, CGP, JD

2013 INDUSTRY INVESTORS

Atmos Energy
The Bath & Kitchen Showplace
Fox Energy Specialists
Holchkiss Insurance Agency
StrucSure Home Warranty
Texas Door & Trim Inc.

AFFILIATED WITH:

Texas Association of Builders
National Association of Home Builders



North Central Texas Council Of Governments

RECEIVED

JUN 14 2013

BG
CITY MANAGER'S OFFICE

TO: Jurisdictions throughout the North Central Texas Region **DATE:** June 10, 2013

SUBJECT: Model Construction Code Recommendations for North Central Texas

The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs.

In 2011, NCTCOG's Regional Codes Coordinating Committee (RCCC) directed its Code Advisory Boards to review the International Code Council's 2012 family of model construction codes. The Advisory Boards, comprised of over 100 code professionals representing local jurisdictions and professional associations, held open meetings to consider the codes and achieve consensus on any needed regional amendments. Many national and regional subject matter experts also gave testimony and participated in the process.

As a result, the NCTCOG Executive Board, upon the recommendation of the RCCC and its Advisory Boards, encourages your jurisdiction to adopt the following model construction codes along with their respective regional amendments:

- ◆ **International Building Code – 2012 Edition**
- ◆ **International Residential Code – 2012 Edition**
- ◆ **International Fire Code – 2012 Edition**
- ◆ **International Plumbing Code – 2012 Edition**
- ◆ **International Mechanical Code – 2012 Edition**
- ◆ **International Fuel Gas Code – 2012 Edition**
- ◆ **International Energy Conservation Code - 2012 Edition**

NCTCOG recommends adopting these codes with no local amendments other than the regional amendments as expeditiously as possible. The ultimate goal is regional uniformity in the model construction codes for the North Central Texas region. NCTCOG feels strongly that municipalities, contractors, architects, builders, and manufacturers will benefit from the positive economic results coming from achievement of that goal.

As a follow-up measure, the RCCC intends to submit some of the regional amendments as proposed changes during the next international code change cycle. In the past, several NCTCOG regional amendments have been incorporated into the codes when those amendments were proposed as code changes to the main documents.

PLEASE NOTE:

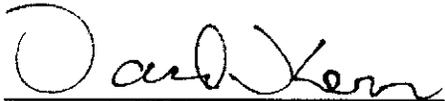
There is a wide range in the fire fighting philosophies/capabilities of cities across the region; the consensus of the RCCC has been to include both an OPTION "A" and an OPTION "B" in the fire, building and residential code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies/capabilities when adopting code amendments.

You may access our website at www.dfwcodes.com to obtain a copy of the recommended regional amendments. For more information regarding regional codes, contact Sam Brush, Manager of Environment & Development, by email at sbrush@nctcog.org or by phone at (817) 695-9213.

We appreciate your support of our continued efforts toward regional code uniformity. Please send a copy of your adopting ordinance(s) to NCTCOG including amendments. Your ordinance will help us to document the effectiveness of the codes coordinating effort in our region and may be used to provide a model to other jurisdictions.



Mike Eastland, Executive Director
North Central Texas Council of Governments



David Kerr, Chairman
Regional Codes Coordinating Committee

SWB/



Memorandum

Date: August 20, 2013
To: Bruce Glasscock, City Manager
From: Art Stone, Chairman of the Building Standards Commission
Subject: Adoption of the 2012 International Codes with Amendments

The Building Standards Commission, along with staff, has reviewed the 2012 International Building Codes with amendments since March of this year. Monthly reviews have continued until completion in August. In addition, staff has vetted the codes with the North Central Council of Governments and made Plano amendment presentations for each code to our Board. All code review is now completed.

It is my pleasure to inform you that the Building Standards Commission unanimously recommends the following codes with amendments to Council for approval and adoption;

2012 International Building Code
2012 International Residential Code
2012 International Plumbing Code
2012 International Mechanical Code
2012 International Fuel Gas Code
2012 International Energy Conservation Code

Sincerely,

A handwritten signature in black ink that reads "Art Stone".

Art Stone
Chairman
Building Standards Commission

An Ordinance of the City of Plano Texas, repealing in its entirety City of Plano Ordinance No. 2011-1-9, codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; and adopting the 2012 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on January 10, 2011, by Ordinance No. 2011-1-9, the City Council of the City of Plano established a Mechanical Code and regulations thereunder, and such Ordinance was codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City of Plano (“City”); and

WHEREAS, on August 20, 2013, the Building Standards Commission held a public hearing to discuss the adoption of the 2012 Edition of the International Mechanical Code, a publication of the International Code Council (I.C.C.), 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 2012 Edition of the International Mechanical Code and the additions, deletions, and amendments thereto, should be approved and adopted as the Mechanical Code of the City.

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

Section I. Ordinance No. 2011-1-9, duly passed and approved by the City Council of the City of Plano on January 10, 2011, and codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances, is hereby repealed in its entirety.

Section II. A new Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

DIVISION 3. MECHANICAL CODE

Sec. 6-251. Penalty.

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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Sec. 6-252. Adopted.

The 2012 Edition of the International Mechanical Code, a publication of the International Code Council (I.C.C.), along with the Appendices of such Code, are hereby adopted and designated as the Mechanical Code of the City, to the same extent as if such Code were copied verbatim in this section, subject to the deletions, amendments, and additions prescribed in this Division. A copy of the 2012 Edition of the International Mechanical Code is on file in the office of the City Secretary.

Sec. 6-253. Administrative Authority.

For purposes of this Division and interpreting the Code adopted in this Division, the term “Administrative Authority” shall mean the Building Official of the City, his agents, and employees who are hereby empowered with the authority to administer and enforce the provisions of this Division and the Mechanical Code.

Sec. 6-254. Deletions, Additions, Amendments.

The following deletions, additions, and amendments to the International Mechanical Code adopted in this Division are hereby approved and adopted:

Chapter 1 Administration

Section 102.8; change to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

Section 108.2, Notice of Violation through 108.4, Violation penalties; are deleted in their entirety.

Section 108.5, Stop work orders; is amended to delete the last sentence.

Section 108.7.1, Authority to condemn mechanical systems; is amended to remove the first sentence of the second paragraph.

Section 109.1, Application for appeal; *is amended to read as follows:*

109.1 Application for appeal. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Commission as established by ordinance. The Commission shall be governed by the enabling ordinance.

Section 109.1.1. to Section 109.7; *are deleted in their entirety.*

Section 304.6; *delete.*

Section 306.3; *change to read as follows:*

306.3 Appliances in attics. Attics containing appliances requiring *access* shall be provided . . . *{bulk of paragraph unchanged}* . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An *access* door from an upper floor level.
4. *Access* Panel may be used in lieu of items 1, 2, or 3 with prior approval of the code official.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... *{remainder of section unchanged}*

Section 306.5; *change to read as follows:*

306.5 Equipment and appliances on roofs or elevated structures. Where equipment requiring access or appliances are located on an elevated structure, or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . *{bulk of section to read the same}*. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... *{bulk of section to read the same}*.

Section 306.5.1; change to read as follows:

306.5.1 Sloped roofs. Where appliances, equipment, fans or other components that require service are installed on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. *{remainder of section unchanged}*

Add Section 306.6 Water heaters above ground or floor; to read as follows:

Section 306.6 When the mezzanine or platform in which a water heater is installed is more than eight 8 feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

Section 306.6.1 Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

Section 307.2.1 Condensate disposal; is changed to read as follows:

307.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Condensate shall not discharge in a publicly exposed area such as a street, alley, sidewalk, rooftop or other area so as to cause a nuisance.

Section 307.2.2 Drain pipe materials and sizes; change to read as follows:

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, temperature, and exposure rating of the installation. *{Remaining language unchanged}*

Section 307.2.3 Auxiliary and secondary drain systems; amend item 2 to read as follows:

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain

line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

Section 403.2.1 Recirculation of air; *add an item 5 to read as follows:*

5. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an *approved* mechanical recirculating fan or similar device designed to remove odors from the air.

Table 403.3 Ventilation rate; *footnote g: changed to read as follows:*

- g. Transfer air permitted in accordance with Section 403.2.2. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

Section 501.3 Exhaust discharge; *add exception to read as follows:*

Exceptions:

3. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

Section 504.6 Domestic Clothes Dryer Ducts; *add a sentence to read as follows;*

The size of duct shall not be reduced along its developed length nor at the point of termination.

Section 607.5.1 Fire walls; *change to read as follows:*

607.5.1 Fire walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1-510.9 IMC.

Section III. 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 or Ordinances of the City of Plano, 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 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 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 provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. This Ordinance shall become effective January 1, 2014, and after its passage and publication as required by law.

DULY PASSED AND APPROVED this the 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): Diana Casady #5993				
CAPTION				
<p>An Ordinance of the City of Plano, Texas; repealing in its entirety City of Plano Ordinance No. 2011-1-10, codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Fuel Gas Code, with certain additions, deletions, and amendments, as the Fuel Gas Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: An Ordinance of the City of Plano repealing in its entirety the City of Plano Ordinance No. 2011-1-10, and adopting the 2012 Edition of the International Fuel Gas Code relates to the City's goal of a Safe Large City.				
SUMMARY OF ITEM				
<p>This Ordinance will adopt the most recent version of the International Fuel Gas Code published by the International Code Council and includes regional amendments which have been developed by the North Central Texas Council of Governments. Public review of the codes was held at the Building Standards Commission meetings held in March, April, May, June, July and August. The Building Standards Commission at its August 20, 2013 meeting voted unanimously to forward this Code and amendments to the City Council for adoption as the Building Code for the City of Plano.</p>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Letter from the Home Builders Association		Building Standards Commission		
Letter from Council of Governments				
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August 6, 2013

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1520 Avenue K
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Sincerely,

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Phil Crone
Executive Officer
Dallas Builders Association

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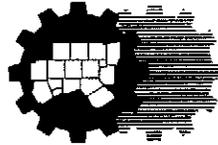
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AFFILIATED WITH:

Texas Association of Builders
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North Central Texas Council Of Governments

RECEIVED

JUN 14 2013

BG
CITY MANAGER'S OFFICE

TO: Jurisdictions throughout the North Central Texas Region **DATE:** June 10, 2013

SUBJECT: Model Construction Code Recommendations for North Central Texas

The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs.

In 2011, NCTCOG's Regional Codes Coordinating Committee (RCCC) directed its Code Advisory Boards to review the International Code Council's 2012 family of model construction codes. The Advisory Boards, comprised of over 100 code professionals representing local jurisdictions and professional associations, held open meetings to consider the codes and achieve consensus on any needed regional amendments. Many national and regional subject matter experts also gave testimony and participated in the process.

As a result, the NCTCOG Executive Board, upon the recommendation of the RCCC and its Advisory Boards, encourages your jurisdiction to adopt the following model construction codes along with their respective regional amendments:

- ◆ **International Building Code – 2012 Edition**
- ◆ **International Residential Code – 2012 Edition**
- ◆ **International Fire Code – 2012 Edition**
- ◆ **International Plumbing Code – 2012 Edition**
- ◆ **International Mechanical Code – 2012 Edition**
- ◆ **International Fuel Gas Code – 2012 Edition**
- ◆ **International Energy Conservation Code - 2012 Edition**

NCTCOG recommends adopting these codes with no local amendments other than the regional amendments as expeditiously as possible. The ultimate goal is regional uniformity in the model construction codes for the North Central Texas region. NCTCOG feels strongly that municipalities, contractors, architects, builders, and manufacturers will benefit from the positive economic results coming from achievement of that goal.

As a follow-up measure, the RCCC intends to submit some of the regional amendments as proposed changes during the next international code change cycle. In the past, several NCTCOG regional amendments have been incorporated into the codes when those amendments were proposed as code changes to the main documents.

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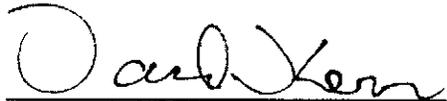
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You may access our website at www.dfwcodes.com to obtain a copy of the recommended regional amendments. For more information regarding regional codes, contact Sam Brush, Manager of Environment & Development, by email at sbrush@nctcog.org or by phone at (817) 695-9213.

We appreciate your support of our continued efforts toward regional code uniformity. Please send a copy of your adopting ordinance(s) to NCTCOG including amendments. Your ordinance will help us to document the effectiveness of the codes coordinating effort in our region and may be used to provide a model to other jurisdictions.



Mike Eastland, Executive Director
North Central Texas Council of Governments



David Kerr, Chairman
Regional Codes Coordinating Committee

SWB/



Memorandum

Date: August 20, 2013
To: Bruce Glasscock, City Manager
From: Art Stone, Chairman of the Building Standards Commission
Subject: Adoption of the 2012 International Codes with Amendments

The Building Standards Commission, along with staff, has reviewed the 2012 International Building Codes with amendments since March of this year. Monthly reviews have continued until completion in August. In addition, staff has vetted the codes with the North Central Council of Governments and made Plano amendment presentations for each code to our Board. All code review is now completed.

It is my pleasure to inform you that the Building Standards Commission unanimously recommends the following codes with amendments to Council for approval and adoption;

2012 International Building Code
2012 International Residential Code
2012 International Plumbing Code
2012 International Mechanical Code
2012 International Fuel Gas Code
2012 International Energy Conservation Code

Sincerely,

A handwritten signature in black ink that reads "Art Stone".

Art Stone
Chairman
Building Standards Commission

An Ordinance of the City of Plano, Texas; repealing in its entirety City of Plano Ordinance No. 2011-1-10, codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Fuel Gas Code, with certain additions, deletions, and amendments, as the Fuel Gas Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on January 10, 2011, by Ordinance No. 2011-1-10, the City Council of the City of Plano established a Fuel Gas Code and provided regulations thereunder, and such Ordinances were codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances of the City of Plano; and

WHEREAS, on August 20, 2013, the Building Standards Commission held a public hearing to discuss the adoption of the 2012 Edition of the International Fuel Gas Code, a publication of the International Code Council (I.C.C.), along with Appendices A, B, C and D of such Code, 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 2012 Edition of the International Fuel Gas Code, along with Appendices A, B, C and D of such Code and the additions, deletions, and amendments thereto, should be approved and adopted as the Fuel Gas Code of the City of Plano.

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

Section I. Ordinance No. 2011-1-10, duly passed and approved by the City Council of the City of Plano on January 10, 2011 is hereby repealed in its entirety.

Section II. A new Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

Sec. 6-696 Penalty.

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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Sec. 6-697 Adopted.

The 2012 Edition of the International Fuel Gas Code, a publication of the International Code Council (I.C.C.), along with the Appendices of such Code, is hereby adopted and designated as the Fuel Gas Code of the City of Plano to the same extent as if such Code were copied verbatim in this Article, subject to deletions, additions, and

amendments prescribed in this Article. A copy of the 2012 Edition of the International Fuel Gas Code is on file in the office of the City Secretary.

DIVISION 2. AMENDMENTS

Sec. 6-698. Deletions, additions, amendments.

Chapter 1, Scope and Administration

Section 102.2; *add an exception to read as follows:*

Exception: Existing dwelling units shall comply with Section 621.2.

Section 102.8; *change to read as follows:*

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

Sections 108.2, Notice of Violation, through Section 108.4. Violation penalties, are deleted in their entirety.

Section 109.1 Application for appeal., is amended to read as follows:

A person directly affected by a decision of the code official shall have the right to appeal the decision to the Building Standards Commission, provided that a written application for appeal is filed within twenty (20) days after the day the decision was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. A person's exercise of an appeal does not preclude or abate criminal enforcement of a violation of this code.

Sections 109.2, Membership of board, through 109.7 Court review, are deleted in their entirety.

Section 304.10; *change to read as follows:*

304.10 Louvers and grilles. The required {remainder unchanged} grilles will have 75 50-percent free area. {remainder unchanged}

Section 304.11; *change #8 to read as follows:*

304.11 Combustion air ducts.

8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 12 inches (305 mm) vertically from the adjoining ground level or the manufacturer's recommendation, whichever is more restrictive.

Section 305.5; *delete the section.*

Section 306.3; *change to read as follows:*

[M] 306.3 Appliances in attics. Attics containing appliances requiring access shall be provided . . . *{remainder of paragraph unchanged}* . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. An access Panel may be used in lieu of items 1, 2, or 3 with prior approval of the Code Official.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.
2. Where the passageway is not less than ... *{remainder of section to read the same}*.

Section 306.5; *change to read as follows:*

[M] 306.5 Equipment and appliances on roofs or elevated structures. Where equipment requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . *{bulk of section to read the same}*. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... *{bulk of section to read the same}*.

Section 306.5.1; *change to read as follows:*

[M] 306.5.1 Sloped roofs. Where appliances, equipment, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code.

Section 306; *add Section 306.7 with exception and subsection 306.7.1 to read as follows:*

306.7 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: Any water heater of ten (10) gallons or less capacity (or larger with approval) capable of being accessed through a lay-in ceiling or any water heater installed not more than ten (10) feet (3048 mm) above the ground or floor level that may be reached with a portable ladder are excluded from the requirement of this section.

306.7.1. Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

Section 401.5; *add a second paragraph to read as follows:*

Both ends of each section of medium pressure corrugated stainless steel tubing (CSST) shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING
1/2 to 5 psi gas pressure
Do Not Remove"

Section 402.3; *add an exception to read as follows:*

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EHD).

Section 404.12; *change to read as follows:*

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) top of pipe below grade, except as provided for in Section 404.10.1.

Section 404.12.1; *change to read as follows:*

404.12.1 Individual outside appliances. Individual lines to outside lights, grills or other appliances shall be installed a minimum of 12 inches (203 mm) top of pipe below finished grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.

Section 406.1; *change to read as follows:*

406.1 General. Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 406.1.1 through 406.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the piping installation will withstand the test pressure prescribed in the following tests.

Section 406.4; *change to read as follows:*

406.4 Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure.

Section 406.4.1; *change to read as follows:*

406.4.1 Test pressure. The test pressure to be used shall be no less than 1 1/2 times the proposed maximum working pressure, but no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches

water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Section 406.4.2; *change to read as follows:*

406.4.2 Test duration. Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than thirty (30) minutes. (Delete remainder of section.)

Section 408.2 Drips. *Delete Section.*

Section 408.4 Sediment trap. *Delete Section.*

Section 409.1; *add Section 409.1.4 to read as follows:*

409.1.4 Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

Section 410.1; *add a second paragraph and exception to read as follows:*

Access to regulators shall comply with the requirements for access to appliances as specified in Section 306.

Exception: A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

Section 614.6; *add a sentence to read as follows:*

The size of duct shall not be reduced along its developed length nor at the point of termination.

Section 621.2; *add exception as follows:*

621.2 Prohibited use. One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

Exception: Existing approved unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

Section 624.1.1; *change to read as follows:*

624.1.1 Installation requirements. The requirements for water heaters relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with the International Plumbing Code.

Section III. 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 IV. 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 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 provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. This Ordinance shall become effective January 1, 2014, and after its passage and publication as required by law.

DULY PASSED AND APPROVED this, the 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): Diana Casady #5993				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, repealing in its entirety City of Plano Ordinance No. 2011-1-11, codified as Article XVIII, Energy Conservation Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Energy Conservation Code, with certain additions, deletions and amendments, as the Energy Conservation Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
COMMENTS: This item has no fiscal impact.				
STRATEGIC PLAN GOAL: An Ordinance of the City of Plano repealing in its entirety the City of Plano Ordinance No. 2011-1-11, and adopting the 2012 Edition of the International Energy Conservation Code relates to the City's goal of a Safe Large City.				
SUMMARY OF ITEM				
<p>This Ordinance will adopt the most recent version of the International Energy Conservation Code published by the International Code Council and includes regional amendments which have been developed by the North Central Texas Council of Governments. Public review of the codes was held at the Building Standards Commission meetings held in March, April, May, June, July and August. The Building Standards Commission at its August 20, 2013 meeting voted unanimously to forward this Code and amendments to the City Council for adoption as the Building Code for the City of Plano.</p>				
List of Supporting Documents: Letter from the Home Builders Association Letter from Council of Governments Letter from the Building Standards Commission		Other Departments, Boards, Commissions or Agencies Building Standards Commission		



5816 West Plano Parkway
Plano, TX 75093
(972) 931-4840 Fax: (972) 267-0426
www.DallasBuilders.com

August 6, 2013

Selso Mata, Chief Building Official
City of Plano
1520 Avenue K
Plano, Texas 75086-0358

Dear Mr. Mata:

The Dallas Builders Association appreciates the role building codes play in maintaining the integrity of home construction in our area. As such, the Association conducts a detailed review of each International Code Council (ICC) code that pertains to the residential construction industry. This review emphasizes health and safety as well as housing affordability concerns.

As it has for many years, the Association was an active participant in reviewing the 2012 ICC codes serving on the North Central Texas Council of Governments Regional Codes Coordinating Committee (RCCC). Our members and staff were provided an opportunity during that process to convey the industry's concerns and many of those concerns were incorporated into the amendments that are now being considered for adoption by the City of Plano.

Thanks to the RCCC process and for the advanced notice that you have provided the Association to review Plano's local amendments, the Dallas Builders Association is comfortable with the residential provisions of Plano's 2012 code amendments package as presented. We appreciate your proactive efforts to seek our input and we look forward to being a continued resource for housing in the City of Plano and throughout the Dallas area.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Crone".

Phil Crone
Executive Officer
Dallas Builders Association

OFFICERS

President

Joe Chamberlain, CGB, GMB, CGP
Caprock Custom Construction, Inc.

First Vice President

Jeff Dworkin, CGP
JLD Custom Homes

Vice President/Secretary

Frank Murphy
Wynne/Jackson Inc.

Treasurer

Ben Beckelman, CGB, CGP

Executive Officer

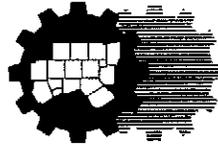
Phil Crone, CGP, JD

2013 INDUSTRY INVESTORS

Almos Energy
The Bath & Kitchen Showplace
Fox Energy Specialists
Holchkiss Insurance Agency
StrucSure Home Warranty
Texas Door & Trim Inc.

AFFILIATED WITH:

Texas Association of Builders
National Association of Home Builders



North Central Texas Council Of Governments

RECEIVED

JUN 14 2013

BG
CITY MANAGER'S OFFICE

TO: Jurisdictions throughout the North Central Texas Region **DATE:** June 10, 2013

SUBJECT: Model Construction Code Recommendations for North Central Texas

The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs.

In 2011, NCTCOG's Regional Codes Coordinating Committee (RCCC) directed its Code Advisory Boards to review the International Code Council's 2012 family of model construction codes. The Advisory Boards, comprised of over 100 code professionals representing local jurisdictions and professional associations, held open meetings to consider the codes and achieve consensus on any needed regional amendments. Many national and regional subject matter experts also gave testimony and participated in the process.

As a result, the NCTCOG Executive Board, upon the recommendation of the RCCC and its Advisory Boards, encourages your jurisdiction to adopt the following model construction codes along with their respective regional amendments:

- ◆ **International Building Code – 2012 Edition**
- ◆ **International Residential Code – 2012 Edition**
- ◆ **International Fire Code – 2012 Edition**
- ◆ **International Plumbing Code – 2012 Edition**
- ◆ **International Mechanical Code – 2012 Edition**
- ◆ **International Fuel Gas Code – 2012 Edition**
- ◆ **International Energy Conservation Code - 2012 Edition**

NCTCOG recommends adopting these codes with no local amendments other than the regional amendments as expeditiously as possible. The ultimate goal is regional uniformity in the model construction codes for the North Central Texas region. NCTCOG feels strongly that municipalities, contractors, architects, builders, and manufacturers will benefit from the positive economic results coming from achievement of that goal.

As a follow-up measure, the RCCC intends to submit some of the regional amendments as proposed changes during the next international code change cycle. In the past, several NCTCOG regional amendments have been incorporated into the codes when those amendments were proposed as code changes to the main documents.

PLEASE NOTE:

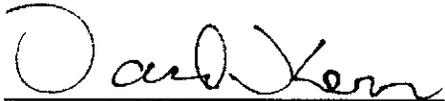
There is a wide range in the fire fighting philosophies/capabilities of cities across the region; the consensus of the RCCC has been to include both an OPTION "A" and an OPTION "B" in the fire, building and residential code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies/capabilities when adopting code amendments.

You may access our website at www.dfwcodes.com to obtain a copy of the recommended regional amendments. For more information regarding regional codes, contact Sam Brush, Manager of Environment & Development, by email at sbrush@nctcog.org or by phone at (817) 695-9213.

We appreciate your support of our continued efforts toward regional code uniformity. Please send a copy of your adopting ordinance(s) to NCTCOG including amendments. Your ordinance will help us to document the effectiveness of the codes coordinating effort in our region and may be used to provide a model to other jurisdictions.



Mike Eastland, Executive Director
North Central Texas Council of Governments



David Kerr, Chairman
Regional Codes Coordinating Committee

SWB/



Memorandum

Date: August 20, 2013
To: Bruce Glasscock, City Manager
From: Art Stone, Chairman of the Building Standards Commission
Subject: Adoption of the 2012 International Codes with Amendments

The Building Standards Commission, along with staff, has reviewed the 2012 International Building Codes with amendments since March of this year. Monthly reviews have continued until completion in August. In addition, staff has vetted the codes with the North Central Council of Governments and made Plano amendment presentations for each code to our Board. All code review is now completed.

It is my pleasure to inform you that the Building Standards Commission unanimously recommends the following codes with amendments to Council for approval and adoption;

2012 International Building Code
2012 International Residential Code
2012 International Plumbing Code
2012 International Mechanical Code
2012 International Fuel Gas Code
2012 International Energy Conservation Code

Sincerely,

A handwritten signature in black ink that reads "Art Stone".

Art Stone
Chairman
Building Standards Commission

An Ordinance of the City of Plano, Texas, repealing in its entirety City of Plano Ordinance No. 2011-1-11, codified as Article XVIII, Energy Conservation Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Energy Conservation Code, with certain additions, deletions and amendments, as the Energy Conservation Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, On January 10, 2011, by Ordinance No. 2011-1-11, the City Council of the City of Plano established an Energy Conservation Code and provided regulations thereunder, and such Ordinances were codified as Article XVIII, Energy Conservation Code, of Chapter 6 of the Code of Ordinances of the City of Plano; and

WHEREAS, August 20, 2013 the Building Standards Commission held a public hearing to discuss the adoption of the 2012 Edition of the International Energy Conservation Code, a publication of the International Code Council (I.C.C.), 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 2012 Edition of the International Energy Conservation Code, and the additions, deletions, and amendments thereto, should be approved and adopted as the Energy Conservation Code of the City of Plano.

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

Section I. Ordinance No. 2011-1-11, duly passed and approved by the City Council of the City of Plano on January 10, 2011 is hereby repealed in its entirety.

Section II. A new Article XVIII, Energy Conservation Code, of Chapter 6 of the Code of Ordinances of City of Plano is hereby adopted and shall read in its entirety as follows:

ARTICLE XVIII. ENERGY CONSERVATION CODE

DIVISION 1. GENERALLY

Sec. 6-684. Penalty.

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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Sec. 6-685 Adopted.

The 2012 Edition of the International Energy Conservation Code, a publication of the International Code Council (I.C.C.), along with the Appendices of such Code, is hereby adopted and

designated as the Energy Conservation Code of the City to the same extent as if such Code were copied verbatim in this Article, subject to deletions, additions, and amendments prescribed in this Article. A copy of the 2012 Edition of the International Energy Conservation Code is on file in the office of the City Secretary.

DIVISION 2. AMENDMENTS

Sec. 6-686. Deletions, Additions, Amendments.

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

Chapter 1, Administration

Section C101.4.2 and R101.4.2; change to read as follows:

Section C101.4.2/R101.4.2 Historic Buildings. Any building or structure that is: 1) listed in the State or National Register of Historic Places; 2) designated as a historic property under local or state designation law or survey, 3) certified as a contributing resource with a National Register listed or locally designated historic district, 4) or has been issued an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer of the Keeper of the National Register of Historic Places, shall comply with all of the provisions of this code.

Exception: Whenever a provision or provisions shall invalidate or jeopardize the historical designation or listing, that provision or provisions may be exempted by the code official.

Section C101.4.3 Additions, alterations, renovations or repairs; add exception #9 to read as follows:

9. Replacement of existing fenestration, provided, however, that the area of the replacement fenestration does not exceed 25% of the total fenestration area of an existing building and that the U-factor and SHGC will be equal to or lower than before the fenestration replacement.

Section C102/R102 Alternative compliance; add Section C102.1.2 and R102.1.2 to read as follows:

Section C102.1.2/R102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

Section C202 and R202; *add the following definition:*

GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area, the glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

Table R402.1.1 Insulation and Fenestration requirements by component; *amend by changing the WOOD FRAME WALL R-VALUE for CLIMATE ZONE 3 to read as follows:*

13

Table R402.1.3 Equivalent U-Factors; *amend by changing the WOOD FRAME WALL U-FACTOR for CLIMATE ZONE 3 to read as follows:*

0.082

Section R402.4.1.2 Testing; *add a last paragraph to read as follows:*

Testing may only be performed by individuals that are certified HERS Raters or Rating Field Inspectors by RESNET or Performance Verification Technicians certified by Texas HERO, or other certifications as may be approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed by or have any financial interest in the company that constructs the structure.

Section R403.2.2 Sealing (Mandatory); *add a last paragraph to read as follows:*

Testing may only be performed by individuals that are certified HERS Raters or Rating Field Inspectors by RESNET or Performance Verification Technicians certified by Texas HERO, or other certifications as may be approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed by or have any financial interest in the company that installed the duct system.

Section R403.2.2; *amend to read as follows:*

Section R403.2.3 Building cavities (Mandatory). Building framing cavities shall not be used as supply ducts and plenums. Building framing wall cavities in the exterior thermal envelope shall not be used as return ducts.

Section C402.2.9/R402.2; *add Section C402.2.9 and R402.2.13 to read as follows:*

Section C402.2.9/R402.2 Insulation installed in walls. To ensure that insulation remains in place, insulation batts installed in walls shall be totally secured by an enclosure on all sides

consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, wire, netting or other equivalent material approved by the Building Official.

Section R405.6.2; *add the following sentence to the end of paragraph:*

Acceptable performance software simulation tools may include, but are not limited to, REM RateTM, Energy Gauge and IC3. Other performance software programs accredited by RESNET BESTEST and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the Building Official.

Section III. 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 IV 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 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 provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. This Ordinance shall become effective January 1, 2014, and after its passage and publication as required by law.

DULY PASSED AND APPROVED this the 28th day of October 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		October 28, 2013		
Department:		Property Standards		
Department Head		Cynthia O'Banner		
Agenda Coordinator (include phone #): Gloria Carter, ext. 5150				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, repealing in its entirety City of Plano Ordinance Nos. 2004-9-30; 2010-2-16; 2011-1-14; and 2012-12-12, codified as Divisions 1 and 2 of Article III, Property Maintenance Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Property Maintenance Code, with certain additions, deletions, and amendments, as the Property Maintenance Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-2014	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
<p>COMMENTS: This item has no financial impact. STRATEGIC PLAN GOAL: Updating ordinances to reflect current standards and accepted business practices relates to the City's Goals of Financially Strong City with Service Excellence and Great Neighborhoods - 1st Choice to Live.</p>				
SUMMARY OF ITEM				
<p>This Item will update the City's Property Maintenance Code by adopting the 2012 version of the International Property Maintenance Code. This ordinance includes local amendments which have been developed to provide further clarification and consistency with notice, appeal and penalty provisions. Public review of the proposed ordinance was held at the Building Standards Commission meeting on August 20, 2013, and the Commission voted unanimously to forward this Code and amendments to the City Council for adoption.</p>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies Building Standards Commission		

An Ordinance of the City of Plano, Texas, repealing in its entirety City of Plano Ordinance Nos. 2004-9-30; 2010-2-16; 2011-1-14; and 2012-12-12, codified as Divisions 1 and 2 of Article III, Property Maintenance Code, of Chapter 6 of the Code of Ordinances; and adopting the 2012 Edition of the International Property Maintenance Code, with certain additions, deletions, and amendments, as the Property Maintenance Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on September 27, 2004, by Ordinance No. 2004-9-30, the City Council of the City of Plano established a Property Maintenance Code and provided regulations thereunder, and such Ordinances were codified as Divisions I and II of Article III, Property Maintenance Code, of Chapter 6 of the Code of Ordinances of the City of Plano (“City”); and

WHEREAS, on February 22, 2010, January 10, 2011, and December 18, 2012, the City Council of the City of Plano, by Ordinance Nos. 2010-2-16; 2011-1-14; and 2012-12-12; respectively, amended Divisions 1 and 2 of Article III, Property Maintenance Code, of Chapter 6 of the Code of Ordinances of the City of Plano; and

WHEREAS, on August 20, 2013 the Building Standards Commission held public hearings to discuss the adoption of the 2012 Edition of the International Property Maintenance Code, a publication of the International Code Council, 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 2012 Edition of the International Property Maintenance Code, and the additions, deletions, and amendments thereto, should be approved and adopted as the Property Maintenance Code of the City.

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

Section I. The following ordinances or sections thereof, all of which are codified as Divisions 1 and 2 of Article III, Property Maintenance Code, of Chapter 6 of the Code of Ordinances of the City of Plano, are hereby repealed in their entirety:

Ordinance No. 2004-9-30 duly passed and approved by the City Council of the City of Plano on September 27, 2004;

Ordinance No. 2010-2-16, duly passed and approved by the City Council of the City of Plano on February 22, 2010;

Ordinance No. 2011-1-14, duly passed and approved by the City Council of the City of Plano on January 10, 2011; and

Ordinance No. 2012-12-12, duly passed and approved by the City Council of the City of Plano on December 18, 2012.

Section II. A new Article III, Property Maintenance Code, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

ARTICLE III. PROPERTY MAINTENANCE CODE

DIVISION 1 - GENERALLY

Sec. 6-45. Penalty.

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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Sec. 6-46. Adopted.

The 2012 Edition of the International Property Maintenance Code, a publication of the International Code Council, is hereby adopted and designated as the Property Maintenance Code of the City of Plano to the same extent as if such Code were copied verbatim in this Article, subject to the deletions, additions, and amendments prescribed in this Article. A copy of the 2012 Edition of the International Property Maintenance Code is on file in the office of the City Secretary.

Sec. 6-47 - 6-49. Reserved.

DIVISION 2 – AMENDMENTS

Sec. 6-50 – Deletions, Additions and Amendments to Chapter 1 of the International Property Maintenance Code,

The City of Plano hereby amends Chapter 1, *Administration*, of the International Property Maintenance Code as follows:

Subsection 101.1, Title, is changed to read as follows:

These regulations shall be known as the *Property Maintenance Code of The City of Plano, TX*, hereinafter referred to as “this code.”

Subsection 101.3, Intent, is changed to read as follows:

This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as

required herein. *Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the building codes as adopted by the City of Plano.*

Subsection 102.3, Application of Other Codes, is changed to read as follows:

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *Building Codes as adopted by the City of Plano*. Nothing in the Code shall be construed to cancel, modify or set aside any provision of the City of Plano Zoning Ordinance.

Subsection 103.4, Liability, is deleted in its entirety.

Subsection 103.5, Fees, is deleted in its entirety.

Subsection 104.1, General, is changed to read as follows:

The code official or the City Manager's designee(s) is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

Subsection 106.2, Notice of violation, is deleted in its entirety.

Subsection 106.3, Prosecution of violation, is deleted in its entirety.

Subsection 106.4, Violation penalties, is deleted in its entirety.

Subsection 106.5, Abatement of violation, is deleted in its entirety.

Subsection 107.1, Notice to person responsible, is changed to read as follows:

Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Section 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

Subsection 107.2, Form, is changed to read as follows:

Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation(s) and why the notice is being issued.

4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien.

Subsection 107.5, Penalties, is deleted in its entirety.

Subsection 108.1.1, Unsafe Structures, is changed to read as follows:

An unsafe structure is one that is found to be dangerous to the life, limb, health, property, safety or welfare of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Notwithstanding anything in this Section to the contrary, the City expressly retains all statutory powers and rights to address unsafe structures.

Subsection 108.7, Record, is changed to read as follows:

The code official shall cause a report to be made on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Subsection 110.1, General, is changed to read as follows:

The code official, building official or Building Standards Commission may order the owner of any structure, which in his, her, or its judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official, building official or Building Standards Commission may order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official, code official or Building Standards Commission.

Notwithstanding anything in this Section to the contrary, the City and its Building Standards Commission expressly retain all statutory powers and rights to pursue demolition.

Subsection 111.1, Application for Appeal, is changed to read as follows:

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the *Building Standards Commission*, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. A person's exercise of an appeal does not preclude or abate criminal enforcement for a violation of this code.

Subsections 111.2, Membership of board through 111.8, Stays of Enforcement are deleted in their entirety.

Section 112, STOP WORK ORDER, is deleted in its entirety.

Sec. 6-51. Deletions, Additions and Amendments to Chapter 2 of the International Property Maintenance Code,

The City of Plano hereby amends Chapter 2, *Definitions*, of the International Property Maintenance Code as follows:

Subsection 201.3, Terms defined in other codes, is changed to read as follows:

Where terms are not defined in this code, they shall have the meanings ascribed to them as stated in the building codes as adopted by the City of Plano.

Subsection 202, General Definitions, is changed to as follows:

- BEDROOM.** Any room or space intended to be used for sleeping purposes in either a dwelling or sleeping unit.
- GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food and all decayable waste or rubbish.
- NOXIOUS WEED.** Any plant designated by a Federal, State or county government as injurious to public health, agriculture, recreation, wildlife or property.

Sec. 6-52. Deletions, Additions and Amendments to Chapter 3 of the International Property Maintenance Code,

The City of Plano hereby amends Chapter 3, *General Requirements*, of the International Property Maintenance Code as follows:

Subsection 301.3, Vacant structures and land, is changed to read as follows:

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health, safety or welfare.

Subsection 302.1, Sanitation, is changed to read as follows:

All exterior property and premises shall be maintained in a clean, safe and sanitary condition.

Subsection 302.4, Weeds, is changed to read as follows:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve inches (12”) in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Dead trees, shrubs, or ground cover must be removed and replaced as required. Landscaping shall be maintained to minimize property damage and eliminate public safety hazards.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation or after causing, permitting or allowing the same or similar violation to occur within a one year anniversary of service of a notice of violation, they shall be subject to prosecution in accordance with Section 1-4 (b) of the City Code of Ordinances for each offense. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs incurred for such removal shall be paid by the owner or agent responsible for the property. The charges to be collected by the city under this section shall include, in addition to the costs and expenses of mowing or correcting a condition upon a tract of land, the sum of two hundred dollars (\$200.00) per lot or tract of land, which sum is hereby found to be the cost to the City of administering the terms of this section.

Subsection 302.8, Motor vehicles, is changed to read as follows:

Except as provided for in other regulations, no inoperable or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

Subsection 304.1.1, Unsafe conditions, is changed to read as follows:

The following conditions are deemed unsafe and shall be repaired or replaced to comply with the International Building Code or the International Residential Code.

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;

2. The anchorage of the floor or roof to walls or columns, and of wall and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted when approved by the code official.

Subsection 304.3, Premises identification, is changed to read as follows:

Buildings 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 with City Code of Ordinances Section 8-17. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters.

Subsection 304.7, Roofs and drainage, is changed to read as follows:

The roof and flashing shall be sound, tight and not have defects. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Water runoff shall not be discharged in a manner that creates a public nuisance.

Subsection 304.14, Insect screens, is changed to read as follows:

Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Subsection 305.1.1, Unsafe conditions, is changed to read as follows:

The following conditions are deemed unsafe and shall be repaired or replaced to comply with the International Building Code or the International Residential Code:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects;
5. Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted when approved by the code official.

Subsection 308.1, Accumulation of rubbish or garbage, is changed to read as follows:

All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. Disposal of rubbish and garbage shall be in accordance with City of Plano Code of Ordinances, Chapter 18.

Subsection 308.1.1, Refrigerators, is added to read as follows:

Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first securing or removing the doors.

Subsection 308.2 Disposal of rubbish, is deleted in its entirety.

Subsection 308.2.1, Rubbish storage facilities, is deleted in its entirety.

Subsection 308.2.2, Refrigerator, is deleted in its entirety.

Sec. 6-53. Deletions, Additions and Amendments to Chapter 5 of the International Property Maintenance Code,

The City of Plano hereby amends Chapter 5, *Plumbing Facilities and Fixture Requirements*, of the International Property Maintenance Code as follows:

Subsection 505.3, Supply, is changed to read as follows:

The water supply system of all occupied structures shall be installed and maintained to provide an active supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

Sec. 6-54. Deletions, Additions and Amendments to Chapter 6 of the International Property Maintenance Code,

The City of Plano hereby amends Chapter 6, *Mechanical and Electrical Requirements*, of the International Property Maintenance Code as follows:

Subsection 602.3, Heat supply, is changed to read as follows:

Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The

winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

Subsection 602.4, Occupiable work spaces, is changed to insert the following dates:

Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 1 to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Subsection 604.2, Service, is changed to read as follows:

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code (NEC). Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Sec. 6-54 - 6-59. Reserved.

Section III. 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 IV. 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 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 provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. This Ordinance shall become effective January 1, 2014, and after its passage and publication as required by law.

DULY PASSED AND APPROVED this, the 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		10/28/13		
Department:		Human Resources		
Department Head		Jim Parrish		
Agenda Coordinator (include phone #): Billy Bailey (x) 5411				
CAPTION				
<p>An Ordinance of the City of Plano, Texas repealing Ordinance No. 2013-9-32; establishing a certification pay plan for classified members of the Plano Fire and Police Departments; establishing an assignment pay plan for members of the Plano Fire Department serving in the capacity of paramedic; establishing a Paramedic Preceptor pay plan for members of the Plano Fire Department; establishing an assignment pay plan for members of the Plano Police Department serving in the capacity of Field Training Officers; and providing a repealer clause, a severability clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-2014	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
<p>COMMENTS: This item has no fiscal impact. It replaces the existing Ordinance adopted on September 23, 2013, and corrects Section IV, Pay Table 2 of the ordinance regarding Fire Rescue Specialist pay with 96 months, revising to a monthly amount of \$446.</p> <p>STRATEGIC PLAN GOAL: Changes and corrections to the Certification Pay Plan for the Plano Police and Fire Departments relate to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
Change FY 2013-14 Assignment and Certification plan for Plano Fire and Police Department				
List of Supporting Documents: Ordinance			Other Departments, Boards, Commissions or Agencies	

An Ordinance of the City of Plano, Texas repealing Ordinance No. 2013-9-32 establishing a certification pay plan for classified members of the Plano Fire and Police Departments; establishing an assignment pay plan for members of the Plano Fire Department serving in the capacity of paramedic; establishing a Paramedic Preceptor pay plan for members of the Plano Fire Department; establishing an assignment pay plan for members of the Plano Police Department serving in the capacity of Field Training Officers; and providing a repealer clause, a severability clause and an effective date.

Whereas, on September 23, 2013 by Ordinance No. 2013-9-32 the City Council of the City of Plano, Texas, approved and adopted the certification and assignment pay plans for members of the Fire and Police Departments of the City of Plano; and

Whereas, in compliance with Chapter 143 of the Texas Local Government Code, V.T.C.A., as amended, the City Council desire to revise the Police and Fire Departments certification pay plan; Police and Fire Departments assignment pay plans; and Fire Department preceptor pay plan.

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

Section I. Ordinance No. 2013-9-32 duly passed and approved by the City Council of the City of Plano, Texas on September 23, 2013 is repealed in its entirety effective October 28, 2013.

Section II. In accordance with Section 143.044 of the Texas Local Government Code and the Rules and Regulations of the City of Plano Fire Fighters' and Police Officers' Civil Service Commission, the City of Plano hereby establishes the following certification pay plan for classified members of the Plano Fire and Police Departments:

Fire Department

Texas Commission on Fire Protection

<u>Basic Certificate</u>	<u>Intermediate</u>	<u>Advanced</u>	<u>Master</u>
-0-	\$60/mo	\$80/mo	\$120/mo

Police Department

Texas Commission on Law Enforcement Standards and Education

<u>Basic Certificate</u>	<u>Intermediate</u>	<u>Advanced</u>	<u>Master</u>
-0-	\$60/mo	\$80/mo	\$120/mo

Section III. Classifications for certification compensation for classified members of the City of Plano Fire and Police Departments are as set forth in Section II above. Advancements within the structure set forth in Section II above shall be allowed as established by the Rules and Regulations formulated by the Texas Commission on Fire Protection (Fire) and the Texas Commission on Law Enforcement Officers' Standards and Education (Police).

Section IV. In accordance with Section 143.042 of the Texas Local Government Code and the Rules and Regulations of the City of Plano Fire Fighters' and Police Officers' Civil Service Commission, the City of Plano hereby establishes an assignment pay plan which shall be applicable to members of the City of Plano Fire Department who are; (1) certified as an Emergency Medical Technician Paramedic (EMT-P) by the Texas Department of State Health Services, and (2) authorized to practice as a paramedic in the City of Plano EMS System by the Emergency Medical Director for the City of Plano and are assigned such duties by the Fire Chief of the City of Plano. For those that hold the rank of Fire Apparatus Operators (FAO), Lieutenants (LT), and Captains (CAPT), see pay table 1 below. For Fire Rescue Specialists (FRS), see pay table 2 below.

Pay Table 1 (FAO, LT and CAPT)

Years of Service as <u>Assigned Paramedic</u>	Monthly Assignment <u>Pay</u>
<48 months	\$149
48-95 months	\$186
96-143 months	\$335
144+ months	\$372

Pay Table 2 (FRS)

Years of Service as <u>Assigned Paramedic</u>	Monthly Assignment <u>Pay</u>
<48 months	\$149
48 months	\$297
96 months	\$446
144 months	\$594

Section V. Paramedic assignment pay shall be initiated at the beginning of the next pay period following receipt of being assigned by the Fire Chief of the City of Plano and approved by the Emergency Medical Director to practice as a paramedic in the Plano EMS system and advancement within the structure set forth in Section IV above shall be allowed at the beginning of the pay period immediately following the paramedic's reaching of the service years shown. All prior years of service in which a paramedic was assigned by the Fire Chief of the City of Plano and approved by the Medical Director to practice as a paramedic in the Plano EMS System shall be considered when placing existing paramedics in the structure set forth in Section IV.

Section VI. An ambulance assignment pay of \$20 is authorized for each paramedic and EMT, for each shift the individual is assigned to an ambulance.

Section VII. In accordance with Section 143.042 of the Texas Local Government Code and Rules and Regulations of the City of Plano Fire Fighters' and Police Officers' Civil Service Commission, the City of Plano hereby establishes that members of the Plano Fire Department who are assigned to and perform the following duties shall receive the following additional compensation for the period of assignment:

Paramedic Preceptor	\$45.00 per 24 hour shift
---------------------	---------------------------

Section VIII. In accordance with Section 143.043 of the Texas Local Government Code and Rules and Regulations of the City of Plano Fire Fighters' and Police Officers' Civil Service Commission, the City of Plano hereby establishes that members of the Plano Police Department who are assigned to and perform the duties and responsibilities as a Field Training Officer shall receive \$2.375 per hour worked.

Section IX. All provisions of the Ordinances of the City of Plano, codified and 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 X. 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 XI. Upon passage, this Ordinance shall become effective October 28, 2013.

DULY PASSED AND APPROVED, this, the 28th day of October 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



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:		10/28/13		
Department:		Budget & Research		
Department Head		Karen Rhodes-Whitley		
Agenda Coordinator (include phone #): Ben Petty (7146)				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, amending Ordinance No. 2013-1-4 codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano to increase the water rate schedules for residential and non-residential customers for services rendered on or after December 1, 2013, and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2013-14	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	72,352,183	0	72,352,183
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	72,352,183	0	72,352,183
FUND(S): WATER & SEWER FUND				
<p>COMMENTS: Approval of this item will increase Water Revenues by an estimated \$4,809,566 for FY 2013-14. The water rate increase and a change to the consumption rate schedule is included in the FY 2013-14 Water & Sewer Budget.</p> <p>STRATEGIC PLAN GOAL: Changes to Water service rates relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>It is the recommendation of staff, in conjunction with McLain Decision Support Systems that water rates, as well as separately metered irrigation for both residential and non-residential customers should be increased, while keeping the minimum charges static for all services rendered on or after December 1, 2013.</p>				
List of Supporting Documents: Memorandum, Presentation, Ordinance			Other Departments, Boards, Commissions or Agencies	

MEMORANDUM

DATE: October 18, 2013
TO: Bruce Glasscock, City Manager
FROM: Karen Rhodes-Whitley, Director of Budget & Research
SUBJECT: WATER & SEWER RATE INCREASE

Scheduled for consideration on the October 28, 2013 City Council meeting is the ordinance outlining the proposed water and sewer rates to be implemented December 1, 2013. At the August Budget Worksession, an overall 8% water and a 3% sewer rate increase was included in the City Manager's Recommended Budget to cover increased costs passed on to the City by North Texas Municipal Water District (NTMWD). A recently completed Water & Sewer Rate Study by McLain Decision Support System has revealed that the sewer rate increase of 3% is no longer required; however, the water rate increase of 8% is still necessary in order to collect the additional \$4.8 million in increased water contract cost.

The City of Plano has always strived to have our water rates pay for water services and our sewer rates pay for sewer services. Currently, our sewer rates are subsidizing water services by approximately 5.1%. By forgoing the sewer rate increase, we will be able to eliminate the water subsidy by FY 2015-16. In addition, in order to pass along the 8% water rate increase beginning December 1st, all minimum bills will remain the same and the rate increase will be passed along through the volumetric rate structure. Currently, our water minimum bills are collecting all the fixed costs required to be paid through the rate.

The following presentation regarding the overall water rate increase will be presented to the City Council on Monday October 28th. In addition, our Rate Consultant, Bob McLain from McLain Decision Support Systems will also be in attendance to answer any questions.

Please let me know if you have any questions regarding the proposed water and sewer rate structure.

Water & Sewer Rate Discussion

City Council Worksession
October 28, 2013

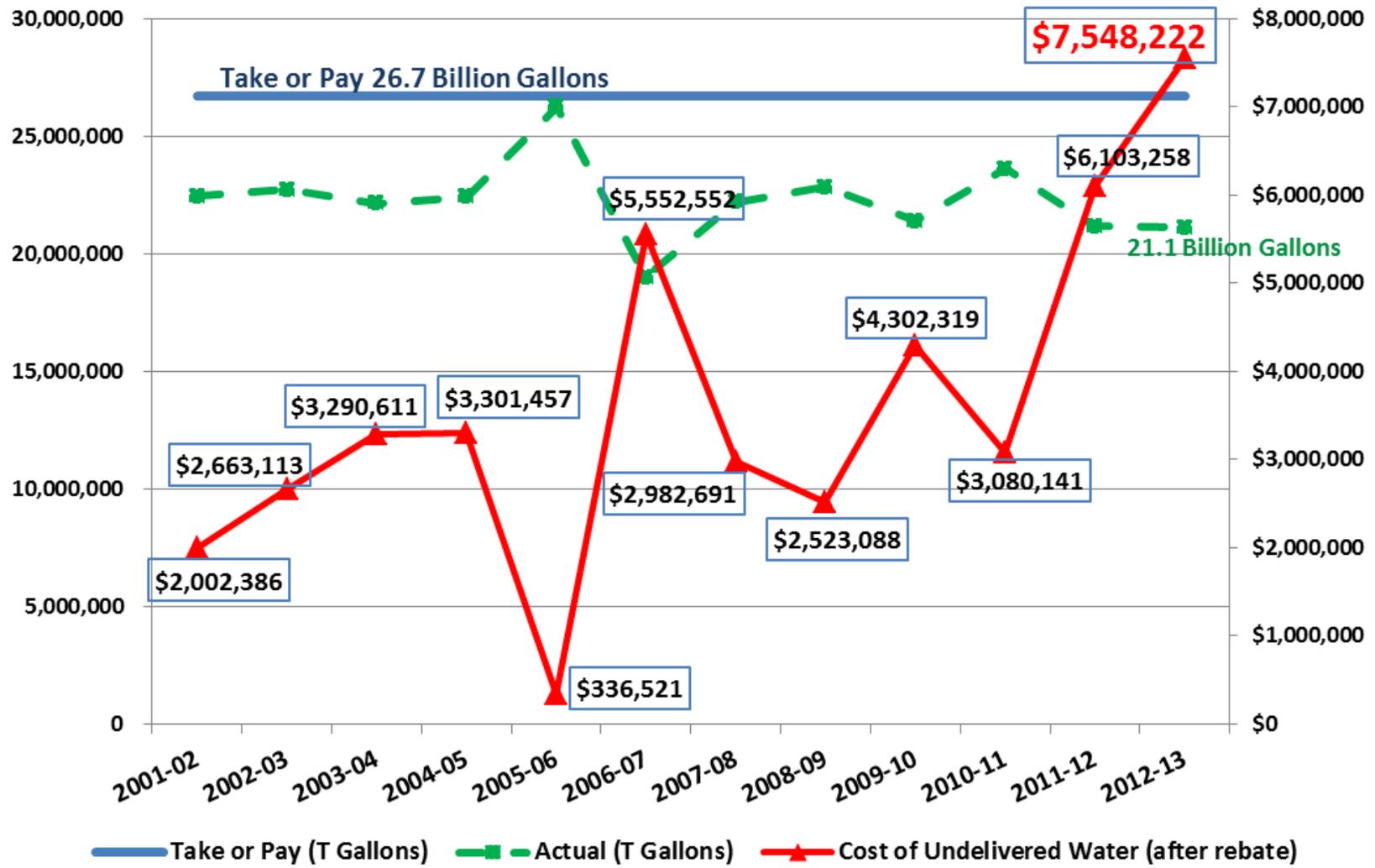


Water & Sewer Fund Overview

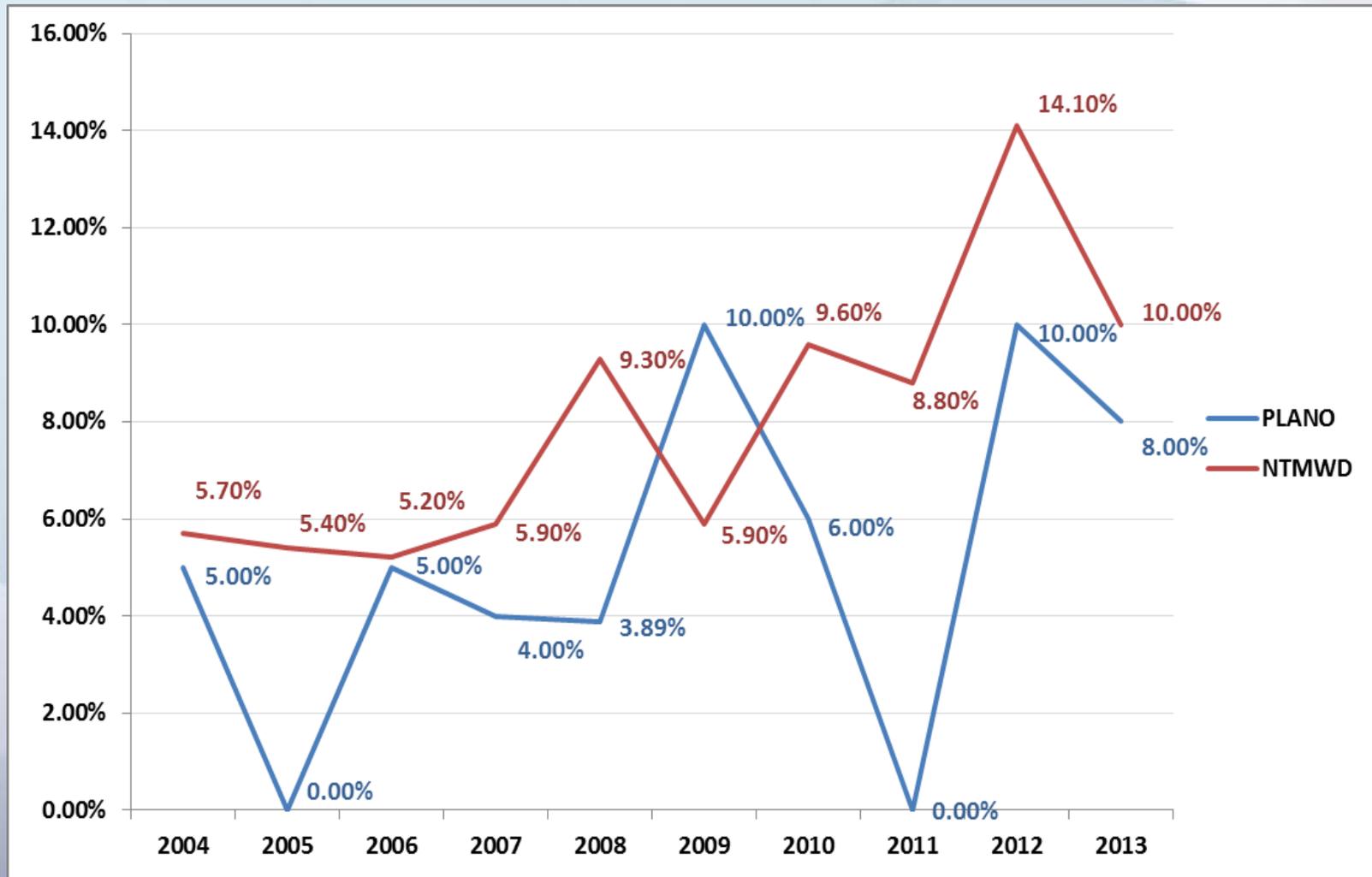
- ❖ Final numbers received from North Texas Municipal Water District (NTMWD) project wholesale water rates will increase 10.0% and wastewater treatment costs by 2.0%. Total increase of 12.0%.
- ❖ As of 7/31/13, Plano ended the water year using 21.2 billion gallons, resulting in a loss of revenue of approximately \$9.5 million in the 2012-13 water year under the NTMWD Take or Pay Agreement. We received a credit from the district for unused O&M expenditures of \$1.96 million making the net loss in revenue equal to \$7.5 million.
- ❖ Significant NTMWD increase is directly tied to pay for the debt service cost associated with the \$300 million pipeline that will run from Lake Texoma to the Wylie Plant in order to address the zebra mussel infestation.
- ❖ Based on a rate analysis developed by McLain Decision Support Systems, the City of Plano plans to pass through an overall 8% rate increase in order to offset the increase in contract cost effective December 1st. No wastewater increase is necessary at this time. Currently, wastewater is subsidizing water by 5.1%.
- ❖ The budget assumes Stage III Water restrictions through FY 2013-14.



Take or Pay - Undelivered Water



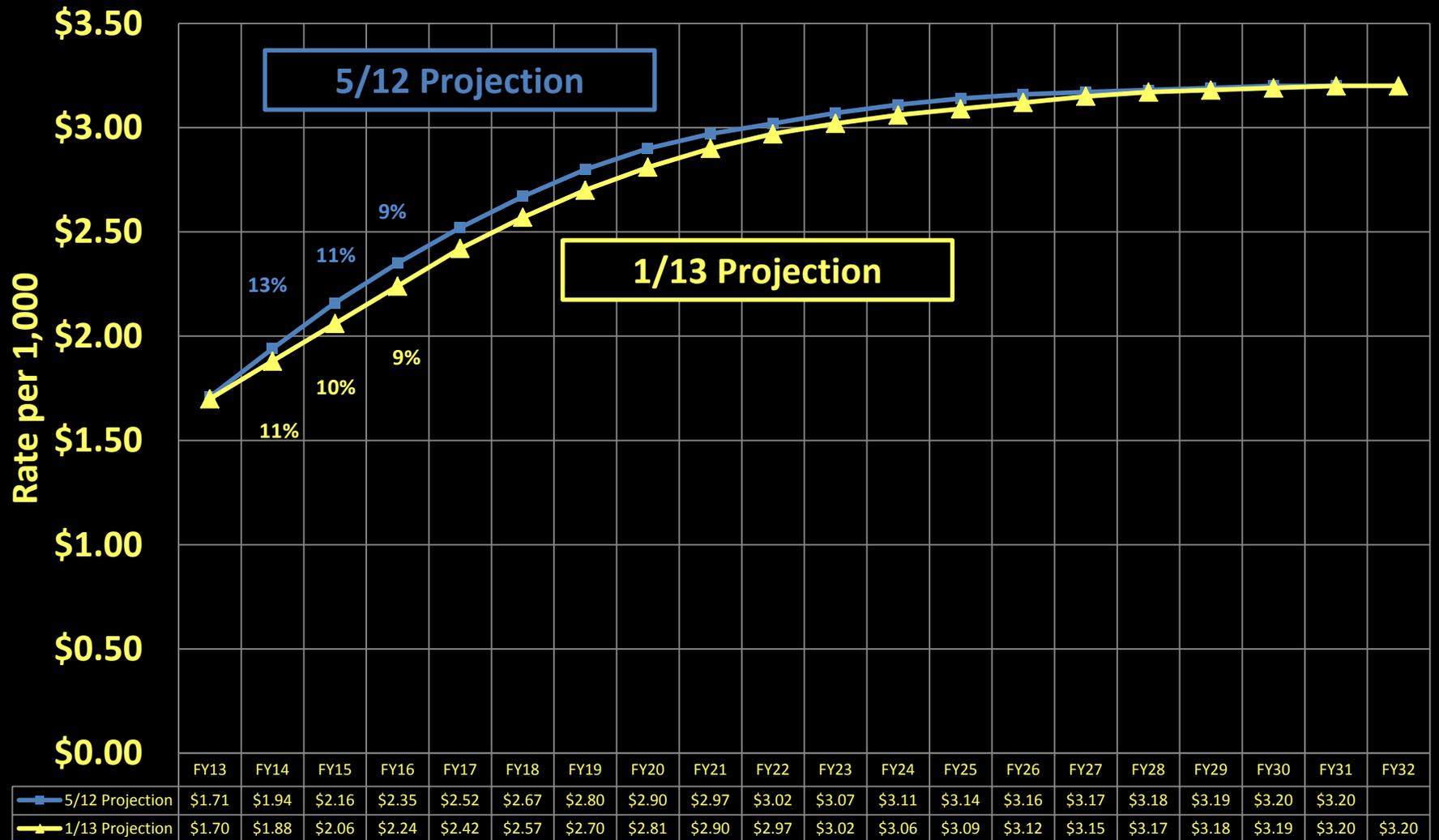
WATER RATE HISTORY PLANO VS. NTMWD





MEMBER WATER RATE PROJECTION

Preliminary – Rates are adopted by the Board Annually in September



Note: Rates are calculated based on Estimated Total Costs less Interest and Other Income.



Other City – Proposed Water Rate Increase Phone Survey

- Plano
 - Overall 8%
 - » 0% on minimum on both Residential and Non-residential
 - » 1,001-5,000 gallons \$0.43 to \$0.49 per 1,000 gallons (13.95%)
 - » 5,001-20,000 gallons - \$2.21 to \$2.52 per 1,000 gallons (14.03%)
 - » Over 20,000 gallons – \$4.42 to \$5.03 per 1,000 gallons (13.80%)
- Richardson
- Arlington
- Allen
 - 10.9% across 5 Tiers
 - 8%
 - 5.5% on Minimum
 - 7.0% on Volumetric Rate
- McKinney
- Garland
- Frisco



Water & Sewer Fund – Monthly Increase

❖ Residential ¾” Customer – 10,000 gallons

Water - \$31.39 to \$33.18

Sewer - \$50.58 to \$50.58 (No increase proposed at this time)

Total - \$81.97 to \$83.76 = \$1.79 increase

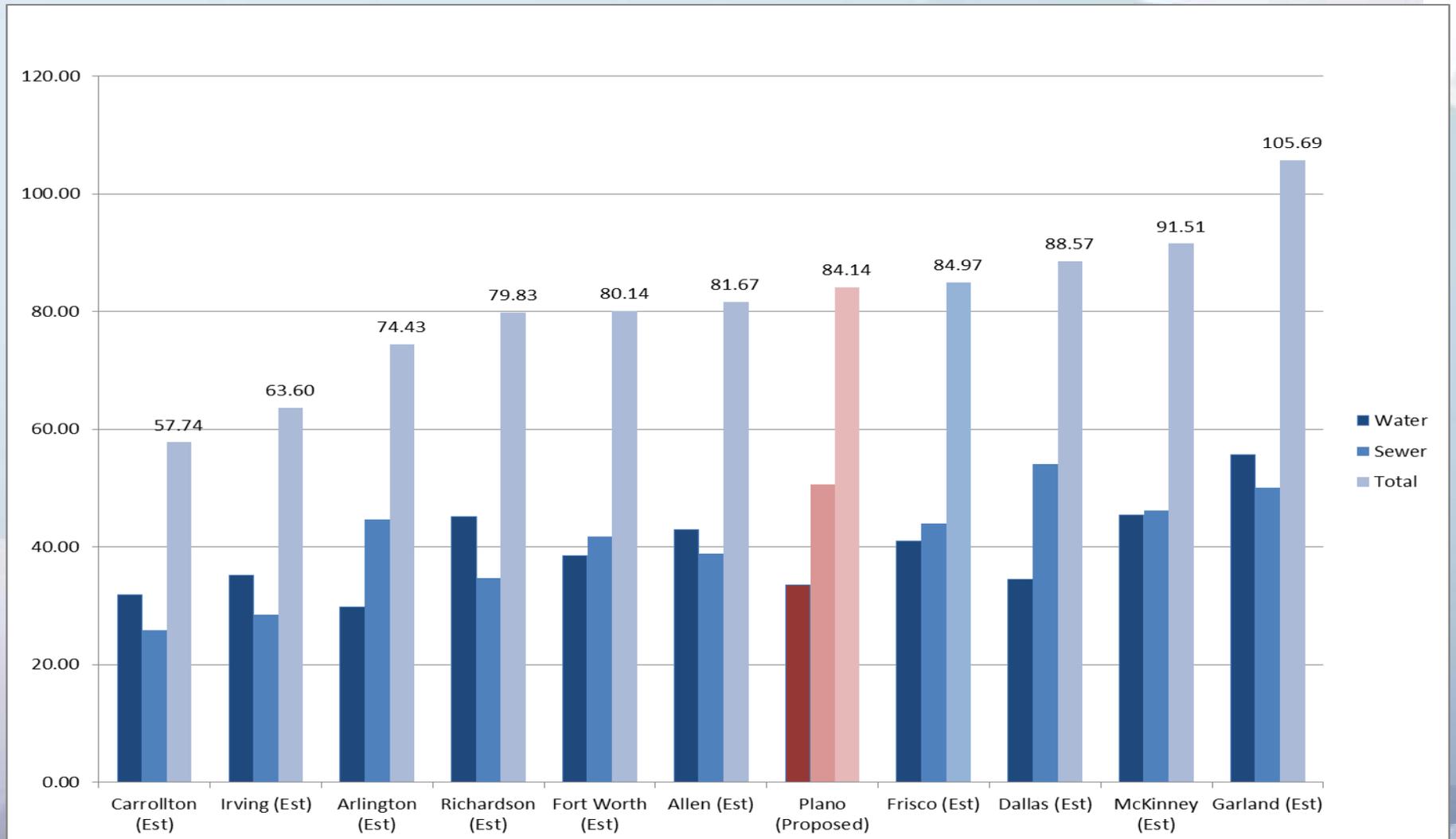
❖ Commercial 1” Customer – 50,000 gallons

Water - \$143.23 to \$157.42

Sewer - \$232.62 to \$232.62 (No increase proposed at this time)

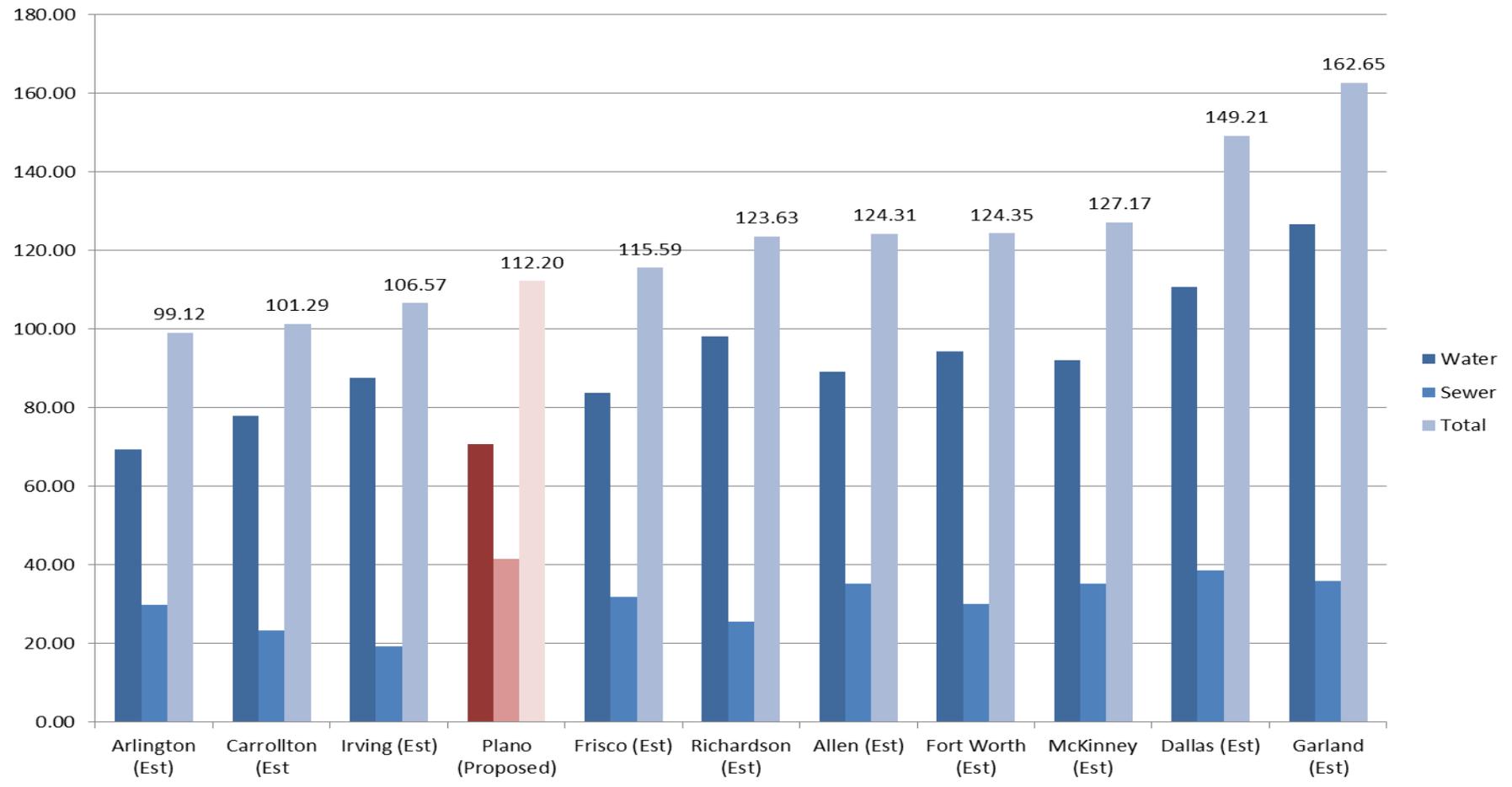
Total - \$375.85 to \$390.04 = \$14.19 increase

RESIDENTIAL 3/4" COMPARISON FOR 10,000 GALLONS

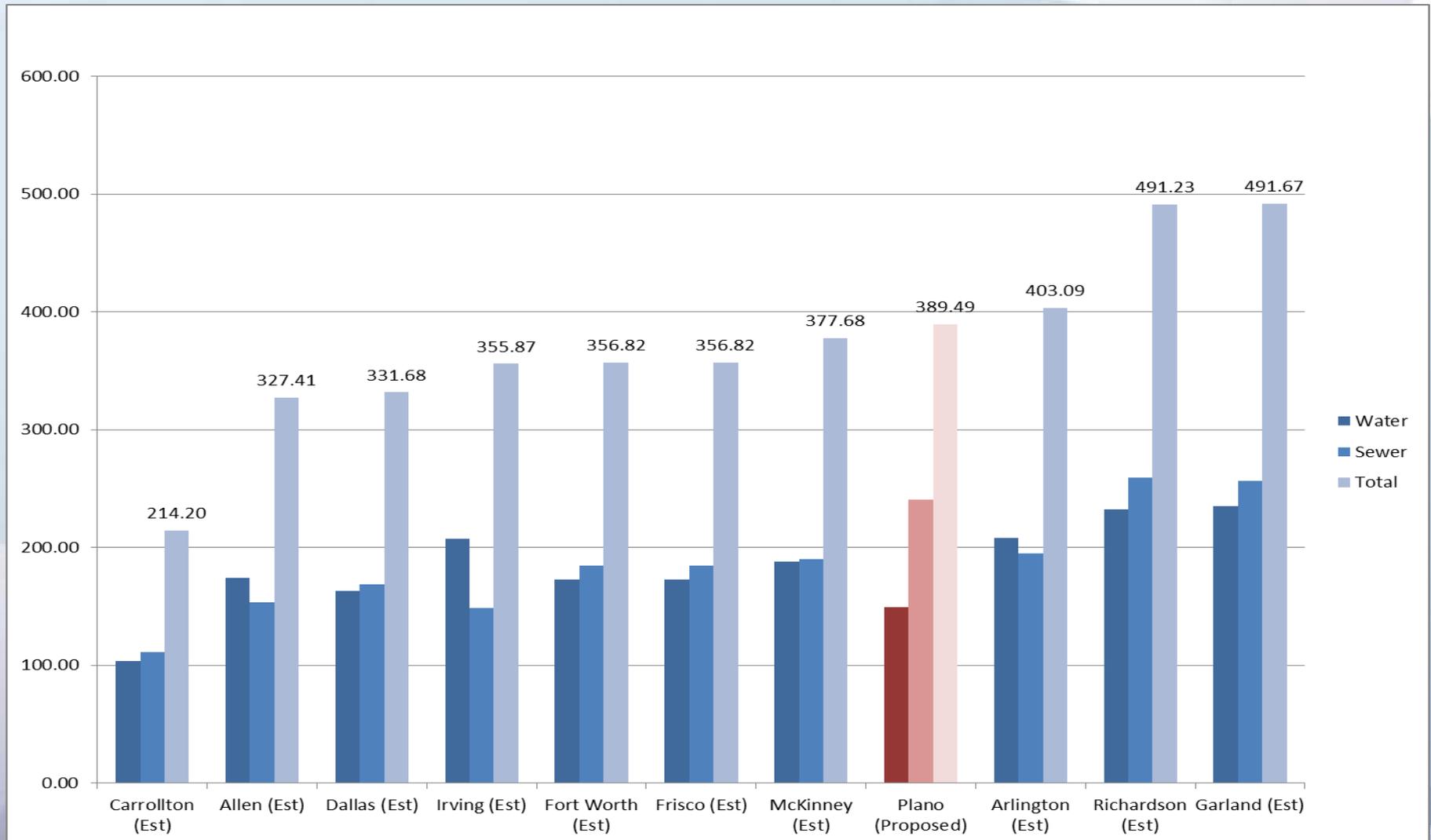


RESIDENTIAL 3/4" COMPARISON WITH PLANO HOUSEHOLD AVERAGE MONTHLY USAGE

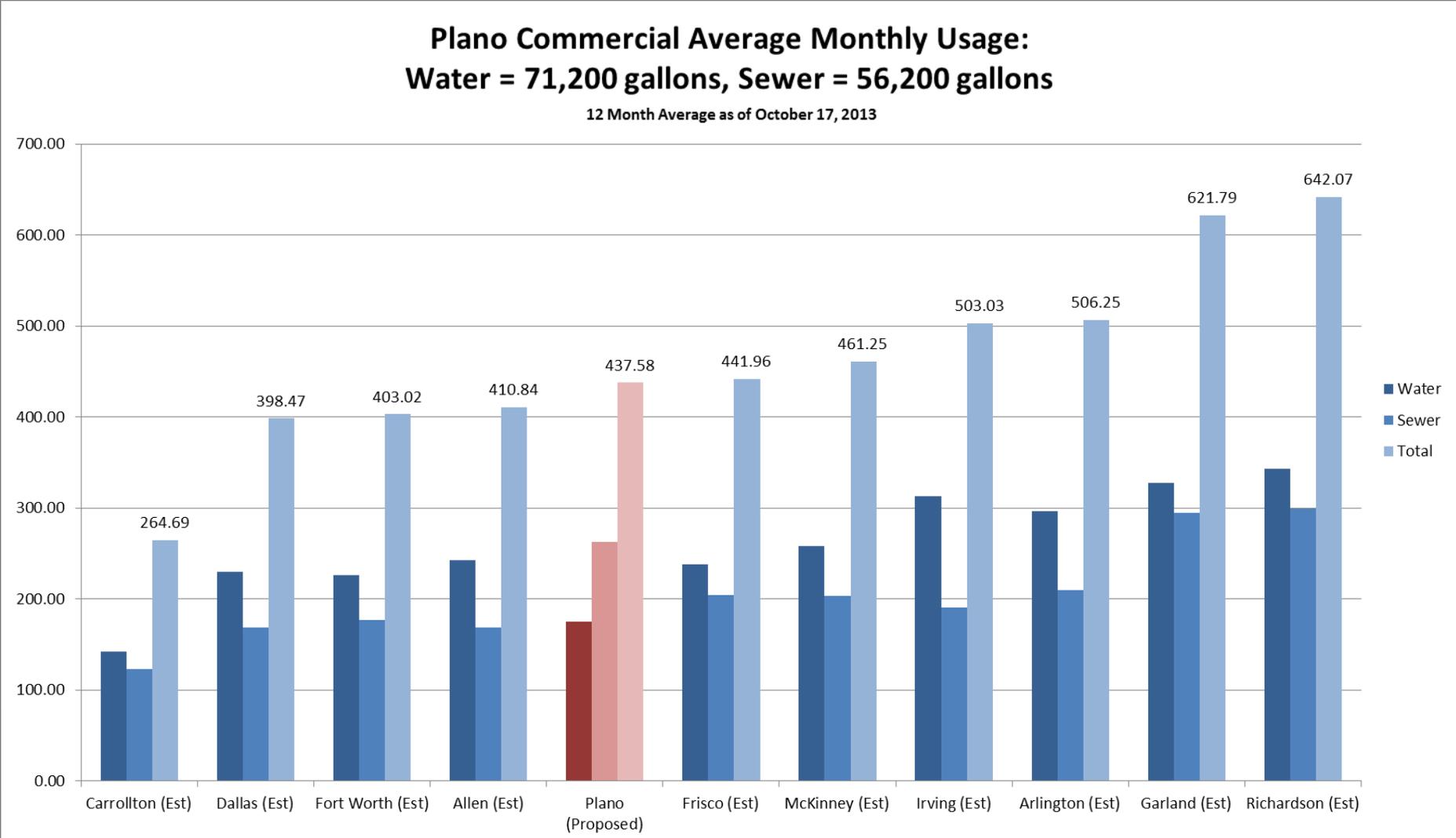
Plano Household Average Monthly Usage:
Water = 30,750 gallons, Sewer = 7,250 gallons
 12 Month Average as of October 17, 2013



COMMERCIAL 1" COMPARISON FOR 50,000 GALLONS



Commercial Average Monthly Usage



NTMWD Member Cities Residential Ranking

Table 1
Combined Water & Wastewater Average Monthly Bill
Residential 5/8 x 3/4 Inch Meter
Recap of Ranking, out of 13 Utilities
"The Lower The Rank, The Lower The Monthly Bill"

Gallons Monthly (Water) -> Gallons Monthly (Sewer) ->	Rank							Avg. Rank
	None From Table 3	5,000 From Table 4	12,000 From Table 5	15,000 From Table 6	20,000 From Table 7	25,000 From Table 8	50,000 From Table 9	
1 Allen	7	3	4	8	5	5	6	5
2 Farmersville	12	14	14	14	14	14	14	14
3 Forney	4	11	11	11	11	11	10	10
4 Frisco	10	8	7	6	6	6	3	7
5 Garland	1	9	10	10	10	10	11	9
6 McKinney	6	2	2	2	3	2	2	3
7 Mesquite	2	7	9	9	9	9	9	8
8 Plano	8	4	3	3	1	1	1	3
8 Plano - Proposed	8	5	5	4	2	3	5	5
9 Princeton	11	13	13	13	13	13	13	13
10 Richardson	3	6	8	7	7	7	8	7
11 Rockwall	5	1	1	1	4	4	4	3
12 Royse City	14	12	12	12	12	12	12	12
13 Wylie	13	10	6	5	8	8	7	8

Tables 1 and 2 recap the ranking of each city, based on the combined average monthly water and sewer bill.
 Note: The lower the rank, the lower the monthly bill.



NTMWD Member Cities Non-residential Ranking

Table 2
Combined Water & Wastewater Average Monthly Bill
Non-Residential
"The Lower The Rank, The Lower The Monthly Bill"

Meter Size -> Gallons Monthly From ->	Rank							Avg. Rank
	3/4" 17,000 From Table 10	1 Inch 21,000 From Table 11	1.5 Inch 45,000 From Table 12	2 Inch 100,000 From Table 13	3 Inch 85,000 From Table 14	4 Inch 57,000 From Table 15	6 Inch 867,000 From Table 16	
1 Allen	4	3	2	1	3	4	1	3
2 Farmersville	14	14	14	14	14	14	14	14
3 Forney	11	11	11	11	9	7	11	10
4 Frisco	8	6	5	4	5	8	5	6
5 Garland	10	10	8	8	7	6	9	8
6 McKinney	2	5	6	7	8	9	8	6
7 Mesquite	9	8	7	10	6	5	10	8
8 Plano	3	7	9	6	10	11	4	7
8 Plano - Proposed	5	9	10	9	11	12	6	9
9 Princeton	13	13	13	13	13	13	13	13
10 Richardson	6	2	4	5	4	3	7	4
11 Rockwall	1	1	1	2	2	2	3	2
12 Royse City	12	12	12	12	12	10	12	12
13 Wylie	7	4	3	3	1	1	2	3



NTMWD Member and Contract Cities Residential

Table 1
Combined Water & Wastewater Average Monthly Bill
Residential 5/8 x 3/4 Inch Meter
Recap of Ranking, out of 27 Utilities
"The Lower The Rank, The Lower The Monthly Bill"

Gallons Monthly (Water) -> Gallons Monthly (Sewer) ->	Rank							Avg. Rank
	None	5,000	12,000	15,000	20,000	25,000	50,000	
	None	5,000	8,000	8,000	8,000	8,000	8,000	
	From							
	Table 3	Table 4	Table 5	Table 6	Table 7	Table 8	Table 9	
1 Allen	11	4	7	11	8	8	10	8
2 Bonham	19	17	14	14	10	9	3	12
3 Fairview	9	2	2	2	2	2	7	4
4 Farmersville	18	27	28	28	28	28	28	26
5 Fate	25	22	21	21	20	21	19	21
6 Forney	5	16	17	17	18	18	18	16
7 Frisco	14	10	10	9	9	10	6	10
8 Garland	1	13	16	16	16	17	21	14
9 Heath	28	28	26	26	25	25	25	26
10 Josephine	20	12	13	13	15	15	17	15
11 Kaufman	7	18	19	19	17	16	14	16
12 Little Elm	22	19	18	18	19	20	22	20
13 McKinney	8	3	5	5	6	5	5	5
14 Melissa	21	26	25	25	26	27	27	25
15 Mesquite	3	9	15	15	14	14	13	12
16 Murphy	10	8	4	4	4	3	1	5
17 Plano	12	5	6	6	3	4	4	6
17 Plano - Proposed	12	6	8	7	5	6	9	8
18 Princeton	16	24	27	27	27	26	26	25
19 Prosper	15	21	20	20	21	23	23	20
20 Richardson	4	7	11	10	12	11	12	10
21 Rockwall	6	1	1	1	7	7	8	4
22 Royse City	27	20	22	22	24	24	24	23
23 Rowlett	23	25	24	24	22	19	15	22
24 Sachse	2	11	12	12	11	13	16	11
25 Sunnyvale	26	14	3	3	1	1	2	7
26 Terrell	17	23	23	23	23	22	20	22
27 Wylie	24	15	9	8	13	12	11	13

Tables 1 and 2 recap the ranking of each city, based on the combined average monthly water and sewer bill.
 Note: The lower the rank, the lower the monthly bill.



NTMWD Member and Contract Cities

Non - residential

Table 2
Combined Water & Wastewater Average Monthly Bill
Non-Residential
"The Lower The Rank, The Lower The Monthly Bill"

Meter Size -> Gallons Monthly From ->	Rank							Avg. Rank
	3/4"	1 Inch	1.5 Inch	2 Inch	3 Inch	4 Inch	6 Inch	
	17,000	21,000	45,000	100,000	85,000	57,000	867,000	
	From							
	Table 10	Table 11	Table 12	Table 13	Table 14	Table 15	Table 16	
1 Allen	5	5	3	1	3	6	2	4
2 Bonham	10	14	14	11	24	24	6	15
3 Fairview	1	1	1	6	5	1	12	4
4 Farmersville	28	28	28	28	27	25	28	27
5 Fate	17	24	25	24	26	27	27	24
6 Forney	18	17	18	18	15	11	22	17
7 Frisco	12	9	8	7	8	14	7	9
8 Garland	15	13	12	13	10	9	14	12
9 Heath	16	16	10	9	14	18	10	13
10 Josephine	7	3	5	5	4	3	8	5
11 Kaufman	22	19	16	16	11	8	16	15
12 Little Elm	20	21	22	20	21	26	19	21
13 McKinney	3	7	9	12	12	15	13	10
14 Melissa	27	27	27	27	28	28	26	27
15 Mesquite	14	11	11	15	9	7	15	12
16 Murphy	9	8	7	4	7	19	1	8
17 Plano	4	10	13	10	18	21	5	12
17 Plano - Proposed	6	12	15	14	19	22	9	14
18 Princeton	26	26	26	26	25	23	25	25
19 Prosper	19	20	20	23	20	17	24	20
20 Richardson	8	4	6	8	6	5	11	7
21 Rockwall	2	2	2	2	2	4	4	3
22 Royse City	25	25	24	25	23	16	23	23
23 Rowlett	21	18	17	17	13	10	17	16
24 Sachse	13	15	19	21	17	12	21	17
25 Sunnyvale	24	22	21	19	16	13	20	19
26 Terrell	23	23	23	22	22	20	18	22
27 Wylie	11	6	4	3	1	2	3	4



Questions??



An Ordinance of the City of Plano, Texas, amending Ordinance No. 2013-1-4 codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano to increase the water rate schedules for residential and non-residential customers for services rendered on or after December 1, 2013, and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, on January 14, 2013 the City Council of the City of Plano enacted Ordinance No. 2013-1-4 amending the fee schedules for water service provided in the City; and

WHEREAS, the City Council has been presented with a report which indicates that the revenues currently recovered under the existing water rate schedules are insufficient to cover the costs of providing such services to the City; and

WHEREAS, upon consideration of the report and the recommendations contained therein, the City Council is of the opinion that the water rates for both residential and non-residential customers should be increased; and

WHEREAS, the City Council further finds and determines that the fee increase is necessary and in the best interest of the City and its citizens.

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

Section I. *Section 21-147, Water Charges, of Article IV, Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, is hereby amended to read in its entirety as follows:*

“For Services Rendered on or after December 1, 2013:

Sec. 21-147. Water charges.

(1) All **residential**. (Includes but is not limited to single family homes, and separately metered multi-family units, patio homes, town homes, condominiums and all other residential dwellings.)

a. Minimum charge.

1.	Up to 3/4 inch.....	\$18.62
2.	1 inch.....	18.62
3.	1 1/2 inch.....	82.41
4.	2 inch.....	130.06

b. Consumption charges.

1.	First 1,000 gallons included in meter charge (minimum bill).	
2.	1,001 - 5,000 gallons (per 1,000 gallons).....	\$0.49
3.	5,001 – 20,000gallons (per 1,000 gallons).....	2.52
4.	All over 20,000 gallons (per 1,000 gallons).....	5.03

(2) All **non-residential**. (Includes, but is not limited to commercial, schools, churches, homeowners associations, mobile home parks, industrial, apartment complexes, cooling towers and any other non-residential use.)

a. Minimum charge.

1.	Up to 3/4 inch.....	\$18.62
2.	1 inch.....	42.06
3.	1 1/2 inch.....	82.41
4.	2 inch.....	130.06
5.	3 inch.....	257.10
6.	4 inch.....	400.16
7.	6 inch.....	797.35
8.	8 inch.....	1,273.98
9.	10 inch.....	1,830.19

b. Consumption charges.

1.	First 1,000 gallons included in meter charge (minimum bill).	
2.	1,001- 5,000 gallons (per 1,000 gallons).....	\$0.49
3.	All over 5,000 gallons (per 1,000 gallons).....	2.52

(3) **Separately metered irrigation use.**

a. Minimum charge.

1.	Up to 3/4 inch.....	\$18.62
2.	1 inch (Residential).....	18.62
2.	1 inch (Commercial).....	42.06
3.	1 1/2 inch.....	82.41
4.	2 inch.....	130.06
5.	3 inch.....	257.10
6.	4 inch.....	400.16
7.	6 inch.....	797.35
8.	8 inch.....	1,273.98
9.	10 inch.....	1,830.19

b. Consumption charges.

1.	First 1,000 gallons included in meter charge (minimum bill).	
2.	1,001- 5,000 gallons (per 1,000 gallons).....	\$0.49
3.	5,001 – 20,000 gallons (per 1,000 gallons).....	2.52
4.	All over 20,000 gallons (per 1,000 gallons).....	5.03

Section II. Any provision of any Ordinance of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance is 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 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 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. This Ordinance shall become effective December 1, 2013 upon its passage.

DULY PASSED AND APPROVED this the 28th day of October, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, City Secretary

APPROVED AS TO FORM:

Diane C. Wetherbee, City Attorney

DATE: September 17, 2013

TO: Honorable Mayor & City Council

FROM: Chris Caso, Chairman, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of September 16, 2013

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2013-13
APPLICANT: CITY OF PLANO**

Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) and Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations), and related sections of the Zoning Ordinance to establish regulations for mid-rise multifamily residential development. Tabled August 19, 2013.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____

STIPULATIONS:

Recommended for approval of the following (additions are shown as underlined text; deletions are shown as strike-through text):

Amend Section 1.600 (Definitions) of Article 1 (General Regulations) to add the following term and definition for mid-rise residential, such portion of section to read as follows:

1.600 (Definitions)

Mid-Rise Residential - Buildings containing not less than five floors designed for residential occupancy, and including accessory uses including but not limited to parking garages, recreational amenities, meeting space, storage, and personal services. A mid-rise residential development may include a mix of residential and nonresidential uses in the same structure.

Amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) to allow mid-rise residential in the following zoning districts:

Mid-rise residential development is allowed in the Corridor Commercial (CC), Regional Commercial (RC), Regional Employment (RE) and Commercial Employment (CE) zoning districts by specific use permit, and in the Urban Mixed-Use (UMU) and Downtown Business/Government (BG) zoning districts by right.

2.502 (Schedule of Permitted Uses)

Nonresidential Zoning Districts

Permitted Uses	Category														
		O-1 - Neighborhood Office	O-2 - General Office	R - Retail	BG - Downtown Business/Government	LC - Light Commercial	CE - Commercial Employment	CB-1 - Central Business-1	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2	RE - Regional Employment	RC - Regional Commercial	RT - Research/Technology Center	CC - Corridor Commercial	UMU – Urban Mixed-Use
<u>Mid-Rise Residential</u>	Primary Residential				1 ^P		1 ^S				1 ^S	1 ^S		1 ^S	1 ^P

Amend Subsection 2.821 (BG - Downtown Business/Government) 5. (Special District Requirements) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of subsection to read as follows:

2.821.5 (Special District Requirements)

g. Special Regulations for Multifamily Residences

- iii. Minimum Density: 40 dwelling units per acre, except mid-rise residential (See Subsection 3.118)

Amend Subsection 2.829 (UMU - Urban Mixed-Use) 9. (Additional Use Regulations) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of subsection to read as follows:

2.829.9 (Additional Use Regulations)

- b. An average residential density of 40 dwelling units per acre must be maintained within a UMU district. The average shall be computed based on the actual and effective residential density of units built and under construction (building permit issued). The reservation and allocation of residential units shall be managed by the governance association. Phased development shall have a minimum average residential density of 40 dwelling units per acre. However, no phase having less than 40 units per acre may be constructed, unless preceded by or concurrently built with a phase which maintains the minimum 40 dwelling units for

the overall UMU district. No individual phase may be constructed at a residential density less than 30 units per acre, with the exception of single-family attached uses. This requirement does not apply to mid-rise residential developments (see Subsection 3.118).

Amend Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) to establish regulations pertaining to mid-rise residential uses, such portion of section to read as follows:

3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses)

3.118 - Mid-Rise Residential Development

Purpose - Mid-rise residential development is intended as a complementary use to large-scale commercial districts and corridors. It should be used to diversify land use, increase pedestrian activity, and reduce auto dependency. Mid-rise residential development should be integrated with other land uses and amenities conducive to a residential environment.

1. Lot Coverage - Maximum 100% lot coverage
2. Minimum Density - Mid-rise residential development is exempt from the minimum densities for multifamily development in the Urban Mixed-Use and Downtown Business/Government districts.

Amend Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) to establish parking requirements for mid-rise residential uses, such portion of subsection to read as follows:

3.1107 (Schedule of Off-Street Parking)

<u>Mid-Rise Residential</u>	<u>One bedroom or less - One parking space per unit</u>
	<u>Two bedrooms - 1.5 parking spaces per unit</u>
	<u>Three bedrooms or more - Two parking spaces per unit</u>

FOR CITY COUNCIL MEETING OF: October 14, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

PJ/dc

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 16, 2013

Agenda Item No. 6

Public Hearing: Zoning Case 2013-13

Applicant: City of Plano

DESCRIPTION:

Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) and Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations), and related sections of the Zoning Ordinance to establish regulations for mid-rise multifamily residential development. Tabled August 19, 2013.

REMARKS:

This item was tabled at the August 19, 2013 Planning & Zoning Commission meeting at staff's request and must be removed from the table.

In considering appropriate uses for the city's remaining undeveloped land, the City Council and Planning & Zoning Commission have discussed mid-rise housing (typically 5-12 stories in height) as an option for properties located along major expressway corridors where land should primarily be reserved for economic development purposes. This would give developers flexibility in land use yet still maintain the primary goal of commercial development in these areas. This taller form of housing reduces the land area dedicated to the building footprint, allowing additional land to accommodate other uses.

Mid-rise multifamily residential development is typically defined as 5-12 stories. This distinction is made primarily on the type of construction required for residential buildings of five stories or taller. Building codes generally limit wood frame construction for multifamily buildings to four stories, or four levels above a concrete podium base; for a taller structure the International Building Code requires non-combustible construction of steel and concrete. Mid-rise residential units typically cost more per square foot to rent or purchase based on the increased costs for construction. Structured parking is likely to be provided instead of surface parking, further increasing costs. Mid-rise residential developments may have fewer units overall due to larger unit sizes and may not

achieve the desired density of 40 units per acre. Additionally, mid-rise residential development is likely to consist of one to three buildings within a single-development compared to more buildings within a low-rise multifamily development.

Mid-rise residential development is most frequently found in urban areas where land prices are higher than in suburban settings. However, suburban town centers, mixed-use developments, and other developments with walkable streets and access to amenities may also support this type of housing. This type of development may be appropriate in some, but not all, locations within major corridors and mixed-use developments. A specific use permit should be required unless the project is located within a zoning district which already allows taller residential structures, such as the zoning district that governs Legacy Town Center and Granite Park.

ISSUES:

In June 2013 the Planning & Zoning Commission discussed this topic and requested more information as noted below:

Other Cities' Regulations - Staff contacted several suburban cities in the area to see how they regulate mid-rise housing. Only Addison has a zoning district which directly addresses mid-rise residential development. The town's Urban Center zoning district allows multifamily development up to 92 feet in height. Frisco and Irving regulate mid-rise housing through the creation of individual planned development districts.

Emergency Response - The Fire Marshall indicated that the fire code contains specific regulations for high-rise construction, regardless of whether or not the building is used for residential or commercial uses. The code requirements are different from those that apply to wood frame construction for standpipes, fire pumps, protected stairwells, and the type of sprinkler system. The response to a fire or other emergency also differs for high-rise buildings and the department is prepared for these incidents.

RECOMMENDED REGULATIONS:

Definition

Since the Zoning Ordinance does not presently define mid-rise residential uses, staff recommends amending Section 1.600 (Definitions) of Article 1 (General Regulations) to include the following term and definition:

Mid-Rise Residential - A building or group of buildings containing not less than five floors designed for residential or mixed-use occupancy, and including accessory uses including but not limited to parking garages, recreational amenities, meeting space, storage, and personal services. A mid-rise residential development may include a mix of residential and nonresidential uses in the same structure.

Zoning Districts

Staff recommends amending Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) to allow mid-rise residential development in the Corridor Commercial (CC), Regional Commercial (RC), Regional Employment (RE), and Commercial Employment (CE) zoning districts by specific use permit and in the Urban Mixed-Use (UMU) and Downtown Business/Government (BG) zoning districts by right.

Allowing mid-rise residential in the above mentioned zoning districts with a specific use permit (SUP) is consistent with the interim amendments to the Land Use Element of the Comprehensive Plan adopted in 2012. Furthermore, the SUP requirement allows for a site specific, case-by-case review since not all properties within these zoning districts may be appropriate for this land use.

Minimum Density

Mid-rise residential units may be larger than typical apartment units, thus a development's density may not achieve the minimum 40 units per acre required in Planned Development-65-Central Business-1 (PD-65-CB-1) (Legacy Town Center), BG, and the UMU zoning districts. This type of housing should be exempt from the minimum density requirements. Staff recommends amending Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) to establish regulations to address this issue, as well as amend the appropriate subsections of the BG and UMU districts. PD-65-CB-1 will need to be amended separately to allow for mid-rise residential uses.

Lot Coverage

Since mid-rise residential buildings are most likely to develop on small lots in major corridors or in urban mixed-use settings, it is likely that they will cover more of the lot than the typical apartment building. A maximum lot coverage of 100% is recommended to accommodate the residential structure and associated parking garage. This lot coverage recommendation is consistent with the CB-1 zoning district which has no maximum lot coverage requirements since this district anticipates an urban, dense form of development.

Parking

For mid-rise residential uses, staff recommends amending Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) to establish minimum parking requirements at the same ratio required for multifamily units in the BG and UMU districts, as follows:

- One Bedroom or less - One parking space per unit
- Two Bedrooms -1.5 parking spaces per unit
- Three Bedrooms and more - Two parking spaces per unit

These recommended parking ratios are consistent with urban development instead of suburban multifamily (i.e. garden apartments) development regulations which require a higher parking ratio.

RECOMMENDATION:

Staff recommends approval of the following (additions are shown as underlined text; deletions are shown as strike-through text):

Amend Section 1.600 (Definitions) of Article 1 (General Regulations) to add the following term and definition for mid-rise residential, such portion of section to read as follows:

1.600 (Definitions)

Mid-Rise Residential - A building or group of buildings containing not less than five floors designed for residential occupancy, and including accessory uses including but not limited to parking garages, recreational amenities, meeting space, storage, and personal services. A mid-rise residential development may include a mix of residential and nonresidential uses in the same structure.

Amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) to allow mid-rise residential in the following zoning districts:

Mid-rise residential development is allowed in the Corridor Commercial (CC), Regional Commercial (RC), Regional Employment (RE) and Commercial Employment (CE) zoning districts by specific use permit, and in the Urban Mixed-Use (UMU) and Downtown Business/Government (BG) zoning districts by right.

2.502 (Schedule of Permitted Uses)

Nonresidential Zoning Districts

Permitted Uses	Category													
		O-1 - Neighborhood Office				BG - Downtown Business/Government								
		O-2 - General Office				LC - Light Commercial								
		R - Retail				CE - Commercial Employment								
						CB-1 - Central Business-1								
						LI-1 - Light Industrial-1								
						LI-2 - Light Industrial-2								
						RE - Regional Employment								
						RC - Regional Commercial								
						RT - Research/Technology Center								
						CC - Corridor Commercial								
						UMU - Urban Mixed-Use								
<u>Mid-Rise Residential</u>	Primary Residential				P									

Amend Subsection 2.821 (BG - Downtown Business/Government) 5. (Special District Requirements) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of subsection to read as follows:

2.821.5 (Special District Requirements)

g. Special Regulations for Multifamily Residences

- iii. Minimum Density: 40 dwelling units per acre, except mid-rise residential (See Subsection 3.118)

Amend Subsection 2.829 (UMU - Urban Mixed-Use) 9. (Additional Use Regulations) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of subsection to read as follows:

2.829.9 (Additional Use Regulations)

- b. An average residential density of 40 dwelling units per acre must be maintained within a UMU district. The average shall be computed based on the actual and effective residential density of units built and under construction (building permit issued). The reservation and allocation of residential units shall be managed by the governance association. Phased development shall have a minimum average residential density of 40 dwelling units per acre. However, no phase having less than 40 units per acre may be constructed, unless preceded by or concurrently built with a phase which maintains the minimum 40 dwelling units for the overall UMU district. No individual phase may be constructed at a residential

density less than 30 units per acre, with the exception of single-family attached uses. This requirement does not apply to mid-rise residential developments (see Subsection 3.118).

Amend Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) to establish regulations pertaining to mid-rise residential uses, such portion of section to read as follows:

3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses)

3.118 - Mid-Rise Residential Development

Purpose - Mid-rise residential development is intended as a complementary use to large-scale commercial districts and corridors. It should be used to diversify land use, increase pedestrian activity, and reduce auto dependency. Mid-rise residential development should be integrated with other land uses and amenities conducive to a residential environment.

1. Lot Coverage - Maximum 100% lot coverage
2. Minimum Density - Mid-rise residential development is exempt from the minimum densities for multifamily development in the Urban Mixed-Use and Downtown Business/Government districts.

Amend Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) to establish parking requirements for mid-rise residential uses, such portion of subsection to read as follows:

3.1107 (Schedule of Off-Street Parking)

<u>Mid-Rise Residential</u>	<u>One bedroom or less - One parking space per unit</u>
	<u>Two bedrooms - 1.5 parking spaces per unit</u>
	<u>Three bedrooms or more - Two parking spaces per unit</u>

Zoning Case 2013-13

An Ordinance of the City of Plano, Texas, amending Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses), Subsection 2.821 (BG - Downtown Business/Government) and Subsection 2.829 (UMU - Urban Mixed-Use) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses), and Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to establish regulations for mid-rise multifamily residential development; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 28th day of October, 2013, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 28th day of October, 2013; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

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

Section I. Section 1.600 (Definitions) of Article 1 (General Regulations) of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended to establish regulations for mid-rise multifamily residential development, such portion of the section to read as follows:

Section 1.600 Definitions

Mid-Rise Residential - Buildings containing not less than five floors designed for residential occupancy, and including accessory uses including but not limited to parking garages, recreational amenities, meeting space, storage, and personal services. A mid-rise residential development may include a mix of residential and nonresidential uses in the same structure.

Section II. Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended to allow mid-rise residential in the following zoning districts; such portion of the section to read as follows:

2.502 (Schedule of Permitted Uses)

Nonresidential Zoning Districts

Permitted Uses	Category														
		O-1 - Neighborhood Office	O-2 - General Office	R - Retail	BG - Downtown Business/Government	LC - Light Commercial	CE - Commercial Employment	CB-1 - Central Business-1	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2	RE - Regional Employment	RC - Regional Commercial	RT - Research/Technology Center	CC - Corridor Commercial	UMU – Urban Mixed-Use
Mid-Rise Residential	Primary Residential				P		S				S	S		S	P

Section III. Subsection 2.821 (BG-Downtown Business/Government) 5. (Special District Requirements) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended to establish regulations for mid-rise multifamily residential development, such portion of the section to read as follows:

2.821.5 (Special District Requirements)

g. Special Regulations for Multifamily Residences

- iii. Minimum Density: 40 dwelling units per acre, except mid-rise residential (See Subsection 3.118)

Section IV. Section 2.829 (UMU – Urban Mixed-Use) 9. (Additional Use Regulations) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended, such portion of the subsection to read as follows:

2.829.9 (Additional Use Regulations)

- b. An average residential density of 40 dwelling units per acre must be maintained within a UMU district. The average shall be computed based on the actual and effective residential density of units built and under construction (building permit issued). The reservation and allocation of residential units shall be managed by the governance association. Phased development shall have a minimum average residential density of 40 dwelling units per acre. However, no phase having less than 40 units per acre may be constructed, unless preceded by or concurrently built with a phase which maintains the minimum 40 dwelling units for the overall UMU district. No individual phase may be constructed at a residential density less than 30 units per acre, with the exception of single-family attached uses. This requirement does not apply to mid-rise residential developments (see Subsection 3.188)

Section V. Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended, to establish regulations pertaining to mid-rise residential uses, such portion of the section to read as follows:

3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses)

3.118 - Mid-Rise Residential Development

Purpose - Mid-rise residential development is intended as a complementary use to large-scale commercial districts and corridors. It should be used to diversify land use, increase pedestrian activity, and reduce auto dependency. Mid-rise residential development should be integrated with other land uses and amenities conducive to a residential environment.

1. Lot Coverage - Maximum 100% lot coverage
2. Minimum Density - Mid-rise residential development is exempt from the minimum densities for multifamily development in the Urban Mixed-Use and Downtown Business/Government districts.

Section VI. Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended, to establish parking requirements for mid-rise residential uses, such portion of the subsection to read as follows:

Mid-Rise Residential	One bedroom or less - One parking space per unit
	Two bedrooms - 1.5 parking spaces per unit
	Three bedrooms or more - Two parking spaces per unit

Section VII. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section VIII. The repeal of any ordinance or part of ordinances affected 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 ordinance at the time of passage of this Ordinance.

Section IX. 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section X. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

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

PASSED AND APPROVED THIS THE 28TH DAY OF OCTOBER, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

DATE: October 8, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of October 7, 2013

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2013-29
APPLICANT: HERITAGE FARMSTEAD MUSEUM**

Request to amend Heritage Resource Designation #1 (Ammie Wilson House) on one lot on 4.1± acres located at the southeast corner of Pitman Drive and 15th Street to allow a reduced front yard building setback from Gardengrove Court. Zoned Single-Family Residence-9 with Heritage Resource Designation #1.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 1 **OPPOSE:** 2

LETTERS RECEIVED OUTSIDE 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 1

PETITION(s) RECEIVED: N/A **# OF SIGNATURES:** N/A

STIPULATIONS:

Recommended for approval as submitted subject to a minimum 16-foot building setback on Gardengrove Court.

FOR CITY COUNCIL MEETING OF: October 28, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

BM/av

xc: M'Lou Hyttinen, Heritage Farmstead Museum
Cliff Bormann, Permit Services Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

October 7, 2013

Agenda Item No. 6

Public Hearing: Zoning Case 2013-29

Applicant: Heritage Farmstead Museum

DESCRIPTION:

Request to amend Heritage Resource Designation #1 (Ammie Wilson House) on one lot on 4.1± acres located at the southeast corner of Pitman Drive and 15th Street to allow a reduced front yard building setback from Gardengrove Court. Zoned Single-Family Residence-9 with Heritage Resource Designation #1.

REMARKS:

The subject property is located at the southeast corner of Pitman Drive and 15th Street and is the site of the Ammie Wilson House. The structure was constructed circa 1890 and designated as a heritage resource in 1982. At that time, the heritage resource designation allowed for additional uses such as incidental retail sales, museum, periodic fund raising activities, related charitable and/or education activities, and incidental office uses.

The Young House was originally constructed in 1886 and located in the area of State Highway 121 and Independence Parkway before being relocated to the Heritage Farmstead Museum site in 2001. The house originally had an approximately 13'0" x 20'0" rear addition that was not moved and later demolished.

Heritage Resource Designation

The heritage resource designation process allows owners of heritage resource properties to request additional permitted uses and modifications to the development regulations for the site that are otherwise prohibited by the property's base zoning in order to better protect the resource. Upon a favorable recommendation from the Heritage Commission, a zoning case is initiated for consideration by the Planning & Zoning Commission and City Council. Therefore, the heritage resource designation is considered a zoning action and any additional uses or modifications to the development regulations granted for the site stay with the property regardless of ownership.

Request

The applicant is requesting to amend the property's heritage resource designation to allow a reduced front yard building setback from Gardengrove Court to construct a single story addition at the rear of the existing Young House building as shown on the attached site plan and architectural drawings. The proposed addition is currently not allowed per the Zoning Ordinance front yard building setback requirements of 30 feet for this zoning district.

The subject property is presently used as a museum and is zoned Single-Family Residence-9 (SF-9). Currently, the existing Young House is located 30 feet from the Gardengrove Court property line. Based on the historic photographs, the applicant proposes to reconstruct the historic addition that once existed on the rear of the Young House. The proposed addition, consisting of accessible restrooms and a catering kitchen, will require a reduced front yard building setback of 16 feet from the Gardengrove Court property line.

Surrounding Land Uses

Adjacent surrounding land uses and zoning districts include: to the north across 15th Street, existing retail zoned Planned Development-79-Retail (PD-79-R); to the west, across Pitman Drive, existing retail and bank zoned PD-79-R; to the south, across Gardengrove Court, single-family residences zoned Single-Family Residence-9 (SF-9); and to the east, across Pitman Creek, single-family residences zoned SF-9.

Land Use Compatibility and Preservation of Heritage Resource

Subsection 2.812 (SF-9 - Single-Family Residence-9) 3. (Area, Yard and Bulk Requirements) of the Zoning Ordinance requires a minimum front yard building setback of 30 feet. Furthermore, Subsection 3.504 (Front Yard Regulations) from the Zoning Ordinance lists "In the case of lots which are bounded on three sides by streets, all yards between the main building and a street shall be regulated as front yards unless a front, side, and rear building line have been established by plat." The subject property's current plat does not have established front, side, and rear building lines; therefore, a minimum 30 foot setback is required per the Zoning Ordinance for all property lines adjacent to streets.

The farmstead site is bounded by streets on three sides, Pitman Drive and 15th Street are considered and used as front yards; Gardengrove Court is used as a rear entrance and functions as a rear yard. If the rear property line is not adjacent to a street, the typical rear yard setback is 10 feet. Additionally, there is an existing 6'-6" tall masonry fence along Gardengrove Court property line. Therefore, the addition will not be visible from the north side of Gardengrove Court and will be minimally visible from the south side of Gardengrove Court (see attached sightline sketch).

The Secretary of the Interior's Standards recommend that a historic property be used for its historic purpose or for a new use that requires minimal change to the site. The Heritage Farmstead Museum has been operating as a museum and farm site for many years, while the existing Young House has been used to host meetings and events. The proposed Young House rear addition will provide accessible restrooms and a catering kitchen to enhance the facility rentals and event services which will potentially bring additional visitors to Plano. The museum would also be able to host large regional and national heritage conferences. Additionally, the museum will be able to reach new audiences that have been limited in the past due to accessibility issues.

The proposed addition does not alter the site and its use and is not substantially visible due to the existing 6'6" high masonry fence. Therefore, the requested heritage resource designation amendment to allow a reduced front yard building setback from Gardengrove Court is appropriate and compatible with the overall site and surrounding land uses.

HERITAGE COMMISSION ACTION

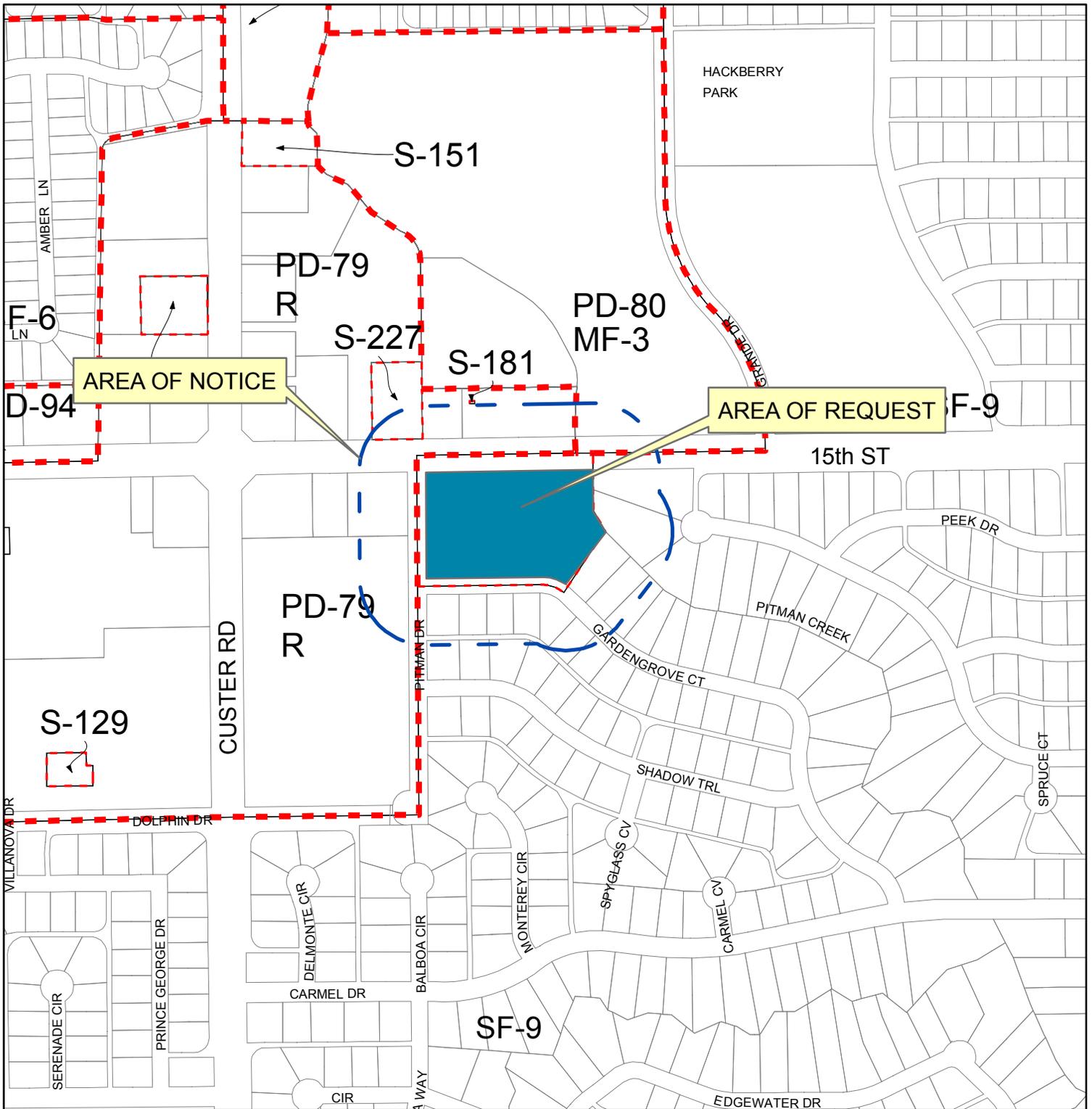
At its August 27, 2013 meeting, the Heritage Commission approved the heritage resource designation amendment request to allow reduced front yard building setback from Gardengrove Court with the following stipulation:

The new front yard building setback on Gardengrove Court shall be 16 feet.

The Heritage Commission stated that the requested reduced front yard building setback is appropriate to reconstruct the historic addition that once existed on the rear of the existing Young House. Additionally, the Commission believes that the proposed request is appropriate for continued preservation of this heritage resource while continuing to help the farmstead generate more revenue and visitation needed to promote historic preservation.

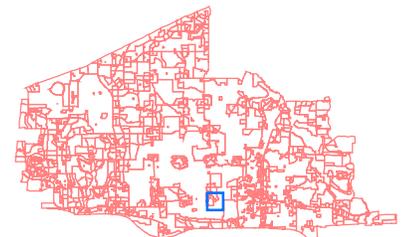
RECOMMENDATION:

The Heritage Commission recommends approval of the proposed heritage resource designation amendment to allow reduced front yard building setback from Gardengrove Court.



Zoning Case #: 2013-29

Existing Zoning: SINGLE-FAMILY RESIDENCE-9/
HERITAGE RESOURCE DESIGNATION #1



○ 200' Notification Buffer



Area of Request

15TH STREET

PITMAN DRIVE

GARDENGROVE COURT

SHADOW TRAIL

RIO GRANDE DRIVE

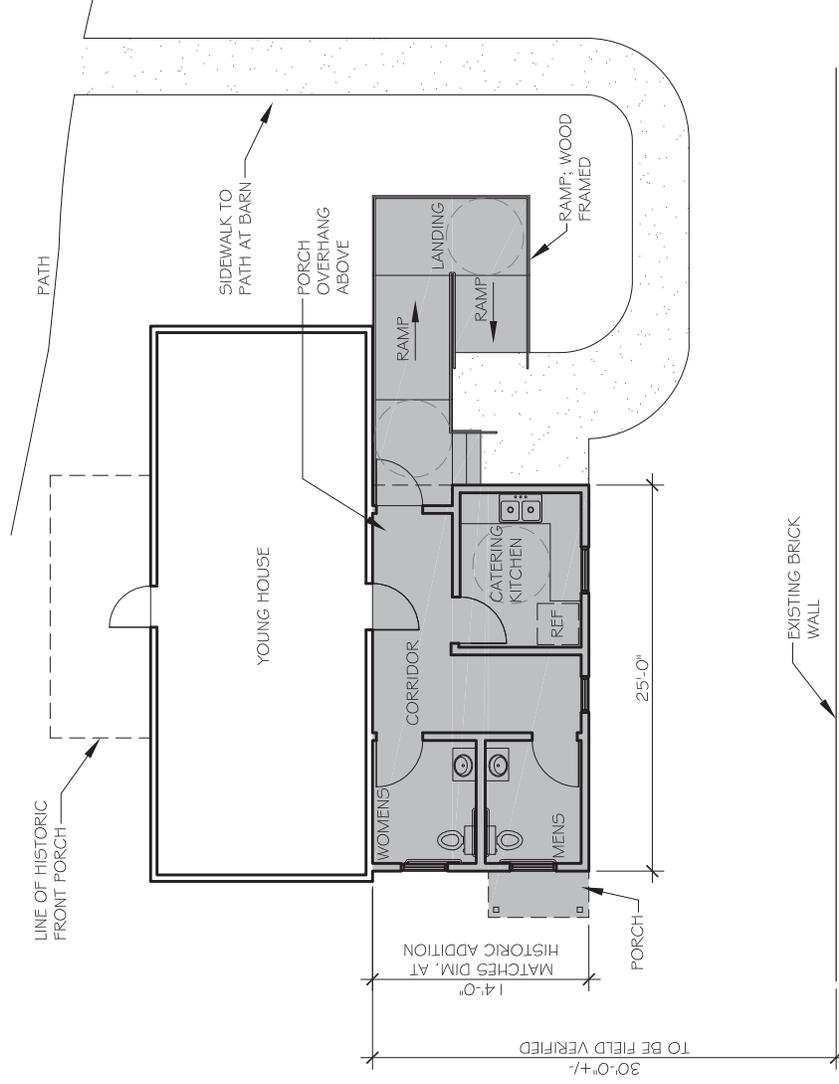


Source: City of Plano, Planning Dept.
Date: October, 2013

Zoning Case 2013-29

Attachment 2

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION



FLOOR PLAN
 SCALE: 1/8"=1'-0"

Attachment 2 (Continued)

qmc
Quimby McCoy Preservation
Architecture, LLP
1900 W. 15th Street
Dallas, Texas 75208
Ph: 214.877.9118

PLANO HERITAGE FARMSTEAD
1900 W. 15TH STREET
PLANO, TEXAS 75075

REVOLUTIONS

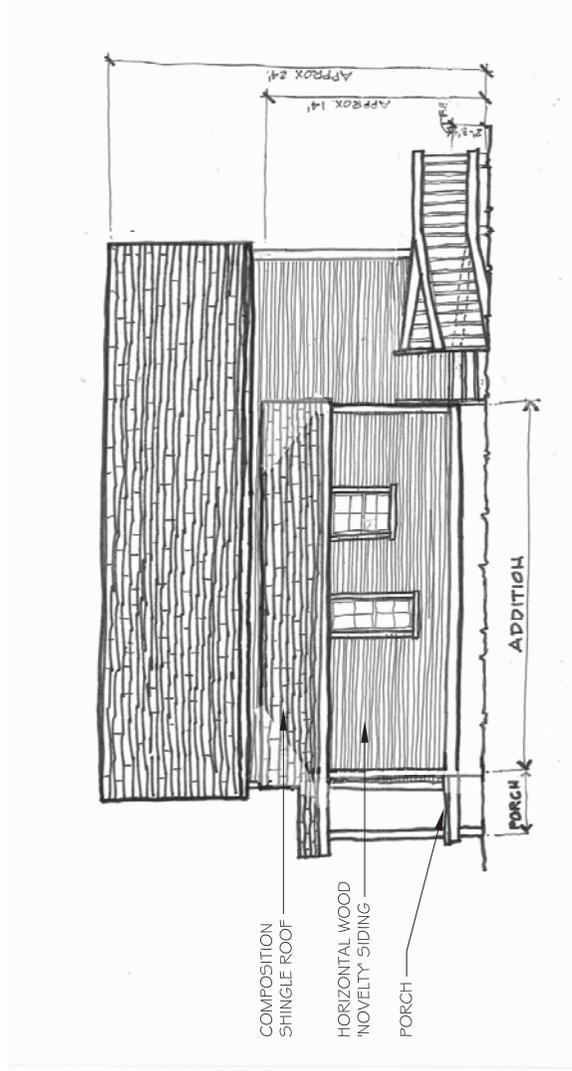
ADDITION TO THE
YOUNG HOUSE

08/01/2013 \$66
08/06

A-2



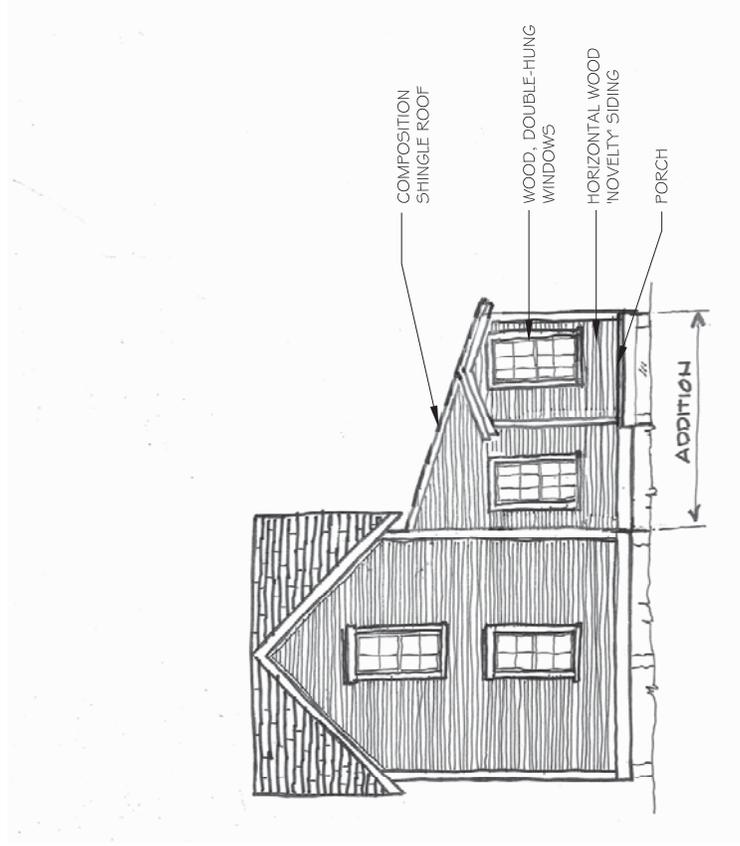
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION



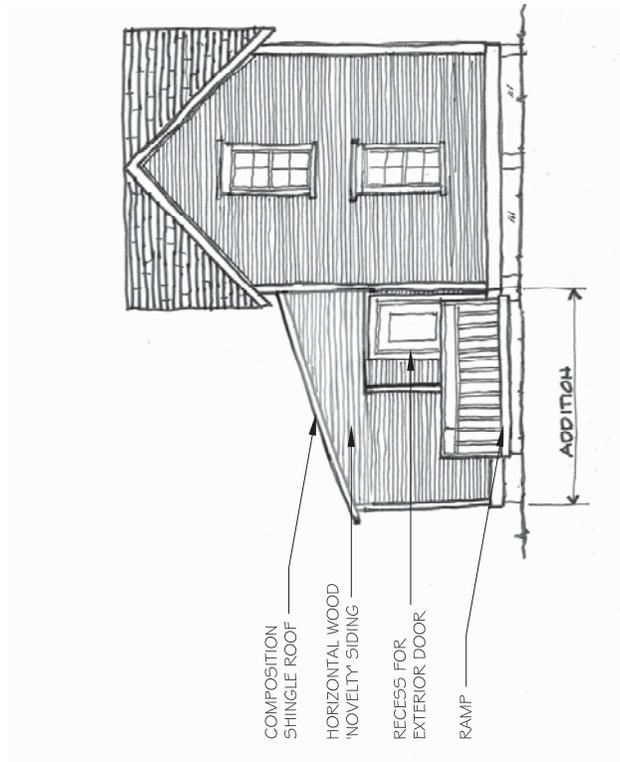
SOUTH ELEVATION

Attachment 2 (Continued)

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

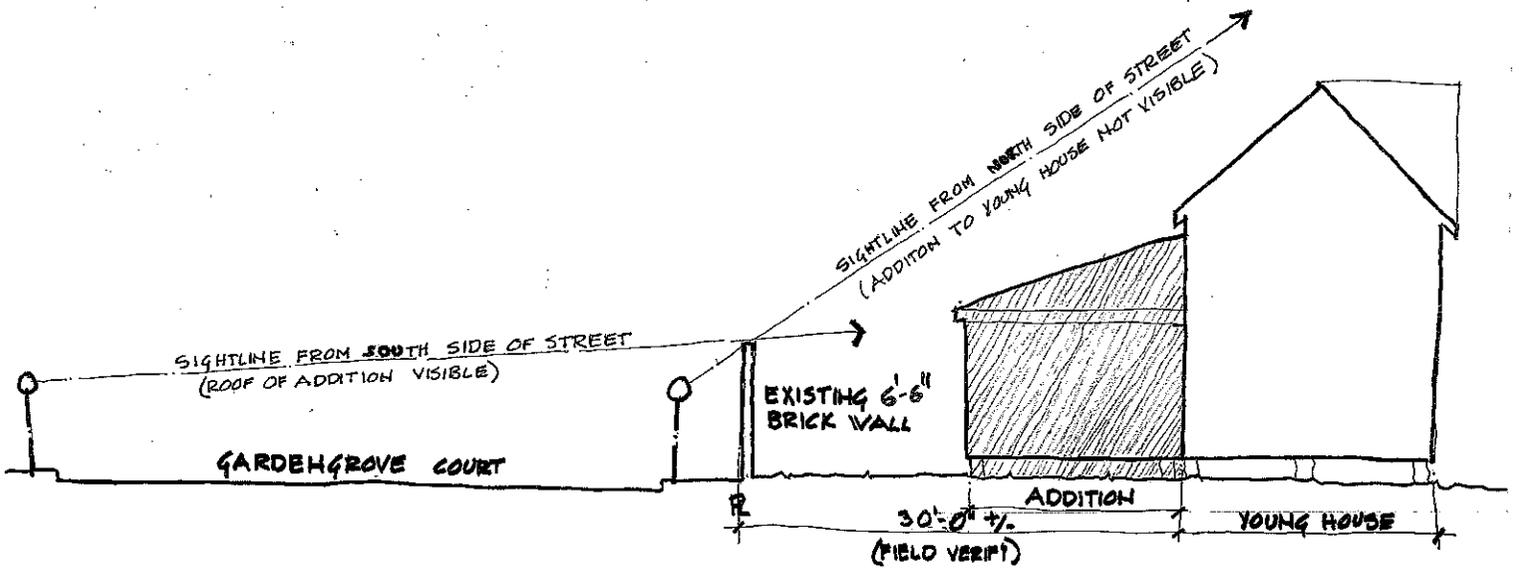


WEST ELEVATION



EAST ELEVATION

Attachment 3 - Sightline Sketch



Zoning Case 2013-29

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended; amending Heritage Resource Designation No. H-1 to allow a minimum 16-foot front yard building setback from Gardengrove Court, located at the southeast corner of West 15th Street and Pitman Drive, and being more particularly described as Lot 1, Block A, Ammie Wilson Addition, an addition to the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-9 with Heritage Resource Designation H-1; directing a change accordingly in the official Zoning Map of the City; and providing a penalty clause, a repealer clause, a savings clause, a publication clause, a severability clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 28th day of October, 2013, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the Heritage Commission considered this item on the 27th day of August, 2013, and recommended approval; and

WHEREAS, the Planning & Zoning Commission considered this item on the 7th day of October, 2013, and recommended approval; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 28th day of October, 2013; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

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

Section I. The Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended, amending Heritage Resource Designation No. H-1 to allow a minimum 16-foot front yard building setback from Gardengrove Court, being more particularly described as Lot 1, Block A, Ammie Wilson Addition, an addition to the City of Plano, Collin County, Texas, presently zoned

Single-Family Residence-9 with Heritage Resource Designation H-1; said property more fully described on the legal description in Exhibit "A" attached hereto.

Section II. That Heritage Resource Designation H-1 shall remain on Lot 1, Block A, Ammie Wilson Addition, an addition to the City of Plano, Texas according to the map a plat thereof recorded in Volume B, Page 176 and 177 of the Plat Records of Collin County, Texas, comprising 4.1± acres.

Section III. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section IV. The repeal of any ordinance or part of ordinances affected 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 ordinance 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 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense."

Section VI. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

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

PASSED AND APPROVED THIS THE 28TH DAY OF OCTOBER, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Zoning Case 2013-29

BEING a tract of land situated in the Solomon Fitzhugh Survey, Abstract No. 327, Collin County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the south line of Farm Road No. 544 (West 15th Street) and the east line of Pitman Drive;

THENCE South, $89^{\circ} 53' 30''$ East, 500.06 feet to a point for corner;

THENCE South, $00^{\circ} 06' 30''$ West, 130.00 feet to a point for corner;

THENCE South, $29^{\circ} 28' 10''$ East, 68.79 feet to the northwest corner of Lot 22, Block J of Pitman Creek Estates No. 2, an addition to the said City of Plano, as recorded in Volume B, Page 176 and 177 of the Collin County Map Records;

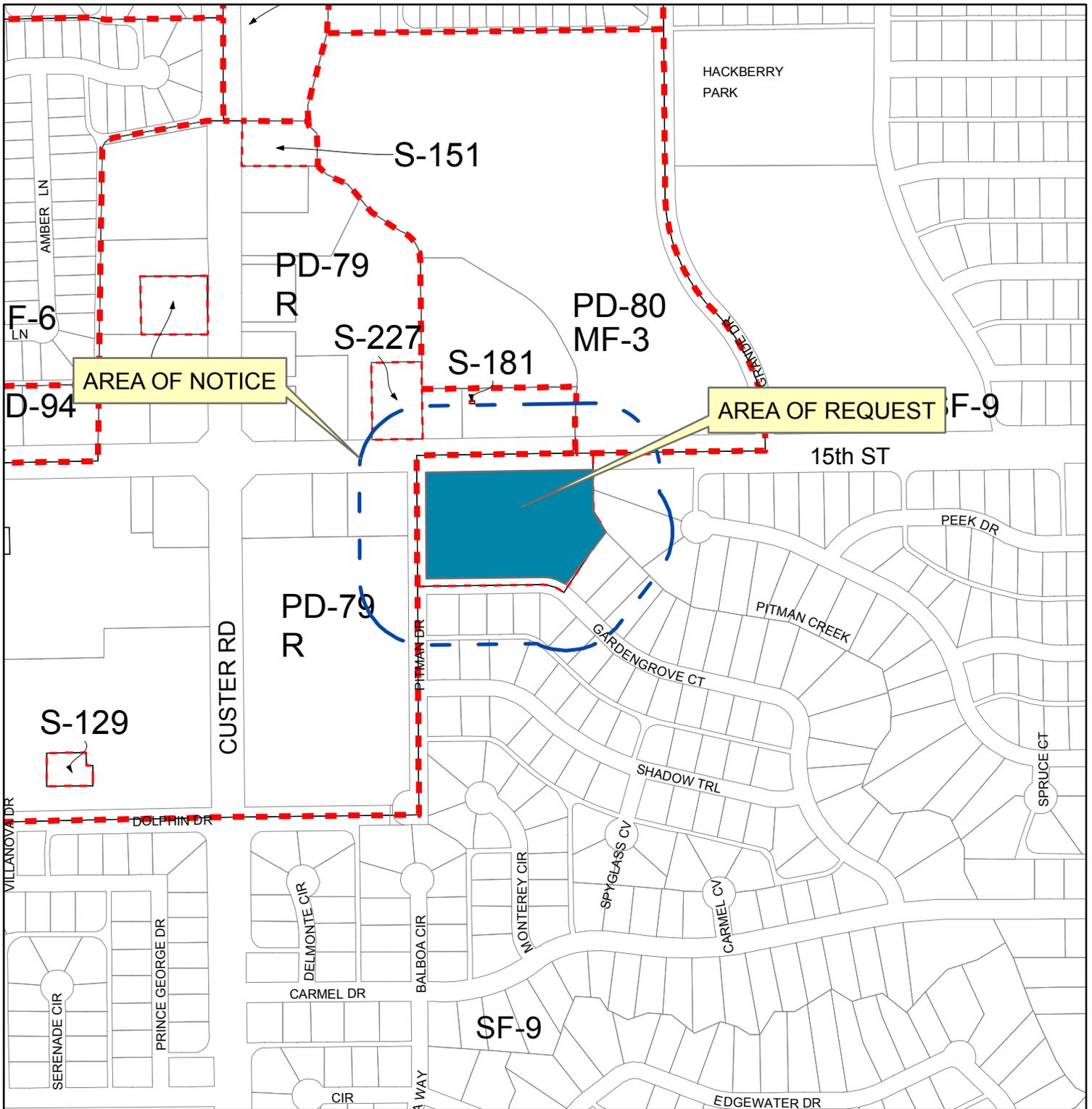
THENCE South, $37^{\circ} 14' 07''$ West, 217.51 feet along said Lot 22 to a point for corner in the centerline of Gardengrove Court, said point being in a curve to the left having a central angle of $37^{\circ} 07' 37''$ and a radius of 90.00 feet;

THENCE along said curve to the left along the center of said Gardengrove Court a distance of 58.32 feet to the end of said curve;

THENCE North, $89^{\circ} 53' 30''$ West, 380.13 feet to a point for corner in said Pitman Drive;

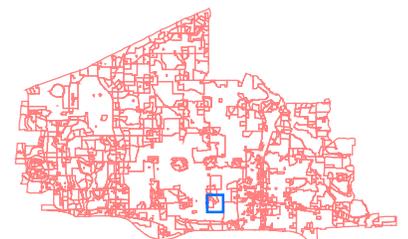
THENCE North, $00^{\circ} 23' 39''$ East, 345.00 feet to a point for corner in said Pitman Drive to appoint for corner therein;

THENCE South, $89^{\circ} 53' 30''$ East, 30.00 feet to the PLACE OF BEGINNING and CONTAINING 4.150 acres of land, of which 0.2376 acres is in Pitman Drive and 0.2391 acres is in Gardengrove Court, leaving 3.6735 net acres of land in said Lot 1, Block A.



Zoning Case #: 2013-29

Existing Zoning: SINGLE-FAMILY RESIDENCE-9/
HERITAGE RESOURCE DESIGNATION #1



○ 200' Notification Buffer