

ORDINANCE NO. 37-2011

AN ORDINANCE AMENDING CHAPTER 10, "FIRE PROTECTION AND PREVENTION", OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW, PROVIDING A SEVERABILITY CLAUSE; AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 10, "Fire Protection and Prevention", of the Abilene City Code be amended as set out in Exhibit "A", attached hereto and made a part of this Ordinance for all purposes.

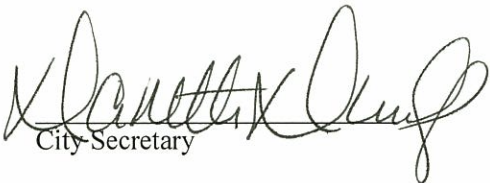
PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PASSED ON FIRST READING this 8th day of September, A.D., 2011.

After said passage on first reading, a notice of time and place, where and when said ordinance would be given a public hearing and considered for second and final passage, was published in the Abilene Reporter News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 18th day of September, 2011, the same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

PASSED ON SECOND AND FINAL READING this 22nd day of September, A.D., 2011.

ATTEST:


City Secretary


Mayor

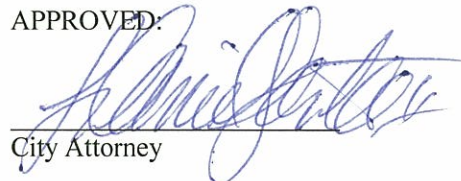
APPROVED:

City Attorney

Exhibit A

Delete:

Sec. 10-29. Inspection of premises.

The fire marshal, upon complaint of any person having interest in any building or property adjacent and without any complaint, shall have the right at all reasonable hours, for the purpose of examination, to enter into and upon all buildings and premises within the city. It shall be his duty, annually or more often, to enter upon and make or cause to be entered and made, a thorough examination of all mercantile, manufacturing and public buildings, together with the premises belonging thereto.

(Code 1965, § 12-12)

Add:

Sec. 10-29. Pre-Fire Planning and Fire Safety Inspection of Premises.

The fire marshal, shall have the right at all reasonable hours, for the purpose of examination, to enter into and upon all buildings and premises within the city.

(a) Pre-Fire Plan Examination

The fire chief, or other fire department personnel under his direction, shall have the right to annually or more often, enter upon and make or cause to be entered and made, a thorough examination of all mercantile, manufacturing and public buildings, together with the premises belonging thereto, for the purpose of recommending building safety precautions, and updating content, and contact information. A Fire Safety Inspection may be substituted for a Pre-Fire Plan examination.

(b) Fire Safety Inspection

The fire marshal, or other certified fire inspector under his direction, shall have the right to annually or more often, enter upon and make or cause to be entered and made, a thorough examination of all mercantile, manufacturing and public buildings, together with the premises belonging thereto. A Pre-Fire Plan examination may be substituted for the Fire Safety Inspection.