

City of Plano – June 2020 – Ordinances and Resolutions

Resolution No. 2020-6-1(R): To repeal and replace Resolution No. 2019-7-2(R) regarding a contract with the Texas Department of Housing and Community Affairs for the Homeless Housing and Services Program under Texas Government Code §2306.2585 because the amount of the contract has increased by \$6,550 for a new not to exceed amount of \$140,339; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of executing the contract consistent with this resolution, giving required assurances, acting in connection with said contract, and providing required information; and providing an effective date.

Resolution No. 2020-6-2(R): To ratify the allocation of Collin CARES Emergency Housing and Living Assistance Grant Funding to subrecipients; and providing an effective date.

Ordinance No. 2020-6-3: To repeal Chapter 11, Licenses and Business Regulations, Article VIII, Special Events, of the Code of Ordinances and adopting new special events permit regulations by repealing Ordinance No. 2006-5-9, as amended, in its entirety and replacing it as follows, and providing a repealer clause, a savings clause, a severability clause, a penalty clause, a publication clause, and an effective date.

Ordinance No. 2020-6-4 (Zoning Case 2020-008): To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 131 for Outdoor Commercial Amusement on 1.1 acres of land located at the northwest corner of Mapleshade Lane and Talbert Drive, in the City of Plano, Collin County, Texas, presently zoned Light Industrial-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 severability clause, a publication clause, and an effective date.

Ordinance No. 2020-6-5: To amend the Comprehensive Zoning Ordinance, Ordinance No. 2015-5-2, as heretofore amended, to repeal the provisions regarding the reasonable accommodation process of the Board of Adjustment in Article 5, Variances and Appeals of Administrative Decisions, Section 5.200, Jurisdiction, Subsection 5.200.2 Part E as authorized by the Planning & Zoning Commission under Zoning Case 2020-007 and amend the Code of Ordinances to repeal the provisions regarding the reasonable accommodation process for the Building Standards Commission in Chapter 6, Buildings and Building Regulations, Article I, In General, Division 2, Building Standards Commission, Section 6-3, Building standards commission organization and authority, Subsections (c)(1)(f),(c)(2)(i) and a portion of (c)(3)(a)(2) and replace the provisions with a new reasonable accommodation process by the Accommodations Review Board in Articles III and IV, Reasonable Accommodations, Chapter 9.5, Human Relations of the City Code of Ordinances; and providing a penalty clause, a repealer clause, a severability clause, a publication clause and an effective date.

Resolution No. 2020-6-6(R): To provide the City Manager authority related to personnel, procurement, public meetings and City Code and policy decisions necessary for issues that arise during the state and federal emergency declarations related to the novel coronavirus (COVID-19); and providing an effective date.

Resolution No. 2020-6-7(R): To designate City property located at 1430 K Avenue as public right-of-way; authorizing the City Manager to record this resolution; and providing an effective date.

Ordinance No. 2020-6-8: To amend Section 12-101, Prohibited on certain streets at all times, of Article V, Stopping, Standing and Parking, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to establish a no parking zone on a certain section of Runnin River Drive, within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

Ordinance No. 2020-6-9: To amend Section 12-74(b), Maximum Limits on Specific Streets, of Article IV, Speed, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to lower the prima facie maximum speed limit from fifty-five (55) miles per hour to fifty (50) miles per hour on State Highway 121 from the west city limits to its intersection with Rasor Boulevard, within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

Ordinance No. 2020-6-10: To adopt and enact Supplement Number 132 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.

Ordinance No. 2020-6-11: To adopt and approve a strong recommendation for businesses that provide goods and/or services to the public to implement a health and safety policy to require face coverings to protect the health of persons in the City; and providing an effective date.

RESOLUTION NO. 2020-6-1(R)

A Resolution of the City of Plano, Texas, repealing and replacing Resolution No. 2019-7-2(R) regarding a contract with the Texas Department of Housing and Community Affairs for the Homeless Housing and Services Program under Texas Government Code §2306.2585 because the amount of the contract has increased by \$6,550 for a new not to exceed amount of \$140,339; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of executing the contract consistent with this resolution, giving required assurances, acting in connection with said contract, and providing required information; and providing an effective date.

WHEREAS, the City of Plano (the “City”) adopted Resolution No. 2019-7-2(R) to authorize the City Manager to contract with the Texas Department of Housing and Community Affairs (the “Department”) for the Homeless Housing and Services Program under Texas Government Code §2306.2585 in the amount of \$133,789 based on the 2019 Texas Department of Housing and Community Affairs allocations for eligible cities; and

WHEREAS, the City of Plano (the “City”) is eligible to receive additional reallocated funds for COVID-19 response under the Homeless Housing and Services Program from the Texas Department of Housing and Community Affairs (the “Department”) in the amount of \$6,550 based on the 2019 Texas Department of Housing and Community Affairs allocations for eligible cities; and

WHEREAS, the City wishes to repeal Resolution No. 2019-7-2(R) and replace it with this resolution to allow the City Manager, or his authorized designee to enter into a contract with the Department in an amount not to exceed \$140,339 for the Homeless Housing and Services Program under Texas Government Code §2306.2585 for construction, development or procurement of housing for homeless persons; rehabilitation of structures targeted to serving homeless persons or persons at-risk of homelessness; provision of direct services and case management to homeless persons or persons at-risk of homelessness; or, other homelessness-related activity as approved by the Department and to designate the City Manager as the Chief Executive Officer and authorized representative of the City of Plano; and

WHEREAS, it is in the public interest of the citizens of the City of Plano that the City repeal and replace Resolution No. 2019-7-2(R) with this resolution and allow the City Manager to enter into a contract with the Department for such funding.

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

SECTION I. Resolution No. 2019-7-2(R) is hereby repealed and replaced with this resolution.

SECTION II. The City Manager, or his authorized designee, is hereby authorized to enter into a contract with the Department in the amount of up to \$140,339 for Homeless Housing and Services Program funds under § 2306.2585 of the Texas Government Code, on behalf of the City for the purpose of construction, development or procurement of housing for homeless persons; rehabilitation of structures targeted to serving homeless

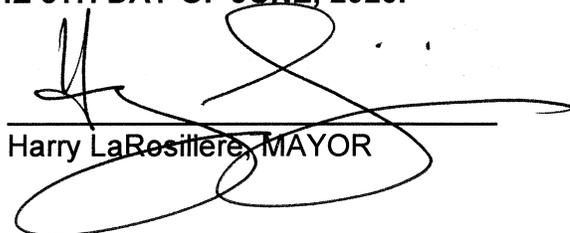
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persons or persons at-risk of homelessness; provision of direct services and case management to homeless persons or persons at-risk of homelessness; or, other homelessness-related activity as approved by the Department; and to provide assurances, act in connection with the contract, and provide information as may be required.

SECTION III. The City Manager is hereby designated as the Chief Executive Officer and authorized representative of the City of Plano, Texas, for the purpose of acting in connection with the contract and providing such additional information and assurances as may be required.

SECTION IV. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS THE 8TH DAY OF JUNE, 2020.



Harry LaRosiere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

Approved as to form:



Paige Mims, CITY ATTORNEY

RESOLUTION NO. 2020-6-2(R)

A Resolution of the City of Plano, Texas, to ratify the allocation of Collin CARES Emergency Housing and Living Assistance Grant Funding to subrecipients; and providing an effective date.

WHEREAS, the City Council approved an Interlocal Agreement with Collin County, Texas for the COVID-19 Emergency Housing and Living Assistance (EHLA) Program via Resolution No. 2020-5-16(R); and

WHEREAS, the Collin County EHLA Committee, comprised of representatives from the cities of Allen, Frisco, McKinney and Plano, met to make funding recommendations to various subrecipients based on responses to the EHLA Request For Proposal; and

WHEREAS, the City Manager, pursuant to his emergency powers, entered into contracts with the subrecipients listed below to provide the allocated emergency funds.

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

SECTION I. The funding allocations for the City of Plano Collin CARES EHLA funds are hereby ratified as follows:

All (Allen) Community Outreach	\$4,252,812
Assistance Center of Collin County	\$150,000
Catholic Charities	\$4,267,334
Islamic Association of CC	\$200,000
Jewish Family Services	\$1,875,000
Texas Women’s Muslim Foundation	\$75,000
Wellness Center of Collin County	\$75,000

SECTION II. The City Manager, or his authorized designee, may amend contracts and related grant subrecipient agreements with the agencies listed in Section I, including reallocation of funds, as necessary to achieve EHLA program goals in conformance with the recommendations of the Collin County EHLA Committee.

SECTION III. This Resolution shall become effective immediately upon its passage.

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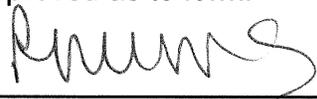
DULY PASSED AND APPROVED THIS 8TH DAY OF JUNE, 2020.


Harry LaRosiere, MAYOR

ATTEST:


Lisa C. Henderson, CITY SECRETARY

Approved as to form:


Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2020-6-3

An Ordinance of the City of Plano, Texas, repealing Chapter 11, Licenses and Business Regulations, Article VIII, Special Events, of the Code of Ordinances and adopting new special events permit regulations by repealing Ordinance No. 2006-5-9, as amended, in its entirety and replacing it as follows, and providing a repealer clause, a savings clause, a severability clause, a penalty clause, a publication clause, and an effective date.

WHEREAS, on May 8, 2006 the City of Plano (the "City") repealed prior ordinances regarding special events and replaced those ordinances with Ordinance No. 2006-5-9; and

WHEREAS, on February 26, 2007, Ordinance No. 2007-2-16 was approved and amended Ordinance No. 2006-5-9; and

WHEREAS, on October 24, 2011, Ordinance No. 2011-10-14 was approved and amended Ordinance No. 2006-5-9; and

WHEREAS, staff recommends repealing Ordinance No. 2006-5-9, as amended, with this ordinance to update the process for issuing special event permits and to provide guidance for private special events that wish to utilize city personnel; and

WHEREAS, the City's public safety personnel are better able to respond to issues affecting public safety when they are alerted in advance to the timing, location, and nature of events occurring in the City; and

WHEREAS, citizens need to quickly access public space to respond to current events through spontaneous speech; and

WHEREAS, when more than one event occurs in the same general area, the occupancy level of adjacent city streets and sidewalks increase, which may create an unsafe condition and strain the City's resources and infrastructure; and

WHEREAS, many special events are conducted on an annual basis and have been operating in substantially the same form for at least 20 years, and these events contribute to the City's identity; and

WHEREAS, after consideration of the recommendation of staff and all matters attendant and related thereto, the City Council finds that it is in the interests of the health, safety and welfare of the residents of the City of Plano to repeal Ordinance No. 2006-5-9, as amended, codified as Chapter 11, Licenses and Business Regulations, Article VIII, Special Events of the Code of Ordinances of the City of Plano and replace it as follows.

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

Section I. Ordinance No. 2006-5-9, as amended, codified as Chapter 11, Licenses and Business Regulations, Article VIII, Special Events, of the Code of Ordinances of the City of Plano is hereby repealed in its entirety and replaced as follows:

"ARTICLE VIII. –SPECIAL EVENTS

DIVISION 1. – GENERALLY

Sec. 11-300. – Purpose and Conflicting Ordinances.

Gatherings or organized activities, due to their size and requirements, may place unique demands on public resources or pose a danger to public health, safety and/ or welfare. In order to plan for these demands on public resources and to ensure that public health and safety is protected, it is necessary that the city receive advance notice of these events. The provisions of this division are intended to address those concerns and are not intended to place unnecessary burden on any individual's right to association or freedom of

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expression. In the case of conflict between requirements of this article and other provisions of the City Code of the City of Plano, this article controls.

Sec. 11-301. – Definitions.

- (a) *Amusement Ride* is as defined in Section 2151.002 of the Texas Occupations Code, as amended.
- (b) *Applicant* means a Person who has filed an application for a Special Event permit.
- (c) *Approval Team* means an inter-departmental team of city departments that regulate, permit and/or host special events in the City of Plano.
- (d) *City* means the City of Plano, Texas.
- (e) *City Street* means any thoroughfare or public driveway, other than an alley and more than 22 feet in width, which has been dedicated or deeded to the public for public use, but does not include a Private Street.
- (f) *Event Organizer* means the Person, Persons, or agency responsible for a gathering that requires a Special Event Permit per this ordinance. Typically the point of contact for the event. The Event Organizer may also be the Applicant, but the two are not always synonymous.
- (g) *Parade/Distance Event* means any assembly, march, run, walk, demonstration, or procession upon City Streets consisting of a hundred (100) or more persons, animals, or vehicles with an intent of attracting public attention and that is reasonably likely to interfere with the normal flow or regulation of traffic upon City Streets.
- (h) *Person* means a natural person (an individual), corporation, company, association, partnership, firm, Limited Liability Company, joint venture, Joint Stock Company or association, and other such entity who owns or controls events.
- (i) *Private, Non-Permitted Event* means any event within the official city boundary limits of Plano, Texas, that does not meet the requirements of a Special Event and:
 - i. The Event Organizer requests the use of City owned or provided resources, including personnel and equipment; and
 - ii. City Staff, in partnership with the Event Organizer, determines that five (5) or more City personnel from the Police and/ or Fire- Rescue Department or that specifically trained personnel (e.g. SWAT, Bomb Technicians, Tactical Medics, etc.) in any number from the Police and/ or Fire-Rescue Departments are necessary for the event.
- (j) *Private Street* means a private vehicular access way shared by and serving two (2) or more lots, which is not dedicated to the public and is not publicly maintained, but may be encumbered with a public-access easement. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term “Private Street” shall be inclusive of alleys.
- (k) *Private Sidewalk* means a private paved area between the curb line or edge of pavement of the roadway and the adjacent property lines for the use of pedestrians. A Private Sidewalk may be encumbered with a public-access easement.
- (l) *Public Sidewalk* means a paved area in a roadway right-of-way between the curb line or edge of pavement of the roadway and the adjacent property lines for the use of pedestrians.
- (m) *Unified Commander* means in events involving multiple jurisdictions, a single jurisdiction with multiagency involvement, or multiple jurisdictions with multiagency involvement, unified commander allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority,

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responsibility, or accountability. For most events this would be a representative of the Police Department or Fire Department.

- (n) *Special Event* means an event that is not a Private, Non-Permitted Event and:
- i. Is reasonably expected to have a hundred (100) or more attendees per day at a City facility outside of the facility's normal, daily, and intended use; or
 - ii. Impacts City property, a City Street, or other City public right-of-way in a manner that requires dedicated City resources to maintain public safety other than as permitted under [Chapter 19, Article V- Street and Thoroughfare Closures](#); or
 - iii. Is temporary, is reasonably expected to have a hundred (100) or more attendees per day; and
 - a. Is inconsistent with the permanent use to which the property (public or private) may legally be used or zoned, or the occupancy levels permitted on the property; and
 - b. Includes one of the following: set up of temporary structures including, but not limited to, tents, stages, fence, Amusement Rides; use of sound amplification equipment such that the sound is plainly audible on private property or for fifty (50) feet or more onto public property; or provision of food and/or beverages, including alcohol.
- (o) *Special Event Application* means the document filled out completely by the Applicant, submitted to the Special Event Coordinator, and initially reviewed by the Approval Team.
- (p) *Special Event Coordinator* means a City staff person who will act as the Applicant's point of contact for the Approval Team and will assist the Applicant with the process for a Private, Non-Permitted Event or to obtain a Special Event Permit.
- (q) *Special Event Impact Area* means the geographic area surrounding a Special Event venue that is subject to the requirements in Sec. 11-317.
- (r) *Special Event Permit* means the document given to the Applicant when all the requirements deemed necessary by the Approval Team have been met and the event is authorized to take place as outlined in the document.

Sec. 11-302. – Application of Article; Exceptions.

- (a) All special events, except for those set forth in Subsection 11-302 (b), must conform to all applicable provisions of this article.
- (b) The following are exempt from the provisions of this article unless otherwise required per city ordinance; i.e., sign and/ or health permit:
- i. Block Parties as defined in [Chapter 19, Sec. 93, Div. II](#).
 - ii. Motorcades which comply with all traffic laws.
 - iii. Parades held on thoroughfares other than type T, AA, A, B+, B, C or D as defined in the [Thoroughfare Standards Ordinance](#).
 - iv. Events which are authorized under a separate agreement or permit issued by the City.
 - v. Spontaneous events for which an attendee or Event Organizer cannot provide the level of advance notice required by this article, such as an event occasioned by recent news or current affairs, that is conducted solely on city right-of-way or parkland. A spontaneous event is subject to other law. To help ensure public safety, an organizer of a spontaneous event is not required to, but is encouraged to notify the Plano Police Department on the date, time, place, and an estimate of the approximate number of persons who will be participating.
- (c) Special Exceptions- Portions of the public streets and public sidewalks within the City are located and managed by management associations comprised of property and business owners including but not limited to Legacy Association, Historic Downtown Plano Association (HDPa), Granite Properties, and Heritage Creekside Development. Events proposed in these locations must have

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written permission from the governance association for the proposed event before applying for a Special Event Permit.

Sec. 11-303 Approval Team.

- (a) The Approval Team shall review Special Event Applications for Special Event Permits; and shall approve or deny applications in compliance with this section.
- (b) In carrying out its duties, the Approval Team may:
 - i. Impose reasonable conditions on the event based on public health, safety and welfare;
 - ii. Coordinate the Special Event Permit issuance or authorizations with other City departments;
 - iii. Require additional permits dependent on the nature and activities of the event;
 - iv. Adopt rules governing the administration and enforcement of this section, including the application process, the application requirements and provisions for inter-departmental review.
- (c) The Approval Team may establish a Special Event Impact Area in the geographic area surrounding a Special Event.

Secs. 11-304 – 11.310. – Reserved.

DIVISION 2. – PERMIT

Sec. 11-311. – Permit Required.

- (a) It shall be unlawful for any Person to conduct a Special Event without first having obtained a Special Event permit.
- (b) It shall be unlawful for any Person in charge of, or responsible for the conduct of, a Special Event to knowingly fail to comply with any condition of the Special Event Permit.
- (c) A Special Event Permit is non-transferrable and non-refundable.
- (d) As a condition of a Special Event Permit, the Applicant or a Person who represents the Applicant shall:
 - i. Provide access to a Special Event venue for City staff with inspection and enforcement duties related to the Special Event;
 - ii. Be present at all times during the operating hours for the Special Event;
 - iii. Provide the Special Events Coordinator with the contact information for an individual who is responsible for set-up and take-down of the Special Event;
 - iv. Ensure compliance with all applicable ordinances, regulations, rules, and the Special Event Permit;
 - v. Accept all notices of violation, citations and closure orders.

Sec. 11-312. – Application for Permit.

- (a) A Person seeking a Special Event Permit shall file a Special Event Permit Application with the City of Plano's Arts, Culture and Heritage division.
- (b) A Special Event Application will be designated into one of four levels:
 - i. A Level 1 event has a reasonably estimated attendance of 25,001 or greater per day.
 - ii. A Level 2 event has a reasonably estimated attendance of 10,001- 25,000 per day.
 - iii. A Level 3 event has a reasonably estimated attendance of 2,501- 10,000 per day.
 - iv. A Level 4 event has a reasonably estimated attendance of 100-2,500 per day.

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Sec. 11-313. – Filing Period and Procedure for Review and Issuance of Permit.

- (a) Special Event Application deadlines:
 - i. Level 1 Event Application must be submitted nine (9) months before the event.
 - ii. Level 2 Event Application must be submitted six (6) months before the event.
 - iii. Level 3 Event Application must be submitted ninety (90) days before the event.
 - iv. Level 4 Event Application must be submitted sixty (60) days before the event.
 - v. Filming Application deadline is stated in Sec. 11-364.
- (b) A Special Event Application may not be filed more than thirteen (13) months in advance of the intended event date.
- (c) Procedure for review of Special Event Application:
 - i. Upon receipt of the application, the Approval Team will review the application to determine if the Applicant may proceed in planning the event as proposed in the Special Event Application, based upon the requirements of this article.
 - ii. If the Approval Team determines that the Applicant may proceed, a Special Event Checklist will be provided to the Applicant indicating the notice to proceed, additional event planning information needed, requirements needed for the proposed event, and applicable deadlines. While completing the Special Event Checklist, the Special Event Coordinator will engage in an interactive process with the Applicant.
 - iii. The Special Event Checklist must be completed at least ten (10) days before the event date. A Special Event Permit cannot be issued until the Checklist is complete. Once the Special Event Checklist is complete, a Special Event Permit will be issued and must be signed by the Special Event Coordinator and the Applicant or their designee.
 - iv. A Special Event Permit may be revoked in whole or in part if the event set-up does not pass all required inspections.
- (d) The City acknowledges certain events are unforeseeable and time-sensitive due to being in response to another happening and may not be able to wait sixty (60) days. The Approval Team will review these exceptions and determine if the City can accommodate the event.

Sec. 11-314. – Submittal Requirements.

The Special Event Application for a Special Event Permit shall include:

- (a) The name and description of the event.
- (b) Anticipated attendance for each day of the event, as well as throughout the duration of the event.
- (c) The date(s) and time(s) the event will start and terminate.
 - i. The event start and termination times shall include all set-up and clean-up times.
 - ii. If the event involves any road closure, provide the specific times that the roadways will be shutdown, along with a list of specifically effected roadways.
- (d) The name, address and telephone number of the Applicant and any other main Event Organizers.
- (e) Proposed event map including, but not limited to, event site, map of streets and pedestrian ways, tents/tent area, food/vendor area, stage/structures, restroom area, Amusement Rides, fencing.
- (f) Detailed information concerning activities, public safety planning, and emergency preparedness for the Special Event, including:
 - i. The number of bands or other musical units.
 - ii. The number of theatrical performances.
 - iii. The proposed size, location, and orientation of loudspeakers.
 - iv. The ancillary activities that will be associated with the event.
 - v. Description of any activities that could have an environmental impact.

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- vi. The types of non-emergency vehicles to be used for the event.
- vii. Food and/or beverages, including alcohol.
- viii. The proposed location of portable sanitation facilities (including handwashing facilities, if applicable).
- ix. The proposed location of all trash containers.
- x. Provision for queuing event attendees on streets, sidewalks, or other city right-of-ways.
- xi. Other equipment or services necessary to conduct the event with due regard to public health, safety, and the environment.

Sec. 11-315. – Standards for Issuance of Permit.

The Approval Team may deny or revoke a Special Event Permit if:

- (a) The event will unnecessarily interrupt the safe and orderly movement of traffic near its location, route or Special Event Impact Area.
- (b) The event will require the diversion of so great a number of public safety officers to properly ensure safety of the event locale or line of movement and the adjacent areas as to diminish normal protection for the City and/or emergency response capabilities.
- (c) The event will interfere with the movement of authorized emergency vehicles in route to an emergency or if the concentration of people, animals, and vehicles at assembly points will unduly interfere with proper fire and police protection to areas near such assembly points.
- (d) In the case of a Parade/Distance Event, the event cannot be scheduled to move from its point of origin to its point of termination without unreasonable delays in route.
- (e) The event provides insufficient crowd control and safety measures.
- (f) The Event provides insufficient safety, health, or portable sanitation equipment, services, or facilities that are reasonably necessary to ensure that the event will be conducted with due regard for health and safety.
- (g) The event will conflict in time, location, and/or city resources with another event for which a permit has already been granted.
- (h) The Applicant fails to complete all required items on the Special Event Checklist prior to the 10 day deadline.
- (i) The Applicant fails to comply with or the event will violate an ordinance of the City or any other applicable law.
- (j) The Applicant makes or permits the making of a false or misleading statement or omission of material fact on the Special Event Application.
- (k) The Applicant has been convicted of violating this ordinance or has had a permit revoked within the preceding twelve (12) months.
- (l) The Applicant fails to provide proof of a license or permit required by this or another City ordinance or by state law.
- (m) The Applicant fails to comply with a condition of the Special Event Permit.

Sec. 11-316. – Appeal of Denial or Revocation.

Denial of an application for a Special Event Permit by the Approval Team or the imposition of costs, additional restrictions or conditions upon the granting of a Special Event Permit may be appealed to the

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City Manager, or in his/her designee. Such appeal shall be in writing and shall be filed with the City Manager's Office within five (5) business days after the issuance of a decision by the Approval Team. When making a determination regarding the appeal, the City Manager, or his/ her designee, shall consider the appeal under the standards provided in this article and sustain or overrule the Approval Team's decision. The decision of the City Manager, or his/her designee, shall be issued within five (5) business days and shall be final.

Sec. 11-317. – Special Event Impact Area.

- (a) In the interests of public health, safety, and welfare, the Approval Team may designate a Special Event Impact Area that surrounds a Special Event. If a Special Event Impact Area is designated, The Approval Team may limit the number of permits, applications and/or approvals within the Special Event Impact Area.
- (b) The Approval Team will set the duration and boundaries of a Special Event Impact Area:
 - i. Consulting with the effected City Departments and Public Agencies; and
 - ii. Balancing the needs of the Special Event with public health, safety and welfare.
- (c) A business or property, including a licensed vendor, located within the area of the Special Event Impact Area will not be required to seek additional permits in order to conduct its business in a manner consistent with its existing permits and the Zoning Ordinance.

Sec. 11-318. – Duration of Permit.

The permit granted under the terms of this article shall not exceed a period of fourteen (14) days. The Approval Team may modify this time limitation above upon review of location of the event, time of the event, type of event, safety of the event, and proximity to residential properties.

Secs. 11-319 – 11-329. – Reserved.

DIVISION 3. – SPECIAL PROVISIONS

Sec. 11-330. – Americans with Disabilities.

Americans with Disabilities Act (ADA) compliance plan is required by federal law for any event being held on public property or which is open to the public. Refer to the ADA [Planning Guide for Making Temporary Events Accessible to People with Disabilities](#) for guidelines.

Sec. 11-331. – Applicant Parking Requirements.

Applicant shall submit evidence that sufficient parking has been provided to accommodate the projected number of users with a ten (10) percent surplus. If parking is to be on private property adjacent to the event, or when off-site private parking will be used, a written permission letter from the property owner allowing the parking shall be submitted. When the location is not an established parking area, a plan shall be submitted which shows how the needed parking will be achieved and arranged. The number of parking spaces and layout of parking area, including aisle widths and size of parking spaces, shall be included in the submittal. Plans shall be submitted which will show how off-site parking and transfer of attendees will be accomplished. Such parking shall otherwise comply with all City ordinances and regulations.

Sec. 11-332. – City Authority over Parking.

The City shall have authority, when reasonably necessary as determined by the Police Department, to prohibit or restrict the parking of vehicles along a City Street or highway or part thereof adjacent to the site of the Special Event. The City shall post signs or markings to such effect, and it shall be unlawful for any Person to park or leave unattended any vehicle in violation thereof.

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Sec. 11-333. – Trailers.

Trailers or other vehicles may be temporarily occupied as living quarters at the site of permitted special events and may be parked on an unpaved surface, with approval of the temporary occupation and place of parking from the Approval Team. Such vehicles and trailers shall be parked a minimum of three hundred (300) feet from any residential district. Such vehicles shall otherwise comply with all City ordinances and regulations.

Sec. 11-334. – Amusement.

Amusement Rides shall conform to the statutory rules and regulations set forth in the [Occupations Code Chapter 2151. Regulation of Amusement Rides](#), designated the Amusement Ride Safety Inspection and Insurance Act, as amended. Copies of inspection reports will be required, as well as copies of the approved state inspection form, issued inspection stickers, and proof of insurance of the vendor providing the amusement (s). Amusement Rides in enclosed areas greater than one thousand (1,000) square feet are required to have fire sprinklers.

Sec. 11-335. – Hours of Operation.

A Special Event may be conducted only between the hours of 7:00 a.m. and 10:00 p.m. Sunday - Thursday & 7:00 a.m. and 11:00 p.m. Friday - Saturday. The Approval Team may alter the hours limitation upon review of location of the event, time of the event, type of the event, safety of the event and proximity to residential properties. Appeals of time limit restrictions may be according to Sec. 11-318 hereof. Set-up of the event shall be allowed prior to 7:00 a.m., provided the noise generated by such activity will not disturb surrounding neighborhoods.

Sec. 11-336. – Tents and Temporary Structures.

Any Special Event which includes the use of a tent, canopy, or temporary structure shall meet the requirements in the Fire Code except that a separate permit is not required when a Special Event Permit has been obtained. Fire lanes for emergency equipment must be allotted for and the site prepared in a manner so as not to be a fire hazard as determined by the Fire Chief, or his/her designee.

Sec. 11-337. – Food and Alcohol Service.

Where food or alcohol service is provided, said operation shall be in compliance with all applicable provisions of [Chapter 9 Food Code](#) and Texas Alcohol and Beverage Commission (TABC) regulations as well as all other applicable state and local laws.

Sec. 11-338. – Sanitary Facilities.

A sufficient number of portable type sanitary facilities must be provided on the premises as determined necessary by the Director of Environmental Health and Sustainability or their designee using standards as established by the [Portable Sanitation Association International \(PSAI\)](#). [Americans for Disabilities Act Title II, Chapter 5](#) includes additional requirements for handicap facilities.

Sec. 11-339. – Animals.

Waste from animals used in a Special Event shall be removed daily from the grounds. Should animals be kept within the city limits at night, they shall be kept not less than three hundred (300) feet from any occupied residential or commercial uses. The Applicant shall provide cleanup for animals at the conclusion of the event. [Chapter 4, Article VIII, Sec. 4-122](#).

ORDINANCE NO. 2020-6-3

Sec. 11-340. – Water Usage and Disposal of Waste Water.

- (a) Any Special Event desiring use of water from the City of Plano Water System must coordinate with the utility operations department to obtain a temporary meter. Deposit for the meter and payment for water used shall be in accordance with ordinances of the City of Plano.
- (b) Applicant shall submit a plan for the disposal of waste water, including capture and containment, and shall be approved by the Department of Environmental Health and Sustainability. All water generated must be disposed of through an approved sanitary sewage system that is constructed, maintained, and operated according to law.

Sec. 11-341. – Trash Disposal.

Trash disposal containers must be provided on-site for all Special Events. Applicants utilizing commercial dumpsters should make arrangements for the provision of such dumpsters with a commercial solid waste disposal company.

Sec. 11-342. – Loudspeakers and Noise.

When loudspeakers, or any other amplifying device, are to be used in conjunction with the event, the location and orientation of these devices shall be indicated on the event site map along with the planned hours of use.

Speakers which are positioned so as not to adversely affect an adjacent residential district may be used per hours of operation above, when a Special Event permit has been obtained.

Sec. 11-343. - Signage.

Signage used in accordance with the event shall comply with the Sign Regulations of the City of Plano under the provisions for special event and promotional signage, [Chapter 6, Art. XII, Div 3, Sec 6-496](#). All special event signage promoting the event before the event date must also be approved by the Approval Team to ensure that the signage will not conflict with another activity at the location.

Sec. 11-344. – Alcohol.

- (a) It is the responsibility of the applicant to ensure that if alcoholic beverages will be possessed and consumed during a special event, that they have obtained all necessary property owners' approval for such possession and use.
- (b) For Special Events requiring a permit from the Texas Alcoholic Beverage Commission (TABC), a copy of the state permit shall be required prior to the issuance of a Special Event Permit.
- (c) Host Liquor Liability Insurance must be added to the event's Certificate of Insurance and submitted to the city before a Special Event Permit will be issued.

Sec. 11-345. – Inspections.

Inspections may be required to show compliance with city ordinances. Submitting an application for a Special Event Permit indicates permission for the City to enter the property onto which the Special Event will occur at reasonable times to conduct inspections.

Sec. 11-346. - Direction of Traffic.

Traffic control and direction upon city rights-of-way shall be allowed only by a Plano Police Officer or other sworn law enforcement officer. Traffic control and direction by private citizens is prohibited.

ORDINANCE NO. 2020-6-3

Sec. 11-347. – Police Protection.

When the presence of law enforcement officers is necessary for Special Events as determined by the Approval Team, the applicant shall be responsible for reimbursing the city for the cost of providing police personnel. The cost for city provided police personnel shall be the actual cost for the services provided. Actual cost shall include salary, overtime, and any equipment usage costs. There is a minimum four (4) hour cost per officer. City estimated cost must be paid to the City before permit issuance.

- (a) Event considerations used to determine the number of law enforcement officers include, but are not limited to:
 - i. General traffic conditions in the area requested, both vehicular and pedestrian, as well as the proximity of the event to mass transit and roadways
 - ii. Route to be taken, if the event is a Parade or Distance Event
 - iii. Duration of the event
 - iv. Whether all or any portion of a roadway will be closed
 - v. Reasonably expected amount of people who will attend
 - vi. Uses adjacent to the event such as residential or commercial areas
 - vii. Time and date of the event
 - viii. Alcoholic beverages available for consumption at the event
 - ix. Fireworks and/or other pyrotechnics at the event
 - x. Physical security features of the location and the need for safety zones (firework launch area, balloon/ helicopter launch or landing area, etc.)
 - xi. Criminal intelligence regarding the risk and threat level associated with the event
 - xii. Potential presence of dignitaries and/or media personnel
 - xiii. Ease with which public safety resources can access all portions of the venue during the event taking into consideration the layout and concentration of people within the venue
 - xiv. Whether this event or similar events have resulted in a need for crowd control in other cities or in the past in the City of Plano
- (b) All reasonable alternative routes, times, and locations will be considered so as to offer the Applicant the option that will provide the lowest costs consistent with the general public's health, safety and welfare.
- (c) The Supervising Police Officer at a Special Event may, at his or her discretion, reduce the number of peace officers posted at a special event.
- (d) The Applicant or Event Organizer shall not be required to provide or pay for the cost of City personnel who are present to protect event attendees from counter-demonstrators or members of the public who are hostile to the event.
- (e) If approved by the Approval Team, an Applicant may hire private security for personal safety or property security during a Special Event to supplement the services provide by the Plano Police Department.

Private Security employed must:

- i. Be in uniform
- ii. Be able to contact City Police, Fire or Emergency Medical Services, if necessary
- iii. Remain on-site during the Special Event
- iv. Be licensed by the State of Texas
- v. Not consume an alcoholic beverage

Sec. 11-348. – Fire Safety.

In addition to local law and Fire Code, any use of fireworks or pyrotechnic displays shall require proof of application for a State Permit prior to issuance of a Special Event Permit.

ORDINANCE NO. 2020-6-3

- (a) An Applicant shall comply with all applicable [International Fire Code](#) requirements as adopted and amended in Title 25 (Land Development Code) including, but not limited to:
- i. Fire lanes and public safety access
 - ii. Tents and Temporary Membrane Structures
 - iii. Fireworks, pyrotechnics, open flames
 - iv. Theatrical flame or laser performances
 - v. Occupant loads, exiting and egress
 - vi. Use of decorative materials and finishes
 - vii. Use, location, storage of propane or other fuel type equipment
 - viii. Crowd Management
- (b) When the presence of fire personnel is necessary for the event as determined by the Approval Team, the Applicant is responsible for reimbursing the City for the cost of providing Fire personnel. The cost for City Fire personnel shall be the actual for the services provided. Actual costs shall include salary, overtime, and any equipment usage costs. There is a minimum four (4) hour cost per firefighter. City estimated cost must be paid to the City before permit issuance. The City will consider the following in determining the estimated cost:
- i. Weather conditions, such as burn bans, thunderstorms, etc.
 - ii. Number of food tents
 - iii. Occupant loads, exiting and egress
 - iv. Location of the Event

Sec. 11-349. – Medical Personnel.

When the presence of City of Plano Fire personnel is necessary for special events as determined by the Approval Team, the Applicant shall be responsible for reimbursing the city for the cost of providing Fire personnel. The cost for city-provided medical personnel shall be the actual cost for the services provided. Actual cost shall include salary, overtime, and any equipment usage costs. There is a minimum four (4) hour cost per personnel. City estimated cost must be paid to the City before permit issuance.

- (a) Event considerations used to determine the number of Fire personnel include, but are not limited to:
- i. Weather conditions, such as extreme hot or cold, etc.
 - ii. Alcohol consumption
 - iii. Duration of the event
 - iv. Animal Interactions
 - v. Participant activity, such as a parade or distance event
 - vi. Time of day
 - vii. Whether this event or similar events have resulted in a need for enhanced medical personnel in other cities or in the past in the City of Plano
- (b) If approved by the Approval Team, an Applicant may hire private medical providers, including licensed medical providers that are not employed by the City, for medical support for a Special Event to supplement the services provided by the City of Plano Fire Department.
- (c) Unless otherwise directed by the City of Plano Fire Department, only medical service responders employed by the City may respond to 911 requests within a Special Event or provide medical transport from a special event.

Sec. 11- 350 – Emergency Cancellations and Delays.

The incident or unified commander will consult with the Event Organizer when circumstances such as weather or other threats may affect the event and suggest it should be canceled or delayed. The incident or unified commander will have the ultimate authority to cancel or delay any event in furtherance of public safety.

Secs. 11-351 – 11.355. Reserved.

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DIVISION 4. - INSURANCE, INDEMNIFICATION, SURETY BOND AND COSTS

Sec. 11-356. – Insurance for Special Events.

- (a) The Applicant must possess or obtain insurance to protect the City against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the Special Event that impacts or occurs on City property, including City facilities and City Streets, City Sidewalks and other right-of-way.
- (b) The insurance shall name the City, the City Council and its members, the City's agents, officers, directors and employees as additional insured under the commercial general liability policy, including coverage for City with respect to liability arising out of the completed operations.
- (c) The Applicant is responsible for any expense incurred by the city for clean-up or remediation of environmental pollution or hazards resulting from the Special Event.
- (d) Failure to maintain insurance immediately preceding, during the Special Event, and until the conclusion of the permit period is grounds to revoke the Special Event Permit.
- (e) The City will determine the necessary amount of insurance.
- (f) The insurance required by this section is not a substitute for insurance requirements that may be imposed by other City permits.

Sec. 11-357. – Indemnification.

An Applicant who applies for a Special Event Permit must execute a written agreement to indemnify and defend the City and its officers and employees against all claims, including but not limited to injury or damage to persons or property, whether public or private, arising out of alleged willful or negligent acts or omissions of the Applicant, its officers, agents, or employees in connection with the Special Event.

Sec. 11-358. – Bond Required.

- (a) The Applicant may be required to post a surety bond in the assurance that the City property is cleaned and returned to the original condition prior to the event. A bond shall be required when any of the following exists:
 - i. The event is held over a period of two (2) or more days at any location.
 - ii. The event requires any type of excavation to assemble any type of equipment (tents, Amusement Rides, etc.)
 - iii. The event has an anticipated attendance of five thousand (5,000) persons or more.
- (b) The Risk Manager or his/her designee shall determine whether a bond is required. Appeals shall be heard as set forth in Sec. 11-317.
- (c) The surety bond shall be returned to the Applicant within ten (10) days after said permit expires upon certification by the Risk Manager that all conditions of this article have been complied with.

Sec. 11-359. – Fees/ Costs.

- (a) Issuance of a Special Event Permit or the approval of a Special Event Permit Application does not obligate or require the City to provide services, equipment, or personnel in support of an event.
- (b) If the City provides services, equipment, or personnel in support of a Special Event, the City will charge the Applicant the actual cost of:
 - i. The wages or salaries for personnel involved in traffic control, event security, fire safety, medical safety, waste management, and other facility or event support.

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- ii. The use of City equipment, city-contracted services, and other non-personnel expenses.
- iii. Any clean-up activity directly related to the Special Event, not provided by the Applicant that is required to restore the area to the same condition that existed prior to the Special Event.

(c) The City may also charge any other fees set by separate ordinance to recover costs associated with Special Events.

Sec. 11-360. – Reserved.

DIVISION 5. – OFFENSES AND PENALTY.

Sec. 11-361. – Offenses and Penalty.

- (a) A Person who violates a provision of this article or a requirement or condition of a Special Event Permit is guilty of a separate offense for each day or part of a day during which the violation is committed or continued.
- (b) For offenses punishable by a fine not to exceed \$500, a culpable mental state is not required for the commission of an offense under this article.
- (c) Each offense is punishable by fine not to exceed:
 - i. \$2,000 for a violation of a provision of this article or a requirement or condition of a Special Event Permit governing Fire Safety, Zoning, or Public Health and Sanitation, including dumping of refuse.
 - ii. \$500 for all other violations of this article or requirement or condition of a Special Event Permit.

DIVISION 6. – PRIVATE NON-PERMITTED EVENTS.

Sec. 11-362. – Private Non-Permitted Events.

- (a) Private, Non-Permitted Events must comply with requirements of all other applicable local regulations, including but not limited to, health and sanitation, animal services and noise regulations.
- (b) Extra-Duty Requests are smaller scale, private events where Event Organizers request City personnel to assist with their event (e.g. a police officer for general security at a party or an emergency medical technician for potential medical assistance at a 5K) in a manner that does not meet the definition of a Private, Non-Permitted Event.
- (c) The Event Organizer for Private, Non-permitted Events and for Extra-Duty Requests must agree to reimburse the City for all off-duty personnel costs necessary for the event at each employee's overtime rate of pay and for any chargeable City equipment used during the event.

Sec. 11-363. – Standards for Private, Non-Permitted Events.

- (a) When the City receives a request for personnel and/or equipment consistent with this policy from an Event Organizer, Police and Fire-Rescue staff will develop a staffing and operational plan to ensure the safety of the event. Police and Fire-Rescue staff will arrange for personnel and/or equipment from any other needed City department.
- (b) Police and/or Fire-Rescue staff will present the plan to the Event Organizer along with estimated costs. The Event Organizer shall pay the estimated costs before the event.

ORDINANCE NO. 2020-6-3

- (c) After the event, Police and/or Fire-Rescue staff will present a final invoice for the event with all billable personnel and equipment costs. Any difference from the estimate will be reconciled with the Event Organizer. Billable costs include:
 - i. Personnel costs include the following:
 - a. Overtime rates of pay for all City personnel who work the event in addition to or outside of their regular duty hours.
 - b. Regular rates of pay for City personnel who work the event during the regular duty hours.
 - ii. Estimated equipment costs for all billable City equipment used during the event and requested by the Event Organizer and charged by individual departments.
- (d) If a Private, Non-Permitted Event Organizer should refuse to pay for billable personnel or equipment costs prior to the event occurring, the primary objective of the City is to ensure public safety. Police and Fire-Rescue staff will deploy regular, on-duty resources as available to ensure public safety. However, no resources may be deployed if Police and Fire-Rescue staff determine there to be no public safety concern.
- (e) If a Private, Non-Permitted Event Organizer should refuse to pay for billable personnel or equipment costs after the event begins or concludes and the City has provided services, the City may pursue criminal and civil remedies as appropriate.

Sec. 11.364- Reserved.

DIVISION 7. – FILMING.

Sec. 11-365. - Filming.

The Film Ordinance is intended for promoting economic development activity within Plano and the vicinity of the City, and to protect the personal and property rights of Plano, Texas residents and businesses, and to promote public health, safety and welfare. The Approval Team reserves the right to impose additional regulations in the interest of public health, safety and welfare, or if otherwise deemed appropriate by the Approval Team.

This is intended to cover requests for commercial use of City-owned property (including but not limited to City Streets, rights-of-way, parks, and/or public buildings), commercial use of private property which may affect adjacent public or private property, and the use of City equipment and personnel in all types of motion picture production, including, but not limited to, feature films, television programs, commercials, music videos, student filmmaking and corporate films.

Sec. 11-366. – Permit.

A Film Permit is subject to a modified Approval Process. All affected City Departments will be contacted for approval once a Film Permit Application is received by the Special Event Coordinator. A Film Permit Applicant is required to follow the same Certificate of Insurance and Indemnification regulations as the Special Event Permit.

- (a) If the production will include any of the following, a film permit must be obtained:
 - i. Impacts a City right-of-way (Streets, Sidewalks, etc.)
 - ii. Occurs on City owned property
 - iii. Require Traffic control measures (barricades, lane closures, etc.)
 - iv. Involves firearms or simulated firearms
 - v. Involves pyrotechnics
 - vi. Involves dangerous stunts

ORDINANCE NO. 2020-6-3

- (b) It shall be unlawful for any Person to conduct filming without first having obtained a permit from the Approval Team.
- (c) A Film Permit is non-transferrable.

Sec. 11-367. – Filing Period.

A Film Permit Application must be filed to be considered:

- (a) Commercials or episodic television
 - i. A minimum of two (2) business days prior to the commencement of filming or any substantial activity related to the project.
- (b) Feature films
 - i. A minimum of five (5) business days prior to the commencement of filming or any substantial activity related to the project.

Sec. 11-368. – Submittal Requirements.

- (a) Title of the project and type of production
- (b) Proposed Filming Location(s)
- (c) Date and times of being on location and filming period
- (d) Production company, address, phone number, and point of contact
- (e) Contact information of the location manager
- (f) Production schedule
- (g) Number of people involved and number and type of vehicles
- (h) Anticipated City resources needed
- (i) A site map
- (j) Public areas in which the public will be restricted
- (k) Describe any alterations to public property
- (l) Any other information that the City shall find necessary under the standards for issuance.”

Section II. 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 III. All provisions of the Code of Ordinances of the City of Plano, codified or uncoded, 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 uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

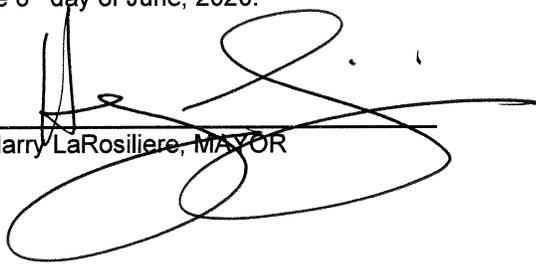
Section IV. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

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.

ORDINANCE NO. 2020-6-3

DULY PASSED AND APPROVED this the 8th day of June, 2020.



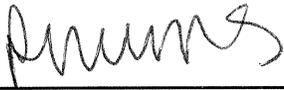
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2020-6-4

Zoning Case 2020-008

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 131 for Outdoor Commercial Amusement on 1.1 acres of land out of the M. McBride Survey, Abstract No. 553, located at the northwest corner of Mapleshade Lane and Talbert Drive, in the City of Plano, Collin County, Texas, presently zoned Light Industrial-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 severability clause, a publication 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 8th day of June 2020, for the purpose of considering granting Specific Use Permit No. 131 for Outdoor Commercial Amusement on 1.1 acres of land out of the M. McBride Survey, Abstract No. 553, located at the northwest corner of Mapleshade Lane and Talbert Drive, in the City of Plano, Collin County, Texas, presently zoned Light Industrial-1; 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 8th day of June 2020; and

WHEREAS, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 131 for Outdoor Commercial Amusement on 1.1 acres of land out of the M. McBride Survey, Abstract No. 553, located at the northwest corner of Mapleshade Lane and Talbert Drive, in the City of Plano, Collin County, Texas, presently zoned Light Industrial-1, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

WHEREAS, the City Council is of the opinion and finds that such change 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:

ORDINANCE NO. 2020-6-4

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 131 for Outdoor Commercial Amusement on 1.1 acres of land out of the M. McBride Survey, Abstract No. 553, located at the northwest corner of Mapleshade Lane and Talbert Drive, in the City of Plano, Collin County, Texas, presently zoned Light Industrial-1, said property being more fully described on the legal description in Exhibit A attached hereto.

Section II. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

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 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 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.

ORDINANCE NO. 2020-6-4

PASSED AND APPROVED THIS THE 8TH DAY OF JUNE 2020.



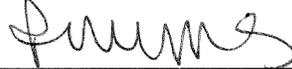
Harry LaRosiere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ZONING CASE 2020-008

BEING a tract of land situated in the M. McBride Survey, Abstract No. 553, City of Plano, Collin County, Texas, the subject tract BEING all of Lot 1, Block A, Spike Diamond Addition according to the plat recorded in Cabinet 2017, Page 986 of the Plat Records, Collin County, Texas (PRCCT), with the subject tract BEING more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the intersection of the northeast line of Mapleshade Lane, a 92-foot right-of-way, with the northwest line of Talbert Drive, a 60-foot right-of-way;

THENCE N 46°41'20" W, 86.00 feet along the northeast line of Mapleshade Lane to a 5/8" iron rod with plastic cap found on the east line of a tract conveyed to Oncor Electric Delivery Company, recorded in Volume 869, Page 405, Deed Records, Collin County, Texas;

THENCE N 00°09'03" E, 304.46 feet along the east line thereof to the southwest corner of Lot 5, Block A, Spike Diamond Addition according to the plat recorded in Cabinet 2019, Page 541 PRCCT;

THENCE along the southwest line of Lot 5, the following:

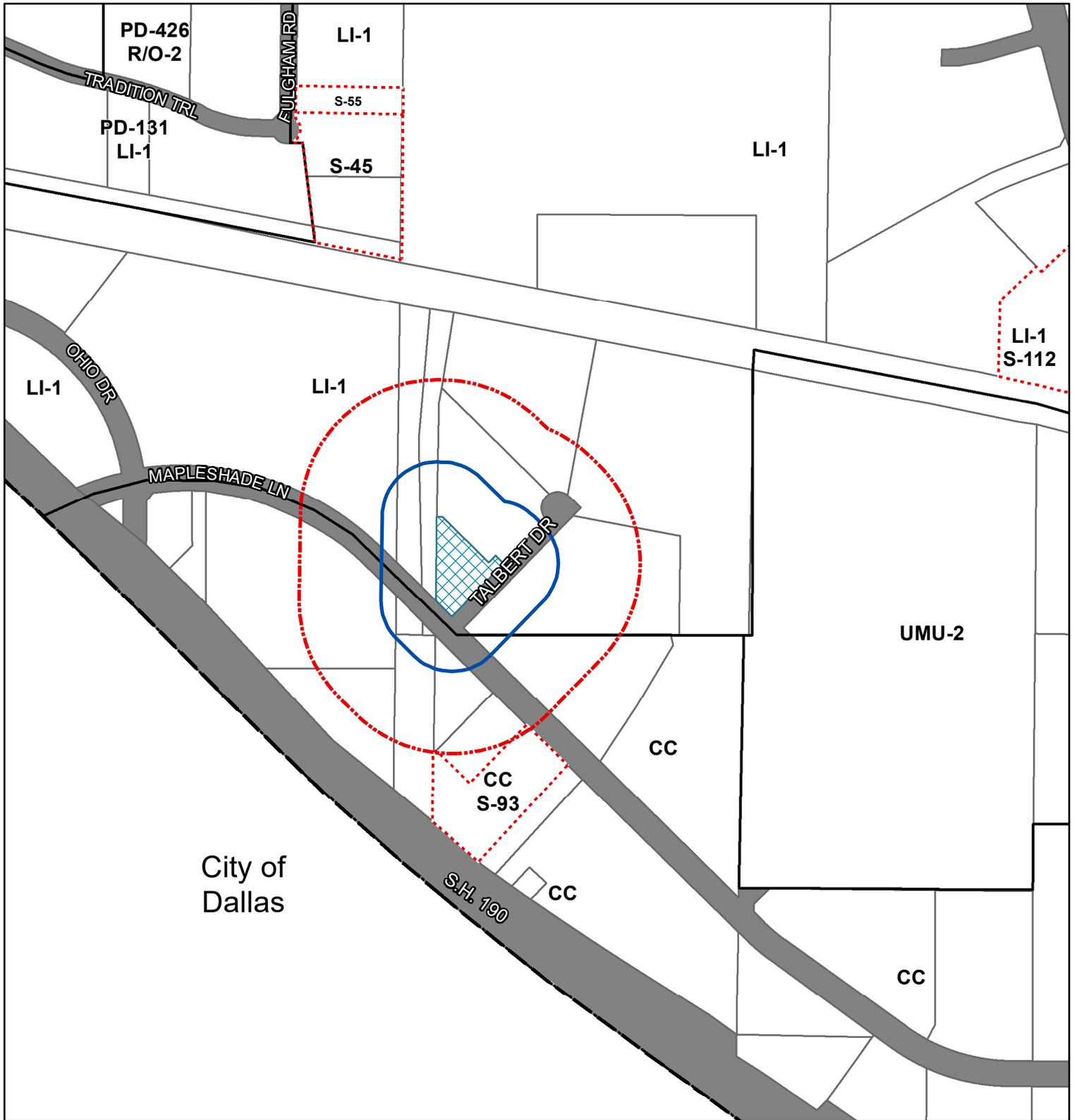
S 89°50'57" E, 20.00 feet;

S 46°41'20" E, 237.67 feet;

N 43°18'40" E, 36.00 feet;

S 46°41'20" E, 42.00 feet to a City of Plano concrete monument found for the lower corner of Lot 5, Block A;

THENCE along Talbert Drive S 43°18'40" W, 271.76 feet to the POINT OF BEGINNING with the subject tract containing 47,663 square feet or 1.094 acres of land.

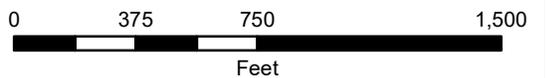
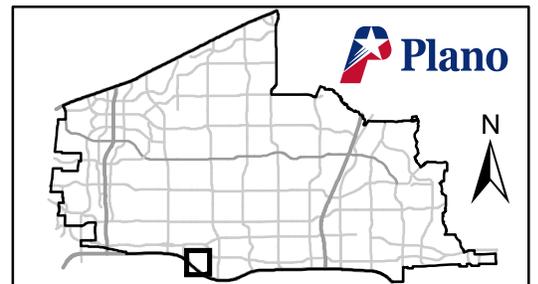


Zoning Case: ZC2020-008

Existing Zoning: Light Industrial-1 and located within the 190 Tollway/Plano Parkway Overlay District

Proposed Zoning: Specific Use Permit for Outdoor Commercial Amusement

- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Streets
- Zoning Boundary
- Zoning Boundary Change/SUP
- Specific Use Permit
- Municipal Boundaries



ORDINANCE NO. 2020-6-5

An Ordinance of the City of Plano, Texas to amend the Comprehensive Zoning Ordinance, Ordinance No. 2015-5-2, as heretofore amended, to repeal the provisions regarding the reasonable accommodation process of the Board of Adjustment in Article 5, Variances and Appeals of Administrative Decisions, Section 5.200, Jurisdiction, Subsection 5.200.2 Part E as authorized by the Planning & Zoning Commission under Zoning Case 2020-007 and amend the Code of Ordinances to repeal the provisions regarding the reasonable accommodation process for the Building Standards Commission in Chapter 6, Buildings and Building Regulations, Article I, In General, Division 2, Building Standards Commission, Section 6-3, Building standards commission organization and authority, Subsections (c)(1)(f), (c)(2)(i) and a portion of (c)(3)(a)(2) and replace the provisions with a new reasonable accommodation process by the Accommodations Review Board in Articles III and IV, Reasonable Accommodations, Chapter 9.5, Human Relations of the City Code of Ordinances; and providing a penalty clause, a repealer clause, a severability clause, a publication clause and an effective date.

WHEREAS, City of Plano adopted Ordinance No. 2008-12-5, creating a process for considering requests for reasonable accommodation arising from the Zoning Ordinance to comply with the Fair Housing Amendments Act of 1988 (FHAA) and the Americans with Disability Act of 1990 (ADA) and Ordinance No. 2009-11-7, creating a process for the Building Standards Commission to review requests for reasonable accommodation arising from the building and fire codes; and

WHEREAS, the reasonable accommodation procedure was codified in the Comprehensive Zoning Ordinance of the City of Plano in Article 5, Variances and Appeals of Administrative Decisions, Section 5.200, Jurisdiction, Subsection 5.200.2 Part E and in the Code of Ordinances Chapter 6, Buildings and Building Regulations, Article I, In General, Division 2, Building Standards Commission, Section 6-3, Building standards commission organization and authority, Subsections (c)(1)(f) ,(c)(2)(i), and a portion of (c)(3)(a)(2); and

WHEREAS, the City wishes to change the process to allow for review and possible approval of a reasonable accommodation arising from the Zoning Ordinance based upon less than a supermajority vote; and

WHEREAS, the City wishes to have one process for reasonable accommodation that applies to all requests for reasonable accommodation arising from City of Plano regulation; and

WHEREAS, the City wishes the Board of Adjustment to sit as the Accommodations Review Board when reviewing applications for reasonable accommodation; and

ORDINANCE NO. 2020-6-5

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 8th day of June 2020, for the purpose of considering amending to repeal the provisions regarding the reasonable accommodation process of the Board of Adjustment in Article 5, Variances and Appeals of Administrative Decisions, Section 5.200, Jurisdiction, Subsection 5.200.2 Part E as authorized by the Planning & Zoning Commission under Zoning Case 2020-007 and amend the Code of Ordinances to repeal the provisions regarding the reasonable accommodation process for the Building Standards Commission in Chapter 6, Buildings and Building Regulations, Article I, In General, Division 2, Building Standards Commission, Section 6-3, Building standards commission organization and authority, Subsections (c)(1)(f), (c)(2)(i) and a portion of (c)(3)(a)(2) and replace the provisions with a new reasonable accommodation process by the Accommodations Review Board in Articles III and IV, Reasonable Accommodations, Chapter 9.5, Human Relations of the City Code of Ordinances; 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 8th day of June 2020; and

WHEREAS, the City Council finds it is in the public interest to repeal Part E of Subsection 5.200.2 of Section 5.200, Jurisdiction, of Article 5, Variances and Appeals of Administrative Decisions, of the Comprehensive Zoning Ordinance, Ordinance No. 2015-5-2 as heretofore amended, and subsections (c)(1)(f), (c)(2)(i), and a portion of (c)(3)(a)(2) of Section 6-3 of the Code of Ordinances and replace them with Section 9.5 Articles III and IV as described below.

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

Section I. Part E of Subsection 5.200.2 of Section 5.200, Jurisdiction, of Article 5, Variances and Appeals of Administrative Decisions, of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, and subsection (c)(1)(f) and (c)(2)(i) of Section 6-3, Building standards commission organization and authority, of Division 2, Building Standards Commission, of Article I, In General, of Chapter 6, Buildings and

ORDINANCE NO. 2020-6-5

Building Regulations of the Code of Ordinances are hereby repealed and replaced with Article III, Accommodations Review Board and Article IV, Reasonable Accommodations, Chapter 9.5, Human Relations of the City Code of Ordinances as follows:

ARTICLE III. ACCOMMODATIONS REVIEW BOARD

Sec. 9.5-45.- Generally.

The Accommodations Review Board shall consist of the members of the Board of Adjustment and alternate members of the Board of Adjustment and the chairperson shall be the chairperson of the Board of Adjustment. All members of the Accommodations Review Board are subject to removal for cause by the appointing authority upon written charges and after public hearing.

Sec. 9.5-46.- Duties, Responsibilities and Meetings.

The Accommodations Review Board shall be responsible for reviewing requests for reasonable accommodation and granting or denying reasonable accommodations as described in Article IV below. The chair, or, in his or her absence the acting chair, may administer oaths and compel the attendance of witnesses. The Accommodations Review Board shall hold meetings as needed for the conduct of its business, and may establish rules and regulations for the performance of its duties. Such meetings will generally be held before or after regular meetings of the Board of Adjustment. A majority of the regular membership of the Accommodations Review Board shall constitute a quorum. A quorum must be present to convene a meeting and to take action.

ARTICLE IV. REASONABLE ACCOMMODATIONS

Sec. 9.5-50.- Purpose. The City, pursuant to the Fair Housing Amendments Act of 1988 ("FHAA") 42 U.S.C. § 3601, et seq., as amended, and the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. § 12101, et seq., as amended, intends to provide persons with a disability with reasonable accommodations in the City's zoning, subdivision, building code, fire code, and other regulations, policies, practices, and procedures when it is necessary to eliminate barriers to housing opportunities to ensure a person with a disability has an equal opportunity to use and enjoy a dwelling.

Sec. 9.5-51.- Applicability.

- (a) The provisions of this article apply to residential uses that will be used by persons with disabilities.
- (b) The reasonable accommodation granted shall be considered personal to the individual(s) and shall not run with the land. If the structure or property impacted by the reasonable accommodation is sold, or otherwise changes ownership, a reasonable accommodation granted to the previous owner is not transferable to the new owner. Notwithstanding, the

ORDINANCE NO. 2020-6-5

reasonable accommodation shall be in force and effect as long as the person(s) or group of persons with disabilities for whom the reasonable accommodation was sought resides in the structure or on the property that is the subject of the reasonable accommodation.

- (c) Nothing in this article will require the City to expend any funds to achieve a reasonable accommodation except and to the extent required by state or federal law.
- (d) Nothing in this article will alter a person with disabilities' obligation to comply with other applicable federal, state and City regulations.

Sec. 9.5-52.- Definitions.

- (a) Persons with disabilities for the purposes of this article, has the meaning set forth in the federal Fair Housing Act and the Americans with Disabilities Act, as amended.
- (b) Reasonable accommodation (inclusive of modification) means the act of making a dwelling unit or housing facility (ies) readily accessible to and usable by a person with disabilities, through the removal of constraints imposed by the City's requirements.
- (c) Requirement means a provision of city ordinance or resolution or an administrative policy, program or procedure.

Sec. 9.5-53.- Method of submitting a request for a reasonable accommodation; fees; confidentiality.

- (a) A request for a reasonable accommodation may be submitted by any person(s), his or her representative, a developer, or provider of housing for persons with disabilities.
- (b) A request for a reasonable accommodation may be submitted at any time that the reasonable accommodation may be necessary to ensure equal access to housing.
- (c) A request for a reasonable accommodation should be submitted in writing to the Chief Building Official on a form provided by the Building Inspections Department:
 - (1) There is no fee for an application requesting a reasonable accommodation.
 - (2) The city will retain any information identified by an applicant as confidential in compliance with applicable law and will not disclose the information unless required by law.
 - (3) If an individual needs assistance in making a request for a reasonable accommodation, the city will provide assistance to ensure that the application process is accessible to the individual.

Sec. 9.5-54.- Application. An applicant shall submit the following information before an application for a reasonable accommodation is considered to be complete:

ORDINANCE NO. 2020-6-5

- (a) The applicant's name, mailing address, street address, telephone number, and e-mail address.
- (b) The applicant's relation to the individual or individuals with a disability, if applicable.
- (c) The address of the property to which the requested reasonable accommodation would apply.
- (d) If the disability is not obvious, information substantiating that the individual who would obtain the benefit of the reasonable accommodation is disabled.
- (e) The City requirement(s) from which a reasonable accommodation is being requested.
- (f) If the need for the reasonable accommodation is not readily apparent, a brief explanation of why the requested reasonable accommodation is necessary for the individual or individuals with disabilities to have equal access to housing.

Sec. 9.5-55.-Review of application for reasonable accommodation; required findings; appeals.

- (a) Upon receipt of a complete application for a reasonable accommodation, the Accommodation Review Board ("Board"), shall review the application and issue a written ruling that grants, grants with conditions, or denies the application.
- (b) The Board shall hear and consider evidence offered by any interested person; the formal rules of evidence do not apply. The Board's decision must be by a majority vote.
- (c) The Board may impose reasonable conditions on any reasonable accommodation granted consistent with the purpose of this chapter.
- (d) The written decision must be consistent with the FHAA and the determination of whether a request for an accommodation is reasonable is based on a consideration of the following factors:
 - (1) Whether the housing that is the subject of the request will be used by one or more individuals with a disability.
 - (2) Whether the requested accommodation is necessary to make specific housing available to one or more individuals with a disability.
 - (3) Whether the requested accommodation would impose an undue financial or administrative burden to the city.
 - (4) Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city requirement.
- (e) The Board shall issue a decision on a request for reasonable accommodation within 45 calendar days of the date of a completed application, and may either grant, grant with alterations or conditions, or deny a request for a reasonable accommodation in accordance with the required finding sets forth in Section (d) above.

ORDINANCE NO. 2020-6-5

- (f) The Board's determination is final once it is signed by the Chairperson and filed with the Board's office.
- (g) If the Board denies an application for a reasonable accommodation, the action is final.
- (h) Nothing herein shall prohibit the applicant, or persons on whose behalf a specific application was filed, from reapplying for a reasonable accommodation based on additional grounds or changed circumstances. Nor shall this provision be construed to affect in any way the rights of a person to challenge the denial of a request for reasonable accommodation as violating the Fair Housing Act, the ADA or any other applicable state, federal or local law.

Section II. Subsection (c)(3)(a)(2) of Section 6-3, Building standards commission organization and authority, of Division 2, Building Standards Commission, of Article I, In General, of Chapter 6, Buildings and Building Regulations of the Code of Ordinances is hereby repealed and replaced as follows:

"2. Interpretations of the fire code or building codes as adopted by the City of Plano."

Section III. 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(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

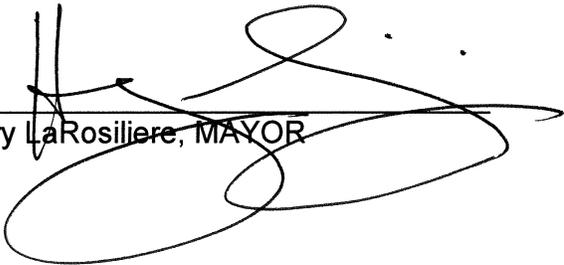
Section IV. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section V. All provisions of the ordinance of the City of Plano, codified or uncoded, 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 uncoded, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

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

ORDINANCE NO. 2020-6-5

DULY PASSED AND APPROVED THIS THE 8TH DAY OF JUNE, 2020.



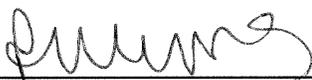
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

RESOLUTION NO. 2020-6-6(R)

A Resolution of the City of Plano, Texas, providing the City Manager authority related to personnel, procurement, public meetings and City Code and policy decisions necessary for issues that arise during the state and federal emergency declarations related to the novel coronavirus (COVID-19); and providing an effective date.

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a statewide public health disaster; and

WHEREAS, the City Council has determined that during the pendency of the federal and statewide public health disaster, the City Manager is authorized to make decisions related to personnel, procurement, public meetings and City Code and policies to address issues that arise related to the COVID-19 emergency as set out herein.

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

SECTION I. The City Council hereby finds that while in a state of disaster, there is a public purpose in maintaining the City workforce and ensuring continuity in staffing while continuing the City's services but recognizing that certain facilities and/or operations may need to be temporarily closed or suspended and/or certain personnel may encounter disaster related events that prevent them from working at full capacity intermittently during the public health emergency. The City Council hereby authorizes the City Manager to make any staffing and compensation related decisions necessary to adapt to the rapidly changing environment created by the public health emergency to meet the objectives stated herein and authorizes the expenditure of City funds to accommodate same. Any expenditure of funds beyond that approved in the FY19-20 budget will come to the City Council for ratification at a City Council meeting, though the expenditure may be made prior to City Council ratification due to the public health emergency.

SECTION II. The City Council hereby finds that while in a state of disaster, immediate procurement may be necessary to preserve and protect public health and safety, and authorizes the City Manager to purchase goods or services as necessary for ratification by the City Council at a later date as long as the procurement is in compliance with state law requirements.

SECTION III. The City Council hereby finds that a public necessity exists to authorize the City Manager, while in a state of disaster, to determine whether it is difficult for a quorum of the members of boards and/or committees of the City to meet in person based on public health and safety concerns related to the pandemic. If such a determination is made, boards and/or committees will be authorized to conduct their public meetings via telephone or video conference if allowed by law. The City Manager is hereby authorized, at his discretion, to exclude the public from in person attendance at board and/or committee meetings to preserve the public health if allowed by law.

SECTION IV. The City Council hereby authorizes the City Manager to temporarily waive any City Code regulations or City policies that are difficult or impossible to comply with during the state of disaster as long as it is not inconsistent with state law.

RESOLUTION NO. 2020-6-6(R)

SECTION V. For purposes of this resolution, the state of disaster referenced herein shall refer to any time period for which a disaster declaration is operative for the City of Plano, the State of Texas, and/or the United States of America for the emergency related to COVID-19.

SECTION VI. This resolution shall terminate at the end of the day on July 29, 2020 or upon the expiration of the State of Texas and the United States of America disaster declarations, whichever occurs first. The resolution may be extended by a majority vote of City Council.

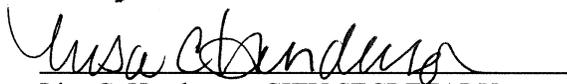
This Resolution shall become effective on June 9, 2020.

DULY PASSED AND APPROVED THE 8th DAY OF JUNE 2020.



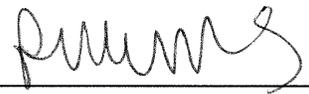
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

RESOLUTION NO. 2020-6-7(R)

A Resolution of the City of Plano, Texas, designating City property located at 1430 K Avenue as public right-of-way; authorizing the City Manager to record this resolution; and providing an effective date.

WHEREAS, the City of Plano owns a parcel of property located at 1430 K Avenue at the southeast corner of 15th Street and K Avenue containing 4,339 square feet in use as a public plaza; and

WHEREAS, there are no instruments of record designating or dedicating the public plaza as a public right- away; and

WHEREAS, it is in the best interests of the City to designate the public plaza encumbered by the street and sidewalk paving, as more particularly described in Exhibit A, (the "Property") to the public for use as City right-of-way; and

WHEREAS, the City does hereby provide notice to the public that the Property is designated to the public to be used by the public for public street, and utility purposes, in the same manner as all other public streets within the City, including the right of ingress, egress, and regress therein, and as easements to construct, maintain, repair, and replace, public streets and utilities; and

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

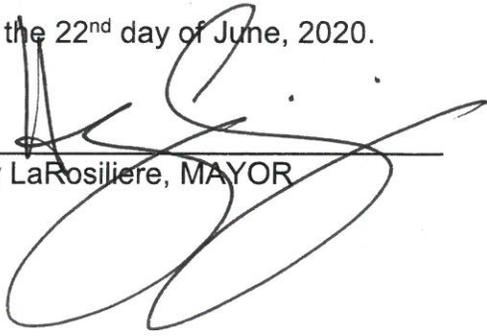
Section I. The Property is hereby designated to the public to be used by the public for public street, and utility purposes, in the same manner as all other public streets within the City, including the right of ingress, egress, and regress therein, and as easements to construct, maintain, repair, and replace, public streets and utilities which shall at all times be used in accordance with all applicable ordinances, regulations, and policies enacted by the City of Plano, and laws of the State of Texas. Notwithstanding anything to the contrary above, the Property shall at all times be used in accordance with all applicable ordinances, regulations, and policies enacted by the City of Plano and all traffic laws of the State of Texas and the City of Plano.

Section II. The City Manager is authorized to cause this resolution to be recorded the Official Public Records of Collin County, Texas to provide notice of this action by the Plano City Council.

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

RESOLUTION NO. 2020-6-7(R)

DULY PASSED AND APPROVED this the 22nd day of June, 2020.



Harry LaRosiere, MAYOR

ATTEST:



Lisa Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

EXHIBIT "A"
THE PROPERTY

SITUATED in the State of Texas, County of Collin and City of Plano, being part of the Sanford Beck Survey, Abstract No. 73, being the resurvey of Lot 1, Block 10 of the Original Donation to the City of Plano, said premises being more particularly described as follows:

BEGINNING at the northwest corner of an existing one-story masonry building, said building corner marking the intersection of the east right-of-way line of Avenue "K" (formerly called North Main Street) with the south right-of-way line of 15th Street (formerly called East Mechanic Street), said beginning corner also being the northwest corner of said Lot 1;

THENCE with the north facing of said building along the south right-of-way line of 15th Street and the north line of Lot 1, North $89^{\circ} 39' 00''$ East, 140.00 feet to the northwest corner of a concrete porch marking the northeast corner of Lot 1 and the northwest corner of Lot 2, Block 10 of said Original Donation;

THENCE with the east line of Lot 1 and the west line of Lot 2, said line being the west facing of an existing masonry building, South $00^{\circ} 49' 00''$ West, 31.00 feet to a railroad spike set marking the southeast corner of Lot 1 and being in the north line of Lot 3, Block 10 of Original Donation;

THENCE with the south line of Lot 1 and the north line of Lot 3, South $89^{\circ} 39' 00''$ West, passing at 30.00 feet the southeast corner of the aforementioned one-story masonry building, and continuing along its south facing a total distance of 140.00 feet to the southwest corner of said building, said building corner being in the east right-of-way line of Avenue "K", said corner also being the southwest corner of Lot 1 and the northwest corner of Lot 3;

THENCE with the west facing of said building along the east right-of-way line of Avenue "K" and the west line of Lot 1, North $00^{\circ} 49' 00''$ East, 31.00 feet to the place of beginning and containing 4,339 square feet or 0.0996 acre of land.

ORDINANCE NO. 2020-6-8

An Ordinance of the City of Plano, Texas amending Section 12-101, Prohibited on certain streets at all times, of Article V, Stopping, Standing and Parking, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to establish a no parking zone on a certain section of Runnin River Drive, within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the Lakeside on Preston Master Association reached out to the Traffic Engineering Division with a request to improve safety and flow of traffic on Runnin River Drive; and

WHEREAS, Runnin River Drive is a 26' wide residential street abutting residences on the north side and a community park on the south side; and

WHEREAS, when residents park their vehicles on the north side and park patrons park on the south side, it only leaves one lane for through traffic as well as impeding the line of sight for pedestrians; and

WHEREAS, Traffic Engineering staff made several site visits and determined the proposed parking restrictions will improve visibility and traffic flow by removing on-street parking near the intersection of Runnin River Drive and Silver Creek Drive; and

WHEREAS, the Lakeside on Preston Master Association requires mandatory participation from residents, and the Board supports the proposed parking restrictions on a certain section of Runnin River Drive; and

WHEREAS, the Transportation Engineering Division of the City of Plano proposes to amend a certain section of the Code of Ordinances to establish a no parking zone along and upon the south side of Runnin River Drive from its intersection with Silver Creek Drive and a point one hundred (100) feet west of Silver Creek 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 a certain section of Runnin River 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, Prohibited on certain streets at all times, of Article V, Stopping, Standing and Parking, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances, City of Plano, Texas, is hereby amended by addition of the following Subsection:

“Runnin River Drive:

- (1) Along the south side of Runnin River Drive from its intersection with Silver Creek Drive to a point one hundred (100) feet west of Silver Creek Drive.”

ORDINANCE NO. 2020-6-8

Section III. The Traffic Engineer of Plano is hereby authorized and directed to cause placement or removal of traffic control signs along 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 these areas.

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.

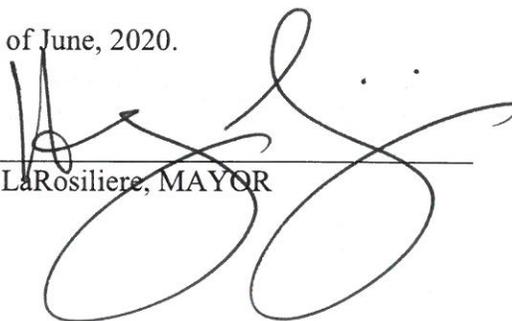
Section V. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section VI. Any violation of any provision or term of this ordinance shall be a Class C Misdemeanor offense. Any person, firm, corporation, or association who is adjudged guilty of a Class C Misdemeanor offense under this ordinance shall be punished by a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

Section VII. The repeal of any Ordinance or part of an Ordinance 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.

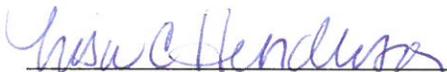
Section VIII. This Ordinance shall become effective from and after its passage and publication as required by law and after all necessary signs and pavement markings have been installed.

DULY PASSED AND APPROVED this 22nd day of June, 2020.



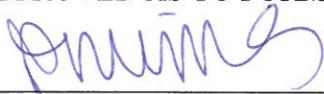
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2020-6-9

An Ordinance of the City of Plano, Texas, amending Section 12-74(b), Maximum Limits on Specific Streets, of Article IV, Speed, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to lower the prima facie maximum speed limit from fifty-five (55) miles per hour to fifty (50) miles per hour on State Highway 121 from the west city limits to its intersection with Rasor Boulevard, within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, on October 12, 2009 by Ordinance No, 2009-10-7, the City Council of the City of Plano lowered the prima facie maximum speed limit from sixty (60) miles per hour to fifty-five (55) miles per hour on State Highway 121 within the corporate city limits of the City of Plano, and such Ordinance was codified as subsection “State Highway 121” of Section 12-74(b) of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano; and

WHEREAS, Section 545.356 of the Texas Transportation Code, as amended, grants to cities operating under a Home Rule Charter the authority to control the operation of motor vehicles using its streets and to prescribe reasonable and safe prima facie maximum speed limits for the same; and

WHEREAS, based on a traffic engineering study, the Texas Department of Transportation requested that the City of Plano adopt an ordinance to decrease the prima facie maximum speed limit on State Highway 121 from the west city limits to its intersection with Rasor Boulevard; and

WHEREAS, the Transportation Engineering Division of the City of Plano reviewed the study and determined that the proposed reduction in the prima facie maximum speed limit is warranted and proposes to amend a certain section of the Code of Ordinances to lower the prima facie maximum speed limit for the said section of State Highway 121.

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

Section I. The following prima facie maximum speed limits hereafter indicated for motor vehicles are hereby determined and declared to be reasonable and safe, and such maximum speed limits are hereby fixed at the rate of speed indicated for motor vehicles traveling upon the named streets or highways or parts thereof. No motor vehicle shall be operated along or upon said portions of said named streets or highways within the incorporated limits of the City of Plano in excess of the speeds now set forth in the following limits.

Section II. Subsection entitled “State Highway 121” of Section 12-74(b), Maximum Limits on Specific Streets, of Article IV, Speed, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances, City of Plano, Texas, is hereby amended to read as follows:

“State Highway 121:

- (1) Fifty (50) miles per hour along and upon State Highway 121 from the west city limits to its intersection with Rasor Boulevard;
- (2) Fifty-five (55) miles per hour along and upon State Highway 121 from its intersection with Rasor Boulevard to the east city limits.”

ORDINANCE NO. 2020-6-9

Section III. The Traffic Engineer of Plano is hereby authorized to cause placement or removal of traffic control signs along the portions of the roadways described herein, and such signs shall give notice to all persons of the prima facie maximum speed limits.

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, except that an ordinance of the City establishing a school zone and speed limit therefore within the zones changed herein, shall not be repealed but shall prevail over this Ordinance. 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.

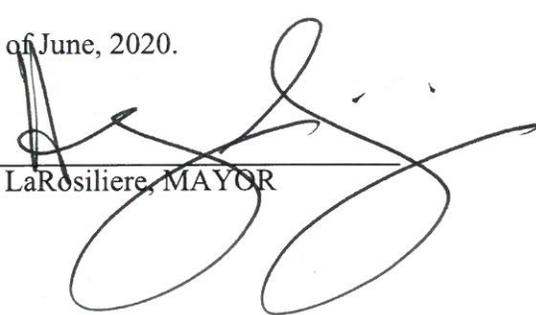
Section V. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section VI. Any violation of any provision or term of this ordinance shall be a Class C Misdemeanor offense. Any person, firm, corporation, or association who is adjudged guilty of a Class C Misdemeanor offense under this ordinance shall be punished by a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

Section VII. The repeal of any Ordinance or part of an Ordinance 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 VIII. This Ordinance shall become effective from and after its passage and publication as required by law and after all necessary signs and pavement markings have been installed.

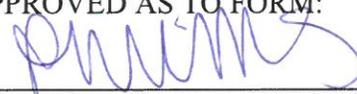
DULY PASSED AND APPROVED this 22nd day of June, 2020.


Harry LaRosiliere, MAYOR

ATTEST:


Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:


Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2020-6-10

An Ordinance of the City of Plano, Texas adopting and enacting Supplement Number 132 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.

WHEREAS, the City Council of the City of Plano, Texas adopted a new Code of Ordinances upon adoption of Ordinance No. 87-3-14, on March 9, 1987; and

WHEREAS, Sections V and VI of Ordinance No. 87-3-14 provide for amendment to said Code of Ordinances; and

WHEREAS, the Code of Ordinances of the City of Plano, Texas has been revised by previous amendments duly passed as individual ordinances by the City Council and such amendments are reflected on Supplement Number 132; and

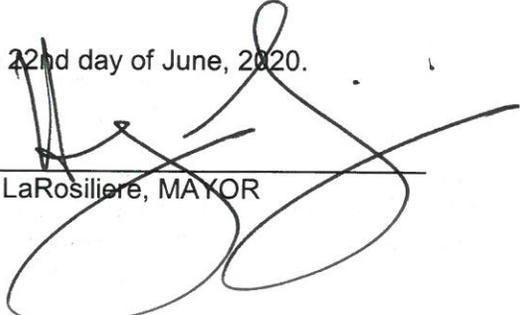
WHEREAS, the City Council wishes to adopt the ordinance codification version appearing in Supplement Number 132 of the Plano Code of Ordinances in order for the printed Code form to be considered identical to the original ordinance and to eliminate any confusion or differences in the format of the original ordinance.

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

Section I. The City Council hereby adopts the printed Code form of the ordinances contained in Supplement Number 132 as prepared by the codifier.

Section II. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 22nd day of June, 2020.



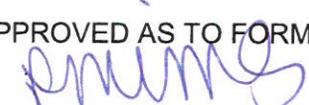
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

ORDINANCE NO. 2020-6-11

An Ordinance of the City of Plano, Texas, adopting and approving a strong recommendation for businesses that provide goods and/or services to the public to implement a health and safety policy to require face coverings to protect the health of persons in the City; and providing an effective date.

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected as a public health threat; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

WHEREAS, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020; and

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020; and

WHEREAS, on March 19, 2020, John W. Hellerstedt, M.D., the Commissioner of the Texas Department of State Health Services, in accordance with Section 81.082(d) of the Texas Health and Safety Code, declared a state of public health disaster for the entire State of Texas for the first time since 1901; and

WHEREAS, since April 2, 2020, Governor Greg Abbott issued several Executive Orders including among others those related to the reopening of Texas businesses and hospital capacity; and

WHEREAS, the continued spread of COVID-19, specifically in the State of Texas and the North Texas region, presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, Sections 121.003 and 122.006 of the Texas Health and Safety Code provide that the City of Plano is authorized to adopt rules to protect the health of persons in the City; and

WHEREAS, on June 6, 2020, Governor Greg Abbott publicly stated, “pursuant to my plan, local governments can require stores and businesses to require masks;” and

WHEREAS, the conditions necessitating disease prevention measures continue to exist and immediate measures must be taken to respond quickly to prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19; and

ORDINANCE NO. 2020-6-11

WHEREAS, the City Council finds that it is in the public interest to require business entities in the City of Plano providing goods and/or services directly to the public to implement a health and safety policy to require face coverings as further detailed herein to protect the health of persons in the City pursuant to the Texas Health and Safety Code, as amended.

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

SECTION I. Beginning on the effective date of this ordinance, and continuing through August 10, 2020, all business entities¹ in the City of Plano providing goods and/or services directly to the public must develop and implement a “Health and Safety Policy.” The Health and Safety Policy must require, at a minimum, that all employees and visitors to the business entity’s premises or other facilities wear face coverings when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible. The Health and Safety Policy required to be developed and implemented by this ordinance may also include the implementation of other mitigating measures designed to control and reduce the transmission of COVID-19 such as temperature checks or health screenings. The entity must post the Health and Safety Policy required by this ordinance in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements.

SECTION II. The requirement of a face covering does not apply if covering their nose and mouth poses a significant mental or physical health risk to the individual or for children under the age of 10. The requirement of a face covering also does not apply when an individual is consuming a food or beverage or receiving a service where the wearing of a face covering would impair the performance of the service.

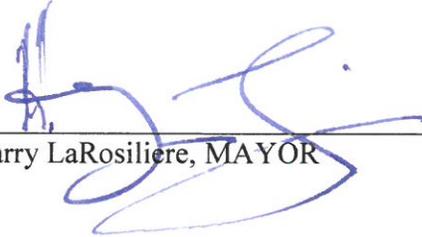
SECTION III. Consistent with Executive Order GA-26 issued by Governor Greg Abbott, no civil or criminal penalty will be imposed on individuals for failure to wear a face covering.

SECTION IV. This Ordinance shall become effective immediately upon its passage.

¹ Business Entity shall not include Houses of Worship. The Offices of the Texas Governor and Texas Attorney General have issued joint guidance for Houses of Worship during the COVID-19 crisis which is the official guidance for religious services.

ORDINANCE NO. 2020-6-11

DULY PASSED AND APPROVED THE 30th DAY OF JUNE 2020.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY