



**22-0753**

**TITLE:** Consider/Discuss/Act on an Ordinance Repealing Chapter 6 (Air Pollution Control), Sections 6-1 Through 6-26 of the Code of Ordinances

**COUNCIL GOAL:** Operational Excellence  
(2A: Balance available resources to accommodate the growth and maintenance needs of the city)

**MEETING DATE:** August 16, 2022

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Michael Quint, Executive Director of Development Services

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends approval of the proposed amendments.

**ITEM SUMMARY:**

- Staff proposes to repeal Sections 6-1 through 6-26 of Chapter 6 (Air Pollution Control) in order to eliminate redundant governance and to reduce potential conflicts between the city and state agencies.
- The regulations being repealed pertain to items that are already governed by the state, specifically, the Texas Commission on Environmental Quality (TCEQ), and those for which the city has historically not exercised its powers to regulate.
- By repealing these provisions and deferring governance to the state, the city aims to establish more transparency and to ensure that oversight and authority is being enforced by the agencies most equipped to do so.

**BACKGROUND INFORMATION:**

- As part of the New Code McKinney initiative (development regulation overhaul), city staff and the consultant team have identified sections that are not located in

the appropriate chapters of the City's Code of Ordinances or that are governed by other state regulations and laws.

- Based on this determination, the proposed amendments are being proposed to help achieve the goals of the update to improve clarity, flexibility, usability, and implementation of the Code of Ordinances.

**OPPOSITION TO OR SUPPORT OF REQUEST:**

- Staff has received no comments or phone calls in support of or opposition to this request.

**SUPPORTING MATERIALS:**

[Ordinance](#)

[Chapter 6 Repeal](#)