

By: Brimer

S.B. No. 736

A BILL TO BE ENTITLED

AN ACT

relating to county authority to adopt fire codes in unincorporated areas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 233.062(a), Local Government Code, is amended to read as follows:

(a) The fire code applies only to the following buildings constructed in an unincorporated area of the county:

(1) a commercial establishment; ~~and~~

(2) a public building; and

(3) a multi-family dwelling.

SECTION 2. Subchapter C, Chapter 233, Local Government Code, is amended by adding Section 233.0625 to read as follows:

Sec. 233.0625. CONFLICT WITH EMERGENCY SERVICES DISTRICT FIRE CODE. To the extent of a conflict between a fire code adopted under this subchapter and a fire code adopted under Chapter 775, Health and Safety Code, the fire code adopted under this subchapter controls.

SECTION 3. Section 233.064, Local Government Code, is amended by amending Subsection (e) and adding Subsection (g) to read as follows:

(e) The county shall begin the inspection of the building within 10 business ~~two~~ days after the date of the receipt of the written inspection request. If an inspection is properly requested

1 and the county does not begin the inspection within the time
2 permitted by this subsection, the building that is the subject of
3 the request is considered approved for the purposes of this
4 subchapter.

5 (g) If the inspector determines, after an inspection of the
6 completed building, that the building does not comply with the fire
7 code:

8 (1) the county shall deny the certificate of
9 compliance; and

10 (2) the building may not be occupied.

11 SECTION 4. This Act takes effect September 1, 2005.