

**ORDINANCE NO. 5396**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 5, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE V, "PERMITTING", SECTION 5-505, "PERMITS NOT TRANSFERRABLE"; PROVIDING A PENALTY OF UP TO \$500 PER VIOLATION OR UP TO \$2000 PER VIOLATION IF RELATED TO FIRE SAFETY OR PUBLIC HEALTH AND SANITATION; PROVIDING REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the City of Denison, Texas (the "City") is a home-rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, Chapter 5 of the City's Code of Ordinances outlines regulations for building permits, inspections and related requirements;

**WHEREAS**, the City has previously adopted regulations for permitting within the City as provided in Chapter 5 of the City's Code of Ordinances; and

**WHEREAS**, the City Council of the City of Denison ("City Council") finds it necessary to update and amend its building regulations to improve clarity, streamline the permitting process, enhance public safety and reflect current best practices in construction and development; and

**WHEREAS**, the City Council has determined that certain provisions in Chapter 5-505 require modification to better serve the community and support responsible development.

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

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

SECTION 2: Amendment. The City's Code of Ordinances, Chapter 5, "Buildings and Building Regulations", Article V, "Permitting", Section 5-505, "Permits not Transferrable", is hereby amended as follows:

**Sec. 5-505. – Permits not Transferrable.**

A change in the responsible contractor on a permitted job for any reason shall render the initial permit null and void, unless otherwise approved by the Chief Building Official. At the discretion of the Chief Building Official, the permit may be transferred to the new contractor. If not approved for transfer, the new permittee shall be required to obtain a new permit and pay all applicable permits fees before work is allowed to proceed.

SECTION 3: Penalty. Any person violating this Ordinance and other applicable law shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of no more than five hundred dollars (\$500), unless the violation relates to fire safety or health and sanitation shall be fined a sum of no more than two thousand dollars (\$2,000). Each occurrence in violation of this Ordinance shall constitute a separate and distinct offense.

SECTION 4: Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5: Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

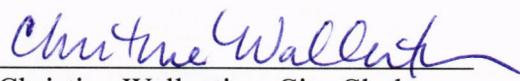
SECTION 6: Open Meetings. That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Texas Government Code.

SECTION 7: Effective Date. This Ordinance shall become effective upon its passage and publication as required by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, ON THIS 2<sup>ND</sup> DAY OF JUNE 2025.**

  
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ROBERT CRAWLEY, Mayor

ATTEST:

  
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Christine Wallentine, City Clerk

