

ORDINANCE NO. 2017-02-\_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 122 (CONSTRUCTION REGULATIONS) OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY BY AMENDING SECTION 122-39; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of McKinney adopted the Code of Ordinances for the protection of the public health and general welfare of the people of the City of McKinney; and

**WHEREAS**, the City Council of the City of McKinney, Texas ("City Council"), possesses, pursuant to the Texas Local Government Code, the authority to regulate the maintenance and safety of structures in the City; and

**WHEREAS**, the City Council finds that the adoption of registration fees and re-inspection fees for the annual inspection of existing Multi-Family Residential Group R-2 occupancy structures and existing Hotel-Motel Residential Group R-1 structures, is in the best interest of the health, safety and welfare of the citizens of the City.

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

Section 1. All of the above premises are found to be true and correct legislative determinations and are hereby incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. The Code of Ordinances of the City of McKinney, Section 122-39, is hereby amended and shall read as follows:

**"Sec. 122-39. Amendments to property maintenance code.**

The City Council hereby adopts the following amendments to the International Property Maintenance Code adopted in section 122-39.

*Section 103. Department of property maintenance inspection.*

*Section 103.5. Fees.* The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as listed in Appendix A – Schedule of Fees.

Section 3. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of McKinney, Texas, are hereby repealed to the extent that said ordinances, orders or resolutions, or parts thereof, are in conflict herewith.

Section 4. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

Section 5. This Ordinance shall take effect immediately from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, ON THE 7th DAY OF FEBRUARY, 2017.**

CITY OF McKINNEY, TEXAS

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BRIAN LOUGHMILLER  
Mayor

CORRECTLY ENROLLED:

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SANDY HART, TRMC, MMC  
City Secretary  
DENISE VICE, TRMC  
Assistant City Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney