

**CITY OF EL PASO, TEXAS
AGENDA SUMMARY FORM**



DEPARTMENT / COUNCIL OFFICE:

AGENDA DATE:

PUBLIC HEARING DATE:

CONTACT PERSON NAME:

PHONE NUMBER:

2nd CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED:

AGENDA ITEM:

ISSUE STATEMENT:

BACKGROUND:

COUNCIL OPTIONS:

COMMITTEE REVIEW AND/OR RECOMMENDATION:

COMMUNITY AND STAKEHOLDER OUTREACH (if applicable, as an attachment) – please include:

RELATED CITY POLICIES:

PRIOR COUNCIL ACTION:

LEGAL REVIEW:

Legal counsel reviewed as a part of Council packet

Legal counsel reviewed in advance of packet as an individual item

AMOUNT AND SOURCE OF FUNDING:

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

NAME	AMOUNT (\$)

ATTACHMENTS:

FOR MORE INFORMATION:

*****REQUIRED AUTHORIZATION*****

SIGNATURE: _____

(If Agenda Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO. _____

AN ORDINANCE AMENDING EL PASO CITY CODE TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.52 (FIRE PREVENTION CODE) TO INCLUDE THE FOLLOWING LOCAL AMENDMENTS TO THE 2021 INTERNATIONAL FIRE CODE UNDER 9.52.030.20 SECTION 104.8.2 TECHNICAL ASSISTANCE AND 9.52.030.21 SECTION 108.2 INSPECTIONS, THE PENALTY BEING AS PROVIDED IN SECTION 9.52.030.12 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.

WHEREAS, Chapter 9.52 (Fire Prevention Code) of the El Paso City Code adopted the 2021 edition of the International Fire Code which authorizes the fire code official to conduct inspections for the purpose of enforcing the code of the fire official; and,

WHEREAS, the International Fire Code under section 103.3 gives the fire code official the authority to appoint technical officers, inspectors and other employees with the concurrence of the appointing authority; and

WHEREAS, Texas House Bill 14 (2023) allows applicants to hire their own third-party agents to perform plan review and inspections if a city fails to issue an approval, conditional approval, or disapproval within fifteen days after the date required by the Texas Local Government Code; and

WHEREAS, the City Council adopted the option for qualified third-party service providers to conduct plan review and inspections to expedite service delivery for commercial or residential development within subsection 18.02.207.15 of the El Paso City Code; and,

WHEREAS, these local amendments to the 2021 International Fire Code will include provisions for third party service providers for fire plan review and inspection services; and,

WHEREAS, the City Council after a public hearing has determined this amendment is in the best interest of the public and will promote the public health, safety, and welfare of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 9 (Health and Safety), Chapter 9.52 (Fire Prevention Code) add a local amendment to the 2021 International Fire Code under 9.52.030.20 Section 104.8.2 Technical Assistance as follows:

9.52.030.20 Section 104.8.2 Technical Assistance.

To determine the acceptability of technologies, processes, products, facilities materials and uses attending the design, operation or use of a building or premises subject to inspection by the fire code official, the fire code official is authorized to require the owner or owner’s authorized agent to provide without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory, or fire safety specialty organization

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acceptable to the fire code official and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The fire code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional. The fire code official is authorized to allow or require the owner, contractor or agent to employ third-party agents, without charge to the jurisdiction, to provide a fire plan review and inspection services in accordance with Subsection 18.02.107.15 (Third Party Service Providers) within Title 18 of the El Paso City Code.

Section 2. That Title 9 (Health and Safety), Chapter 9.52 (Fire Prevention Code) add a local amendment to the 2021 International Fire Code under 9.52.030.21 Section 108.2 Inspections as follows:

9.52.030.21 Section 108.2 Inspections.

The fire code official is authorized to conduct and require or allow a third-party service provider to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code. The fire code official is authorized to approve reports of inspection by approved agencies, third party service providers or individuals. Reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency, third party service provider or by the responsible individual. The fire code official is authorized to engage such expert opinion as deemed necessary to report on unusual, detailed, or complex technical issues subject to the approval of the governing body. Third party service providers must comply with Subsection 18.02.107.15 (Third Party Service Providers) within Title 18 of the El Paso City Code.

SECTION 3. Except as herein amended Title 9 (Health and Safety) the El Paso City Code shall remain in full force and effect.

ADOPTED this _____ day of _____, 2026.

THE CITY OF EL PASO

Renard U. Johnson, Mayor

(Signatures continue on next page)

ORDINANCE NO. _____

ATTEST:


Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Karla A. Saenz
Assistant City Attorney

APPROVED AS TO CONTENT:



Jonathan Killings, Fire Chief
El Paso Fire Department

ORDINANCE NO. _____