

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, AMENDING THE FRISCO CODE OF ORDINANCES, ORDINANCE NO. 06-03-31, AS AMENDED, CHAPTER 18 (BUILDINGS AND BUILDING REGULATIONS), ARTICLE II (CONTRACTOR REGISTRATION), SECTIONS 18-19 (REGISTRATION REQUIRED), 18-20 (APPLICATION FOR REGISTRATION), 18-22 (REQUIREMENT TO UPDATE INFORMATION PROVIDED UNDER SECTION 18-20), 18-23 (REGISTRATION FEE AND RENEWAL) AND 18-24 (REVOCATION OF REGISTRATION); MODIFYING CERTAIN REGULATIONS RELATING TO CONTRACTOR REGISTRATION; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") finds that it would be advantageous, beneficial and in the best interest of the citizens of the City of Frisco, Texas ("Frisco") to amend the Frisco Code of Ordinances, Ordinance No. 06-03-31, as amended ("Code of Ordinances"), Chapter 18 (Buildings and Building Regulations), Article II (Contractor Registration), Sections 18-19 (Registration required), 18-20 (Application for registration) 18-22 (Requirement to update information provided under section 18-20) 18-23 (Registration fee and renewal) and 18-24 (Revocation of registration) to modify certain regulations relating to the Contractor Registration, as set forth below.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to the Code of Ordinances, Chapter 18 (Buildings and Building Regulations), Article II (Contractor Registration). The Code of Ordinances, Chapter 18 (Buildings and Building Regulations), Article II (Contractor Registration), Sections 18-19 (Registration required), 18-20 (Application for registration) 18-22 (Requirement to update information provided under section 18-20) 18-23 (Registration fee and renewal) and 18-24 (Revocation of registration) are hereby amended as follows¹:

"ARTICLE II. CONTRACTOR REGISTRATION

Sec. 18-19 Registration required

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¹ Additions are underlined; deletions are evidenced by ~~strikethrough~~.

- (d) In extending the rights and privileges of such registration, the city makes no statement of the technical competency of those so registered, and no manner of license is ~~proffered~~ preferred.
- (e) No permit to perform work on any building or appurtenance, plumbing, mechanical, electrical, irrigation, or private sewage wastewater disposal system shall be issued to any person, firm, corporation or business entity without prior registration; provided, however, property owners performing work on their primary place of residence or when work is performed by a person regularly employed as a maintenance person or where exempted by state law shall be exempt from the registration requirements set forth in this article.

Sec. 18-20 Application for registration

An applicant for registration under this article shall provide to the office of the ~~chief~~ building official the following information:

- (1) The complete name, mailing address, email address and telephone number of the person, firm, corporation or entity making application; if the applicant is a firm, corporation or business entity, there must be provided the name and private mailing address of a principal of the firm, corporation or business entity who is authorized to bind the firm, corporation or business entity in legal agreements. ~~Each applicant must also provide the names of all employees authorized to obtain permits.~~
- (2) A copy of the applicant's valid state professional license, issued by the appropriate state board or agency with the authority to issue licenses for that particular trade. ~~In the case of electricians, a master license from another municipality may be accepted.~~
- (3) Proof of liability insurance listing the City as a Certificate Holder for the minimum amount of \$300,000 per occurrence.
- (4) Make, model, and registration number on all vehicles used in the removal and disposal of construction debris.
- (5) Any other information deemed necessary by the ~~chief~~ building official.

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Sec. 18-22 Requirement to update information provided under section 18-20

If a change occurs in the information previously provided by registrant under the provisions of section 18-20, then the registrant shall provide written notice of the updated information to the ~~chief~~ building official within thirty (30) days of the change.

Sec. 18-23 Registration fee and renewal

~~The fee for registration shall be \$50.00 per year, unless specifically exempted by state law, and shall be submitted with each application for registration. Registration shall expire annually on the date of the initial registration and shall be routinely subject to reactivation by reapplication. No permits or inspections will be issued or completed for to a contractor whose registration has expired.~~

Sec. 18-24 Revocation of registration

A registrant's privileges under this article may be ~~revoked~~, temporarily or permanently revoked for providing false or misleading information; failing to provide updated information within thirty (30) days of such change; failing to maintain trade licensure from the appropriate agency having licensing authority; suspension of licensure; transferring or allowing another person, firm, or corporation to use registration; failing to maintain general liability insurance; being convicted of at least two violations of this article or any other ordinance of the city within a twelve (12) month period, including but not limited to, convictions arising from failing to obtain required permits, failing to request required inspections and failing to correct code violations. A registrant's privileges may be suspended during an active investigation into violations of this article or any other ordinance of the city. The Construction Board of Appeals shall hear and decide appeals of registration revocations made by the Building Official.

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SECTION 3: Savings/Repealing. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 5: Effective Date. This Ordinance shall become effective upon its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 2nd day of August, 2022.



Jeff Cheney
Jeff Cheney, Mayor

**ATTESTED AND CORRECTLY
RECORDED:**

Kristi Morrow
Kristi Morrow, City Secretary

APPROVED AS TO FORM:

Ryan D. Pittman
Abernathy, Roeder, Boyd & Hullett, P.C.
Ryan D. Pittman, City Attorneys

Dates of Publication: August 7, 2022 and August 14, 2022, *Frisco Enterprise*