

City of Houston, Texas, Ordinance No. 2007- 777

AN ORDINANCE AMENDING THE CITY OF HOUSTON FIRE CODE RELATING TO ADMINISTRATIVE FEES; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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

Section 1. That Sections 105.9.1, 105.9.2 and 105.9.3 of the City of Houston Fire Code are hereby amended to read as follows:

"105.9.1 Permit or license. An administrative fee of \$10.00 shall be charged upon the preparation of each permit or license issued by the fire department. This fee shall apply regardless of whether the permit or license is issued pursuant to this code or the *City Code*, and it shall be payable in addition to all other applicable fees for the permit or license. The foregoing administrative fee shall not be applicable if no other fee is provided by law for the permit or license.

105.9.2 Receipt. An administrative fee of \$10.00 shall be charged upon the preparation of each fee or deposit receipt issued by the fire department. This fee shall apply regardless of whether the fee or deposit is payable pursuant to this code or the *City Code*. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit. This fee shall not apply when a permit or license is issued and the fee specified in Section 105.9.1 above is imposed.

105.9.3 Correction fee. A correction fee of \$10.00 shall be charged for correction of any license or permit in those instances where the license or permit is initially issued with an error caused by incorrect information having been furnished by the applicant. A re-inspection fee shall also be imposed as provided in Section 105.8.2 when the error causes a re-inspection to be required."

Section 2. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not

be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 3. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 27th day of June, 2007.

APPROVED this 27th day of June, 2007.

Bill White
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

Prepared by Legal Dept. Therese Sommer
KO:asw 06/06/2007 Assistant City Attorney
Requested by Phil Boriskie, Chief, Fire Department
L.D. File No. 0350700529001

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: JUL 03 2007

AYE	NO	
✓		MAYOR WHITE
••••	••••	COUNCIL MEMBERS
✓		LAWRENCE
✓		JOHNSON
✓		CLUTTERBUCK
✓		EDWARDS
	✓	WISEMAN
✓		KHAN
✓		HOLM
✓		GARCIA
	ABSENT	ALVARADO
✓		BROWN
✓		LOVELL
✓		NORIEGA
✓		GREEN
CAPTION	ADOPTED	BERRY