

CITY OF DALLAS, TEXAS

CODE OF ORDINANCES

VOLUME I

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All officers of the city who receive money for or on account of the city in any manner are hereby

ARTICLE V-e.

DEPARTMENT OF PLANNING AND
URBAN DESIGN.SEC. 2-52. CREATED; CHIEF PLANNING
OFFICER.

There is hereby created the department of planning and urban design, the head of which shall be the chief planning officer who shall be appointed by the city manager. The department of planning and urban design will be composed of the chief planning officer and such other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. Nos. 29478; 29882)

SEC. 2-53. DUTIES OF THE CHIEF PLANNING
OFFICER.

~~—The chief planning officer shall perform the following duties:~~

~~—(1) Supervise and administer the department of planning and urban design.~~

~~—(2) Advise the city manager, in cooperation with others designated by the city manager, on matters affecting the urban design and physical development of the city.~~

~~—(3) Develop and recommend to the city manager a comprehensive plan for the city.~~

~~—(4) Review and make recommendations regarding proposed actions implementing the comprehensive plan.~~

~~—(5) Participate in the preparation and revision of the capital improvement program.~~

~~—(6) Coordinate all planning relating to urban redevelopment, urban rehabilitation, and conservation~~

~~intended to alleviate or prevent slums, obsolescence, blight, or other conditions of urban deterioration.~~

~~—(7) Perform such other duties as may be required by the city manager or by ordinance of the city council.~~

~~—(8) Give advice and provide staff assistance to the board of adjustment and the plan commission in the exercise of their responsibilities.~~

The chief planning officer shall perform the following duties:

(1) Supervise and administer the department of planning and urban design.

(2) Advise the city manager, in cooperation with others designated by the city manager, on matters affecting the urban design and physical development of the city.

(3) Develop and recommend to the city manager a comprehensive plan for the city.

(4) Review and make recommendations regarding proposed actions implementing the comprehensive plan.

(5) Participate in the preparation and revision of the capital improvement program.

(6) Coordinate all planning relating to urban redevelopment, urban rehabilitation, and conservation intended to alleviate or prevent slums, obsolescence, blight, or other conditions of urban deterioration.

(7) Provide services related to historic districts, historic structures, and potential historic districts and structures.

(8) Administer the historic district tax incentive programs.

(9) Perform such other duties as may be required by the city manager or by ordinance of the city council.

(10) Give advice and provide staff assistance to the board of adjustment, the plan commission, and the landmark commission in the exercise of their

responsibilities. (Ord. Nos. 29478; 29882; 30239; 32002; 32557)

ARTICLE V-f.

DEPARTMENT OF EQUIPMENT AND FLEET MANAGEMENT.

SEC. 2-54. CREATED; DIRECTOR OF EQUIPMENT AND FLEET MANAGEMENT.

There is hereby created the department of equipment and fleet management of the city of Dallas, at the head of which shall be the director of equipment and fleet management who shall be appointed by the city manager. The department will be composed of the director of equipment and fleet management and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. 30994)

SEC. 2-55. DUTIES OF THE DIRECTOR OF EQUIPMENT AND FLEET MANAGEMENT.

The director of equipment and fleet management shall perform the following duties:

- (1) Supervise and administer the department of equipment and fleet management.
- (2) Maintain and repair all automotive and heavy motor-driven equipment owned by the city and

SEC. 2-168. DEFINITIONS; STORMWATER DRAINAGE UTILITY RATES; EXEMPTIONS; INCENTIVES FOR RESIDENTIAL-BENEFITTED PROPERTIES; BILLING AND COLLECTION PROCEDURES.

(a) Definitions.

(1) BENEFITTED PROPERTY has the meaning assigned in Section 552.044, Chapter 552, Texas Local Government Code, as amended.

(2) CITY TAX ROLLS means the current tax records of the appraisal district in which a particular property is located.

(3) CUSTOMER OF RECORD has the meaning assigned in Section 49-1 of this code, as amended, and also includes the term customer, as assigned in Section 49-1 of this code, as amended.

(4) DIRECTOR means the director of the department designated by the city manager to manage the stormwater drainage utility or the director's designee.

(5) DRAINAGE SYSTEM has the meaning assigned in Subchapter C, Chapter 552 of the Texas Local Government Code, as amended.

(6) IMPERVIOUS AREA means any surface that prevents or substantially impedes the natural infiltration of stormwater into the ground, and includes, but is not limited to, roads, parking areas, buildings, patios, sheds, driveways, sidewalks, and surfaces made of asphalt, concrete, and roofing materials.

(7) RESIDENTIAL-BENEFITTED PROPERTY means a benefitted property that contains one of the following structures: single family (including townhouse), duplex, or multifamily with four or fewer dwelling units, as those terms are defined in the Dallas Development Code, as amended.

(8) STORMWATER means rainfall runoff, snow or ice melt runoff, or surface runoff and drainage.

(b) Stormwater drainage utility rates.

(1) The stormwater drainage charge for residential-benefitted property per month is as follows:

IMPERVIOUS AREA (in square feet)	MONTHLY RATE
up to 2,000	\$4.64
2,001 - 3,500	\$7.38
3,501 - 5,500	\$11.05
more than 5,500	\$18.06

IMPERVIOUS AREA (in square feet)	MONTHLY RATE
up to 2,000	\$4.87
2,001 - 3,500	\$7.75
3,501 - 5,500	\$11.59
more than 5,500	\$18.96

~~———— (2) The stormwater drainage charge for all other benefitted properties not defined as residential-benefitted property is an amount equal to \$2.50 per month for each 1,000 square feet, or parts thereof, of impervious area of the benefitted property, with a minimum charge of \$7.13 per month for non-residential-benefitted property.~~

~~———— (3) If information regarding the impervious area square footage of a particular lot or tract of benefitted property is unavailable or inadequate, the director may make a reasonable estimate of impervious area square footage and levy the drainage charge on that basis.~~

(2) The stormwater drainage charge for all other benefitted properties not defined as residential-benefitted property is an amount equal to \$2.62 per month for each 1,000 square feet, or parts thereof, of impervious area of the benefitted property, with a minimum charge of \$7.49 per month for non-residential-benefitted property.

(3) If information regarding the impervious area square footage of a particular lot or tract of benefitted property is unavailable or inadequate, the director may make a reasonable estimate of impervious area square footage and levy the drainage charge on that basis.

and 49-16 of this code, as amended, will govern in all matters regarding the application for stormwater drainage service, payment and collection of stormwater drainage charges, the liability of persons for charges, and the remedies of the city in the event of nonpayment. (Ord. Nos. 21060; 21429; 21823; 22207; 22563; 22665; 24411; 25384; 25754; 27353; 27695; 30215; 30653; 30993; 31332; 31657; 32003; 32310; 32556)

SEC. 2-169. SERVICE AREA.

The service area of the stormwater drainage utility shall be defined by the corporate boundaries of the city, as those boundaries are altered from time to time in accordance with state law and the charter and ordinances of the city. (Ord. Nos. 21060; 30215)

ARTICLE XXIX.

VETERAN AFFAIRS COMMISSION.

SEC. 2-170. VETERAN AFFAIRS COMMISSION - CREATED; TERMS; MEMBERSHIP; MEETINGS.

(a) There is hereby created the veteran affairs commission of the city, which shall be an advisory body of 15 members. Each city council member shall have one appointment to the veteran affairs commission. The mayor shall appoint the chair from among the members, subject to confirmation by the city council, and the full city council shall appoint the vice-chair.

(b) All members shall be appointed for an initial term to expire on September 30, 2021. Thereafter, nominations shall begin in August 2021 and each subsequent odd-numbered year, and members appointed shall serve a two-year term beginning on October 1.

(c) The veteran affairs commission will represent the city's military veteran community. The veteran affairs commission must have a balanced membership

reflecting an outstanding interest in or knowledge of veterans' affairs, including having knowledge about veterans' concerns, or being affiliated with a service provider to veterans, and at least four members must be currently serving or have previously served in the United States military (including the Reserves or National Guard).

(d) The veteran affairs commission shall hold monthly meetings or as often as may be necessary. The chair, with assistance of staff, shall schedule and determine the agenda for such meetings. (Ord. 31746)

SEC. 2-171. VETERAN AFFAIRS COMMISSION - FUNCTIONS.

(a) The veteran affairs commission shall act as an advisory body to the city manager and the city council and shall:

(1) evaluate and recommend programs, policies, and practices designed to alleviate veterans' difficulties in meeting basic needs, obtaining housing, employment, and comprehensive mental health assistance;

(2) act as a central clearinghouse for information relating to the status of veterans in the Dallas community;

(3) accumulate information about the needs of veterans in the Dallas community, including available services, and make recommendations to the city council regarding these needs;

(4) recommend ways to:

(A) educate the community on:

(i) the status of veterans' rights and needs; and

(ii) veterans' contributions to our community; and

(b) All members shall be appointed for an initial term to expire on September 30, 2024. Subsequent appointments will be made in September of each year for a one-year term beginning on October 1.

(c) Each member of the commission must:

(1) Be enrolled as a full-time student in a four-year university or college within Dallas County.

(2) Be at least 18 years of age and no older than 24 years of age at the time of appointment.

(d) A member is not required to fulfill the qualifications for board service in Chapter 8 of the Dallas City Code except that the member must:

(1) have been a resident of the city for at least six months prior to the date of the appointment; and

(2) not be in arrears on any obligations owed to the city.

(e) The commission must meet at least once each month and may hold additional meetings at the call of the chair. (Ord. 32484)

SEC. 2-174. DUTIES AND RESPONSIBILITIES.

(a) The commission shall act as an advisory body to the city manager and the city council and shall:

(1) advise the city council and city manager on issues impacting the city; and

(2) assist the city in identifying programs that are needed in the community; and

(3) perform such other duties assigned by the city council or city manager.

(b) The city manager shall provide information and assistance to the commission in the performance of its duties and responsibilities. (Ord. 32484)

ARTICLE XXXI.

OFFICE OF THE CITY MARSHAL.

SEC. 2-175. CREATED.

There is hereby created a division of the city manager's office to be known as the office of the city marshal, to be filled by a qualified person appointed by the city manager. The city marshal shall appoint such deputies as are authorized from time to time. The city marshal and his or her deputies shall meet all qualifications necessary to be certified as peace officers by the Texas Commission on Law Enforcement. (Ord. 32557)

SEC. 2-176. DUTIES OF THE CITY MARSHAL.

The city marshal and his or her deputies, acting under the direction of the city manager, shall perform the following duties:

(1) execute warrants of arrest, subpoenas, and other legal process issuing out of the municipal court of record;

(2) execute other warrants of arrest, subpoenas, and legal process as determined by the municipal clerk;

(3) enforce state laws and the Dallas City Code;

(4) manage and operate the city detention center and sobering center;

(5) manage Dallas Security Services Division, security technology and security badging unit for protection of employees, citizens, and property at facilities that are owned, occupied, or managed by the city to ensure safety, orderly, and lawful conduct on those premises, except as otherwise provided by the city manager, city charter, or ordinance of the city council; and

(6) perform such other duties as may be required by the city manager or ordinance of city council. (Ord. 32557)

**SEC. 2-177. CITY MARSHAL'S AUTHORITY;
ELIGIBILITY FOR PENSION.**

(a) The city marshal and his or her deputies shall serve as peace officers and have full police authority in the exercise of their assigned duties.

(b) The city marshal and his or her deputies are not members of the police department of the city and are not eligible for membership in the Firemen, Policemen and Fire Alarm Operators Pension Fund; however, they are eligible for membership in the employee's retirement fund of the city. The city marshal and his or her deputies are paid law enforcement officers for the purpose of qualifying for survivors' assistance benefits under the provisions of Article 6228f, Vernon's Texas Civil Statutes. (Ord. 32557)

(c) The redemption period for an animal impounded pursuant to a court order is the time set forth in the court order or, if no provision is made in the court order, five days after the court proceedings are final.

(d) Except as provided in Section 7-5.3(c), the redemption period for an animal, with an identified owner, impounded for quarantine is the same day as completion of the quarantine period.

(e) Kitten litters, puppy litters, and mothers nursing litters impounded in the city's animal shelter cannot be redeemed and immediately become the sole property of the city and are subject to disposition as the director deems appropriate.

(f) If an animal is not redeemed within the appropriate time period specified in Subsections (b) through (d), the animal will become the property of the city and may be placed for adoption, euthanized, or otherwise disposed of as recommended by the director.

(g) An owner of an impounded animal commits an offense if he removes or attempts to remove the animal from a city animal shelter without first paying all applicable fees required in Subsection (a). (Ord. Nos. 26024; 27250; 29879; 29986; 30900; 31332, eff. 10/1/19)

SEC. 7-2.7. ADOPTION OF ANIMALS.

~~—— (a) To adopt a dog or cat from animal services, the adopter shall:~~

~~—— (1) complete and sign an adoption application on a form provided by the director for that purpose;~~

~~—— (2) sign an adoption contract on a form provided by the director for that purpose, which shall include a statement that the adopter agrees that if the adopter fails to comply with a sterilization agreement~~

~~under Subsection (d), the animal may be seized and impounded by the director and ownership will automatically revert to the city; and~~

~~—— (3) pay to the director a non-refundable adoption fee (which includes, but is not limited to, the costs of any required vaccination, microchip implant, initial national registration, and sterilization) of:~~

~~—— (A) \$45 for a dog and \$15 for a cat, unless Subparagraph (B) of this paragraph applies to the adoption; or~~

~~—— (B) \$25 for a dog and \$5 for a cat if:~~

~~—— (i) the dog or cat is at least six years of age, as determined by the director;~~

~~—— (ii) the ultimate owner of the dog or cat will be a person who is 65 years of age or older as of the date of adoption; or~~

~~—— (iii) the adopter adopts two or more dogs and/or cats on the same date and as a part of the same transaction, and the adopter will be the ultimate owner of all of the animals adopted in the transaction.~~

(a) To adopt a dog or cat from animal services, the adopter shall:

(1) complete and sign an adoption application on a form provided by the director for that purpose;

(2) sign an adoption contract on a form provided by the director for that purpose, which shall include a statement that the adopter agrees that if the adopter fails to comply with a sterilization agreement under Subsection (d), the animal may be seized and impounded by the director and ownership will automatically revert to the city; and

(3) pay to the director a non-refundable adoption fee (which includes, but is not limited to, the costs of any required vaccination, microchip implant, initial national registration, and sterilization) of:

(A) \$45 for a dog and \$15 for a cat, unless Subparagraph (B) of this paragraph applies to the adoption; or

(B) \$21 for a dog and \$3 for a cat if:

(i) the dog or cat is at least six years of age, as determined by the director;

(ii) the ultimate owner of the dog or cat will be a person who is 65 years of age or older as of the date of adoption; or

(iii) the adopter adopts two or more dogs and/or cats on the same date and as a part of the same transaction, and the adopter will be the ultimate owner of all of the animals adopted in the transaction.

(b) The director may, from time to time, designate and advertise promotional adoption periods during which the non-refundable adoption fees payable under Subsection (a)(3)(A) will be reduced or waived.

(c) Each dog or cat adopted from animal services will be spayed or neutered prior to release of the animal to the adopter, unless:

(1) the dog or cat is under six months of age;
or

(2) a licensed veterinarian certifies that the dog or cat should not be spayed or neutered for health reasons or is permanently non-fertile.

(f) It is a defense to prosecution under Subsection (e) if, by the seventh day after the sterilization completion date required in Subsection (d)(1), the director receives from the adopter either:

(1) a letter complying with Section 828.006 of the Texas Health and Safety Code, as amended, stating that the animal is dead; or

(2) a letter complying with Section 828.007 of the Texas Health and Safety Code, as amended, stating that the animal is lost or stolen.

(g) The director may refuse to release a dog or cat for adoption under any circumstances, including, but not limited to:

(1) the prospective adopter or adoption agency has previously violated a provision of this chapter or has been convicted of an animal-related crime;

(2) the prospective adopter or adoption agency has inadequate or inappropriate facilities for confining the animal and for providing proper care to the animal as required by this chapter;

(3) the prospective adoption agency has failed to sign or comply with a transfer agreement with animal services that requires the sterilization of adopted animals or other conditions imposed by the director; or

(4) the director determines that the health, safety, or welfare of the animal or of the public would be endangered.

(h) If an adopter of a dog or cat violates Subsection (e), the director may seize and impound the animal, and ownership of the animal will automatically revert to the city. (Ord. Nos. 26024; 27250; 28335; 29403; 31332; ~~eff. 10/1/19~~; [32556](#))

SEC. 7-2.8. KILLING OR EUTHANASIA OF ANIMALS.

(a) The director or chief of police is authorized to kill by appropriate and available means an animal that poses an imminent danger to a person or another animal and a real or apparent necessity exists for destruction of the animal.

(b) The director is authorized to euthanize, or to allow a licensed veterinarian to euthanize, an animal impounded at a city animal shelter if:

(1) the director or a licensed veterinarian determines that euthanasia is necessary to prevent the unnecessary pain and suffering of the animal;

(2) the director or a licensed veterinarian determines that recovery of the animal from injury, disease, or sickness is in serious doubt; or

(3) the animal is not redeemed from a city animal shelter within the applicable time period required under Section 7-2.6 of this chapter.

(c) An animal impounded at a city animal shelter may only be euthanized by using a barbiturate or derivative substance approved for that purpose by the Federal Food and Drug Administration and administered under the direction of a licensed veterinarian. This section does not apply to action authorized by Subsection (a) of this section. (Ord. 26024)

ARTICLE III.

CARE AND TREATMENT OF ANIMALS.

SEC. 7-3.1. LOOSE ANIMALS.

(a) An owner commits an offense if the owner fails to restrain the animal, at all times:

(1) in a fenced yard;

(2) that is currently in compliance with the microchipping requirements of Section 7-4.2 of this chapter;

(3) that, not more than 90 days before the date of the breeding permit application, has been approved to breed by a licensed veterinarian; and

(4) whose owner:

(A) is a member of a purebred dog or cat club, approved by the director, that maintains and enforces a code of ethics for breeding that includes restrictions on breeding dogs and cats with genetic defects and life threatening health problems common to the breed; or

(B) holds a license as required by Texas Occupation Code, §802.101 for each facility owned or operated in the state.

~~—(c) To obtain a breeding permit, a person must submit an application to the director (on a form provided by the director for that purpose) and pay an annual breeding fee of \$250. The breeding permit application must include:~~

~~—(1) the name, address, and telephone number of the applicant;~~

~~—(2) the location where the dog or cat is harbored;~~

~~—(3) a description of the dog or cat, including but not limited to, a photograph of the animal;~~

~~—(4) proof that the animal is qualified for a breeding permit under Subsection (b) of this section; and~~

~~—(5) any other information determined necessary by the director for the enforcement and administration of this section.~~

(c) To obtain a breeding permit, a person must submit an application to the director (on a form provided by the director for that purpose) and pay an annual breeding fee of \$51. The breeding permit application must include:

(1) the name, address, and telephone number of the applicant;

(2) the location where the dog or cat is harbored;

(3) a description of the dog or cat, including but not limited to, a photograph of the animal;

(4) proof that the animal is qualified for a breeding permit under Subsection (b) of this section; and

(5) any other information determined necessary by the director for the enforcement and administration of this section.

(i) A permittee commits an offense if the permittee:

(1) allows the offspring of a female dog or cat for which he holds a breeding permit to be sold, adopted, or otherwise transferred, regardless of compensation, before the offspring have reached at least eight weeks of age and have been vaccinated against common diseases;

(2) fails to keep a permitted dog or cat restrained pursuant to Section 7-3.1 of this chapter;

(3) fails to prominently display the breeding permit number on any advertisement by the permittee for the sale, adoption, or other transfer of any dog or cat, regardless of compensation; or

(4) sells, adopts, or otherwise transfers any dog or cat, regardless of compensation and fails to:

(A) include a statement signed by the permittee attesting to knowledge of the animal's health and immunization history;

(B) prominently display the breeding permit number on any sales receipt or transfer document;

(C) provide the breeding permit number to any person who purchases, adopts, or receives any dog or cat from the permittee;

(D) provide written information regarding the vaccination, microchipping, and sterilization requirements of this chapter applicable to the dog or cat; or

(E) provide to the director (on a form provided by the director for that purpose) the name, address, and telephone number of the dog's or cat's new owner within five days after the date of the sale, adoption, or other transfer of the animal.

(j) The director shall deny or revoke a breeding permit if the director determines that the applicant or permittee:

(1) failed to comply with any provision of this chapter; or

(2) intentionally made a false statement as to a material matter on the breeding permit application.

(k) If the director denies or revokes a breeding permit, the director shall notify the applicant or permittee in writing of the action and a statement of the right to an appeal. The applicant or permittee may appeal the decision of the director to the permit and license appeal board in accordance with Section 2-96 of this code. The filing of an appeal stays an action of the director in revoking the permit until the permit and license appeal board makes a final decision. (Ord. Nos. 27250; 29879; 30483; 31332, ~~eff. 10/1/19~~; 32556)

SEC. 7-4.12. DUTY TO LOCATE OWNERS OF LOOSE DOGS.

A person commits an offense if he takes possession of a loose dog in the city and knowingly fails to make, within 72 hours after taking possession, a reasonable effort to locate the dog's owner by:

(1) calling the telephone number listed on the dog's tags;

(2) taking the dog to a licensed veterinarian for a microchip, tattoo, or other identification screening and calling the owner identified through the screening;

(3) calling 311 to request that animal services pick up the dog for identification screening and impoundment; or

(4) delivering the dog to the city's animal shelter for identification screening and impoundment. (Ord. Nos. 27888; 30483)

(c) An impounded dog determined by the director to be dangerous must remain impounded, or confined at a location approved by the director, and may not be released to the owner until the owner pays all fees incurred for impoundment of the dog and complies with all requirements for ownership of a dangerous dog set forth in this article and Subchapter D, Chapter 822 of the Texas Health and Safety Code, as amended.

(d) If the owner of an impounded dog has not complied with Subsection (c) within 15 days after a final determination is made that an impounded dog is dangerous, the dog will become the sole property of the city and is subject to disposition as the director deems appropriate. (Ord. Nos. 26024; 27250; 29403; 30901)

SEC. 7-5.4. APPEAL OF DIRECTOR'S DANGEROUS DOG DETERMINATION.

(a) If, under Section 7-5.3 of this article, the director determines that a dog is dangerous, that decision is final unless the dog owner files a written appeal with the municipal, justice, or county court within 15 days after receiving notice that the dog has been determined to be dangerous. The appeal is a de novo hearing and is a civil proceeding for the purpose of affirming or reversing the director's determination of dangerousness. If the municipal court affirms the director's determination of dangerousness, the court shall order that the dog owner comply with the ownership requirements set forth in Section 7-5.5 of this article.

(b) The dog owner filing an appeal of a municipal court's affirmation of the director's determination shall also file an appeal bond in an amount determined as the estimated costs to board and impound the dog during the appeal process. The bond must be filed with the court if the dog is impounded in the city's animal shelter or another director-approved facility. The bond must be used to cover the cost of daily care of the dog. Should the judge or jury determine the dog is not dangerous, the appeal bond

may be returned if the amount has not been assessed as costs of daily care.

(c) In addition to the appeal bond, the dog owner is responsible for any costs beyond feeding, including but not limited to: veterinary care, immunizations, medications, and care for other animals or employees injured by the animal. (Ord. Nos. 26024; 27250; 29403; 30483; 30901)

SEC. 7-5.5. REQUIREMENTS FOR OWNERSHIP OF A DANGEROUS DOG; NONCOMPLIANCE HEARING.

~~—(a) In addition to complying with the requirements of Subchapter D, Chapter 822 of the Texas Health and Safety Code, as amended, a person shall, not later than the 15th day after learning that he is the owner of a dangerous dog:~~

~~—(1) have an unsterilized dangerous dog spayed or neutered;~~

~~—(2) register the dangerous dog with the director and pay to the director a dangerous dog registration fee of \$250;~~

~~—(3) restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure;~~

~~—(4) when taken outside the enclosure, securely muzzle the dangerous dog in a manner that will not cause injury to the dog nor interfere with its vision or respiration. The muzzle must prevent the dangerous dog from biting any person or animal;~~

~~—(5) obtain liability insurance coverage or show financial responsibility in the amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the director;~~

~~_____ (6) place and maintain on the dangerous dog a collar or harness with a current dangerous dog registration tag securely attached to it;~~

~~_____ (7) have the dangerous dog injected with a microchip implant and registered with a national registry for dogs; and~~

~~_____ (8) post a legible sign at the entrance to the enclosure in which the dangerous dog is confined stating "BEWARE DANGEROUS DOG." The aforementioned sign must be purchased from Dallas Animal Services.~~

(a) In addition to complying with the requirements of Subchapter D, Chapter 822 of the Texas Health and Safety Code, as amended, a person shall, not later than the 15th day after learning that he is the owner of a dangerous dog:

(1) have an unsterilized dangerous dog spayed or neutered;

(2) register the dangerous dog with the director and pay to the director a dangerous dog registration fee of \$252;

(3) restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure;

(4) when taken outside the enclosure, securely muzzle the dangerous dog in a manner that will not cause injury to the dog nor interfere with its vision or respiration. The muzzle must prevent the dangerous dog from biting any person or animal;

(5) obtain liability insurance coverage or show financial responsibility in the amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the director;

(6) place and maintain on the dangerous dog a collar or harness with a current dangerous dog registration tag securely attached to it;

(7) have the dangerous dog injected with a microchip implant and registered with a national registry for dogs; and

(8) post a legible sign at the entrance to the enclosure in which the dangerous dog is confined stating "BEWARE DANGEROUS DOG." The aforementioned sign must be purchased from Dallas Animal Services.

(b) The owner of a dangerous dog shall renew registration of the dangerous dog with the director annually and pay an annual dangerous dog registration fee to the director of \$50.

(c) The owner of a dangerous dog who does not comply with Subsection (a) shall deliver the dog to the director not later than the 15th day after learning that the animal is dangerous.

(d) Upon receipt of a sworn, written complaint by any person that the owner of a previously determined dangerous dog has failed to comply with Subsection (a) of this section, the municipal court shall conduct a hearing to determine whether the owner is in compliance with Subsection (a). The hearing must be conducted within 30 days after receipt of the complaint, but, if the dog is already impounded, not later than 10 days after the date on which the dog was seized or delivered. The municipal court shall provide by mail, written notice of the date, time, and location of the hearing to the dog owner and to the complainant. Any interested party may present evidence at the hearing.

(e) At the conclusion of the hearing, the municipal court shall:

(1) find that the owner of a dangerous dog is in compliance with Subsection (a) of this section and, if the dog is impounded, order the director to waive any impoundment fees incurred and release the dog to its owner; or

impoundment, and all costs must be paid before the dog will be released to the owner. (Ord. Nos. 26024; 27250; 30901; 31332, ~~eff. 10/1/19~~; 32556)

SEC. 7-5.6. ATTACKS BY DANGEROUS DOG; HEARING.

(a) If a previously determined dangerous dog commits an act described in Section 7-5.1(b)(2)(A) or (B) of this article, the director may seize and impound the dangerous dog at the owner's expense pending a hearing before the municipal court in accordance with this section.

(b) Upon receipt of a sworn, written complaint by any person of an incident described in Section 7-5.1(b)(2)(A) or (B) of this article, the owner of a dangerous dog, in accordance with Section 822.0422 of Subchapter D, Chapter 822 of the Texas Health and Safety Code, as amended, shall deliver the dog to the director not later than the fifth day after the date on which the owner receives notice that a complaint has been filed. Additionally, the municipal court shall conduct a hearing to determine whether a dangerous dog committed an act described in Section 7-5.1(b)(2)(A) or (B) of this article. The hearing must be conducted within 30 days after receipt of the complaint, but, if the dog is already impounded, not later than 10 days after the date on which the dog was seized or delivered. The municipal court shall provide, either in person or by mail, written notice of the date, time, and location of the hearing to the dog owner and the complainant. Any interested person may present evidence at the hearing.

(c) At the conclusion of the hearing, the municipal court shall:

(1) find that the dangerous dog did not commit an act described in Section 7-5.1(b)(2)(A) or (B) of this article, and, if the dog is impounded, order the director to waive any impoundment fees incurred and release the dog to its owner;

(2) find that the dangerous dog did commit an act described in Section 7-5.1(b)(2)(A) or (B) of this article, and order the director to seize and impound the dog (if the dog is not already impounded) and to:

(A) humanely destroy the dog;

(B) humanely destroy the dog if the director determines that the owner has not complied with Section 7-5.5(a) within a period of time designated by the court, or release the dog to the owner if the director determines that the owner has complied with Section 7-5.5(a) within the designated period of time;

(C) or humanely destroy the dog if the owner of the dog has not been located before the 11th day after the municipal court issues an order under this subsection or the dog is seized and impounded, whichever occurs later. (Ord. Nos. 27250; 30901)

SEC. 7-5.7. PROHIBITION ON OWNING A DOG DETERMINED DANGEROUS BY ANOTHER JURISDICTION.

(a) A person commits an offense if he owns a dog in the city that has been determined to be a dangerous dog by any other jurisdiction.

(b) It is a defense to prosecution under Subsection (a) that the person owned the dog in the city on June 25, 2008. (Ord. 27250)

SEC. 7-5.8. SURRENDER OF A DANGEROUS DOG.

A person who owns a dog that has been ordered to be seized or impounded under this article commits an offense if the person does not surrender the dog to the director within the time period ordered by the director or the municipal court, whichever applies. (Ord. 27250)

owner of the dog has not been located before the 15th day after seizure and impoundment, the dog will become the sole property of the city and is subject to disposition as the director deems appropriate.

(d) At the conclusion of the investigation required by this section, the director shall:

(1) determine that the dog is not aggressive and, if the dog is impounded, may waive any impoundment fees incurred and release the dog to its owner;

(2) determine that the dog is aggressive and order the owner to comply with the requirements for ownership of an aggressive dog set forth in Section 7-5.15 of this article and, if the dog is impounded, release the dog to its owner after compliance with all applicable requirements of Subsection (e) of this section.

(3) If a dog is determined to be an aggressive dog, the director shall notify the dog owner in person or by certified mail, return receipt requested:

(i) that the dog has been determined to be an aggressive dog;

(ii) what the owner must do to comply with requirements for ownership of an aggressive dog and to reclaim the dog, if impounded; and

(iii) that the owner has the right to appeal the determination of aggressiveness.

(e) An impounded dog determined by the director to be aggressive must remain impounded, or confined at a location approved by the director, and may not be released to the owner until the owner pays all fees incurred for impoundment of the dog and complies with all requirements for ownership of an aggressive dog set forth in this article.

(f) If the owner of an impounded dog has not complied with Subsection (e) within 15 days after a final determination is made that an impounded dog is

aggressive, the dog will become the sole property of the city and is subject to disposition as the director deems appropriate. (Ord. 30901)

SEC. 7-5.14. APPEALS.

If, under Section 7-5.13 of this article, the director determines that a dog is aggressive, that decision is final unless the dog owner files a written appeal with the municipal court within 10 days after receiving notice that the dog has been determined to be aggressive. The appeal is a de novo hearing and is a civil proceeding for the purpose of affirming or reversing the director's determination of aggressiveness. If the municipal court affirms the director's determination of aggressiveness, the court shall order that the dog owner comply with the ownership requirements set forth in Section 7-5.15 of this article. If the municipal court reverses the director's determination of aggressiveness and, if the dog is impounded, the court may waive any impoundment fees incurred and release the dog to its owner. (Ord. 30901)

SEC. 7-5.15. REQUIREMENTS FOR OWNERSHIP OF AN AGGRESSIVE DOG; NONCOMPLIANCE HEARING.

~~(a) A person shall, not later than the 15th day after learning that he is the owner of an aggressive dog,~~

~~(1) have an unsterilized aggressive dog spayed or neutered;~~

~~(2) register the aggressive dog with the director and pay to the director an aggressive dog fee of \$250;~~

~~(3) restrain the aggressive dog at all times on a leash in the immediate control of a person or in a secure enclosure;~~

~~— (4) when taken outside the secure enclosure, securely muzzle the dog in a manner that will not cause injury to the dog nor interfere with its vision or respiration. The muzzle must prevent the aggressive dog from biting any person or animal;~~

~~— (5) obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the aggressive dog causing bodily injury to a person or another animal and provide proof of the required liability insurance coverage or financial responsibility to the director;~~

~~— (6) place and maintain on the aggressive dog a collar or harness with a current aggressive dog registration tag securely attached to it;~~

~~— (7) have the aggressive dog injected with a microchip implant and registered with a national registry for dogs;~~

~~— (8) post a legible sign at each entrance to the enclosure in which the aggressive dog is confined stating "BEWARE AGGRESSIVE DOG." The aforementioned sign must be purchased from Dallas Animal Services.~~

(a) A person shall, not later than the 15th day after learning that he is the owner of an aggressive dog:

(1) have an unsterilized aggressive dog spayed or neutered;

(2) register the aggressive dog with the director and pay to the director an aggressive dog fee of \$201;

(3) restrain the aggressive dog at all times on a leash in the immediate control of a person or in a secure enclosure;

(4) when taken outside the secure enclosure, securely muzzle the dog in a manner that will not cause injury to the dog nor interfere with its vision or respiration. The muzzle must prevent the aggressive dog from biting any person or animal;

(5) obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the aggressive dog causing bodily injury to a person or

another animal and provide proof of the required liability insurance coverage or financial responsibility to the director;

(6) place and maintain on the aggressive dog a collar or harness with a current aggressive dog registration tag securely attached to it;

(7) have the aggressive dog injected with a microchip implant and registered with a national registry for dogs;

(8) post a legible sign at each entrance to the enclosure in which the aggressive dog is confined stating "BEWARE AGGRESSIVE DOG." The aforementioned sign must be purchased from Dallas Animal Services.

(b) The owner of the aggressive dog shall renew the registration of the aggressive dog with the director annually and pay an annual aggressive dog registration fee of \$50.

(c) The owner of an aggressive dog who does not comply with Subsection (a) shall deliver the dog to the director not later than the 30th day after learning that the animal is aggressive. (Ord. Nos. 30901; 31332; eff. 10/1/19; 32556)

(c) The application will automatically expire if either the fee or the information requested in Subsection (b) is not provided to the director within 30 days of the date written notice was sent to applicant by the director.

(d) The director, at his sole discretion, may extend the 30-day deadline to provide the fee or information requested in Subsection (b). (Ord. Nos. 28706; 29753; 32397)

SEC. 8A-7. NOTIFICATION OF CHANGE OF INFORMATION.

The licensee shall notify the director within 10 days after any material change in the information contained in the application for a license to operate a boarding home facility, including any change in ownership or operation of the property, any new criminal convictions or charges brought against a boarding home facility's owners, operators, employees, or volunteers and any new categories of disabilities served by the boarding home facility. (Ord. Nos. 28706; 29753)

SEC. 8A-8. FEES.

~~—(a) The fee for a license to operate a boarding home facility is \$500.~~

(a) The fee for a license to operate a boarding home facility is \$889.

(b) No refund of a license fee will be made. (Ord. Nos. 28706; 29753; 32397; 32556)

SEC. 8A-9. ISSUANCE AND DENIAL OF LICENSE.

(a) Approval. Upon the submission of a complete application, the director shall issue a license to operate a boarding home facility to the applicant if the director determines:

(1) the applicant has complied with all requirements for issuance of the license;

(2) the applicant, owners, operators, employees, and volunteers of the boarding home facility meet the criminal history qualifications of Section 8A-37 of this chapter;

(3) the applicant, owners, operators, or employees of the boarding home facility do not own or operate another licensed boarding home facility in the city for which the license is currently suspended or has been revoked within the past 12 months;

(4) the applicant has not made a false statement as to a material matter in the application for a license;

(5) the condition and use of the boarding home facility comply with the zoning regulations in the Dallas Development Code, the minimum housing standards in Chapter 27, and the standards in this chapter applicable to the property;

(6) the applicant, owners, and operators are not delinquent in any ad valorem taxes, fees, fines, or penalties owed to the city in relation to the property where the boarding home facility is located or have established and are current on a payment plan for any delinquent ad valorem taxes, fees, fines, or penalties owed; and

(7) the applicant, owners, and operators of the boarding home facility have not had a license for that boarding home facility revoked within the past 12 months.

(b) Denial. The director shall deny the license if:

(1) the director determines that the requirements of Subsection (a) have not been met; or

(2) the boarding home facility is located within 2,000 feet of another boarding home facility or group dwelling facility.

(A) This paragraph does not apply to a boarding home facility licensed before February 22, 2023 and that continuously maintains a boarding home license.

(2) the interior of a structure if the permission of the owner, occupant, or person in control is given or a search warrant is obtained.

(c) Consequences of refusal to inspect. If the owner, occupant, or person in control denies permission to search any part of the interior or exterior of the structure or the surrounding premises, the director may suspend the license to operate a boarding home facility in accordance with Section 8A-10(a)(2).

(d) Reinspections. Whenever a boarding home facility is inspected by the director and a violation of this code is found, the building or premises will, after the expiration of any time limit for compliance given in the notice or order issued because of the violation, be reinspected by the director to determine that the violation has been eliminated.

(e) Reinspection fee. The licensee shall pay:

~~———— (1) to the director of code compliance \$50 for each reinspection after the first reinspection by that department that must be conducted before the violation is determined to be eliminated; and~~

~~———— (2) to the director of any other city department the fee required (if any) by the applicable code for each reinspection by that department that must be conducted before the violation is determined to be eliminated.—~~

(1) to the director of code compliance \$150 for each reinspection after the first reinspection by that department that must be conducted before the violation is determined to be eliminated; and

(2) to the director of any other city department the fee required (if any) by the applicable code for each reinspection by that department that must be conducted before the violation is determined to be eliminated. (Ord. Nos. 28706; 32556)

SEC. 8A-21. REPORTS TO THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION.

Before September 30 of each year, the director shall submit a report to the Texas Health and Human Services Commission. The report must contain the following information:

(1) The total number of boarding home facilities licensed by the city during the preceding state fiscal year.

SEC. 9B-4. UNLAWFUL TO ENTER CLOSED SECTIONS.

(a) A person commits an offense if he:

(1) enters the city hall, municipal building, or police and courts building during closed hours; or

(2) enters a portion of the city hall, municipal building, or police and courts building that is permanently closed to the public.

(b) It is a defense to prosecution under this section that the person is an officer or employee of the city, is engaged in the performance of official duties, and has complied with procedures set forth in official administrative directives and regulations regarding security.

(c) It is a defense to prosecution under Subsection (a)(1) that the person was attending an authorized public meeting, class, or event and did not go beyond those portions of the building necessary to gain access to the meeting, class, or event. (Ord. 16157)

SEC. 9B-5. AUTHORITY TO POST SIGNS.

The chief of police, or his designated representative, is authorized to place and maintain signs at those areas that are permanently closed to the public. The signs shall state that each area is permanently closed to the public, specifically mention this chapter, state the maximum penalty for violation, and be posted so as to afford adequate notice to the public of the restricted status of each area. (Ord. Nos. 16157; 19679)

ARTICLE II.

DALLAS SECURITY OFFICERS.

SEC. 9B-6. CREATED; DUTIES.

~~—(a) There is hereby created in the department of court and detention services of the city, under the direction of the director of court and detention services, personnel known as Dallas security officers, who shall be organized auxiliary units to the police department.~~

~~—(b) Dallas security officers shall perform the following duties:~~

~~—(1) maintain security and protection for premises and lawful occupants of premises that are owned, occupied, or managed by the city and ensure orderly and lawful conduct and activities on those premises; and~~

~~—(2) direct or regulate traffic in conformance with traffic laws on premises that are owned, occupied, or managed by the city, and on the main entrance and exit roadway in front of the Dallas Love Field terminal.~~

(a) There is hereby created in the office of the city marshal personnel known as Dallas security officers.

(b) Dallas security officers shall perform the following duties:

(1) maintain security and protection for premises and lawful occupants of premises that are owned, occupied, or managed by the city and ensure orderly and lawful conduct and activities on those premises; and

(2) perform such other duties as may be required by the city marshal. (Ord. Nos. 16157; 17151; 19312; 19679; 22026; 23694; 30994; 32557)

SEC. 9B-7. AUTHORITY.

~~—While at an assigned place of duty, a person employed as a Dallas security officer:~~

~~———— (1) is vested with the police power of arrest for violations of city ordinances and state laws, limited to situations arising out of enforcement of the officer's specific duties and further limited to the specific authority contained in the officer's warrant of appointment;~~

~~———— (2) may carry and use a firearm when authorized by the director of court and detention services; and~~

While at an assigned place of duty, a person employed as a Dallas security officer:

(1) is vested with the power of arrest for misdemeanor breaches of the peace, to prevent the consequences of theft and felonies in the officer's presence, limited to situations arising out of enforcement of the officer's specific duties and further limited to the specific authority contained in the officer's warrant of appointment;

(2) may carry and use a firearm when authorized by the city marshal; and

(3) must be identified by uniform and badge.

~~_____ (3) must be identified by uniform and badge. (Ord. Nos. 16157; 19679; 22026; 23694; 30994; 32557)~~

SEC. 9B-8. RETIREMENT ELIGIBILITY.

Dallas security officers shall not be eligible for membership in the firemen, policemen and fire alarm operator's pension fund created pursuant to Article 6243a, Vernon's Texas Civil Statutes; however, they shall be eligible for membership in the employee's retirement fund of the city of Dallas. (Ord. Nos. 16157; 19679; 30994)

SEC. 9B-9. SURVIVOR'S ASSISTANCE.

Dallas security officers shall be deemed members of an auxiliary unit with powers to make arrests, for the purpose of qualifying for survivor's assistance benefits under the provisions of Article 6228f, Vernon's Texas Civil Statutes. (Ord. Nos. 16157; 16218; 19679; 30994)

SEC. 12B-4. DELIVERY OF NOTICES.

Any written notice that the chief or director is required to give a registrant under this chapter is deemed to be delivered:

(1) on the date the notice is hand delivered to the registrant or the registrant's registered agent;

(2) three days after the date the notice is placed in the United States mail with proper postage and properly addressed to the registrant or the registrant's registered agent at the address provided for the registrant or the registered agent in the most recent registration application; or

(3) on the date the notice is sent electronically to the electronic mailing address of the registrant listed on the application. (Ord. Nos. 27293; 30472; 31867)

SEC. 12B-5. VIOLATIONS; PENALTY.

(a) A person who violates a provision of this chapter, or who fails to perform an act required of the person by this chapter, commits an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.

(b) An offense under this chapter is punishable by a fine of not less than \$250 or more than \$500.

(c) The culpable mental state required for the commission of an offense under this chapter is governed by Section 1-5.1 of this code.

(d) The penalties provided for in Subsection (b) are in addition to any other enforcement remedies that the city may have under city ordinances and state law.

(e) It is a defense to prosecution under this section that an establishment is operating as a cigar bar or tobacco shop as defined in this chapter. (Ord. Nos. 27293; 30472)

ARTICLE II.**REGISTRATION OF
CONVENIENCE STORES.****SEC. 12B-6. REGISTRATION REQUIRED; FEES.**

(a) A person commits an offense if the person owns or operates a convenience store without a valid certificate of registration. A separate certificate of registration is required for each physically separate convenience store.

(b) It is a defense to prosecution under Subsection (a) that at the time of the alleged offense:

(1) the convenience store had been open for business less than 45 days;

(2) the majority ownership of the convenience store had changed and the store had been open for business under the new ownership for less than 45 days; or

(3) the establishment is operating as a cigar bar or tobacco shop as defined in this chapter.

~~—(c) No fee is required for registration of a convenience store under this chapter.~~

(c) The annual fee for a convenience store registration is \$265. The fee is payable to the director upon issuance of a certificate of registration. No refund of registration fees shall be made. (Ord. Nos. 27293; 30472; 32556)

SEC. 12B-7. REGISTRATION APPLICATION.

(a) To obtain a certificate of registration for a convenience store, a person must submit an application on a form provided for that purpose to the chief. The applicant must be the person who will own or operate the convenience store. The application must contain all of the following information:

(1) The name, street address, mailing address, electronic mailing address, and telephone number of the applicant.

(1) failed to comply with any provision of this chapter or any other city ordinance or state or federal law applicable to the convenience store; or

(2) intentionally made a false statement as to a material matter in the application or in a hearing concerning the certificate of registration.

(b) Before revoking a certificate of registration under Subsection (a), the chief shall deliver written notice to the registrant that the certificate of registration is being considered for revocation. The notice must include the reason for the proposed revocation, action the registrant must take to prevent the revocation, and a statement that the registrant has 10 days after the date of delivery to comply with the notice.

(c) If, after 10 days from the date the notice required in Subsection (b) is delivered, the registrant has not complied with the notice, the chief shall revoke the certificate of registration and deliver written notice of the revocation to the registrant. The notice must include the reason for the revocation, the date the chief orders the revocation, and a statement informing the registrant of the right of appeal. (Ord. 27293)

SEC. 12B-10. APPEALS.

If the chief denies issuance or renewal of a certificate of registration or revokes a certificate of registration, this action is final unless the applicant or registrant files an appeal with the permit and license appeal board in accordance with Section 2-96 of this code. (Ord. 27293)

SEC. 12B-11. EXPIRATION AND RENEWAL OF REGISTRATION.

(a) A certificate of registration for a convenience store expires one year after the date of issuance.

(b) A certificate of registration may be renewed by making application in accordance with Section 12B-7. A registrant shall apply for renewal at least 30

days before the expiration of the certificate of registration. (Ord. 27293)

SEC. 12B-12. NONTRANSFERABILITY.

A certificate of registration for a convenience store is not transferable. (Ord. 27293)

SEC. 12B-13. PROPERTY INSPECTIONS.

~~— An applicant or registrant shall permit, at reasonable times upon request, representatives of the police department to inspect the interior and exterior of the convenience store, including but not limited to surveillance camera systems, for the purpose of ensuring compliance with this chapter and other city ordinances and state and federal laws applicable to convenience stores. The applicant or registrant commits an offense if, either personally or through an agent or employee, the applicant or registrant refuses to permit a lawful inspection of the convenience store as required by this section.~~

(a) An applicant or registrant shall permit, at reasonable times upon request, representatives of the police department to inspect the interior and exterior of the convenience store, including but not limited to surveillance camera systems, for the purpose of ensuring compliance with this chapter and other city ordinances and state and federal laws applicable to convenience stores. The applicant or registrant commits an offense if, either personally or through an agent or employee, the applicant or registrant refuses to permit a lawful inspection of the convenience store as required by this section.

(b) No inspection fee is required for an initial inspection of a convenience store under this chapter. If a convenience store must be reinspected, the reinspection fee is \$159. (Ord. Nos. 27293; 32556)

CHAPTER 13**COURTS, FINES AND IMPRISONMENTS****ARTICLE I.****IN GENERAL.**

- Sec. 13-1. General penalty; continuing violations.
- Sec. 13-1.1. Authority to issue citations to appear in municipal court.
- Sec. 13-1.2. Compliance not a defense to prosecution.
- Sec. 13-2. Liability of corporate officers for penalty.

ARTICLE II.**MUNICIPAL COURT OF RECORD.**

- Sec. 13-3. Municipal court of record; created and designated; jurisdiction; session.
- Sec. 13-4. Other terms and laws applicable to the municipal court of record.
- Sec. 13-5. Powers and duties of municipal judges.
- Sec. 13-5.1. Judicial nominating commission created.
- Sec. 13-5.2. Judicial nominating commission duties and responsibilities; selection of municipal judges.
- Sec. 13-6. Bailiffs of the municipal court of record.
- Sec. 13-7. Department of ~~Dallas municipal court and detention services~~ created; director.
- Sec. 13-8. Duties of the municipal clerk; court administrator and director; deputy clerks.
- Sec. 13-9. ~~Office of the city marshal~~ **Reserved.**
- Sec. 13-10. ~~Duties of the city marshal~~ **Reserved.**
- Sec. 13-11. ~~City marshal's authority; eligibility for pension~~ **Reserved.**
- Sec. 13-12. Fidelity bonds.

- Sec. 13-13. Collection of fines.
- Sec. 13-14. Minutes of the municipal court of record.
- Sec. 13-15. Disposition of court records.
- Sec. 13-16. Recording of proceedings; fees.
- Sec. 13-17. Appeals from the municipal court of record.
- Sec. 13-18. Record of case on appeal.
- Sec. 13-19. Reserved.
- Sec. 13-20. Form of appearance bonds.
- Sec. 13-21. Delivery of appearance bonds to municipal clerk; destruction of certain records.
- Sec. 13-22. Alternative methods for payment of fines; imprisonment for default in payments.
- Sec. 13-23. Appeal bonds.
- Sec. 13-24. Recognizance before trial.
- Sec. 13-25. Return of deposits made with recognizance agreements.
- Sec. 13-26. City officials or employees not to recommend attorneys or sureties.
- Sec. 13-27. Traffic citations and complaints to be delivered to the municipal clerk.
- Sec. 13-28. Violation of promise to appear.
- Sec. 13-28.1. Local consolidated fee.
- Sec. 13-28.2. Reserved.
- Sec. 13-28.3. Reimbursement fee for certain payments through the internet or an interactive voice response telephone system.

ARTICLE III.**RESERVED.**

- Sec. 13-29. Reserved.

preference, with Number 1 being the highest ranking. The city council shall interview the nominees and select one as the administrative municipal judge, or, if not satisfied with any of the nominees, the city council may reject all and request that the judicial nominating commission repeat the nominating process.

(h) The city manager shall provide staff to assist the judicial nominating commission in performing its duties and responsibilities.

(i) Nothing in this section affects the holdover status of an incumbent municipal judge under applicable city, state, and federal laws. (Ord. Nos. 21011; 21515; 21804; 22321; 22612; 23124; 24946; 25518; 25655; 26093; 29394)

SEC. 13-6. BAILIFFS OF THE MUNICIPAL COURT OF RECORD.

(a) The bailiffs of the municipal court of record, under the direction and supervision of the administrative municipal judge, shall serve the municipal court of record.

(b) The bailiffs shall:

(1) be selected by the administrative municipal judge;

(2) meet all qualifications necessary to be certified as peace officers by the Texas Commission on Law Enforcement Officer Standards and Education; and

(3) be appointed and commissioned by the city marshal as deputy city marshals.

(c) The administrative municipal judge or his designee shall supervise the activities of bailiffs and shall have the authority to impose disciplinary action in accordance with city personnel rules. If the administrative municipal judge terminates the employment of a bailiff, the city marshal shall remove the appointment and commission of the bailiff as a deputy city marshal.

(d) Appeals from disciplinary actions taken by the administrative judge shall be to the city manager or his designee and then to the trial board in cases where that body has jurisdiction. If a bailiff whose employment has been terminated is reinstated during the appeal process, then the bailiff shall be reappointed as a bailiff by the administrative municipal judge and reappointed and recommissioned by the city marshal as a deputy city marshal. (Ord. Nos. 18477; 18837; 19802)

~~SEC. 13-7. DEPARTMENT OF COURT AND DETENTION SERVICES CREATED; DIRECTOR.~~

~~There is hereby created the department of court and detention services, the director of which shall be the clerk of the municipal court of record who shall be known as the municipal clerk.~~

SEC. 13-7. DEPARTMENT OF DALLAS MUNICIPAL COURT CREATED; DIRECTOR.

There is hereby created the department of Dallas municipal court, the director of which shall be the clerk of the municipal court of record who shall be known as the municipal clerk. (Ord. Nos. 18477; 19802; 22669; 32557)

SEC. 13-8. DUTIES OF THE MUNICIPAL CLERK; COURT ADMINISTRATOR AND DIRECTOR; DEPUTY CLERKS.

~~(a) The municipal clerk, who also holds the position of court administrator and director of the department of court and detention services, shall:~~

~~(1) prepare and maintain accurate dockets and minutes for each municipal court of record division created under this article;~~

~~(2) have custody of all documents and papers relating to the business of the municipal court of record divisions;~~

~~(3) supervise the collection of fines imposed by the municipal court of record;~~

~~———— (4) maintain complaints for all cases in the municipal court of record for which a complaint is required by law;~~

(a) The municipal clerk, who also holds the position of court administrator and director of the department of Dallas municipal court, shall:

(1) prepare and maintain accurate dockets and minutes for each municipal court of record division created under this article;

(2) have custody of all documents and papers relating to the business of the municipal court of record divisions;

(3) supervise the collection of fines imposed by the municipal court of record;

(4) maintain complaints for all cases in the municipal court of record for which a complaint is required by law;

~~— (5) supervise the administration of arrest warrants;~~

~~— (6) supervise Dallas security officers providing security in and around all public buildings, except as otherwise provided by the city manager, the city charter, or ordinance or resolution of the city council, and~~

~~— (7) have all other powers and duties assigned to the municipal clerk by the city charter, other city ordinances, Chapter 30 of the Texas Government Code, or other state law.~~

(5) supervise the administration of arrest warrants; and

(6) have all other powers and duties assigned to the municipal clerk by the city charter, other city ordinances, Chapter 30 of the Texas Government Code, or other state law.

(b) The municipal clerk may appoint deputy clerks who, when acting under the municipal clerk's direction, shall have the authority to perform all acts required of the municipal clerk by the city charter, city ordinances, or state law. (Code 1941, Art. 28-1; Ord. Nos. 8215; 15603; 17029; 18477; 19802; 22669; 24946; 30994; 32557)

~~SEC. 13-9. OFFICE OF THE CITY MARSHAL.~~

~~— There is hereby created the office of the city marshal, to be filled by a qualified person appointed by the municipal clerk. The city marshal shall appoint such deputies as are authorized from time to time. The city marshal and his deputies shall meet all qualifications necessary to be certified as peace officers by the Texas Commission on Law Enforcement Officer Standards and Education. (Ord. Nos. 13288; 13832; 14926; 19802)~~

SEC. 13-9. RESERVED.

(Repealed by Ord. 32557)

~~SEC. 13-10. DUTIES OF THE CITY MARSHAL.~~

~~— The city marshal and his or her deputies, acting under the direction of the municipal clerk, shall perform the following duties:~~

~~— (1) execute warrants of arrest, subpoenas, and other legal process issuing out of the municipal court of record;~~

~~———— (2) execute other warrants of arrest, subpoenas, and legal process as determined by the municipal clerk; and~~

~~———— (3) enforce Sections 28-61.1 and 28-63.3 of the Dallas City Code. (Ord. Nos. 13288; 13832; 14926; 18837; 19802; 32330)~~

SEC. 13-10. RESERVED.

(Repealed by Ord. 32557)

**SEC. 13-11. CITY MARSHAL'S AUTHORITY;
ELIGIBILITY FOR PENSION.**

~~———— (a) The city marshal and his deputies shall serve as peace officers and have full police authority in the exercise of their assigned duties.~~

~~———— (b) The city marshal and his deputies are not members of the police department of the city and are not eligible for membership in the Firemen, Policemen and Fire Alarm Operators Pension Fund; however, they are eligible for membership in the employee's retirement fund of the city. The city marshal and his deputies are paid law enforcement officers for the purpose of qualifying for survivors' assistance benefits under the provisions of Article 6228f, Vernon's Texas Civil Statutes. (Ord. Nos. 13288; 14926; 19802)~~

SEC. 13-11. RESERVED.

(Repealed by Ord. 32557)

SEC. 13-12. FIDELITY BONDS.

The municipal clerk and all of his assistants having responsibilities for collection of fines shall execute fidelity bonds in favor of the city in an amount prescribed by the city council. The premium of the bond shall be paid by the city. (Ord. Nos. 15603; 17029; 19802)

SEC. 13-13. COLLECTION OF FINES.

(a) If a person to whom a citation has been issued for a traffic, ordinance, or misdemeanor violation desires to plead guilty and pay a fine set by the municipal judge for the violation charged, the municipal clerk shall collect the amount set by the municipal court judge for that violation.

(24) NEONATE/ PEDIATRIC TRANSPORT PERSONNEL means a registered nurse, physician, or respiratory therapist specially trained in the emergency and transport care of newborn and pediatric patients.

(25) OPERATE means to drive or to be in control of an ambulance.

(26) OPERATOR means the driver of an ambulance, the owner of an ambulance, or the holder of a private ambulance service license.

(27) OWNER means the person to whom state license plates for a vehicle were issued.

(28) PERMIT means written authorization issued by the director for a person to act as an ambulance personnel on a private ambulance within the city.

(29) PERMITTEE means a person who has been issued an ambulance personnel permit by the director under this article.

(30) PERSON means any individual, corporation, business, trust, partnership, association, or other legal entity.

(31) POLICE CHIEF means the chief of police of the city of Dallas or the chief's duly authorized representative.

(32) PRIVATE AMBULANCE means an ambulance constructed, equipped, and used for transporting sick, injured, or deceased persons under circumstances that do not constitute an emergency and have not been represented as an emergency.

(33) PRIVATE AMBULANCE SERVICE means the business of transporting, for compensation, sick, injured, or deceased persons under circumstances that do not constitute an emergency and have not been represented as an emergency.

(34) SPECIAL EVENT means any parade, sporting event, concert, or other event or gathering requiring on-site standby medical personnel.

(35) STREET means any street, alley, avenue, boulevard, drive, or highway commonly used for the purpose of travel within the corporate limits of the city. (Ord. Nos. 21861; 29544; 31289)

Division 2. Emergency Medical Services.

SEC. 15D-5. EMERGENCY AMBULANCE SERVICE PROVIDED BY FIRE DEPARTMENT; FEE.

(a) The fire department shall provide all emergency ambulance service within the city.

~~(b) The city shall charge the following fees for emergency ambulance services in the city provided in response to a call received by the fire department requesting the services:~~

~~(1) \$1,868 for each transport of a resident of the city of Dallas to a hospital and \$1,868 for each transport of a nonresident of the city of Dallas to a hospital.~~

~~(2) \$125 for treatment of a person who is not transported by ambulance.~~

~~(3) The reasonable cost of any expendable items that are medically required to be used on a person transported by ambulance or treated without being transported by ambulance, including but not limited to drugs, dressings and bandages, airways, oxygen masks, intravenous fluids and equipment, syringes, and needles.~~

~~(4) The reasonable cost of any EKG/telemetry that is medically required to be performed on a person transported by ambulance or treated without being transported by ambulance.~~

~~(5) The reasonable cost of each additional paramedic over two that is medically required to respond to an emergency call.~~

(b) The city shall charge the following fees for emergency ambulance services in the city provided in response to a call received by the fire department requesting the services:

(1) \$1,473 for each transport of a resident of the city of Dallas to a hospital and \$1,868 for each transport of a nonresident of the city of Dallas to a hospital.

(2) \$125 for treatment of a person who is not transported by ambulance.

(3) The reasonable cost of any expendable items that are medically required to be used on a person transported by ambulance or treated without being transported by ambulance, including but not limited to drugs, dressings and bandages, airways, oxygen masks, intravenous fluids and equipment, syringes, and needles.

(4) The reasonable cost of any EKG/telemetry that is medically required to be performed on a person transported by ambulance or treated without being transported by ambulance.

(5) The reasonable cost of each additional paramedic over two that is medically required to respond to an emergency call.

(6) \$10 for each loaded mile of transport by ambulance, beginning when the patient is loaded into the ambulance and ending upon arrival at the hospital.

~~_____ (6) \$15 for each loaded mile of transport by ambulance, beginning when the patient is loaded into the ambulance and ending upon arrival at the hospital.~~

(c) The person receiving emergency ambulance service, whether transported by ambulance or treated without being transported by ambulance, and any person contracting for the service shall be responsible for payment of all fees less any reduction in fees received from hardship assistance. In the case of service received by a minor, the parent or guardian of the minor shall be responsible for payment of all fees less any reduction in fees received from hardship assistance on behalf of the qualifying minor.

(d) A current list of charges for the items, services, and personnel described in Subsections (b)(3), (4), and (5) must be maintained in the office of the emergency medical services division of the fire department and made available for public inspection during normal business hours.

(e) The city manager or his or her designee shall adopt an ambulance hardship assistance policy and the procedures for administering the policy. (Ord. Nos. 21861; 22565; 24743; 26134; 27353; 29879; 30215; 31289; 31332, ~~eff. 10/1/19~~; 32556)

SEC. 15D-5.1. MOBILE COMMUNITY HEALTHCARE PROGRAM PROVIDED BY FIRE DEPARTMENT.

(a) Findings and purpose.

(1) The city incurs significant expense related to the health emergencies of its citizens. Fire department paramedics are especially skilled at providing certain emergency medical services. Many of the emergency medical services provided by fire department paramedics are beneficial in the transport of sick or injured persons, as well as in responding to a person's perceived need for immediate medical care.

(2) The city's mobile community healthcare program is designed to:

(A) support efficient and effective emergency medical services within the city;

(B) provide health education to residents;

(C) assess living environments that may be dangerous or detrimental to a citizen's health and could contribute to an emergency situation; and

(D) respond to certain emergency medical situations by providing vaccinations and immunizations.

(3) The mobile community healthcare program is also intended to promote health and safety by referring mobile healthcare program participants to appropriate professionals and organizations in the community.

(4) Because police and fire personnel encounter many individuals while performing their duties, protecting those personnel from communicable diseases using appropriate vaccines or immunizations reduces the spread of such diseases and reduces the number of personnel unavailable to protect the safety of the public.

(b) General provisions.

(1) Texas Health and Safety Code Chapter 773, as amended, and Title 22 of the Texas Administrative Code Chapter 197, as amended, authorize fire department paramedics that are supervised by a physician licensed to practice medicine in Texas to provide emergency medical services.

(2) Under the mobile community healthcare program, fire department paramedics that are under the supervision of a physician licensed to practice medicine in Texas may use emergency medical

(c) Schedule of service charges.

~~———— (1) The collection service charge for a residence or duplex is as follows:~~

~~———— (A) Alley or curb collection service for municipal solid waste - \$35.81 per dwelling unit per month for one roll-cart, plus \$13.85 per month for each additional garbage roll-cart requested by the owner or occupant of the premises.~~

~~———— (B) Packout or drive-in collection service for municipal solid waste - \$124.73 per dwelling unit per month for one roll-cart, plus \$13.85 for each additional garbage roll-cart requested by the owner or occupant of the premises.~~

~~———— (C) Effective October 1, 2022, the owner or occupant of a dwelling unit with one rollcart for recyclable materials may request one additional rollcart for recyclable materials from the director of sanitation for no additional fee. Dwelling units with two or more rollcarts for recyclable materials may request additional rollcarts for recyclable materials for a one-time processing and handling fee for \$50.00 per rollcart, which will be applied to the dwelling unit's water account.~~

~~———— (2) The collection service charge for an apartment or a mobile home park that receives manual collection service from the sanitation services of the city is as follows:~~

~~———— (A) Alley, curb, or drive-in collection service for municipal solid waste - \$35.81 per apartment unit or mobile home space per month.~~

~~———— (B) Packout collection service for municipal solid waste - \$124.73 per apartment unit or mobile home space per month.~~

~~———— (3) A monthly collection service charge will be made for all commercial establishments for collection service provided by the sanitation services of the city as follows:~~

~~(1) The collection service charge for a residence or duplex is as follows:~~

~~(A) Alley or curb collection service for municipal solid waste - \$37.98 per dwelling unit per month for one roll-cart, plus \$14.69 per month for each additional garbage roll-cart requested by the owner or occupant of the premises.~~

~~(B) Packout or drive-in collection service for municipal solid waste - \$132.29 per dwelling unit per month for one roll-cart, plus \$14.69 for each additional garbage roll-cart requested by the owner or occupant of the premises.~~

~~(C) Effective October 1, 2022, the owner or occupant of a dwelling unit with one rollcart for recyclable materials may request one additional rollcart for recyclable materials from the director of sanitation for no additional fee. Dwelling units with two or more rollcarts for recyclable materials may request additional rollcarts for recyclable materials for a one-time processing and handling fee for \$50.00 per rollcart, which will be applied to the dwelling unit's water account.~~

~~(2) The collection service charge for an apartment or a mobile home park that receives manual collection service from the sanitation services of the city is as follows:~~

~~(A) Alley, curb, or drive-in collection service for municipal solid waste - \$37.98 per apartment unit or mobile home space per month.~~

(B) Packout collection service for municipal solid waste - \$132.29 per apartment unit or mobile home space per month.

(3) A monthly collection service charge will be made for all commercial establishments for collection service provided by the sanitation services of the city as follows:

TABLE OF MONTHLY CHARGES

(Garbage & Recycling, per Section 18-9(b)(6), more than once a week)
A multiplier will be used for multiple carts.

	NUMBER OF COLLECTIONS PER WEEK*						
	1	2	3	4	5	6	7
96-gallon RollCarts	\$37.44	\$74.89	\$112.33	\$149.77	\$187.22	\$224.66	\$262.10
96-gallon RollCarts	\$40.06	\$80.12	\$120.18	\$160.24	\$200.30	\$240.36	\$280.42

~~(4) A monthly recycling-only collection service charge will be made for all commercial properties for weekly collection service provided by the sanitation services of the city as follows:~~

(4) A monthly recycling-only collection service charge will be made for all commercial properties for weekly collection service provided by the sanitation services of the city as follows:

TABLE OF MONTHLY CHARGES

(Recycling-Only Service, Outside of the Central Business District)
A multiplier will be used for multiple carts.

NUMBER OF COLLECTIONS PER WEEK							
	1	2	3	4	5	6	7
96-gallon RollCarts	\$24.34	\$48.68	\$73.02	\$97.36	\$121.70	\$146.02	\$170.36
96-gallon RollCarts	\$26.04	\$52.09	\$78.13	\$104.17	\$130.20	\$156.24	\$182.28

~~(5) Extraordinary collection and removal service is as follows:~~

~~(A) A cost plus rate of \$60 per five cubic yards, billed in five cubic yard increments for materials set out for collection in advance or after the period designed by the director of sanitation, as described in Section 18-4(e), as amended, and for materials not included in the regular collection service as described in Section 18-8, as amended:~~

~~(B) The director of sanitation may provide an out-of-cycle collection of garbage and recyclable materials from rollcarts owned and provided by the city, upon a customer's request through the city's 311 system, for a fee of \$25 for garbage and \$25 for recyclable materials. In the event a customer submits a service request through the city's 311 system claiming regular collection services were missed, and the director of sanitation later determines through vehicle on-board camera systems that the rollcart(s) in question were not set out at the prescribed time of collection, or did not comply with the requirements of Sections 18-3 or 18-4 of this article, the director of sanitation may assess a collection fee of \$25 for garbage and \$25 for recyclable materials to the dwelling unit's water account.~~

~~(6) Miscellaneous collection service charges will be as follows:~~

~~(A) Public housing may be charged as apartments.~~

~~(B) Churches, clinics, hospitals, public buildings, and schools will be charged as commercial locations.~~

~~(7) The service charge for the collection and removal of grass cuttings from any premises is:~~

~~(A) \$1.50 per bag, if the service is performed by city sanitation services; and~~

~~(B) an amount specified by city contract, if the service is performed by a contractor selected by the city under Section 18-8(b)(3), as amended.~~

~~(8) Packout or drive-in service for certain handicapped persons meeting uniform requirements specified by the director of sanitation will be provided at the rate for alley or curb collection service. Any applicant for a reduced rate under this subparagraph who intentionally makes any misrepresentation in any written statement required by such uniform requirements is guilty of an offense and, upon conviction, is punishable by a fine not to exceed \$500.~~

(5) Extraordinary collection and removal service is as follows:

(A) A cost plus rate of \$60 per five cubic yards, billed in five cubic yard increments for materials set out for collection in advance or after the period designed by the director of sanitation, as described in Section

18-4(e), as amended, and for materials not included in the regular collection service as described in Section 18-8, as amended.

(B) The director of sanitation may provide an out-of-cycle collection of garbage and recyclable materials from rollcarts owned and provided by the city, upon a customer's request through the city's 311 system, for a fee of \$25 for garbage and \$25 for recyclable materials. In the event a customer submits a service request through the city's 311 system claiming regular collection services were missed, and the director of sanitation later determines through vehicle on-board camera systems that the rollcart(s) in question were not set out at the prescribed time of collection, or did not comply with the requirements of Sections 18-3 or 18-4 of this article, the director of sanitation may assess a collection fee of \$25 for garbage and \$25 for recyclable materials to the dwelling unit's water account.

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(A) Public housing may be charged as apartments.

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(A) \$1.50 per bag, if the service is performed by city sanitation services; and

(B) an amount specified by city contract, if the service is performed by a contractor selected by the city under Section 18-8(b)(3), as amended.

(8) Packout or drive-in service for certain handicapped persons meeting uniform requirements specified by the director of sanitation will be provided at the rate for alley or curb collection service. Any applicant for a reduced rate under this subparagraph who intentionally makes any misrepresentation in any written statement required by such uniform requirements is guilty of an offense and, upon conviction, is punishable by a fine not to exceed \$500.

~~———— (9) The fee for replacement of a rollcart that is lost or damaged due to a customer's negligence is \$67.90 for a garbage rollcart or \$70.81 for a recycling rollcart.~~

~~———— (10) Large dead animals, including but not limited to horses, cattle, and other animals of similar size, will be picked up by the city for a fee of \$125 per animal.~~

~~———— (11) Construction debris may be collected for a fee as part of a non-compliant brush and bulky trash collection as outlined in Section 18-4(h)(2) or as a cost plus rate as outlined in Section 18-9(c)(5). Loose or small construction debris such as roofing materials, shingles, brick, concrete, stone, drywall, insulation, glass, masonry materials, and other materials designated in writing by the director of sanitation will not be collected by the department of sanitation services.~~

(9) The fee for replacement of a rollcart that is lost or damaged due to a customer's negligence is \$67.90 for a garbage rollcart or \$70.81 for a recycling rollcart.

(10) Large dead animals, including but not limited to horses, cattle, and other animals of similar size, will be picked up by the city for a fee of \$125 per animal.

(11) Construction debris may be collected for a fee as part of a non-compliant brush and bulky trash collection as outlined in Section 18-4(h)(2) or as a cost plus rate as outlined in Section 18-9(c)(5). Loose or small construction debris such as roofing materials, shingles, brick, concrete, stone, drywall, insulation, glass, masonry materials, and other materials designated in writing by the director of sanitation will not be collected by the department of sanitation services.

(d) A person claiming entitlement to a refund of sanitation services paid to the city must notify the director of sanitation of the claim within 180 days from the date the disputed payment was received by the city. (Ord. Nos. 16367; 16435; 16697; 17133; 17545; 17987; 19300; 19409; 19963; 19991; 20736; 21058; 21431; 21632; 21819; 22206; 22306; 22565; 22906; 24743; 25048; 25384; 25754; 26134; 26478; 26960; 27353; 27695; 28019; 29149; 29477; 29879; 30215; 30653; 30993; 31231; 31332; 31657; 32003; 32310; 32556)

SEC. 18-10. REGULATING THE PROCESSING AND DISPOSAL OF SOLID WASTE MATERIALS.

(a) General regulations.

(1) A person commits an offense if he disposes of dry or wet solid waste or other waste materials inside the city, other than at a location and in a manner approved by the director of sanitation as complying with federal, state, and local law regulating solid waste processing and disposal. The owner, occupant, or person in control of premises to which illegally-deposited solid waste is traced is presumed to

(1) The director of sanitation shall have authority to curtail, temporarily suspend, or permanently halt any solid waste processing or disposal operation being conducted by any private person, firm, or corporation that does not conform to the requirements of city, county, state, or federal regulations pertaining to solid waste processing and disposal operations or that in any manner jeopardizes the public health, safety, and welfare. The director of sanitation shall have authority to maintain curtailment or suspension restrictions until, in the director's judgment, adequate measures have been taken to assure that removal of the restrictions will not jeopardize the public health, safety, or welfare.

(2) The director of sanitation shall have authority to cause to be rejected for processing or disposal any material that, in the director's judgment, would create a nuisance by reason of emission or disagreeable odors or would operate to make the processing or disposal facilities unwholesome or adversely affect the public health, safety, and welfare.

(c) Processing and disposal of solid waste materials by the city.

(1) A person commits an offense if he takes, removes, or carries away from any processing or disposal facility operated by the city any garbage, trash, or other solid waste material, article, thing, or object situated on the facility, whether or not the thing has monetary value, without prior written permission and approval of the director of sanitation. In prosecutions for this offense, it is not necessary to describe the thing taken, removed, or carried away other than as generally described in this subsection or as "article," "thing," or "item," and it is not necessary to allege that the thing had "value."

(2) The director of sanitation shall have authority to designate those processing or disposal sites operated by the city that will be open to public access and those that will not be open to public access. (Ord. Nos. 16367; 20599; 24743)

SEC. 18-11. SPECIFYING CHARGES FOR DISPOSAL OF SOLID WASTE MATERIALS.

~~— (a) The following disposal service charges are established for disposing of municipal solid waste at the Northwest (Bachman) Transfer Station:~~

~~— (1) Earth, rocks, and inert material will not be accepted at the station.~~

~~— (2) Passenger cars, station wagons, pickups, and trailers less than 15 feet long that are used by Dallas city residents to haul their own waste from their residences to the station – no charge. (A current, valid Texas driver's license showing a Dallas address or a current Dallas water utilities bill is required as proof of residency.)~~

~~— (3) Trucks or trailers with a cargo bed length of 25 feet or greater or truck tractors with semi-trailers are prohibited from using the Northwest (Bachman) transfer station, unless specifically permitted in writing by the director of sanitation.~~

~~— (4) Roll-off containers, whether open top or compactor, and compactor trucks or other trucks carrying compacted or baled refuse are prohibited from using the Northwest (Bachman) transfer station, unless specifically permitted in writing by the director of sanitation.~~

~~— (5) Except as provided in Subsection (a)(6), the charge for all materials accepted at the transfer station is \$61.58 per ton based on the transfer station weighing system, with a minimum charge of \$61.58 for any load that is less than one ton.~~

~~— (6) Whenever the transfer station weighing system is inoperable, the following fees will be charged for materials accepted at the transfer station:~~

~~— (A) Passenger cars, station wagons, and pickups that are used by persons other than Dallas city residents to haul their own waste from their residences to the station – \$64.09 per load.~~

(a) The following disposal service charges are established for disposing of municipal solid waste at the Northwest (Bachman) Transfer Station:

(1) Earth, rocks, and inert material will not

be accepted at the station.

(2) Passenger cars, station wagons, pickups, and trailers less than 15 feet long that are used by Dallas city residents to haul their own waste from their residences to the station - no charge. (A current, valid Texas driver's license showing a Dallas address or a current Dallas water utilities bill is required as proof of residency.)

(3) Trucks or trailers with a cargo bed length of 25 feet or greater or truck-tractors with semi-trailers are prohibited from using the Northwest (Bachman) transfer station, unless specifically permitted in writing by the director of sanitation.

(4) Roll-off containers, whether open top or compactor, and compactor trucks or other trucks carrying compacted or baled refuse are prohibited from using the Northwest (Bachman) transfer station, unless specifically permitted in writing by the director of sanitation.

(5) The charge for all materials accepted at the transfer station is \$63.43 per ton based on the transfer station weighing system, with a minimum charge of \$63.43 for any load that is less than one ton. Each ton shall be assessed an additional \$2.00 per ton customer processing fee for each individual load paid and processed by a cashier upon entering the transfer station.

(6) Whenever the transfer station weighing system is inoperable during a delivery of solid waste the tonnage will be estimated by the city on the basis of the full capacity of the vehicle delivering the solid waste.

~~————— (B) Commercial pickups — \$64.09 per load.~~

~~————— (C) Trucks or trailers with a cargo bed length of less than 15 feet — \$252.13 per load.~~

~~————— (D) Trucks or trailers with a cargo bed length of not less than 15 feet but less than 25 feet — \$315.47 per load.~~

(7) Effective January 1, 2023, an environmental fee will be applied to all commercial disposal customers at \$2.00 per ton with a minimum charge of \$2.00 for any load that is less than one ton.

~~———— (b) The following disposal service charges are established for disposing of municipal solid waste at city landfill sites:~~

~~————— (1) Passenger cars, station wagons, pickups, and trailers less than 15 feet long that are used by Dallas city residents to haul their own waste from their residences to a city landfill site — no charge. (A current, valid Texas driver's license showing a Dallas address or a current Dallas water utilities bill is required as proof of residency.)~~

~~————— (2) Except as provided in Subsection (b)(3), the charge for all materials accepted at a city landfill site is \$37.67 per ton based on the landfill weighing system, with a minimum charge of \$37.67 for any load that is less than one ton. Each ton shall be assessed an additional \$2.00 per ton customer processing fee for each individual load paid and processed by a cashier upon entering the landfill.~~

~~————— (3) Whenever the landfill weighing system is inoperable, the following fees will be charged for materials accepted at a city landfill:~~

~~————— (A) Passenger cars, station wagons, and pickups that are used by persons other than Dallas city residents to haul their own waste from their residences to a city landfill site — \$56.84 per load.~~

~~————— (B) Commercial pickups — \$56.84 per load.~~

~~————— (C) Trucks or trailers with a cargo bed length of less than 15 feet — \$132.19 per load.~~

~~—————(D) Trucks or trailers with a cargo bed length of 15 feet or greater - \$283.55 per load.~~

~~—————(E) Roll-off containers, whether open top or compactor - \$302.72 per load.~~

~~—————(F) Compactor trucks - \$378.06 per load.~~

~~—————(4) A fee of \$52.70 per load will be charged for the use of city equipment, when available, to off-load bundled waste by pulling it with cables, chains, or other devices. City equipment will be used at the customer's own risk, with the city assuming no liability for any resulting damage. Non-city vehicles are prohibited from pulling loads off of other vehicles at a city landfill site.~~

~~—————(5) The fee for use of the city's mechanical tipper to off-load tractor trailer loads is \$98.82 per use.~~

~~—————(6) Collection vehicles not constructed with an enclosed transport body must use nets, tarpaulins, or other devices to prevent accidental spillage. A cover fee of \$40 will be charged for any collection vehicle (other than a pickup truck) that enters the landfill without being so equipped.~~

~~—————(7) Tires exceeding 25 inches in diameter will not be accepted at a city landfill site.~~

~~—————(8) Effective January 1, 2023, an environmental fee will be applied to all commercial disposal customers at \$2.00 per ton with a minimum charge of \$2.00 for any load that is less than one ton.~~

~~(b) The following disposal service charges are established for disposing of municipal solid waste at city landfill sites:~~

~~(1) Passenger cars, station wagons, pickups, and trailers less than 15 feet long that are used by Dallas city residents to haul their own waste from their residences to a city landfill site - no charge. (A current, valid Texas driver's license showing a Dallas address or a current Dallas water utilities bill is required as proof of residency.)~~

~~(2) Except as provided in Subsection (b)(3), the charge for all materials accepted at a city landfill site is \$38.80 per ton based on the landfill weighing system, with a minimum charge of \$38.80 for any load that is less than one ton. Each ton shall be assessed an additional \$2.00 per ton customer processing fee for each individual load paid and processed by a cashier~~

upon entering the landfill.

(3) Soils accepted at the city landfill that can be reused for landfill cover or other beneficial reuse projects will be charged \$3.00 per ton based on the landfill weighing system, with a minimum charge of \$3.00 for any load that is less than one ton. Each ton of soil shall be assessed an additional \$2.00 per ton customer processing fee for each individual load paid and processed by a cashier upon entering the landfill. Prior to arrival at the landfill, soil must be pre-approved through the special waste application process.

(4) Whenever the landfill weighing system is inoperable during a delivery of solid waste or soil the tonnage will be estimated by the city on the basis of the full capacity of the vehicle delivering the solid waste or soil.

(5) A fee of \$54.00 per load will be charged for the use of city equipment, when available, to off-load bundled waste by pulling it with cables, chains, or other devices. City equipment will be used at the customer's own risk, with the city assuming no liability for any resulting damage. Non-city vehicles are prohibited from pulling loads off of other vehicles at a city landfill site.

(6) The fee for use of the city's mechanical tipper to off-load tractor trailer loads is \$100.00 per use.

(7) Collection vehicles not constructed with an enclosed transport body must use nets, tarpaulins, or other devices to prevent accidental spillage. A cover fee of \$40 will be charged for any collection vehicle (other than a pickup truck) that enters the landfill without being so equipped.

(8) Tires exceeding 25 inches in diameter will not be accepted at a city landfill site.

(9) Effective January 1, 2023, an environmental fee will be applied to all commercial disposal customers at \$2.00 per ton with a minimum charge of \$2.00 for any load that is less than one ton.

~~—————(c) The director of sanitation may enter into a disposal service contract with a solid waste collection service (as defined in Section 18-29 of this chapter) to provide for volume delivery of solid waste to the landfill on an annual basis for a discounted disposal service charge, subject to the following rules and~~

conditions:

~~————— (1) The disposal service contract must be in writing, on a form approved by the director of sanitation and the city attorney's office. The term of the contract may not be longer than five years. The contract must be authorized by administrative action and must be signed by the city manager and approved as to form by the city attorney.~~

~~————— (2) The disposal service contract must provide for a guaranteed annual tonnage of solid waste of not less than 5,000 tons to be disposed of at the landfill. The contractor shall not exceed the contracted guaranteed annual tonnage by more than 25 percent; this will be the contractor's maximum annual tonnage limit. Notwithstanding Subsection (b)(3) of this section, if the landfill weighing system is inoperable during a delivery of solid waste under the contract, the tonnage will be estimated by the city on the basis of the full capacity of the vehicle delivering the solid waste.~~

~~————— (3) The director of sanitation is not required to enter into a disposal service contract under this subsection if the director determines that:~~

~~————— (A) the useful life of the landfill would be adversely affected; or~~

~~————— (B) it is not practical to enter into a proposed disposal service contract for engineering, operational, or financial reasons.~~

~~————— (4) Payment of the disposal service charge under a disposal service contract will be calculated in accordance with the terms of the contract and this subsection. The initial disposal service charge for each solid waste disposal contract entered into pursuant to this subsection will be the disposal service charge in effect under Subsection (b)(2) on the date the contract is executed. On October 1 of each calendar year, the disposal service charge may be increased by the percent change, if any, between the June consumer price index for the current calendar year and the June consumer price index for the prior calendar year, except that the annual increase in the disposal service charge may not exceed six percent during any calendar year. The percent change will be determined by the director using~~

~~The Consumer Price Index for All Urban Consumers (CPI-U) for the South Region for All Items, 1982-84=100, published by the United States Department of Labor, Bureau of Labor Statistics. This Consumer Price Index adjustment to the disposal service charge will only be applied if there is an equal or greater percentage increase in the disposal service charge in effect under Subsection (b)(2) for the next fiscal year. The contractor must pay the disposal service charge on a monthly basis. At the end of each contract year, the director of sanitation shall perform a reconciliation to determine the actual tonnage of solid waste disposed of at the landfill under the contract in that contract year and to make any adjustments to the amounts finally owed by the contractor.~~

~~————— (5) In consideration of the agreement of a solid waste collection service to guarantee the disposal of an annual tonnage of solid waste at the landfill pursuant to a disposal service contract, the director of sanitation may provide a discount from the disposal service charge required under Subsection (c)(4) of this section in accordance with the following table:~~

Disposal Service Contract Discount Rate				
SOLID WASTE DISPOSED OF AT THE LANDFILL DURING A CONTRACT YEAR (in tons)		DISCOUNT RECEIVED BASED ON THE CONTRACT TERM (in percentages)		
From	To	1 or 2 Year Contract Term	3 or 4 Year Contract Term	5 Year Contract Term
5,000	9,999	12.28%	13.60%	14.88%
10,000	49,999	17.81%	19.72%	21.58%
50,000	74,999	20.65%	23.55%	29.23%
75,000	99,999	21.58%	25.46%	33.06%
100,000	124,999	22.62%	27.32%	36.83%
125,000	149,999	22.85%	27.78%	37.87%
150,000	199,999	22.97%	28.13%	38.45%
200,000	No maximum	23.20%	28.65%	39.38%

~~————— (6) If the contractor fails to dispose of the annual tonnage of solid waste at the landfill as guaranteed under the contract, the contractor must still pay the discounted disposal service charge for the entire annual tonnage guaranteed.~~

~~————— (7) If the director of sanitation determines that the contractor has disposed of an amount of solid waste at the landfill that exceeds the annual tonnage guaranteed under the contract but does not exceed the maximum annual tonnage limit under Paragraph (2) of this subsection, the director shall charge a disposal service charge for that excess tonnage of solid waste using the same percentage of discount applied to the guaranteed annual tonnage under the contract.~~

~~————— (8) If the director of sanitation determines that the contractor has disposed of solid waste under the contract in a tonnage that exceeds the maximum annual tonnage limit under Paragraph (2) of this subsection, the director:~~

~~————— (A) may prohibit further disposal of solid waste by the contractor at the landfill during the contract year in which the maximum annual tonnage limit is exceeded; and~~

~~————— (B) shall charge the full disposal service charge required by Subsection (c)(4), without any~~

discount, for any solid waste disposed of at the landfill in excess of the contractor's maximum annual tonnage limit.

~~————— (9) Whenever the contractor delivers a load of solid waste to the landfill that is less than one ton, the contractor will be charged the discounted disposal service charge for one ton of solid waste.~~

(c) The director of sanitation may enter into a disposal service contract with a solid waste collection service (as defined in Section 18-29 of this chapter) to provide for volume delivery of solid waste to the landfill on an annual basis for a discounted disposal service charge, subject to the following rules and conditions:

(1) The disposal service contract must be in writing, on a form approved by the director of sanitation and the city attorney's office. The term of the contract may not be longer than five years. The contract must be authorized by administrative action and must be signed by the city manager and approved as to form by the city attorney.

(2) The disposal service contract must provide for a guaranteed annual tonnage of solid waste of not less than 5,000 tons to be disposed of at the landfill. If the landfill weighing system is inoperable during a delivery of solid waste under the contract, the tonnage will be estimated by the city on the basis of the full capacity of the vehicle delivering the solid waste in accordance with Subsection (b)(4).

(3) The director of sanitation is not required to enter into a disposal service contract under this

subsection if the director determines that:

(A) the useful life of the landfill would be adversely affected; or

(B) it is not practical to enter into a proposed disposal service contract for engineering, operational, or financial reasons.

(4) Payment of the disposal service charge under a disposal service contract will be calculated in accordance with the terms of the contract and this subsection. The initial disposal service charge for each solid waste disposal contract entered into pursuant to this subsection will be the disposal service charge in effect under Subsection (b)(2) on the date the contract is executed. On October 1 of each calendar year, the disposal service charge may be increased by the percent change, if any, between the June consumer price index for the current calendar year and the June consumer price index for the prior calendar year, except that the annual increase in the disposal service charge may not exceed six percent during any calendar year. The percent change will be determined by the director using The Consumer Price Index for All Urban Consumers (CPI-U) for the South Region for All Items, 1982-84=100, published by the United States Department of Labor, Bureau of Labor Statistics. This Consumer Price Index adjustment to the disposal service charge will only be applied if there is an equal or greater percentage increase in the disposal service charge in effect under Subsection (b)(2) for the next fiscal year. The contractor must pay the disposal service charge on a monthly basis. At the end of each contract year, the director of sanitation shall perform a reconciliation to determine the actual tonnage of solid waste disposed of at the landfill under the contract in that contract year and to make any adjustments to the amounts finally owed by the contractor.

(5) In consideration of the agreement of a solid waste collection service to guarantee the disposal of an annual tonnage of solid waste at the landfill pursuant to a disposal service contract, consistent with market rates, the director of sanitation may provide a discount from the disposal service charge required under Subsection (c)(4) of this section.

(6) If the contractor fails to dispose of the annual tonnage of solid waste at the landfill as guaranteed under the contract, the contractor must still pay the discounted disposal service charge for the entire annual tonnage guaranteed.

(7) If the director of sanitation determines that the contractor has disposed of an amount of solid waste at the landfill that exceeds the annual tonnage guaranteed under the contract, the director shall charge a disposal service charge for that excess tonnage of solid waste using the same percentage of discount applied to the guaranteed annual tonnage under the contract.

(8) Whenever the contractor delivers a load of solid waste to the landfill that is less than one ton, the contractor will be charged the discounted disposal service charge for one ton of solid waste.

~~— (d) Disposal service charges are payable by any of the following methods:~~

~~— (1) cash at the disposal site;~~

~~— (2) credit or debit cards, under conditions established by the city; or~~

~~— (3) monthly billing for commercial haulers upon approval of the director of sanitation and under such conditions as may be established by the director of sanitation and approved by the city attorney.~~

~~— (e) A person engaged in a special residential cleanup effort may apply to the director of sanitation for a waiver of the disposal service charge. The director of sanitation may approve the application and waive the disposal service charge if the director finds that the cleanup effort is being conducted within a residential area of the city and not for profit.~~

(d) Disposal service charges are payable by any of the following methods:

(1) cash at the disposal site;

(2) credit or debit cards, under conditions established by the city; or

(3) monthly billing for commercial haulers upon approval of the director of sanitation and under such conditions as may be established by the director of sanitation and approved by the city attorney.

(e) A person engaged in a special residential cleanup effort may apply to the director of sanitation for a waiver of the disposal service charge. The director of sanitation may approve the application and waive the disposal service charge if the director finds that the cleanup effort is being conducted within a

residential area of the city and not for profit.

~~— (f) A person who refuses to pay a disposal service charge required by this section or who breaches a term or condition of a disposal service contract entered into under Subsection (c) may not deposit any waste at a city transfer station or landfill site.~~

(f) A person who refuses to pay a disposal service charge required by this section or who breaches a term or condition of a disposal service contract entered into under Subsection (c) may not deposit any waste at a city transfer station or landfill site. (Ord. Nos. 16367; 16697; 17133; 18876; 19300; 20448; 20838; 21058; 21431; 21819; 22206; 22565; 24743; 25754; 26960; 27092; 27203; 27353; 27934; 28019; 29039; 29477; 30215; 30993; 31332; 31396; 31657; 32003; 32310; 32556)

and removed from the premises.

SEC. 18-12. REGULATING THE COLLECTION AND REMOVAL OF ILLEGALLY DUMPED SOLID WASTE MATERIALS ON PRIVATE PREMISES.

(a) In this section:

(1) DIRECTOR means the director of the department designated by the city manager to enforce and administer this section or the director's authorized representative.

(2) PREMISES means the lot, plot, or parcel of land, plus the front or side parkway between the property line or sidewalk and the curb or traveled way, and the rear or side parkway between the property line and the center line of an adjacent alley.

(b) An owner, occupant, or person in control of private premises commits an offense if he places, deposits, or throws; permits to accumulate; or permits or causes to be placed, deposited, or thrown, solid waste material on those premises in a manner or location that is in violation of this article.

(c) City authorized to collect and remove solid waste materials. Upon the failure of the owner, occupant, or person in control of private premises to comply with Subsection (b) of this section, or upon the written request and authorization of the owner after notification under Subsection (d) of this section, or upon a determination by the city health officer that the conditions constitute an immediate health hazard, the director shall have the solid waste materials collected

(b) To obtain a tire business license, a person must submit an application on a form provided for that purpose to the director. The applicant must be the person who will own, control, or operate the tire business. The application must be signed and verified by the applicant and contain all of the following information:

(1) The name, residential mailing address, county of residence, email address, and telephone and facsimile numbers of each owner and operator of the tire business.

(2) The physical address, email address, and telephone number of the tire business.

(3) The approximate number of tires that will be stored on site at the tire business.

(4) If the tire business is located in the city of Dallas, the zoning district or districts where the business is located.

(5) The tax identification number or taxpayer identification number of each owner and operator listed in the license application.

(6) A statement that the tire business is in compliance with the requirements of Section 19-34.1 of this code.

(7) The number and description of vehicles the applicant proposes to use as mobile tire repair units, including the year, make, model, color, vehicle identification number, and state license registration number for each vehicle, and proof that each vehicle is in compliance with state requirements for vehicle registration, vehicle inspection, and vehicle financial responsibility.

(8) The registration or license number of any Texas Commission on Environmental Quality registration or license, if applicable.

(c) A separate tire business license is required for each separate establishment operated as a tire business.

A separate mobile tire repair unit permit is required for each separate vehicle operated as a mobile tire repair unit. Licenses and permits are not transferable between persons, businesses, or vehicles. (Ord. Nos. 25635; 32334)

SEC. 18-57. LICENSE AND PERMIT FEES.

~~—(a) The annual fee for a tire business license is \$58.~~

~~—(b) The annual fee for each mobile tire repair unit permit is \$58.~~

~~—(c) The fee for issuing a duplicate tire business license or mobile tire repair unit permit for one that is lost, stolen, or mutilated is \$9.~~

~~—(d) The applicant shall pay all fees required by this section to the director before a license or permit will be issued. No refund of a fee will be made.~~

(a) The annual fee for a tire business license is \$163.

(b) The annual fee for each mobile tire repair unit permit is \$163.

(c) The fee for issuing a duplicate tire business license or mobile tire repair unit permit for one that is lost, stolen, or mutilated is \$39.

(d) The applicant shall pay all fees required by this section to the director before a license or permit will be issued. No refund of a fee will be made. (Ord. Nos. 25635; 26598; 29879; 31332; 32556)

SEC. 18-58. ISSUANCE, DENIAL, AND DISPLAY OF A LICENSE OR PERMIT; TIRE DISPOSAL RECORDS.

(a) The director shall issue a tire business license to the applicant, unless the director determines that the applicant:

(1) failed to completely fill out an application;

(2) provided false information on an

or as otherwise approved by the director, the certificate of inspection score issued by the director.

(e) A person commits an offense if he, as an owner, landlord, or property manager of a multitenant property, fails to provide each tenant, upon request, with a copy of the rules of the multitenant property.

(f) A person commits an offense if he, as an owner, landlord, or property manager of a multitenant property, operates that property or otherwise allows a dwelling unit in that property to be occupied or leased without employing a full-time manager to oversee the day-to-day operations of the property, if the property has 12 or more units.

(g) It is a defense to prosecution under this section that:

(1) at the time of notice of violation, no dwelling units in the rental property are leased or offered for lease and the owner of the rental property has filed with the director an exemption affidavit on a form provided by the director;

(2) at the time of notice of violation, the owner of the single dwelling unit rental property had rented the property to tenants for a total of no more than 30 consecutive days during the preceding 12 months;

(3) at the time of the notice of violation, the only tenants living in the single dwelling unit rental property are individuals related to the owner by consanguinity or affinity;

(4) at the time of the notice of violation, the owner of a single dwelling unit rental property had a homestead exemption for the property on file with the county appraisal district in which the rental property is located; or

(5) at the time of the notice of violation:

(A) the property was registered as a short-term rental in accordance with Chapter 42B; and

(B) applicable hotel occupancy taxes levied on the property under Articles V and VII of Chapter 44 had been collected and remitted in full. (Ord. Nos. 22205; 22695; 24481; 25522; 30236; 32058; 32473)

SEC. 27-31. REGISTRATION; FEES; RENEWAL.

(a) Rental properties and condominium associations must provide a complete registration to the director annually.

(b) A registration application for a multitenant property, single dwelling unit rental property or condominium association that was not previously required to register must be submitted before the owner leases the property or before any condominium units are occupied.

(c) Rental registration expires one year after the registration date.

(d) The annual registration fee, which includes the initial inspection fee, for a multitenant property is an amount equal to \$6.00 times the total number of dwelling units, whether occupied or unoccupied, in the multitenant property.

~~(e) The annual registration fee for a single dwelling unit rental property is \$43 per single dwelling unit rental property.~~

(e) The annual registration fee for a single dwelling unit rental property is:

(1) \$53 between October 1, 2023 and September 30, 2024 per single dwelling unit rental property.

(2) \$64 between October 1, 2024 and September 30, 2025 per single dwelling unit rental property.

(3) \$74 on or after October 1, 2025 per single dwelling unit rental property.

(f) No refund or prorating of a registration fee will be made.

(g) A registrant shall keep the information

In the application for renewal the registrant shall certify that all information in the then-current registration application is still accurate as of the date of the renewal application or correct any information that is not accurate as of the date of the renewal application. (Ord. Nos. 22205; 22695; 24481; 25522; 26455; 27458; 29306; 29753; 30236; 32058; 32556)

SEC. 27-32. REGISTRATION APPLICATION.

An owner, landlord, or property manager of a condominium association, single dwelling rental unit, or multitenant property must submit to the director a registration application on an electronic form provided for that purpose by the director. The application must contain the following true and correct information:

(1) the name, mailing address, email address, and telephone number for:

(A) the owner of the rental property being registered or the name of the condominium association being registered;

(B) the person or persons who can be contacted 24 hours a day, seven days a week in the event of an emergency condition on the rental property. An emergency condition includes any fire, natural disaster, collapse hazard, burst pipe, lack of working utilities, serious police incident, or other condition that requires an immediate response to avoid or minimize potential harm to the rental property, neighboring property, the occupants of the property, or the public.

(C) if the owner is not a natural person, then an agent, employee, or officer of the owner or condominium association authorized to receive legal notices and service of legal process on behalf of the owner or condominium association, and, in the case of an entity required to be registered with the State of Texas, the registered agent for service of process for the entity;

(D) the holder of any deed of trust or mortgage lien on the rental property being registered;

(E) any insurance carriers providing casualty insurance to the owner covering the rental property or condominium association being registered;

(F) any agent, employee, officer, landlord, property manager, and other person in control of, managing, or operating the rental property or condominium association on behalf of the owner or condominium association; and

(2) if the property being registered is part of a multitenant property or condominium association:

(A) the name, all legal addresses comprising the property, and the main telephone number, if any, of the property;

(B) the number of dwelling units, buildings, and swimming pools located on the property and the total number of bedrooms located on the property (a dwelling unit with no separate bedroom will be counted as one bedroom); and

(C) the name, mailing address, telephone number, and email address for any condominium association applicable to the property;

(3) if the owner of the rental property is not a natural person, the form of the entity, including but not limited to, a corporation, general partnership, limited partnership, trust, or limited liability company, and the state or foreign jurisdiction of organization and registration, if other than the State of Texas, as well as, the name and mailing address for each principal officer, director, general partner, trustee, manager, member, or other person charged with the operation, control, or management of the entity;

(4) a photocopy of the owner's current driver's license or other government-issued personal identification card containing a photograph of the owner, if the owner is a natural person; and

(b) The director shall conduct an inspection of each single dwelling unit rental property at least once every five years. The director may conduct inspections of single dwelling rental properties at any time the director deems necessary when determined to be in the interest of the public health, safety, and welfare. The director, in accordance with Subsection (e) of this section, may allow a single dwelling unit rental property owner to conduct a self-certification inspection of the property.

(c) The inspections conducted pursuant to this section are in addition to any inspections conducted under Section 27-5 of this chapter.

~~— (d) The director may use a property condition assessment tool to determine the frequency and the scope of graded inspections. If a property fails its graded inspection, or if the graded inspection reveals a condition the director determines to be a nuisance, the owner will be assessed fee for all subsequent inspections of the property conducted for the purposes of determining whether the owner has abated the nuisance or cured the deficiencies noted in the graded inspection. Inspection fees will be assessed as follows:~~

~~— (1) For a multitenant property, a re-inspection of the exterior and any common area(s): \$20 for each separate structure inspected.~~

~~— (2) For a multitenant property, re-inspection of the interior: \$46 for each unit actually re-inspected.~~

~~— (3) For re-inspection of a single dwelling unit rental property: \$43 per single dwelling unit rental property.~~

(d) The director may use a property condition assessment tool to determine the frequency and the scope of graded inspections. If a property fails its graded inspection, or if the graded inspection reveals a condition the director determines to be a nuisance, the owner will be assessed fee for all subsequent inspections of the property conducted for the purposes of determining whether the owner has abated the nuisance or cured the deficiencies noted in the graded inspection. Inspection fees will be assessed as follows:

(1) For a multitenant property, a re-inspection of the exterior and any common area(s): \$114 for each separate structure inspected.

(2) For a multitenant property, re-inspection of the interior: \$96 for each unit actually re-inspected.

(3) For re-inspection of a single dwelling unit rental property: \$43 per single dwelling unit rental property.

(4) For a multitenant property, a re-inspection of swimming pool: \$74 for each swimming pool re-inspected.

(e) The following process is required to qualify for the voluntary self-certification process for rental properties deemed eligible by the director:

(1) Single dwelling unit and multitenant registrants, property owners, or authorized agents:

(A) may choose a self-certification inspection at the time of application and payment for rental registration;

(B) shall at the commencement of any tenancy, but prior to occupancy by the tenant, conduct an interior and exterior inspection of each rental unit and correct any deficiencies;

(C) shall have the tenant sign the director approved inspection form upon the completion of every inspection;

(D) shall, if deemed eligible by the director, conduct annual inspections of each rental unit;

(E) shall maintain director approved self-inspection forms for no less than five years from the date any tenant vacates the property;

(F) shall provide inspection forms to the director within 72 hours of a request from the director;

(G) shall provide a copy of all inspection forms and results required in this subsection to the tenant no later than 10 calendar days after the inspection is completed; and

(H) shall provide tenants with information concerning tenants' rights and responsibilities on a form approved by the director prior to the commencement of any tenancy.

(2) The director may conduct random audits of rental registrations to determine compliance with the self-certification inspection provisions. If the director determines the owner is not compliant with the self-certification inspections, all rental units that were subject to the self-certification is subject to inspection by the director using the approved form.

~~—(f) For failure to have or display, at any time, required documentation, including, but not limited to, permits, notices, licenses, records, or certificates of occupancy, the fee is \$86 multiplied by the total number of units in multitenant property.~~

(f) For failure to have or display, at any time, required documentation, including, but not limited to, permits, notices, licenses, records, or certificates of occupancy, the fee is \$146 multiplied by the total number of units in multitenant property.

(g) The director shall provide the lists of the current graded inspection scores and approved self-certified inspections for all registered rental multitenant properties on the city's website. (Ord. Nos. 22205; 22695; 24481; 25522; 26598; 27185; 27695; 29879; 30236; 31332; 32058; 32556)

**SEC. 27-42.1. REVOCATION OF
CERTIFICATE OF
OCCUPANCY.**

Where a multitenant property is used or maintained in a manner that poses a substantial danger of injury or an adverse health impact to any person or property and is in violation of this ordinance, the Dallas Development Code, other city ordinances, rules or regulations, or any local, state, or federal laws or regulations, the director may ask the building official to revoke the multitenant property's certificate of occupancy. (Ord. 30236)

**SEC. 27-43. CRIME PREVENTION
ADDENDUM REQUIRED.**

(a) The owner of a multitenant property shall require that every lease or rental agreement, or renewal of a lease or rental agreement, executed after September 1, 2004 include a crime prevention addendum complying with this section.

(b) The owner of a single dwelling unit rental property shall require that every lease or rental agreement, or renewal of a lease or rental agreement, executed after January 1, 2017, include a crime prevention addendum complying with this section.

(c) The crime prevention addendum must include the following information:

(1) The name, date of birth, driver's license number (or, if the person does not have a driver's license, the number on any other government-issued personal identification card containing a photograph of the person), and signature of the tenant named in the

lease or rental agreement and, if the tenant will not be occupying the rental property, the name, date of birth, driver's license number (or, if the person does not have a driver's license, the number on any other government-issued personal identification card containing a photograph of the person), and signature of the tenant or tenants who will be occupying the property. The signatures required on the crime prevention addendum must be separate and apart from the signatures used to execute other provisions of the lease or rental agreement.

(2) A statement advising the tenant or tenants that the owner of the rental property will initiate eviction proceedings if the tenant, or any guest or co-occupant of the tenant, engages in any abatable criminal activity on the premises of the rental property, as described in Subsection (d) of this section.

(d) For purposes of this section, an abatable criminal activity includes robbery or aggravated robbery; aggravated assault; murder; prostitution; criminal gang activity; discharge of firearms; gambling; illegal manufacture, sale, or use of drugs; illegal manufacture or sale of alcoholic beverages; and other crimes listed in Chapter 125 of the Texas Civil Practice and Remedies Code, as amended.

(e) It is a defense to prosecution under Subsection (a) of this section that the owner of the multitenant property used a Texas Apartment Association lease contract for the lease or lease renewal. (Ord. Nos. 25522; 25774; 30236)

**SEC. 27-44. ATTENDANCE AT CRIME
WATCH SAFETY MEETINGS.**

(a) The owner of a multitenant property shall attend at least four crime watch meetings each calendar year. The meetings attended must be held by crime watch organizations consisting of business owners, single-family residential property owners, or managers, employees, or tenants of multifamily dwellings, or any combination of those groups, gathered for the purpose of improving the quality of

SEC. 28-130. GENERAL AUTHORITY AND DUTY OF DIRECTOR.

~~—(a) The director of court and detention services shall implement and enforce the provisions of this division relating to hearing officers, administrative adjudication hearing procedures, and appeals and may by written order establish such rules or regulations, not inconsistent with this division, as the director determines are necessary to discharge the director's duty under or to effect the policy of this division.~~

(a) The director of Dallas municipal court shall implement and enforce the provisions of this division relating to hearing officers, administrative adjudication hearing procedures, and appeals and may by written order establish such rules or regulations, not inconsistent with this division, as the director determines are necessary to discharge the director's duty under or to effect the policy of this division.

(b) The director of transportation shall implement and enforce the provisions of this division relating to the issuance, service, and enforcement of parking citations and the collection of fines and costs and may by written order establish such rules or regulations, not inconsistent with this division, as the director determines are necessary to discharge the duty of the director under or to effect the policy of this division. (Ord. Nos. 14584; 20012; 21612; 27697; 30654; 32557)

SEC. 28-130.1. HEARING OFFICERS; POWERS, DUTIES, AND FUNCTIONS.

(a) Hearing officers shall be appointed by the city manager, or a designated representative, to administratively adjudicate all parking violations for which a parking citation has been issued under this chapter or under Chapter 32 of this code.

(b) Hearing officers shall have the following powers, duties, and functions:

(1) To administer oaths.

(2) To accept admissions to, and to hear and determine contests of, parking violations under this chapter.

(3) To issue orders compelling the attendance of witnesses and the production of documents, which orders may be enforced by a municipal court.

(4) To assess fines, penalties, and other costs for a parking violation in accordance with Section 28-130.9 of this chapter.

(5) To waive penalties assessed for a parking violation in accordance with Section 28-130.9 of this chapter.

(6) To preside over, hear evidence, and make findings at immobilization/impoundment hearings in accordance with this chapter. (Ord. Nos. 20012; 21612)

SEC. 28-130.2. PARKING CITATIONS; FORM.

(a) A parking citation serves as the summons and complaint for purposes of this division.

(b) A parking citation must be on a form prescribed by the director of transportation and must include the following information:

(1) the nature, date, time, and location of the alleged parking violation and the meter number, if applicable;

(2) the state license plate number of the illegally parked vehicle, or if not visible or legible, the vehicle identification number or the brake inspection tag number;

(3) the make of the illegally parked vehicle;

(4) the date, time, and location of the administrative adjudication hearing, to be set not later than 15 calendar days after the date of issuance of the parking citation;

(c) Failure of the person charged to proceed with an adjudication by mail after requesting and receiving permission to adjudicate by mail is an admission by the person charged of liability for the parking violation and shall subject the person who requested the adjudication by mail to the appropriate civil fines, penalties, and costs assessed by the hearing officer.

(d) If a hearing officer determines that an adjudication cannot proceed by mail, the hearing officer shall advise the person charged by first class mail that the person must appear to answer the charge at a hearing. (Ord. Nos. 20012; 21612)

SEC. 28-130.7. HEARINGS FOR DISPOSITION OF A PARKING CITATION; PARKING CITATION AS PRIMA FACIE EVIDENCE.

(a) Every hearing for the adjudication of a parking violation charge under this chapter shall be held before a hearing officer.

(b) At a hearing, the parking citation is prima facie proof of its contents and the officer or other authorized person who issued the parking citation is not required to be present; except, that the issuing officer or other authorized person shall be present at a scheduled administrative adjudication hearing if requested by the person charged or by the hearing officer.

(c) At a hearing, the hearing officer shall hear and consider evidence presented by the city and by the person charged. The formal rules of evidence do not apply to a hearing under this division, and the hearing officer shall make a decision based upon a preponderance of the evidence presented at the hearing, after giving due weight to all presumptions and prima facie evidence established by this division or other applicable law.

(d) At the conclusion of an instant or a scheduled administrative adjudication hearing, the hearing officer shall immediately render an order or decision, either by:

(1) finding the person charged liable for the parking violation, assessing the applicable civil fine and any penalties and other costs in accordance with this division, and notifying the person of the right to appeal to municipal court; or

(2) finding the person charged not liable for the parking violation.

~~—(e) An order of a hearing officer must be filed with the city department of court and detention services, in a separate index and file. The order may be recorded using computer printouts, microfilm, microfiche, or other digital retention methods.~~

(e) An order of a hearing officer must be filed with the city department of Dallas municipal court, in a separate index and file. The order may be recorded using computer printouts, microfilm, microfiche, or other digital retention methods. (Ord. Nos. 20012; 21612; 22026; 28424; 30239; 32557)

SEC. 28-130.8. FAILURE TO ANSWER A PARKING CITATION OR APPEAR AT A HEARING.

(a) The failure of any person charged with a parking violation to answer to the charge within 15 calendar days after the date of issuance of the parking citation or to appear at any hearing, including a hearing on appeal, when required to appear is an admission of liability for the parking violation, and the hearing officer, or the municipal court in the case of an appeal, shall issue an order of liability and assess against the person charged with the violation the appropriate civil fines, penalties, and other costs.

(b) Within seven calendar days after filing an order of liability issued under this section, a hearing officer shall notify the registered owner or operator of

(3) through no fault of the owner, notice of the unresolved parking violations was never received as required by this article;

(4) one or more citations for the unresolved parking violations are defective and, if dismissed, would leave no more than two unresolved parking violations within the calendar year; or

(5) at the time of immobilization or impoundment of the vehicle, the registered owner had no more than two unresolved parking violations within the calendar year.

(f) The determination of the hearing officer at the immobilization/impoundment hearing is final and is not subject to appeal.

(g) If the hearing officer determines that immobilization or impoundment of a vehicle was not valid, all fees paid for immobilization, towage, storage, and impoundment of the vehicle and any other amount paid to redeem the vehicle shall be refunded, including any fines, penalties, and costs for any parking violation that the hearing officer determines should not have been considered in counting parking violations for the purposes of immobilizing or impounding the vehicle. Any fines, penalties, and costs paid for a parking violation for which the registered owner was liable will not be refunded. (Ord. 21612)

SEC. 28-130.12. APPEAL FROM HEARING.

~~—(a) A person determined by a hearing officer, at either an instanter or scheduled administrative adjudication hearing or by failure to answer a parking citation or appear at a hearing in the time required, to be liable for a parking violation may appeal this determination to the municipal court by filing a petition, along with a filing fee of \$15, with the municipal court clerk or a deputy clerk within 30 calendar days after the hearing officer's order is filed with the department of court and detention services. If the hearing officer's order is reversed, the \$15 filing fee shall be returned by the city to the appellant.~~

(a) A person determined by a hearing officer, at either an instanter or scheduled administrative adjudication hearing or by failure to answer a parking citation or appear at a hearing in the time required, to be liable for a parking violation may appeal this

determination to the municipal court by filing a petition, along with a filing fee of \$15, with the municipal court clerk or a deputy clerk within 30 calendar days after the hearing officer's order is filed with the department of Dallas municipal court. If the hearing officer's order is reversed, the \$15 filing fee shall be returned by the city to the appellant.

(b) Upon receipt of an appeal petition, the municipal court clerk or deputy clerk shall schedule an appeal hearing and notify all parties of the date, time, and location of the hearing. The officer or other authorized person who issued the parking citation is not required to be present at the appeal hearing unless requested by the person charged or by the municipal court.

(c) The appeal hearing must be a trial de novo in municipal court and is a civil proceeding for the purpose of affirming or reversing the hearing officer's order. The person filing the appeal may request that the hearing be held before a jury. The decision from the municipal court is final.

(d) Service of notice of appeal under this section does not stay the enforcement and collection of any order of a hearing officer, unless the person filing the appeal pays to the director of transportation an amount equal to all civil fines, penalties, and costs assessed against the person charged. The director of transportation shall issue a receipt for any amounts paid under this subsection. After presentation of the receipt, all amounts paid will be refunded if the hearing officer's order is overturned on appeal. (Ord. Nos. 20012; 21194; 21612; 22026; 27697; 28424; 30239; 30654; 32557)

**SEC. 28-130.13. DISPOSITION OF FINES,
PENALTIES, AND COSTS.**

(a) Except as provided in Subsection (b) of this section, all fines, penalties, and costs assessed under this division must be paid into the city's general fund for the use and benefit of the city.

(b) All court costs assessed under Section 28-130.9(f) of this chapter must be deposited into the municipal child safety fund established under Chapter 106 of the Texas Local Government Code. (Ord. Nos. 20012; 21004; 21612; 26309)

(13) SHORT-TERM RENTAL means a full or partial rentable unit containing one or more kitchens, one or more bathrooms, and one or more bedrooms that is rented to occupants for fewer than 30 consecutive days or one month, whichever is less, per rental period. (Ord. 32473)

SEC. 42B-2. AUTHORITY OF DIRECTOR.

The director shall implement and enforce this chapter and may by written order establish such rules, regulations, or procedures, not inconsistent with this chapter or other city ordinances, and state or federal law, as the director determines are necessary to discharge any duty under or to affect the policy of this chapter. (Ord. 32473)

SEC. 42B-3. ESTABLISHMENT OF RULES AND REGULATIONS.

(a) Before adopting, amending, or abolishing a rule, the director shall hold a public hearing on the proposal.

(b) The director shall fix the time and place of the hearing and, in addition to the notice required under the Open Meetings Act (Chapter 551, Texas Government Code), as amended, shall notify each owner, host, hosting platform, and such other persons as the director determines are interested in the subject matter of the hearing.

(c) After the public hearing, the director shall notify all owners, hosts, hosting platforms, and other interested persons of the director's action and shall post an order adopting, amending, or abolishing a rule on the official bulletin board in city hall for a period of not fewer than 10 days. The order becomes effective immediately upon expiration of the posting period. (Ord. 32473)

SEC. 42B-4. SHORT-TERM RENTAL REGISTRATION AND POSTING REQUIREMENTS.

(a) A person commits an offense if he owns or operates a short-term rental without a valid short-term rental registration issued under this chapter.

(b) A person other than a hosting platform commits an offense if the person advertises a property for rent as a short-term rental without a valid short-term rental registration issued under this chapter.

(c) The owner and host of a short-term rental commits an offense if he fails to post the following in a conspicuous place in a common area of the property or as otherwise approved by the director:

(1) the short-term rental certificate of occupancy; and

(2) the certificate of registration for short-term rental. (Ord. 32473)

SEC. 42B-5. SHORT-TERM RENTAL REGISTRATION; FEES; RENEWAL.

~~—(a) Each short-term rental lodging use must be separately registered.~~

~~—(b) A short-term rental registration expires on the earlier of:~~

~~—(1) one year after the registration date, or~~

~~—(2) when ownership of the property changes.~~

~~—(c) The annual registration fee for a short-term rental is \$404.00.~~

~~—(d) The registration fee is nonrefundable. The registration fee may not be prorated or applied to another property.~~

(a) Each short-term rental lodging use must be separately registered.

(b) A short-term rental registration expires on the earlier of:

(1) one year after the registration date, or

(2) when ownership of the property changes.

(c) The annual registration fee for a short-term rental is \$248.00.

(d) The registration fee is nonrefundable. The registration fee may not be prorated or applied to another property.

~~—(e) The initial inspection fee is included in the annual registration fee. If a property must be reinspected, the reinspection fee is \$234.00.~~

~~—(f) A host shall keep the information contained in its registration application current and accurate. If there is any change in the application information, the host shall notify the director in writing within 10 days of the changes of information.~~

~~—(g) A registration may be renewed by making application for a renewal in accordance with this chapter on a form provided by the director. In the application for renewal, the host shall certify that all information in the then-current registration application is still accurate as of the date of the renewal application or otherwise correct any information that is not accurate as of the date of the renewal application.~~

(e) The initial inspection fee is included in the annual registration fee. If a property must be reinspected, the reinspection fee is \$144.00.

(f) A host shall keep the information contained in its registration application current and accurate. If there is any change in the application information, the host shall notify the director in writing within 10 days of the changes of information.

(g) A registration may be renewed by making application for a renewal in accordance with this chapter on a form provided by the director. In the application for renewal, the host shall certify that all information in the then-current registration application is still accurate as of the date of the renewal application or otherwise correct any information that is not accurate as of the date of the renewal application. (Ord. Nos. 32473; 32556)

SEC. 42B-6. SHORT-TERM RENTAL REGISTRATION APPLICATION.

To obtain a registration to operate a short-term rental, a person must submit a complete application to the director on a form provided for that purpose. If the applicant is not an individual, an authorized officer or agent of the applicant must file the form. The application must contain the following information and be accompanied by the annual registration fee required under Section 42B-5 before it is considered complete:

(1) The name, mailing address, and telephone number for:

(A) the owner;

(B) the host;

(C) the local responsible party;

(D) if the owner of the short-term rental is not a natural person, then an agent, employee, or officer of the owner authorized to receive legal notices and service of legal process on behalf of the owner, and

an owner as manager of operations of a pool is not certified, he shall attend and successfully complete the next training course conducted after his designation.

~~—(b) The certification of a manager of operations expires two years from the date of certification and a manager must repeat the training course to maintain certification. The fee for the training course and certificate is \$25.—~~

(b) The certification of a manager of operations expires two years from the date of certification and a manager must repeat the training course to maintain certification. The fee for the training course and certificate is \$50. (Ord. Nos. 15256; 18411; 20612; 25048; 29879; 31332; eff. 10/1/19; 32556)

SEC. 43A-19. OPERATION OF A POOL.

(a) A manager of operations, a manager of premises on which a public or semi-public pool is located, or the owner of a public or semi-public pool shall not:

(1) knowingly permit a condition to exist that endangers the life, health, or safety of a swimmer or that violates a provision of this article;

(2) knowingly permit a person to swim in a pool who has skin abrasions, open sores, cuts, skin disease, eye disease, nasal or ear discharge, or communicable disease;

(3) knowingly allow dogs within a pool area or enclosure;

(4) fail to post placards containing pool regulations and instructions in conspicuous places within a pool area or enclosure;

(5) fail to maintain a pool in accordance with the standards of health and safety provided in Sections 43A-20 and 43A-21;

(6) knowingly violate or permit any person to violate the regulations regarding food, beverages, and trash containers in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Section 202, as amended; or

(7) knowingly violate or permit any person to violate the lifeguard training and personnel requirements in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsection 265.199(g), as amended.

(b) A manager of operations, a manager of premises on which a public or semi-public pool is located, and the owner of a public or semi-public pool must also comply with the pool and spa standards in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsections 265.203(a)-(l), as amended. (Ord. 15256; 16271; 30090)

SEC. 43A-20. QUALITY OF WATER; PUBLIC AND SEMI-PUBLIC POOLS.

(a) Water quality. A manager of operations, a manager of premises on which a public or semi-public pool is located, and the owner of a public or semi-public pool must comply with the water quality standards in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsection 265.204 and Figure 265.204(a), as amended.

(b) Disinfectant. In a public or semi-public pool disinfectant capable of killing bacteria and algae, but not harmful to humans, shall be added to the pool water through a continuous feed machine. If chlorine or bromine is used, a residual level shall be maintained consistent with the levels in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsection 265.204 and Figure 265.204(a), as amended.

(c) Algae. A public or semi-public pool must be kept free of algae.

(d) Circulation. The recirculation system of a public or semi-public pool must be in operation at all times.

(e) Heating. Hot water must not enter a public or semi-public pool at a temperature exceeding 110 degrees Fahrenheit.

(5) the vacant building or vacant lot is owned by the city of Dallas, the State of Texas, or the United States government or is a site primarily utilized as farm or agricultural land. (Ord. 32145)

SEC. 48B-20. REGISTRATION APPLICATION.

(a) To obtain a certification of registration for a vacant building or vacant lot under this article, a person must submit an application on a form provided for that purpose to the director. The applicant must be the person who will own, control, or operate the vacant building or vacant lot. The application must contain all of the following information:

(1) The name, street address, mailing address, email address, and telephone number of the applicant and the applicant's authorized agent, if applicable.

(2) The name, street address, email address, and telephone number of a person or person to contact in an emergency as required by Section 48B-28 of this chapter.

(3) The number of buildings (including vacant and occupied buildings, dwelling units, swimming pools, and spas located in or on the premises of the vacant building). (Ord. 32145)

SEC. 48B-21. REGISTRATION FEE AND INSPECTION CHARGE.

~~(a) The fee for a certificate of registration for a vacant building or vacant lot is as follows:~~

~~(1) Basic property registration is \$51.00~~

~~(2) Problem property registration is \$149.00~~

(a) The fee for a certificate of registration for a vacant building or vacant lot is as follows:

(1) Basic property registration is \$124.00

(2) Problem property registration is \$196.00.

~~(b) When a vacant lot or vacant building is classified as a problem property, the owner of the property may be subject to monthly monitoring and~~

~~inspections for the purpose of enforcing and ensuring~~

~~compliance with this section and other applicable regulations. A separate fee of \$171 will be assessed each time the property is inspected and a property maintenance violation is present. The inspection fee will be assessed when:~~

~~—————(1) responding to a complaint received by code compliance and a property maintenance violation is present;~~

~~—————(2) performing a 30-day monitoring inspection and a property maintenance violation is present; or~~

~~—————(3) performing a reinspection of the property and the property maintenance violation has not been corrected.~~

(b) When a vacant lot or vacant building is classified as a problem property, the owner of the property may be subject to monthly monitoring and inspections for the purpose of enforcing and ensuring compliance with this section and other applicable regulations. A separate fee of \$219 will be assessed each time the property is inspected and a property maintenance violation is present. The inspection fee will be assessed when:

(1) responding to a complaint received by code compliance and a property maintenance violation is present;

(2) performing a 30-day monitoring inspection and a property maintenance violation is present; or

(3) performing a reinspection of the property and the property maintenance violation has not been corrected. (Ord. Nos. 32145; 32556)

SEC. 48B-22. ISSUANCE, DENIAL, AND DISPLAY OF CERTIFICATE OF REGISTRATION.

(a) Upon payment of all required fees, the director shall issue a certificate of registration for a vacant building or vacant lot to the applicant if the director determines that:

(1) the applicant has complied with all requirements for issuance of the certificate of registration;

(2) the applicant has not made a false

statement as to a material matter in an application of a certification of registration; and

(3) the applicant has no outstanding fees under this chapter.

(b) A certificate of registration issued under this section must be displayed to the public in a manner and location approved by the director. The certificate of registration must be presented upon request by the director or to a peace officer for examination. (Ord. 32145)

(2) a wholesale service contract involving a governmental entity;

(3) a contract by which the city receives water or wastewater service; and

(4) any service contract otherwise required by state law, city charter, or other provisions of this chapter, to be approved by city council.

(b) Consideration. The consideration received by the city for a service contract must be based on the rates prescribed in this chapter. However, the city council may approve a special-rate contract for wholesale water or wastewater service where it determines rates in this chapter to be discriminatory or unreasonable under the circumstances. (Ord. 19201)

SEC. 49-18.1. RATES FOR TREATED WATER SERVICE.

(a) Form of rate. The monthly rate for treated water service to a customer consists of:

(1) a customer charge; and

(2) a usage charge.

(b) Billing cycle. In this section, water used per month is based upon the billing cycle of the department.

(c) Rate tables. The director shall charge customers for treated water service in accordance with the following tables:

(1) Water Service Customer Charges.

<u>METER SIZE</u>	<u>RATE PER METER</u>
5/8-inch meter	\$5.65
3/4-inch meter	\$7.96
1-inch meter	\$11.60
1-1/2-inch meter	\$21.53
2-inch meter	\$35.03
3-inch meter	\$82.88
4-inch meter	\$136.28
6-inch meter	\$270.63
8-inch meter	\$450.46
10-inch meter or larger	\$691.68

<u>METER SIZE</u>	<u>RATE PER METER</u>
5/8-inch meter	\$5.79
3/4-inch meter	\$8.16
1-inch meter	\$11.89
1-1/2-inch meter	\$22.07
2-inch meter	\$35.91
3-inch meter	\$84.98
4-inch meter	\$139.70
6-inch meter	\$277.42
8-inch meter	\$462.20
10-inch meter or larger	\$709.10

(2) Usage Charge—Rate Per 1,000 Gallons.

<u>TYPE OF USAGE</u>		
(A)	<u>Residential:</u>	
(i)	Up to 4,000 gallons	\$1.99
(ii)	4,001 to 10,000 gallons	\$4.33
(iii)	10,001 to 20,000 gallons	\$7.07
(iv)	20,001 to 30,000 gallons	\$10.08
(v)	Above 30,000 gallons	\$11.72
(B)	<u>General service:</u>	
(i)	Up to 10,000 gallons	\$4.70
(ii)	Above 10,000 gallons	\$5.16

(iii)	Above 10,000 gallons and 1.4 times annual average monthly usage	\$7.85
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TYPE OF USAGE

(A) Residential:

(i)	Up to 4,000 gallons	\$2.03
(ii)	4,001 to 10,000 gallons	\$4.44
(iii)	10,001 to 20,000 gallons	\$7.26
(iv)	20,001 to 30,000 gallons	\$10.34
(v)	Above 30,000 gallons	\$12.03

(B) General service:

(i)	Up to 10,000 gallons	\$4.83
(ii)	Above 10,000 gallons	\$5.31
(iii)	Above 10,000 gallons and 1.4 times annual average monthly usage	\$8.05

(d) Applicability of rates to meters. The charges for water service in Subsection (c) of this section apply to each meter that exists at a customer's premises. A customer may request removal of inactive meters to combine services through a single meter. If, within one year, a customer requests removal and restoration of a meter that is used for lawn sprinkling, air conditioning, or other seasonal purposes, the customer shall pay a reconnection charge that is equal to the monthly customer charge in Subsection (c) of this section multiplied by the number of months the service was discontinued.

(e) Rates where no meter exists. If a customer is without a meter, the minimum usage charge per month is based upon the average monthly usage for a customer in the same service class at the rate specified in Subsection (c) of this section. The customer charge is based upon the size of the service line at the property.

(f) Election for certain general water service customers. A general water service customer inside the city who uses at least 1,000,000 gallons of water per month may elect, in writing, to be assessed the special charges under this subsection instead of the regular general service rate, according to the following conditions:

~~_____ (1) The customer must agree to pay each year:~~

~~_____ (A) the monthly customer charge as provided in Subsection (c);~~

~~_____ (B) \$2,866.70 per month as a usage charge on the first 1,000,000 gallons used in a billing period; and~~

~~_____ (C) \$4.51 per 1,000 gallons used in excess of 1,000,000 gallons per month.~~

(1) The customer must agree to pay each year:

(A) the monthly customer charge as provided in Subsection (c);

(B) \$2,953.56 per month as a usage charge on the first 1,000,000 gallons used in a billing period; and

(C) \$4.65 per 1,000 gallons used in excess

of 1,000,000 gallons per month.

(2) The customer must agree that consumption billed during any billing period ending in May, June, July, August, September, and October will not exceed 1.5 times the average monthly consumption billed in the previous winter months of December through March.

(3) To be eligible for the special rate, a customer's maximum hourly water usage during a seven-day period must not be greater than seven times the average hourly usage rate for the same seven-day period.

(4) If a customer's usage of water exceeds the amounts allowed under Subsection (f)(2) or (f)(3), the customer will be notified that the customer will be billed at the regular usage charge stated in Subsection (c) for a minimum of 12 months, and such additional time until the customer can demonstrate to the satisfaction of the director that the requirements of Subsection (f)(2) and (f)(3) can be maintained.

(5) The director may grant a variance to Subsection (f)(4) where special circumstances warrant.

~~(g) Adjusted rates for hidden water leaks. When a customer experiences a substantial increase in water or wastewater usage from a hidden water leak and the customer meets the requirements of Section 49-9(e), the director will adjust the account and bill the customer.~~

~~(1) an estimated amount of normal water usage for the period at the regular rate;~~

~~(2) the excess water usage caused by the hidden leak at the following applicable rate:~~

(g) Adjusted rates for hidden water leaks. When a customer experiences a substantial increase in water or wastewater usage from a hidden water leak and the customer meets the requirements of Section 49-9(e), the director will adjust the account and bill the customer.

(1) an estimated amount of normal water usage for the period at the regular rate;

(2) the excess water usage caused by the hidden leak at the following applicable rate:

and

~~(3) the applicable wastewater rate prescribed in Section 49-18.2(c), based on an adjustment of wastewater volume to estimated normal volume, where adjustment is appropriate.~~

(3) the applicable wastewater rate prescribed in Section 49-18.2(c), based on an adjustment of wastewater volume to estimated normal volume, where adjustment is appropriate.

TYPE OF USAGE		RATE PER 1,000 GALLONS
(A)	Residential	\$1.99
(B)	General service	\$4.70
(C)	Optional general service	\$4.51
(D)	Municipal service	\$3.10
(A)	Residential	\$2.03
(B)	General service	\$4.83
(C)	Optional general service	\$4.65
(D)	Municipal service	\$3.19

(h) Billing based on full month. If a customer requests discontinuance of service at an address where uninterrupted service was provided for a period of time so short that the only bill for services rendered would be the final bill, such billing will be computed as though service had been furnished for a full billing month.

~~(i) Rates for municipal purpose water service. Water service to property owned by the city of Dallas that is used solely for municipal purposes may be charged \$3.10 per 1,000 gallons of water used.~~

(i) Rates for municipal purpose water service. Water service to property owned by the city of Dallas that is used solely for municipal purposes may be charged \$3.19 per 1,000 gallons of water used. (Ord. Nos. 19201; 19300; 19682; 20077; 20449; 20737; 21061; 21430; 21824; 22208; 22564; 23289; 23670; 24050; 24744; 25385; 25755; 26135; 26479; 26961; 27355; 27698; 28025; 28426; 28795; 29150; 29479; 29879; 30215; 30653; 30993; 31332; 31657; 32003; 32310; 32556)

SEC. 49-18.2. RATES FOR WASTEWATER SERVICE.

(a) Form of rate. The monthly rate for wastewater service to a customer consists of:

- (1) a customer charge;
- (2) a usage charge; and
- (3) a surcharge for excessive concentration of wastes, if applicable.

(b) Billing cycle. In this section, water used per month is based upon the billing cycle of the department.

(c) Rate tables. The director shall charge a customer for wastewater service in accordance with the following tables:

Wastewater Service Charges.

(1) Monthly customer charges.

<u>METER SIZE</u>	<u>RATE PER METER</u>
5/8-inch meter	\$5.07
3/4-inch meter	\$6.74
1-inch meter	\$10.00
1-1/2-inch meter	\$19.25
2-inch meter	\$31.75
3-inch meter	\$74.00
4-inch meter	\$117.00
6-inch meter	\$232.45
8-inch meter	\$387.10
10-inch meter or larger	\$609.00
5/8-inch meter	\$5.21
3/4-inch meter	\$6.91
1-inch meter	\$10.26
1-1/2-inch meter	\$19.73
2-inch meter	\$32.54
3-inch meter	\$75.85
4-inch meter	\$119.90
6-inch meter	\$238.20
8-inch meter	\$396.77
10-inch meter or larger	\$623.90

~~(2) Monthly residential use charge: \$5.67 per 1,000 gallons of the average water consumption billed in the months of December, January, February, and March or the actual month's water consumption, whichever is less, up to a maximum charge of 40,000 gallons per month.~~

~~(3) Monthly general service usage charge: \$4.81 per 1,000 gallons of water used.~~

~~(4) Monthly usage charge for Section 49-18.1(f) customer: \$4.44 per 1,000 gallons of water used.~~

~~(5) Monthly general service usage charge for wastewater separately metered: \$4.49 per 1,000~~

~~gallons of wastewater discharged.~~

~~(6) Monthly surcharge for excessive concentrations of waste: an amount calculated in accordance with Sections 49-18.12, 49-48 and 49-49 of this chapter.~~

(2) Monthly residential use charge: \$5.87 per 1,000 gallons of the average water consumption billed in the months of December, January, February, and March or the actual month's water consumption, whichever is less, up to a maximum charge of 40,000 gallons per month.

(3) Monthly general service usage charge: \$4.96 per 1,000 gallons of water used.

(4) Monthly usage charge for Section 49-18.1(f) customer: \$4.56 per 1,000 gallons of water used.

(5) Monthly general service usage charge for wastewater separately metered: \$4.61 per 1,000 gallons of wastewater discharged.

(6) Monthly surcharge for excessive concentrations of waste: an amount calculated in accordance with Sections 49-18.12, 49-48, and 49-49 of this chapter.

~~(7) Monthly surcharges for excessive concentrations of waste for wastewater separately metered: An amount calculated in accordance with Sections 49-18.12, 49-48 and 49-49 of this chapter.~~

(7) Monthly surcharges for excessive concentrations of waste for wastewater separately metered: An amount calculated in accordance with Sections 49-18.12, 49-48, and 49-49 of this chapter.

(d) Where residential water service is not used. If a residential customer does not receive water service solely from the city, the director shall estimate water used per month to determine the usage charge in Subsection (c).

(e) Where general water service is not used. If a general service customer does not receive water service solely from the city, the customer must install and maintain, at the customer's expense, adequate meters that measure total water usage from other sources and that meet American Water Works Association standards. The customer must pay an additional customer charge of \$10.00 per month for each meter, regardless of size, installed under this subsection. When a meter is inaccurate, the director may estimate water usage.

~~(f) Rates for municipal purpose wastewater service. Wastewater service to property owned by the city of Dallas that is used solely for municipal purposes may be charged \$3.15 per 1,000 gallons of water used.~~

(f) Rates for municipal purpose wastewater service. Wastewater service to property owned by the city of Dallas that is used solely for municipal purposes may be charged \$3.22 per 1,000 gallons of water used.

(Ord. Nos. 19201; 19300; 19682; 20077; 20737; 21061; 21430; 21824; 22208; 22564; 23289; 23670; 24050; 25385; 25755; 26135; 26479; 26961; 27355; 27698; 28025; 28426; 28795; 29150; 29479; 29879; 30215; 30653; 30993; 31332; 31657; 32003; 32310; 32556)

SEC. 49-18.3. GENERAL SERVICE: SEPARATE BILLING.

(a) Conditions of separate billing. A general service customer inside the city may receive separate bills for water service and wastewater service if he installs and maintains, at his expense, meters or other liquid measuring devices that are accurate and approved by the director to measure:

(1) total wastewater discharged directly into the wastewater system from the premises; or

(2) water losses from activities involving setting. evaporation, irrigation or water consumed in products, as illustrated by, but not limited to, cooling towers, boilers, lawn watering systems, or food products.

(b) Customer charge. A customer who chooses to be billed under this section must pay an additional customer charge of \$60.00 per month for each meter installed pursuant to this section, regardless of the size of the meter.

(c) Where meter is inaccurate. When a meter installed pursuant to this subsection is inaccurate, the director may estimate usage or discharge. If a customer fails to repair or replace an inaccurate meter, the director shall bill the customer for the usage charge in Section 49-18.2(c)(3) or (4), whichever is applicable. (Ord. Nos. 19201; 21430; 25385; 26961; 28795; 32003)

SEC. 49-18.4. RATES FOR WHOLESALE WATER AND WASTEWATER SERVICE TO GOVERNMENTAL ENTITIES.

(a) Form of rate. The director may provide wholesale water service to governmental entities. The service will be furnished in accordance with a written contract at the rates prescribed in this section and under such other terms and conditions as the city council deems reasonable. The rate for wholesale water service to a governmental entity will consist of:

(1) a volume charge and a demand charge;
or

(2) a flat rate charge.

~~—(b) Rate table. The director shall charge a governmental entity for wholesale water service in accordance with the following:~~

~~—(1) The volume charge for treated water is \$0.4520 per 1,000 gallons of water used, and the annual water year demand charge is \$320,826 per each mgd, as established by the highest rate of flow controller setting.~~

(b) Rate table. The director shall charge a governmental entity for wholesale water service in accordance with the following:

(1) The volume charge for treated water is \$0.5150 per 1,000 gallons of water used, and the annual water year demand charge is \$328,362 per each mgd, as established by the highest rate of flow controller

~~———— (2) If a flat rate charge for treated water is provided by contract, or in the absence of a rate flow controller, the charge is \$2.4572 per 1,000 gallons of treated water used.~~

~~———— (3) A monthly readiness-to-serve charge will be assessed for any standby service point. The monthly fee, based on size of connection, is as follows:~~

(2) If a flat rate charge for treated water is provided by contract, or in the absence of a rate flow controller, the charge is \$2.8349 per 1,000 gallons of treated water used.

(3) A monthly readiness-to-serve charge will be assessed for any standby service point. The monthly fee, based on size of connection, is as follows:

<u>Size of Connection</u>	<u>Monthly Standby Fee</u>
3-inch	\$82.88
4-inch	\$136.28
6-inch	\$270.63
8-inch	\$450.46
10-inch or larger	\$691.68
3-inch	\$84.98
4-inch	\$139.70
6-inch	\$277.42
8-inch	\$462.20
10-inch or larger	\$709.10

~~———— (4) The rate for regular untreated water service to a governmental entity is \$1.0598 per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.4381 per 1,000 gallons of untreated water used.~~

(4) The rate for regular untreated water service to a governmental entity is \$1.1409 per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.4322 per 1,000 gallons of untreated water used.

(c) Revisions. Unless otherwise provided in this chapter, if the written contract for wholesale service between the city and a governmental entity provides for revision of rates, the charges under the written

contract must comply with the charges provided in this section.

(d) Emergency exchanges. The director may, in the interest of the city and its customers, make connection agreements with other governmental entities for emergency exchange of water.

~~———— (e) Wholesale wastewater rates. The director may provide wholesale wastewater service to other governmental entities by contract, in accordance with the following rules:~~

~~———— (1) The monthly rate for wholesale wastewater service is \$2.9685 per 1,000 gallons of~~

~~wastewater discharged. The director is authorized to compensate those governmental entities located within the boundaries of the city for the city's use of integrated facilities owned by those governmental entities.~~

~~———— (2) An infiltration and inflow adjustment factor of 20.3 percent will be added to the average water consumption for the months of December, January, February, and March to determine billable volume for a governmental entity with unmetered wholesale wastewater service.~~

~~———— (3) If the BOD or suspended solids concentration of waste discharged exceeds 250 mg/L, the governmental entity must pay a surcharge calculated in accordance with Section 49-18.12(1)(A) or (B), whichever applies.~~

(e) Wholesale wastewater rates. The director may provide wholesale wastewater service to other governmental entities by contract, in accordance with the following rules:

(1) The monthly rate for wholesale wastewater service is \$3.1003 per 1,000 gallons of wastewater discharged. The director is authorized to compensate those governmental entities located within the boundaries of the city for the city's use of integrated facilities owned by those governmental entities.

(2) An infiltration and inflow adjustment factor of 12.0 percent will be added to the average water consumption for the months of December, January, February, and March to determine billable volume for a governmental entity with unmetered wholesale wastewater service.

(3) If the BOD or suspended solids concentration of waste discharged exceeds 250 mg/L, the governmental entity must pay a surcharge calculated in accordance with Section 49-18.12(1)(A) or (B), whichever applies.

~~———— (f) Treatment of water owned by another governmental entity. The director may provide treatment services at the Elm Fork water treatment plant to water owned by another governmental entity in accordance with a written contract. The volume charge for treating water owned by another governmental entity is \$0.3495 per 1,000 gallons of water treated, and the annual water year demand charge is \$50,397 per each mgd, as established by the maximum demand capacity set forth in the contract.~~

(f) Treatment of water owned by another governmental entity. The director may provide

treatment services at the Elm Fork water treatment plant to water owned by another governmental entity in accordance with a written contract. The volume charge for treating water owned by another governmental entity is \$0.4243 per 1,000 gallons of water treated, and the annual water year demand charge is \$49,747.09 per each mgd, as established by the maximum demand capacity set forth in the contract. (Ord. Nos. 19201; 19300; 19682; 20077; 20449; 20636; 20737; 21061; 21430; 21824; 22208; 22564; 22907; 23289; 23670; 24050; 24414; 24744; 25049; 25385; 25755; 26135; 26479; 26961; 27355; 27698; 28025; 28426; 28795; 29150; 29479; 29879; 30215; 30653; 30993; 31332; 31657; 32003; 32310; 32556)

SEC. 49-18.5. RATE FOR UNTREATED WATER.

~~———— (a) Regular rate. The charge for untreated water is \$1.0598 per 1,000 gallons of water used.~~

(a) Regular rate. The charge for untreated water is \$1.1409 per 1,000 gallons of water used.

~~———— (b) Interruptible rate. The charge for interruptible service is \$0.4381 per 1,000 gallons of water used.~~

(b) Interruptible rate. The charge for interruptible service is \$0.4322 per 1,000 gallons of water used.

(c) Reservoir supply permits. The director may issue permits, without the necessity of council approval, to owners of property abutting water supply lakes or streams for the domestic use of untreated water. A charge for water used will be made as provided in Subsection (a) or (b). The term of such permits may not exceed three years, but the permits are renewable at the option of the city. An application for a permit or permit renewable under this subsection must be accompanied by a non-refundable processing fee of \$210.

(d) Commercial contracts for untreated water.

(1) Short-term contracts. The director may authorize short-term contracts, without the necessity of council approval, with owners of property abutting water supply lakes or streams for the commercial use of untreated water. A charge for water used will be made as provided in Subsection (a) or (b). The term of such contracts may not exceed three years, but the contracts are renewable at the option of the city. An application for a short-term contract or contract renewable must be accompanied by a nonrefundable processing fee of \$225.

(2) Long-term contracts. The director may authorize long-term contracts, with council approval, with owners of property abutting water supply lakes or streams for the commercial use of untreated water. A charge for water used will be made as provided in Subsection (a) or (b). The term of such contracts may exceed three years, and are renewable at the option of the city. An application for a long-term contract or contract renewal must be accompanied by a nonrefundable processing fee of \$385.

(e) Treatment plant effluent. Wastewater treatment plant effluent may be purchased for one-half of the regular rate for untreated water. No distribution facilities will be provided by the city. (Ord. Nos. 19201; 19682; 20077; 20449; 20737; 21061; 21430; 21824; 22208; 22564; 22907; 23289; 23670; 24050; 24414; 24744; 25049; 25385; 25755; 26135; 26479; 26961; 27355; 27698; 28025; 28426; 28795; 29150; 29479; 29879; 30215; 30653; 30993; 30994; 31332; 31657; 32003; 32310; 32556)

SEC. 49-18.6. FEES FOR INSPECTION AND TESTING OF METERS AND BACKFLOW PREVENTION DEVICES.

(a) Meter inspection fees. No charge will be made for the first meter change or meter test requested by a customer at a single service connection within any 12-month period. For each additional meter change or meter test requested by a customer within a 12 month period that does not result in a finding that the meter over-registered in excess of 1-1/2 percent, the director shall charge the customer a fee according to the following schedule:

<u>Meter-Size</u>	<u>Fee</u>
5/8 to 1-inch	\$50.00
1-1/2 to 2-inch	\$35.00
Larger than 2-inch	Actual cost of change and test

(b) Meter replacement fees. A customer with an existing one-inch service and a 5/8-inch or 3/4-inch meter, who requests that the meter be increased to one inch, shall pay a fee of \$185. Any other customer requesting an increase in meter size up to but not greater than the size of the existing service shall pay a connection charge for the requested size meter in accordance with Section 49-18.7(a) and (b).

(c) Inspection fee for meter verification. An inspection under Section 49-9(d) is free if the director verifies a gross discrepancy or a customer requests not more than one inspection during any six-month period, otherwise the charge is \$15 for an inspection.

(d) Backflow prevention device inspection fees. The owner or person in control of premises on which a backflow prevention device is located must pay a fee to the city for the periodic inspection and testing as follows:

- (1) For any backflow prevention device \$50.00 each
- (2) For each additional backflow prevention device inspected at the same site, same time \$45.00 each

(e) Exception. This section does not apply to a governmental entity that receives wholesale water or wastewater service. (Ord. Nos. 19201; 19300; 23289; 25049; 25385; 26135; 26479; 27355)

SEC. 49-18.7. SERVICE CONNECTION CHARGES.

(a) Water service installation and connection charge. The director shall charge for the installation of all water service connection at the following rates:

(1) Water Service Installation Charges.

<u>Connection Size</u>	<u>Fee</u>
3/4-inch	\$3,870.00
1-inch	\$4,070.00
1 1/2-inch	\$5,070.00
2-inch	\$5,570.00
3/4-inch	\$6,190.00
1-inch	\$6,360.00
1 1/2-inch	\$7,590.00
2-inch	\$8,380.00

(2) Connecting Existing Water Service.

<u>Connection Size</u>	<u>Fee</u>
3/4-inch	\$1,080.00
1-inch	\$1,080.00
1 1/2-inch	\$2,280.00
2-inch	\$2,280.00
Up to 2-inch bullhead	\$2,880.00
3/4-inch	\$1,200.00
1-inch	\$1,380.00
1 1/2-inch	\$2,860.00
2-inch	\$3,870.00
Up to 2-inch bullhead	\$3,400.00

(b) Wastewater service installation and connection fees. Except as provided in Subsection (d), the city shall charge the following rates for the installation or connection of residential wastewater service lines:

(1)	First wastewater service line installation and connection charge	\$4,120.00 6,890.00
(2)	For connecting existing wastewater service lines constructed by other persons	\$475.00

(c) Installation of large or commercial connections. In cases where the service connection involved is a water service connection larger than two inches or a wastewater service connection to a commercial, industrial or other non-residential service establishment, the following rules apply:

(1) If the director does not require the applicant to construct and install the service connection pursuant to Section 49-24(c)(4), the applicant shall pay the city an amount equal to the department's cost of constructing and installing the service connection. This amount is due prior to commencement of construction by the city.

(2) If the director requires the applicant to construct and install the service connection pursuant to Section 49-24(c)(4), the applicant shall pay a connection inspection fee of \$275 and shall bear all costs of construction and installation and the cost of any materials or appurtenances supplied by the department for construction or installation purposes. The connection inspection fee and amounts payable to the city for the cost of materials and appurtenances must be paid at the time of permit issuance.

(3) Unpaid charges due and owed to the city and other unpaid costs of construction incurred by the applicant under this subsection must be paid before the department will activate water or wastewater service to the property connected.

(d) Special residential wastewater connections. The connection charge procedures described in Subsections (e) and (f) of this section will apply to a residential wastewater service application when:

(1) wastewater service to the premises requires a deep cut connection;

(2) the service will be connected to a wastewater main located in a specific purpose easement obtained by the city; or

(3) a customer requests an additional wastewater service line or relocation of an existing wastewater service line.

(e) Fees for special residential wastewater connections. The director will furnish an estimate of cost to an applicant for a special residential wastewater service connection as described in Subsection (d) of this section. The applicant must deposit the estimated amount before the director will issue a permit for the connection. The final cost will be adjusted upon completion of the work, but in no event will the final cost be less than the flat charge stated in Subsection (b). Should the final cost of the work exceed the amount deposited, the director will furnish the party or parties making the deposit a statement showing the amount of the excess. The statement will constitute notice that the excess amount is due. The director may refuse or discontinue service to the property until full payment has been made for the work performed. Upon completion of the work, if final cost is less than the amount of estimate or deposit, a refund of the amount of overpayment will be immediately made to the party or parties from whom the deposit was received.

(f) Alternatives to Subsection (e). As an alternative to the procedure of Subsection (e), an applicant for a special residential wastewater service connection may request, and the director may furnish, a price at which the city will install a connection at the premises where service is desired, without regard to the actual cost of the installation. The price will never be less than the flat charge stated in Subsection (b). If the applicant agrees to pay this price, then he shall make full payment of this price to the director before work is begun on the installation and no further adjustments will be made.

(g) What constitutes cost in Subsections (e) and (f). The flat rate charge and the estimate of cost of any special residential wastewater service connection shall include all costs incidental to making the installation of

the service connection required, including the necessary repairs to pavement of any kind or character involved in making the service connection. The department shall make the necessary pavement repairs.

(h) Standard affordable housing refund. Whenever affordable housing units are provided as a part of a project in accordance with Division 51A-4.900 of the Dallas Development Code, as amended, the director shall authorize a refund of a percentage of the total service connection fees paid by the permittee for the project equal to the percentage of standard affordable housing units provided in the project. (Ord. Nos. 19201; 19300; 20215; 21663; 23289; 25049; 25385; 25755; 26479; 27698; 28795; 29150; 29879; 30215; 30993; 31657; 32003; 32556)

SEC. 49-18.8. SECURITY DEPOSIT AMOUNTS.

The amount of a security deposit is governed by the following:

(1) Standard deposit for residential service accounts.

5/8-inch and 3/4-inch meter	\$ 80.00
1-inch meter	\$100.00
1 1/2-inch meter	\$120.00
2-inch meter and larger	\$160.00

(2) Standard deposit for other than residential service accounts. An amount is required sufficient to cover two times the average bill in the past 12 months for the location served. In the case of a new account, the deposit is two times the average estimated bill.

(3) A residential service customer who has service discontinued twice within a 12-month period for nonpayment of charges shall make an additional deposit equal to one-sixth of his total standard bill for the prior 12 months or \$80, whichever is greater. This increase in deposit is in addition to other charges

required for reinstatement of service. If information to determine the total standard bill for the prior 12 months is unavailable or inapplicable, the director may determine the amount of the required deposit based on bills to similar property for those months for which the information is unavailable or inapplicable.

(4) The director may require a higher security deposit, not to exceed three times the average bill at the location served or to be served, for any class of service, when the director determines that there is a substantial risk of financial loss to the department. (Ord. Nos. 19201; 25385)

SEC. 49-18.9. CHARGES FOR USE OF FIRE HYDRANTS.

~~— A person requesting the use of water from a fire hydrant pursuant to Section 49-27 shall pay the following application charges:~~

~~— (1) a deposit of \$2,150 to be refunded when the service is discontinued and the meter is returned to the city by the person or the person's authorized representative, less any unpaid fees for services and any costs to repair damage in excess of normal wear;~~

~~— (2) a monthly fire hydrant service charge of \$82.88; and~~

~~— (3) a usage charge for water that will be billed at the general service rate prescribed in Section 49-18.1(c)(2)(B).~~

A person requesting the use of water from a fire hydrant pursuant to Section 49-27 shall pay the following application charges:

(1) a deposit of \$2,150 to be refunded when the service is discontinued and the meter is returned to the city by the person or the person's authorized representative, less any unpaid fees for services and any costs to repair damage in excess of normal wear;

(2) a monthly fire hydrant service charge of \$84.98; and

(3) a usage charge for water that will be billed at the general service rate prescribed in Section 49-18.1(c)(2)(B). (Ord. Nos. 19201; 19300; 21430; 25385; 26135; 26961; 27698; 28025; 28426; 28795; 29150; 29479;

29879; 30215; 30653; 31657; 32003; 32310; 32556)

SEC. 49-18.10. SPECIAL ASSESSMENT RATES; LOT AND ACREAGE FEES.

(a) Special assessment rate. When a person owning benefited property is charged in accordance with Section 49-56(b), the following front foot rates will be applied:

(5) RETAIL DEALER means any person who both sells and delivers fuel wood to the ultimate consumer. (Ord. Nos. 13795; 21172)

SEC. 50-80. LICENSE REQUIRED.

No retail dealer shall sell fuel wood in the city without first obtaining a wood vendor's license, nor shall a retail dealer sell fuel wood in the city after his license has been revoked. (Ord. 13795)

SEC. 50-81. APPLICATION; ISSUANCE, NON-TRANSFERABILITY.

(a) Application for a wood vendor's license shall be made to the director upon a form prescribed and supplied by him, which shall include the following information: The retail dealer's name, the address and telephone number of his business establishment(s), the address and telephone number of the retail dealer's residence if he does not have a business establishment with an address, the license numbers of all vehicles used in delivering fuel wood, and the method of distribution.

(b) When an application for a license, or renewal thereof, has been filed with the director in proper form, the director shall within a period of 10 days from the date of filing approve or deny said application. If the application is denied, the director shall send to the applicant by certified mail, return receipt requested, a written statement setting forth the reasons for the denial.

(c) Each license issued pursuant to this article shall be numbered and shall expire on August 31st of each year.

(d) No license issued pursuant to this article shall be transferable. (Ord. 13795)

SEC. 50-82. FEE.

~~—The applicant shall pay an annual permit fee of \$44 to the director at the time the license is issued. No refund of license fees shall be made.~~

The applicant shall pay an annual permit fee of \$82. The fee for issuing a replacement license for a lost, destroyed, or mutilated license is \$20. The fee is payable to the director at the time the license is issued. No refund of license fees shall be made. (Ord. Nos. 13795; 16700; 29879; 31332, eff. 10/1/19; 32556)

SEC. 50-83. SIGNS; DISPLAY; ISSUANCE.

(a) All vehicles used by a retail dealer in the business of selling fuel wood, shall have posted on the door to the driver's side, in a form and size prescribed by the director, the retail dealer's wood vendor's license number.

(b) Upon issuance of a license, the director shall furnish one magnetic sign each retail dealer. (Ord. 13795)

SEC. 50-84. SALE OF FUEL WOOD - INVOICES.

Upon each sale of fuel wood, the retail dealer shall provide the purchaser with an invoice showing the following information: The name and address of the retail dealer; his wood vendor's license number; the amount of fuel wood sold; and the selling price of the fuel wood. (Ord. 13795)

SEC. 50-84.1. SALE OF FUEL WOOD - UNIT REQUIREMENT.

A person commits an offense if he sells, offers for sale, or exposes for sale any wood intended for fuel purposes other than by the cord or fraction of a cord. (Ord. 21172)

SEC. 50-85. REFUSAL TO ISSUE OR RENEW LICENSE; REVOCATION.

The director shall refuse to approve issuance or renewal of a wood vendor's license to any applicant,

individuals for entertainment purposes, including, but not limited to, televisions, radios, tape players, recorders or decks, phonograph equipment, and antenna receiving systems.

(c) ELECTRONIC REPAIR means the repairing, servicing, or maintaining of electronic equipment, including the pick-up and delivery of electronic equipment from locations within the city for the purpose of repairing, servicing or maintenance.

(d) LICENSE means an electronic repair license.

(e) LICENSEE means a person licensed to engage in the electronic repair business under the provisions of this article.

(f) PERSON means any individual, assumed name entity, partnership, joint-venture, association or corporation.

(g) PICK-UP AND DELIVERY CHARGE means the fee charged by a licensee for the removal of electronic equipment from the home of a customer for the purposes of repair, transportation to the service dealer's place of business and return to the home of the customer.

(h) SERVICE CHARGE means the total of fees charged by a service dealer for his transportation to and from the premises of a customer and the first 30 minutes of examination and repair of one piece of electronic equipment which he performs on the premises of the customer. Any other term used to describe a service charge shall include these items. (Ord. Nos. 13966; 16476; 17226)

SEC. 50-100. LICENSE - REQUIRED; TRADE NAME REGISTRATION.

(a) No person shall own, maintain, conduct, operate, or engage in an electronic repair business, or hold himself out as being able to do so within the city, without first obtaining an electronic repair license from

the director. Should such person maintain more than one electronic repair establishment, a duplicate license shall be required for each additional establishment operating under the same trade name. A separate license shall be required for establishments operating under different trade names. The license issued to an electronic repair establishment shall authorize the establishment and all its bona fide employees to engage in the business of electronic repair.

(b) A licensee shall register with the director the trade name of his electronic repair establishment. (Ord. Nos. 13966; 17393)

SEC. 50-101. FEES.

~~The annual fee for an electronic repair license is \$53. The fee for issuing a duplicate license for additional establishments or for a lost, destroyed or mutilated license is \$4. The fee is payable to the director upon issuance of a license. No refund of license fees shall be made.~~

The annual fee for an electronic repair license is \$126. The fee for issuing a duplicate license for additional establishments or for a lost, destroyed, or mutilated license is \$0. The fee is payable to the director upon issuance of a license. No refund of license fees shall be made. (Ord. Nos. 13966; 15970; 16476; 18411; 18876; 19300; 29879; 31332, eff. 10/1/19; 32556)

SEC. 50-102. LICENSE - APPLICATION, ISSUANCE, AND RENEWAL.

(a) An applicant for a license shall file with the director, a written application upon a form provided for that purpose, which shall be signed by the applicant or his local authorized agent, who shall be an individual responsible for the operation of applicant's local electronic repair business. The following information shall be required in the application:

(1) name, address, and telephone number of the applicant, including the trade name by which applicant does business and the street address of all repair establishments, and if incorporated, the name registered with the secretary of state;

(2) type of electronic equipment repaired

(f) PERSON means an individual, assumed name entity, partnership, joint-venture, association, corporation, or other legal entity. (Ord. Nos. 14487; 17226)

SEC. 50-114. LICENSE REQUIRED; TRADE NAME REGISTRATION.

(a) No person shall own, maintain, conduct, operate, or engage in the business of motor vehicle repair for compensation within the city, or hold himself out as being able to do so, or act as the agent for another who is engaged in the motor vehicle repair business, or take custody of the motor vehicle within the city for the purpose of repair without first obtaining a motor vehicle repair license from the director. Should a person maintain a motor vehicle repair establishment at more than one location, a duplicate license is required for each additional location. The license issued to a motor vehicle repair establishment authorizes the licensee and all its bona fide employees to engage in the business of motor vehicle repair.

(b) A licensee shall register with the director the trade name of his motor vehicle repair establishment and shall not use or permit to be used more than one trade name at a single location. (Ord. 14487)

SEC. 50-115. LICENSE APPLICATION, PLACE OF BUSINESS, ISSUANCE, RENEWAL, AND EXPIRATION.

(a) An applicant for a license shall file with the director a written application upon a form provided for that purpose, which shall be signed by the applicant or his local authorized agent, who shall be an individual responsible for the operation of applicant's local motor vehicle repair business. Should an applicant maintain a motor vehicle repair establishment at more than one location, a separate application must be filed for each location. The following information shall be required in the application:

(1) name, address, and telephone number of the applicant, including the trade name by which applicant does business and the street address of the motor vehicle repair establishment, and if incorporated, the name registered with the secretary of state;

(2) a statement whether a motor vehicle repair license issued to applicant or any proprietor, partner, or corporate officer of applicant, has been revoked within one year preceding the date of application; and

(3) a statement that applicant engages in the business of motor vehicle repair and that all facts stated in the application are true.

(b) An applicant is required to maintain a permanent and established place of business at a location where a motor vehicle repair business is not prohibited by the comprehensive zoning ordinance of the city.

(c) When an application for a license or license renewal has been filed with the director in proper form, the director shall, within 30 days from the date of filing approve or deny the application. If the application is denied, the director shall send to the applicant by certified mail, return receipt requested, a written statement setting forth the reasons for the denial.

(d) Repealed by Ord. 16476.

(e) The director may, at any time, require additional information of a licensee or an applicant to clarify items on the application. (Ord. Nos. 14487; 16476)

SEC. 50-116. FEES.

~~—The annual fee for a motor vehicle repair license is \$57 for the first location and \$75 for a duplicate license for each additional location. The fee for issuing~~

~~a replacement license for one lost, destroyed, or mutilated is \$2. The fee is payable to the director upon issuance of a license. No refund of license fees will be made.~~

The annual fee for a motor vehicle repair license is \$122 for the first location and \$75 for a duplicate license for each additional location. The fee for issuing a replacement license for one lost, destroyed, or mutilated is \$25. The fee is payable to the director upon issuance of a license. No refund of license fees will be made. (Ord. Nos. 14487; 16476; 16700; 18411; 18876; 20076; 26598; 29879; 31332, ~~eff. 10/1/19~~; 32556)

SEC. 50-117. LICENSE DISPLAY, REPLACEMENT, AND TRANSFERABILITY.

(a) Each license issued pursuant to this article must be posted and kept in a conspicuous place in the motor vehicle repair establishment.

(b) A replacement license may be issued for one lost, destroyed, or mutilated upon application on a form provided by the director. A replacement license shall have the word "replacement" stamped across its face and shall bear the same number as the one it replaces.

(c) A motor vehicle repair license is not assignable or transferable.

(d) A licensee shall notify the director within 10 days of a change or partial change in local ownership or management of the motor vehicle repair business, or if there is no local ownership, then a change in the authorized agent referred to in Section 50-115(a), or a change of address or trade name. (Ord. 14487)

SEC. 50-118. REFUSAL TO ISSUE OR RENEW LICENSE.

The director shall refuse to approve issuance or renewal of a motor vehicle repair license for one or more of the following reasons:

(1) a false statement as to a material matter intentionally made in an application for a license;

(2) conviction twice within a two year

period of the applicant or a current employee of the applicant while he was in applicant's employment for a violation of a provision of this article;

the renewal request by the director, or in the case of an appeal of a denial of a renewal request, pending the decision of the permit and license appeal board. (Ord. Nos. 14990; 16476; 18200)

SEC. 50-137. LICENSE FEES.

~~—(a) The fee for a home repair license is \$48 a year.~~

~~—(b) The fee for issuance of a duplicate home repair license for a license that is destroyed or lost is \$2.~~

~~—(c) License fees required under this section are not refundable and are payable to the director upon issuance or renewal of the license. The director may not issue or renew a home repair license before the fee is paid.~~

(a) The fee for a home repair license is \$117 a year.

(b) The fee for issuance of a duplicate home repair license for a license that is destroyed or lost is \$20.

(c) License fees required under this section are not refundable and are payable to the director upon issuance or renewal of the license. The director may not issue or renew a home repair license before the fee is paid. (Ord. Nos. 14990; 16476; 18411; 18876; 19300; 20076; 26478; 29879; 31332, eff. 10/1/19; 32556)

SEC. 50-138. REVOCATION OF LICENSE.

(a) The director shall revoke a home repair license if he determines that:

(1) the licensee knowingly made a false representation as to a material matter in a license application, license renewal request, or hearing concerning the license; or

(2) the licensee identified himself with a business or trade name other than that filed with the director; or

(3) the licensee, an individual who is a business associate of the licensee, an individual who is a corporate officer of the licensee, or a current employee of the licensee, while he was in licensee's

employment, has been convicted in municipal court within a two-year period of two or more offenses prescribed by Section 50-143. (The director shall give notice to a licensee on the date formal charges are filed against an employee of the licensee. If a licensee discharges a convicted employee within one week after his second final conviction, the licensee is not subject to

Division 2. Registration of Credit Services Organizations and Credit Access Businesses.

SEC. 50-148. REGISTRATION REQUIRED.

(a) A person commits an offense if the person acts, operates, or conducts business as a credit services organization or credit access business without a valid certificate of registration. A certificate of registration is required for each physically separate credit services organization and credit access business.

(b) A person operating a business as both a credit services organization and a credit access business at the same location may obtain one certificate of registration for both per location. (Ord. Nos. 28287; 31747)

SEC. 50-149. REGISTRATION APPLICATION.

~~— (a) To obtain a certificate of registration for a credit services organization or credit access business, a person must submit an application on a form provided by the city for that purpose to the director. The application must contain the following:~~

~~— (1) The business or trade name, street address, mailing address, facsimile number, and telephone number of the credit services organization or credit access business.~~

~~— (2) The names, street addresses, mailing addresses, and telephone numbers of all owners of the credit services organization or credit access business and other persons with a financial interest in the credit services organization or credit access business, and the nature and extent of each person's interest in the credit services organization or credit access business.~~

~~— (3) A copy of a current, valid state registration statement held by the credit services organization pursuant to Section 393.101 of the Texas Finance Code, as amended.~~

~~— (4) A copy of a current, valid state license held by the credit access business pursuant to Section 393.603 of the Texas Finance Code, as amended.~~

~~— (5) A copy of a current, valid city certificate of occupancy showing that the credit services organization or credit access business is in compliance with the Dallas Development Code.~~

~~— (6) A non-refundable application fee of \$67.~~

(a) To obtain a certificate of registration for a credit services organization or credit access business, a person must submit an application on a form provided by the city for that purpose to the director. The application must contain the following:

(1) The business or trade name, street address, mailing address, facsimile number, and telephone number of the credit services organization or credit access business.

(2) The names, street addresses, mailing addresses, and telephone numbers of all owners of the credit services organization or credit access business and other persons with a financial interest in the credit services organization or credit access business, and the nature and extent of each person's interest in the credit services organization or credit access business.

(3) A copy of a current, valid state registration statement held by the credit services organization pursuant to Section 393.101 of the Texas Finance Code, as amended.

(4) A copy of a current, valid state license held by the credit access business pursuant to Section 393.603 of the Texas Finance Code, as amended.

(5) A copy of a current, valid city certificate of occupancy showing that the credit services organization or credit access business is in compliance with the Dallas Development Code.

(6) A non-refundable application fee of \$28.

(b) An applicant or registrant shall notify the director within 45 days after any material change in the information contained in the application for a certificate of registration, including, but not limited to, any change of address and any change in the status of the state license or state registration statement held by

the applicant or registrant. (Ord. Nos. 28287; 29879; 31332; 31747; 32556)

**SEC. 50-150. ISSUANCE AND DISPLAY OF
CERTIFICATE OF REGISTRATION;
PRESENTMENT UPON REQUEST.**

(a) The director shall issue to the applicant a certificate of registration upon receiving a completed application under Section 50-149.

(b) A certificate of registration issued under this section must be conspicuously displayed to the public in the credit services organization or credit access business. The certificate of registration must be presented upon request to the director or any peace officer for examination. (Ord. Nos. 28287; 31747)

**SEC. 50-151. EXPIRATION AND RENEWAL OF
CERTIFICATE OF REGISTRATION.**

(a) A certificate of registration expires on the earlier of:

- (1) one year after the date of issuance; or

Code Comparative Table

<u>Ordinance Number</u>	<u>Specified Passage Date</u>	<u>Effective Date</u>	<u>Ordinance Section</u>	<u>City Code Section</u>
32466	5-24-23		1	Amends 2-120(g)
32467	6-14-23		1	Amends 47A-2.3.3(a)
			2	Amends 47A-2.4.8(f)
			3	Amends 47A-2.4.9(a)
32470	6-14-23		1	Adds 28-2(4.2)
			2	Amends 28-2(14)
			3	Adds 28-2(18.1)
			4	Adds 28-2(20.1)
			5	Amends 28-4
			6	Amends 28-5.1
			7	Amends 28-19
			8	Amends 28-76.2
			9	Amends 28-81.1(a)
			10	Retitles 28-88
			11	Adds 28-88(c)
			12	Amends 28-129
32472	6-14-23		1	Amends ch. 12A, 12A-1 thru 12A-64
32473	6-14-23		1	Amends 27-30(g)
			2	Adds ch. 42B, 42B-1 thru 42B-16
32484	6-28-23		1	Adds ch. 2, art. XXX, 2-172 thru 2-174
32485	6-28-23		1	Retitles ch. 42A, art. IV
			2	Amends 42A-28.2(a)
			3	Amends 42A-28.3(d)
32488	6-28-23		1	Amends 28-44
			2	Amends 28-50(c)
			3	Amends 28-60(b)
			4	Amends 28-114.2(b)
			5	Amends 28-193(3)
32556	9-20-23	10-1-23	1	Amends 2-168(b)
			2	Amends 7-2.7(a)
			3	Amends 7-4.11(c)
			4	Amends 7-5.5(a)
			5	Amends 7-5.15(a)
			6	Amends 8A-8(a)
			7	Amends 8A-20(e)
			8	Amends 12B-6(c)
			9	Amends 12B-13
			10	Amends 15D-5(b)
			17	Amends 18-9(c)
			18	Amends 18-11
			19	Amends 18-57
			20	Amends 27-31(e)
			21	Amends 27-42(d)

		22	Amends 27-42(f)
		23	Amends 42B-5
		24	Amends 43A-18(b)
		25	Amends 48B-21
		26	Amends 49-18.1(c)
		27	Amends 49-18.1(f)(1)
		28	Amends 49-18.1(g)
		29	Amends 49-18.1(i)
		30	Amends 49-18.2(c)
		31	Amends 49-18.2(f)
		32	Amends 49-18.4(b)
		33	Amends 49-18.4(e)
		34	Amends 49-18.4(f)
		35	Amends 49-18.5(a)
		36	Amends 49-18.5(b)
		37	Amends 49-18.7(a)
		38	Amends 49-18.7(b)
		39	Amends 49-18.9
		40	Amends 50-82
		41	Amends 50-101
		42	Amends 50-116
		43	Amends 50-137
		44	Amends 50-149(a)
32557	9-20-23	1	Amends 2-53
		2	Adds ch. 2, art. XXXI, 2-175 thru 2-177
		3	Amends 9B-6
		4	Amends 9B-7
		5	Amends 13-7
		6	Amends 13-8(a)
		7	Amends 13-9
		8	Amends 13-10
		9	Amends 13-11
		10	Amends 28-130(a)
		11	Amends 28-130.7(e)
		12	Amends 28-130.12(a)

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(4) Fee schedule.

<u>Type of Application</u>	<u>Application Fee</u>
Tree removal application	Cost of tree removal x \$.0095, with a minimum charge of \$60.00 for the project
First reinspection of work not completed, not corrected, or not accessible in initial inspection	\$60.00
Second reinspection of work not completed, not corrected, or not accessible in prior inspections	\$90.00
Third or subsequent reinspection of work not completed, not corrected, or not accessible in prior inspections	\$120.00

(t) Fee for municipal setting designation ordinance.

(1) An application will not be accepted until the initial filing fee has been paid. An application will not be placed on a city council agenda until the additional processing fee has been paid.

(2) The applicant shall pay the fees to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) No refund of the fees may be made.

~~———— (4) The initial filing fee for a municipal setting designation ordinance is \$4,000. The director shall not mail notices or advertise the public meeting until the estimated cost of mailing notices and advertising the public meeting is paid. The director shall not place a municipal setting designation ordinance on a city council agenda until an additional processing fee of \$8,550 is paid.~~

(4) The initial filing fee for a municipal setting designation ordinance is \$3,903. The director shall not mail notices or advertise the public meeting until the estimated cost of mailing notices and advertising the public meeting is paid. The director shall not place a municipal setting designation ordinance on a city council agenda until an additional processing fee of \$8,192 is paid.

(5) The city council may, by resolution, waive or reimburse the initial filing fee when the city council finds that payment of the fee would result in

substantial financial hardship to the applicant.

(3) The city controller shall refund 75 percent of the filing fee to the applicant if the applicant withdraws the application prior to the case being advertised for hearing. After the case is advertised, no refund of the filing fee may be made.

(4) Fee schedule.

Type of Application	Application Fee
Certificate of appropriateness for new construction	\$500
Certificate for demolition or removal	\$400
Certificate of appropriateness/certificate of demolition or removal for unauthorized work	\$600

(5) The applicant shall pay a single filing fee for each certificate of appropriateness or certificate for demolition or removal requested.

(6) The landmark commission may waive the filing fee if the landmark commission finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may request that the issue of financial hardship be placed on the landmark commission's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not file the application until the merits of the request for waiver have been determined by the landmark commission. In making this determination, the landmark commission may require the production of financial documents. (Ord. Nos. 19455; 19557; 19832; 20037; 20073; 20093; 20132; 20612; 20920; 20926; 20927; 21431; 21553; 21751; 22004; 22026; 22206; 22392; 22738; 22920; 24051; 24542; 24843; 25047; 25048; 25384; 26001; 26161; 26529; 26530; 26536; 26730; 26920; 27069; 27430; 27495; 27587; 27695; 27697; 27893; 28021; 28073; 28096; 28272; 28424; 28553; 28803; 29128; 29228; 29024; 30215; 30808; 30931; 30934; 30993; 30994; 31040; 31657; 32002; 32003; 32556)

SEC. 51A-1.105.1. FEE EXEMPTIONS AND REFUNDS.

(a) No fee is required for applications filed under this chapter by the U.S. Government, the State of Texas, or the city of Dallas if the property that is the subject of the application is devoted exclusively to governmental use.

(b) No fee is required for applications made to the board of adjustment pursuant to Section 51A-1.107, requesting a special exception to a regulation in this chapter based on a handicap.

(c) Whenever affordable housing units are provided as a part of a project in accordance with Division 51A-4.900, the director shall authorize a refund of a percentage of the total zoning and platting application fees paid for the project equal to the percentage of standard affordable housing units provided in the project. (Ord. Nos. 20037; 21176; 21183; 21663; 28096)

SEC. 51A-1.106. NOTIFICATION SIGNS REQUIRED TO BE OBTAINED AND POSTED.

(a) In general.

(1) The notification signs required in this section are intended to supplement state law and other Dallas Development Code notice requirements.

(2) The city plan commission, landmark commission, board of adjustment, or city council shall determine if an applicant has complied with the notification sign posting requirements in this section.

(b) Signs required to be obtained from the city. An applicant is responsible for obtaining the required number of notification signs and posting them on the property that is the subject of the application. Notification signs must be obtained from the director or the building official. An application will not be

Code Comparative Table - Dallas Development Code: Ordinance No. 19455, as amended (Chapter 51A)

<u>Ordinance Number</u>	<u>Passage Date</u>	<u>Specified Effective Date</u>	<u>Ordinance Section</u>	<u>51A Section</u>
32481	6-14-23		1	Amends 51A-4.701(d)
32482	6-14-23		2	Amends 51A-4.116(a)(2)(E)
			3	Amends 51A-4.116(b)(2)(E)
			4	Amends 51A-4.116(c)(2)(E)
			5	Amends 51A-4.116(d)(2)(E)
			6	Amends 51A-4.121(c)(2)(E)
			7	Amends 51A-4.121(d)(2)(E)
			8	Amends 51A-4.124(a)(2)(E)
			9	Amends 51A-4.124(b)(2)(E)
			10	Amends 51A-4.125(d)(2)(E)
			11	Amends 51A-4.125(e)(2)(E)
			12	Amends 51A-4.125(f)(2)(E)
			13	Amends 51A-4.126(d)(2)(E)
			14	Amends 51A-4.126(e)(2)(E)
			15	Amends 51A-4.126(f)(2)(E)
			16	Amends 51A-4.127(c)(2)(E)
			17	Amends 51A-4.205(3)
32556	9-20-23	10-1-23	45	Amends 51A-1.105(t)(4)