

# CITY OF DALLAS, TEXAS

## CODE OF ORDINANCES

### VOLUME I

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**ARTICLE I.****IN GENERAL.****SEC. 2-1. TIME WITHIN WHICH CITY OFFICERS TO DEPOSIT MONEY.**

All officers of the city who receive money for or on account of the city in any manner are hereby required to deposit same in the manner prescribed by the chief financial officer. (Code 1941, Art. 19-2; Ord. 29645)

**SEC. 2-1.1. ADVANCE PAYMENT OF CERTAIN FEES, CHARGES, AND TAXES REQUIRED; INTEREST ON DELINQUENT ACCOUNTS.**

(a) Unless a different time and method of payment is specifically provided by another city ordinance, a city contract, or state or federal law, every fee, charge, or tax required to be paid to the city for any license, permit, right, privilege, property interest, or service must be paid in full to the city before the license, permit, right, privilege, property interest, or service may be issued, granted, conveyed, provided, or renewed.

(b) Except as provided in Subsection (c), any money owed to the city after May 28, 1997 will accrue

(c) Upon recommendation of the fire chief, the director shall sell to a retired fire investigator who is a certified peace officer a weapon that was issued to the officer if the weapon is surplus, obsolete, worn out, or useless property.

(d) An officer is not “retired” for purposes of this section unless the officer:

(1) receives a disability pension;

(2) has vested rights in a retirement pension and has completed 10 years of service in the department; or

(3) has completed 20 years of service in the city as a police reserve officer.

(e) The price of a weapon sold under this section shall be its fair market value as determined by the director or its original cost depreciated by five percent a year, whichever amount is less. In no event may a weapon be sold for less than \$25. If a weapon is sold under this section for less than its fair market value, the difference between the purchase price and the fair market value shall be considered as part of the officer’s agreed compensation for services provided to the city.

(f) The director shall treat all funds received for sales under this section the same as other funds received for sales under this article. (Ord. Nos. 17672; 19312; 19679; 20910)

#### SEC. 2-37.11. AUTHORITY TO SELL UNIFORMS TO EMPLOYEES.

(a) The director may sell to a city employee any uniform or portion of a uniform worn by the employee if the uniform or portion of the uniform is surplus, obsolete, worn out, or useless property.

(b) For purposes of this section, “uniform” means clothing of a distinctive design or fashion issued by the city to the employee and required to be worn by the employee while on the job. The term “uniform”

includes hats, helmets, shirts, badges, pants, coats, shoes, and boots, but does not include weapons or equipment.

(c) The price of any uniform or portion of a uniform sold under this section shall be not less than its fair market value as determined by the director.

(d) The director shall treat all funds received for sales under this section the same as other funds received for sales under this article. (Ord. Nos. 17672; 19312)

#### SEC. 2-37.12. SALES OF CERTAIN COLLECTIBLE PROPERTY.

~~— (a) In this chapter:~~

~~— (1) COLLECTIBLE PROPERTY means an item of personal property owned by the city under the care and control of the Dallas Museum of Art originally acquired for exhibition, collection, or study, including, but not limited to, any work of art, antique, memorabilia, rare object, art education material or display, or other item of lasting interest or value.~~

~~— (2) CULTURAL AFFAIRS DIRECTOR means the director of the office of cultural affairs of the city or a designated representative.~~

~~— (b) Collectible property owned by the city under the care and control of the Dallas Museum of Art may be sold, exchanged, or otherwise disposed of in accordance with this section.~~

~~— (c) All sales of collectible property must be under the direction and control of the cultural affairs director, who shall function for this purpose in the place of the director.~~

~~— (d) The cultural affairs director shall sell, exchange, or otherwise dispose of particular collectible property designated for sale by the Dallas Museum of Art by one of the following methods:~~

~~— (1) public auction;~~

(a) In this chapter:

(1) ARTS AND CULTURE DIRECTOR means the director of the office of arts and culture of

the city or a designated representative.

(2) COLLECTIBLE PROPERTY means an item of personal property owned by the city under the care and control of the Dallas Museum of Art originally acquired for exhibition, collection, or study, including, but not limited to, any work of art, antique, memorabilia, rare object, art education material or display, or other item of lasting interest or value.

(b) Collectible property owned by the city under the care and control of the Dallas Museum of Art may be sold, exchanged, or otherwise disposed of in accordance with this section.

(c) All sales of collectible property must be under the direction and control of the arts and culture director, who shall function for this purpose in the place of the director.

(d) The arts and culture director shall sell, exchange, or otherwise dispose of particular collectible property designated for sale by the Dallas Museum of Art by one of the following methods:

(1) public auction;

~~—— (2) silent auction (public sale by unsealed written bids); or~~

~~—— (3) sale by sealed bids from one or more interested persons:~~

~~—— (e) A sale of collectible property may be held at any city, place, or location determined advisable by the cultural affairs director.~~

~~—— (f) The cultural affairs director may accept collectible property of at least like value in exchange for collectible property if, in the judgment of the cultural affairs director, it is in the interest of the city to do so, and if an offer of exchange constitutes the highest bid for collectible property to be sold.~~

~~—— (g) The cultural affairs director shall sell collectible property to the highest bidder. The cultural affairs director's decision as to the sufficiency and acceptance of the highest bid is final and no further approval is required.~~

~~—— (h) The cultural affairs director shall deposit all proceeds received for the sale of collectible property to the credit of a fund designated for that purpose.~~

~~—— (i) Proceeds of a sale of collectible property must be used by the Dallas Museum of Art to purchase other collectible property, such acquisition being of similar type and identified in the name of the original donor whenever feasible. Proceeds of an exchange will be placed directly in the collection of the Dallas Museum of Art.~~

~~—— (j) The Dallas Museum of Art will preserve in its permanent files a record of all collectible property sold or exchanged and will record the source of funds or collectible property used to acquire other collectible property with proceeds of a sale or an exchange.~~

~~—— (k) The cultural affairs director shall follow the notice and record keeping requirements of Sections 2-37.5 and 2-37.6.~~

(2) silent auction (public sale by unsealed written bids); or

(3) sale by sealed bids from one or more interested person.

(e) A sale of collectible property may be held at

any city, place, or location determined advisable by the arts and culture director.

(f) The arts and culture director may accept collectible property of at least like value in exchange for collectible property if, in the judgement of the arts and culture director, it is in the interest of the city to do so, and if an offer of exchange constitutes the highest bid for collectible property to be sold.

(g) The arts and culture director shall sell collectible property to the highest bidder. The arts and culture director's decision as to the sufficiency and acceptance of the highest bid is final and no further approval is required.

(h) The arts and culture director shall deposit all proceeds received from the sale of collectible property to the credit of a fund designated for that purpose.

(i) Proceeds of a sale of collectible property must be used by the Dallas Museum of Art to purchase other collectible property, such acquisition being of similar type and identified in the name of the original donor whenever feasible. Proceed of an exchange will be placed directly in the collection of the Dallas Museum of Art.

(j) The Dallas Museum of Art will preserve in its permanent files a record of all collectible property sold or exchanged and will record the source of funds or collectible property used to acquire other collectible property with proceeds of a sale or an exchange.

(k) The arts and culture director shall follow the notice and record keeping requirements of Sections 2-37.5 and 2-37.6. (Ord. Nos. 17815; 19312; 21421; 22026; 23694; 31049; 31333, eff. 10/1/19)

(B) revenue bonds, certificates, notes, or other obligations authorized and approved by the city council on or after January 1, 1989.

(2) This article shall not apply to any refunding bond proceeds.

(3) The public art appropriation on a city capital improvement project financed with city bond proceeds shall be established in the fiscal year in which the bonds are sold.

(4) In developing the capital improvement program for bond-financed capital improvement projects, the city manager may recommend that the city council exempt certain bond-financed capital improvement projects from the application of this article. The city manager's recommendations shall govern unless the city council provides otherwise.

(5) If a city capital improvement project is financed with city bond proceeds, the use of any amounts appropriated for artists' services and works of art in accordance with this article must be consistent with any voted proposition approved by the voters of the city, any resolution or ordinance adopted by the city council authorizing issuance of the bonds, and applicable state or federal law. In no event shall city bond proceeds be used for public art maintenance purposes.

(f) Water and wastewater utility projects.

(1) Notwithstanding any other provision of this article, the public art appropriation for that portion of a city capital improvement project financed with Dallas water utilities department revenues shall not exceed 0.75 percent of the total water utilities revenues appropriated for the capital improvement project.

(2) This article shall not apply to:

(A) any city capital improvement project financed with Dallas water utilities department revenues that is located outside the city limits; or

(B) any below-grade capital improvement financed with Dallas water utilities department revenues, whether or not the below-grade improvement is part of a city capital improvement project that involves at-grade or above-grade improvements.

(g) City council exclusions. When adopting the capital budget each year, the city council may exclude individual city capital improvement projects from the application of this article. (Ord. Nos. 20064; 20267)

#### **SEC. 2-104. USES OF MONIES IN PUBLIC ART ACCOUNTS.**

(a) Monies appropriated under this article may be used for artists' design concepts and for the selection, acquisition, purchase, commissioning, placement, installation, exhibition, and display of artworks. Artworks must be of a permanent nature and may be integral to the architecture or incorporated into the city capital improvement project.

(b) Up to 20 percent of the total annual public art appropriation shall be used to establish the public art administration fund and may be used to pay the costs incurred in the administration of the public art program, including project administration, artist-selection-related costs, architect's fees where collaboration is involved, design, drawing, and maquette costs, community education, insurance, curatorial services, identifying plaques, documentation, publicity, and such other purposes as may be deemed appropriate by the city council for the administration of the public art program. (Ord. Nos. 20064; 20267)

#### **SEC. 2-105. ADMINISTRATION OF THE PUBLIC ART PROGRAM - RESPONSIBILITIES.**

~~(a) Arts and culture advisory commission and the office of cultural affairs. The arts and culture advisory commission, acting in cooperation with the~~

director of cultural affairs, shall have the following duties and responsibilities associated with the administration of the public art program:

— (1) The overall administration of the public art program, including the selection of resident members of the public art committee, the establishment of program policies and guidelines, the recommendation of program budgets, and the approval of all selection juries and all other recommendations made by the public art committee to the arts and culture advisory commission.

— (2) The establishment of policies and guidelines to facilitate and encourage the donation of high quality artworks to the city.

— (3) The establishment of policies and guidelines to ensure that the long-term collection of artworks by the city represents a broad range of artistic schools, styles, tastes, and media, without giving exclusive support to any particular one, and gives consideration to affirmative action.

— (4) The review of a survey, to be updated annually, of the condition of the public art collection. The survey must include a report on the condition of each artwork, prioritized recommendations for the restoration, repair, and maintenance of the artwork, and estimated costs.

— (5) The recommendation of an annual designation of funds for repair and maintenance of the public art collection. Any recommendation involving a work of art for which operation or maintenance costs exceed \$5,000 a year must be accompanied by a detailed fiscal note.

(a) Arts and culture advisory commission and the office of arts and culture. The arts and culture advisory commission, acting in cooperation with the director of arts and culture, shall have the following duties and responsibilities associated with the administration of the public art program:

(1) The overall administration of the public art program, including the selection of resident members of the public art committee, the establishment of program policies and guidelines, the recommendations of program budgets, and the approval of all selection juries and all other recommendations made by the public art committee to

the arts and culture advisory commission.

(2) The establishment of policies and guidelines to facilitate and encourage the donation of high quality artworks to the city.

(3) The establishment of policies and guidelines to ensure that the long-term collection of artworks by the city represents a broad range of artistic schools, styles, tastes, and media, without giving exclusive support to any particular one, and gives consideration to affirmative action.

(4) The review of a survey, to be updated annually, of the condition of the public art collection. The survey must include a report on the condition of each artwork, prioritized recommendations for the restoration, repair, and maintenance of the artwork, and estimated costs.

(5) The recommendation of an annual designation of funds for repair and maintenance of the public art collection. Any recommendation involving a work of art for which operation or maintenance costs exceed \$5,000 a year must be accompanied by a detailed fiscal note.

(b) Public art committee. The public art committee shall have the following duties and responsibilities associated with the administration of the public art program, with all decisions and recommendations made by the public art committee being subject to the review and approval of the arts and culture advisory commission and, when required, the city council:



(1) The commission of artworks; the review of the design, execution, and placement of artworks; and the overseeing of the removal of artworks from the public art collection.

(2) The designation of sites for implementation of the public art program; the recommendation of the scope and budget of public art program projects; and the overseeing of the artist selection process.

(3) The selection of juries, to be composed of professionals in the visual arts and design fields and members of the community, who will recommend artists and artworks of the highest quality.

(4) The education of the community on the public arts program.

(5) The review and recommendation for approval of any artworks proposed to be donated to the city. (Ord. Nos. 20064; 20267; 20456; 21972; 22026; 23694; 31049; 31333, eff. 10/1/19)

**SECS. 2-106 THRU 2-117. RESERVED.**

## **ARTICLE XI.**

### **FILLING TEMPORARY VACANCIES.**

#### **SEC. 2-118. DESIGNATION, APPOINTMENT AND DUTIES OF TEMPORARY ACTING AND ACTING CITY MANAGER.**

The following procedures shall be used to fill the position of city manager where a temporary vacancy of the type specified occurs in that position, and such

the city of Dallas, at the head of which shall be the director of budget, who shall be appointed by the city manager and who shall be a person professionally competent by experience and training to manage the office. The office will be composed of the director of budget and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. Nos. 27697; 30654)

### **SEC. 2-135.3. DUTIES OF THE DIRECTOR OF BUDGET.**

The director of budget shall perform the following duties:

- (1) Supervise and administer the office of budget.
- (2) Perform such other duties as may be required by the city manager or by ordinance of the city council. (Ord. Nos. 27697; 29478; 30654)

### **ARTICLE XV-c.**

### **OFFICE OF RISK MANAGEMENT.**

### **SEC. 2-135.4. CREATED; DIRECTOR OF RISK MANAGEMENT.**

There is hereby created a division of the city manager's office to be known as the office of risk management of the city of Dallas, at the head of which shall be the director of risk management, who shall be appointed by the city manager and who shall be a person professionally competent by experience and training to manage the office. The office will be composed of the director of risk management and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. 28424)

### **SEC. 2-135.5. DUTIES OF THE DIRECTOR OF RISK MANAGEMENT.**

The director of risk management shall perform the following duties:

- (1) Supervise and administer the office of risk management.
- (2) Administer the risk management program of the city, including, but not limited to, liability and workers' compensation programs, procurement of insurance policies for the city, loss control initiatives, and performance of risk assessments.
- (3) Perform such other duties as may be required by the city manager or by ordinance of the city council. (Ord. 28424)

### **ARTICLE XVI.**

### **DEPARTMENT OF COMMUNICATION —AND INFORMATION AND TECHNOLOGY SERVICES.**

### **SEC. 2-136. —CREATED; DIRECTOR OF COMMUNICATION AND INFORMATION SERVICES.**

~~—(a) There is hereby created the department of communication and information services, the head of which shall be the director of communication and information services who shall be appointed by the city manager and who shall be a person professionally competent by experience and training to manage such department.~~

~~—(b) In addition to the office of director of communication and information services, there will also be such additional personnel as may be necessary for the administration of the department as the council may provide, upon recommendation of the city manager.~~

### **SEC. 2-136. CREATED; DIRECTOR OF INFORMATION AND TECHNOLOGY SERVICES.**

- (a) There is hereby created the department of

information and technology services, the head of which shall be the director of information and technology services who shall be appointed by the city manager and who shall be a person professionally competent by experience and training to manage such department.

(b) In addition to the office of director of information and technology services, there will also be such additional personnel as may be necessary for the administration of the department as the council may provide, upon recommendation of the city manager. (Ord. Nos. 13718; 19312; 22026; 23694; 31333, eff. 10/1/19)

**SEC. 2-137. ~~DUTIES OF DIRECTOR OF  
COMMUNICATION AND  
INFORMATION SERVICES.~~**

~~The director of communication and information services shall perform the following duties:~~

~~(1) Provide all information services for administration of the affairs of the city of Dallas to be used in the municipal operations of the city and make such reports as may be required by the city manager.~~

~~(2) Acquire, maintain, and operate all telephone and radio communications systems used in municipal operations.~~

~~(3) Obtain and maintain radio licenses from the Federal Communications Commission on behalf of all city departments and ensure compliance with all applicable regulations of the Federal Communications Commission.~~

~~(4) Perform such other duties as may be required by the city manager or by ordinance of the city council.~~

**SEC. 2-137. DUTIES OF DIRECTOR OF  
INFORMATION AND  
TECHNOLOGY SERVICES.**

The director of information and technology services shall perform the following duties:

(1) Provide all information services for administration of the affairs of the city of Dallas to be used in municipal operations of the city and make such reports as may be required by the city manager.

(2) Acquire, maintain, and operate all telephone and radio communications systems used in municipal operations.

(3) Obtain and maintain radio licences from the Federal Communications Commission on behalf of all city departments and ensure compliance with all applicable regulations of the Federal Communications Commission.

(4) Perform such other duties as may be required by the city manager or by ordinance of the city council. (Ord. Nos. 13718; 19312; 19679; 22026; 23694; 31333, eff. 10/1/19)

**ARTICLE XVII.**

**DEPARTMENT OF SANITATION SERVICES.**

**SEC. 2-138. CREATED; DIRECTOR OF  
SANITATION SERVICES.**

There is hereby created the department of sanitation services of the city of Dallas, at the head of which shall be the director of sanitation services who shall be appointed by the city manager. The director must be a person professionally competent by experience and training to manage the department. The department will be composed of the director of sanitation services and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. Nos. 13718; 15004; 22026; 23666; 23694)

## ARTICLE XXVI-a.

## OFFICE OF ARTS AND CULTURE CULTURAL AFFAIRS.

SEC. 2-162.1. ~~CREATED; DIRECTOR OF CULTURAL AFFAIRS.~~

~~There is hereby created a division of the city manager's office to be known as the office of cultural affairs, the head of which shall be the director of cultural affairs who shall be appointed by the city manager and who shall be a person professionally competent by experience and training to manage the office. The office of cultural affairs will be composed of the director of cultural affairs and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager.~~

## SEC. 2-162.1. CREATED; DIRECTOR OF ARTS AND CULTURE.

There is hereby created a division of the city manager's office to be known as the office of arts and culture, the head of which shall be the director of arts and culture who shall be appointed by the city manager and who shall be a person professionally competent by experience and training to manage the office. The office of arts and culture will be composed of the director of arts and culture and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. Nos. 23694; 31333, eff. 10/1/19)

SEC. 2-162.2. ~~DUTIES OF THE DIRECTOR OF CULTURAL AFFAIRS.~~

~~(a) The director of cultural affairs shall perform the following duties:~~

~~(1) Supervise and administer the office of cultural affairs and WRR radio station.~~

~~(2) Manage cultural facilities of the city under the director's supervision as designated by the city manager or by ordinance or resolution of the city council, including approval of lease or license agreements for use of such cultural facilities for short terms not exceeding one year.~~

~~(3) Award cultural funding contracts to cultural organizations and to individuals as provided in Section 2-162.3 of this code.~~

~~(4) Perform such other duties as may be required by the city manager or by ordinance of the city council.~~

~~—(b) The director of cultural affairs and any designated representatives may represent the city in negotiating and contracting with persons planning to use any cultural facility under the management of the director of cultural affairs. Short-term leases and license agreements with small or ethnically and culturally specific nonprofit arts and cultural organizations may be entered into for a nominal consideration, when the director of cultural affairs finds it to be of benefit to the public.~~

## **SEC. 2-162.2. DUTIES OF THE DIRECTOR OF ARTS AND CULTURE.**

(a) The director of arts and culture shall perform the following duties:

(1) Supervise and administer the office of arts and culture and WRR radio station.

(2) Manage cultural facilities of the city under the director's supervision as designated by the city manager or by ordinance or resolution of the city council, including approval of lease or license agreements for use of such cultural facilities for short terms not exceeding one year.

(3) Award cultural funding contracts to cultural organizations and to individuals as provided in Section 2-162.3 of this code.

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

(b) The director of arts and culture and any designated representatives may represent the city in negotiating and contracting with persons planning to use any cultural facility under the management of the director of arts and culture. Short-term leases and license agreements with small or ethnically and culturally specific nonprofit arts and cultural organizations may be entered into for a nominal consideration, when the director of arts and culture finds it to be of benefit to the public. (Ord. Nos. 23694; 31049; 31333, eff. 10/1/19)

## **SEC. 2-162.3. PROCUREMENT OF CULTURAL SERVICES.**

~~—(a) Except as provided in Subsection (f), contracts with organizations and individuals for cultural services shall be awarded in accordance with this section.~~

~~—(b) Cultural services mean artistic and cultural services provided by individuals or organizations that have been recommended for funding by a review panel to the director of cultural affairs. Eligibility requirements to serve on each review panel and a review panel process for recommendations must be approved by city council. Cultural services do not include any services described in Subsection (f) below.~~

~~—(c) The director of cultural affairs may procure services a maximum of five times per fiscal year for production, festivals, and exhibitions under \$50,000 without panel review or recommendation by the arts and culture advisory commission as the director deems necessary to implement arts and culture programs when:~~

~~—(1) timing of support needed is outside of the fiscal year's cultural support program application period for cultural services;~~

~~—(2) the support needed is from a Dallas-based 501(c)(3) cultural organization or individual artist;~~

(a) Except as provided in Subsection (f), contracts with organizations and individuals for cultural services shall be awarded in accordance with this section.

(b) Cultural services mean artistic and cultural services provided by individuals or organizations that have been recommended for funding by a review panel to the director of arts and culture. Eligibility requirements to serve on each review panel and a review panel process for recommendations must be approved by city council. Cultural services do not include any services described in Subsection (f) below.

(c) The director of arts and culture may procure services a maximum of five times per fiscal year for production, festivals, and exhibitions under \$50,000 without panel review or recommendation by the arts and culture advisory commission as the director deems necessary to implement arts and culture programs when:

(1) timing of support needed is outside of the fiscal year's cultural support program application for cultural services;

(2) the support needed is from a Dallas-based 501(c)(3) cultural organization or individual artist;

~~— (3) the service to be provided is less than one year in length; and~~

~~— (4) the city manager, or designee, has issued a memorandum of justification establishing a special need that meets the requirements of Administrative Directive 4-5, as amended.~~

~~— (d) Contracts for cultural services, requiring an expenditure of \$50,000 or less, may be authorized by the city manager by administrative action, approved as to form by the city attorney, without further city council approval.~~

~~— (e) If a contract described under this section requires an expenditure exceeding \$50,000, the contract must be authorized by city council.~~

~~— (f) This section does not apply to services that are required to be competitively bid under state law or subject to other state law requirements such as requirements to contact historically underutilized businesses or the special rules for architect and engineering agreements.~~

~~— (g) All other contracts not covered under this section are governed by the other applicable provisions of this code or other local rules and regulations.~~

(3) the service provided is less than one year in length; and

(4) the city manager, or designee, has issued a memorandum of justification establishing a special need that meets the requirements of Administrative Directive 4-5, as amended.

(d) Contracts for cultural services, requiring an expenditure of \$50,000 or less, may be authorized by the city manager by administrative action, approved as to form by the city attorney, without further city council approval.

(e) If a contract described under this section requires an expenditure exceeding \$50,000, the contract must be authorized by city council.

(f) This section does not apply to services that are required to be competitively bid under state law or subject to other state law requirements such as requirements to contact historically underutilized businesses or the special rules for architect and

engineering agreements.

(g) All other contracts not covered under this section are governed by the other applicable provisions of this code or other local rules and regulations. (Ord. Nos. 31049; 31333, eff. 10/1/19)

#### SEC. 2-162.4. CONTRACTS FOR RADIO STATION AIR TIME REQUIRED; OTHER RADIO STATION CONTRACTS.

~~— (a) There shall be a contract made for the use of each period of air time sold by the radio station, no matter how small, and the sale shall be represented by written contract. Each contract shall be signed by the station manager or shall be approved by the station manager if the sale was made by some subordinate. In the event a contract for sale of air time provides for other services such as line rentals, commentators, musicians, announcers, and other costs incidental to the rendition of the program, then such contract shall~~



distinctly specify each separate item or charge made for such service.

~~— (b) Each contract shall provide for cancellation by the city upon reasonable notice, and shall distinctly specify whether the air time used is commercial, civic, or non-revenue and shall be signed by the person or organization so using the air time.~~

~~— (c) The following types of contracts for the benefit of the radio station, requiring an expenditure of \$50,000 or less, may be authorized by the city manager by administrative action, approved as to form by the city attorney, without further city council approval:~~

~~— (1) payment of copyright or license fees or royalties to obtain the rights to broadcast or play specific musical works or compositions;~~

~~— (2) the purchase of rights to broadcast radio programs produced by persons or entities other than other radio station employees or former radio station employees less than two years after their employment with the city;~~

~~— (3) the purchase of advertising, through radio, television, print, billboard, or other media, to promote the radio station, including services rendered in connection with the production or preparation of artwork, copy, or music used in such advertising;~~

~~— (4) payment of fees to secure professional talent (other than employees of the radio station) for the purpose of promoting the radio station;~~

~~— (5) payment of commissions (not to exceed 25 percent of the contract amount) to persons or advertising agencies (other than employees of the radio station) who render services in connection with the sale of radio station air time or the purchase of advertising to promote the radio station; and~~

~~— (6) the purchase of services rendered in connection with market research and analysis, radio station ratings, and statistical, demographic, or other related research or analysis.~~

(a) There shall be a contract made for the use of each period of air time sold by the radio station, no matter how small, and the sale shall be represented by written contract. Each contract shall be signed by the station manager or shall be approved by the station manager if the sale was made by some subordinate. In the event a contract for sale of air time provides for other services such as line rentals, commentators,

musicians, announcers, and other costs incidental to the rendition of the program, then such contract shall distinctly specify each separate item or charge made for such service.

(b) Each contract shall provide for cancellation by the city upon reasonable notice, and shall distinctly specify whether the air time used is commercial, civic, or non-revenue and shall be signed by the person or organization so using the air time.

(c) The following types of contracts for the benefit of the radio station, requiring an expenditure of \$50,000 or less, may be authorized by the city manager by administrative action, approved as to form by the city attorney, without further city council approval:

(1) payment of copyright or license fees or royalties to obtain the rights to broadcast or play specific musical works or compositions;

(2) the purchase of rights to broadcast radio programs produced by persons or entities other than other radio station employees or former radio station employees less than two years after their employment with the city;

(3) the purchase of advertising, through radio, television, print, billboard, or other media, to promote the radio station, including services rendered in connection with the production or preparation of artwork, copy, or music used in such advertising;

(4) payment of fees to secure professional talent (other than employees of the radio station) for the purpose of promoting the radio station;

(5) payment of commissions (not to exceed 25 percent of the contract amount) to persons or advertising agencies (other than employees of the radio station) who render services in connection with the sale of radio station air time or the purchase of advertising to promote the radio station; and

(6) the purchase of services rendered in connection with market research and analysis, radio station ratings, and statistical, demographic, or other related research or analysis.



~~—(d) If a contract described in Subsection (c) requires an expenditure exceeding \$50,000, the contract must be authorized by the city council. If a contract described in Subsection (c) is required by state law to be competitively bid, the rules stated in Sections 2-32 and 2-33(a) through (c) of this code apply to the contract.~~

~~—(e) All other radio station contracts not covered by this section are governed by the other applicable provisions of this code.~~

(d) If a contract described in Subsection (c) requires an expenditure exceeding \$50,000, the contract must be authorized by the city council. If a contract described in Subsection (c) is required by state law to be competitively bid, the rules stated in Sections 2-32 and 2-33(a) through (c) of this code apply to the contract.

(e) All other radio station contracts not covered by this section are governed by the other applicable provisions of this code. (Ord. Nos. 31049; 31333, eff. 10/1/19)

(b) Nothing in this article prohibits the appointment of a former city employee as a member or adjunct member of the civil service board.

## ARTICLE XXVII.

### CIVIL SERVICE BOARD; ADJUNCT MEMBERS; ADMINISTRATIVE LAW JUDGES.

#### SEC. 2-163. SPECIAL QUALIFICATIONS FOR ADJUNCT MEMBERS OF THE CIVIL SERVICE BOARD.

(a) In addition to the qualifications required by the city charter and Chapter 8 of this code, each adjunct member of the civil service board must meet the following qualifications:

(1) have a total of at least five years experience as a volunteer or employee with a business, governmental, or nonprofit organization that has a work staff of at least 15 persons;

(2) have a total of at least five years experience as a volunteer or employee in the administration or personnel functions of a business, governmental, or nonprofit organization; or

(3) have an accumulation of at least five years experience under Paragraphs (1) and (2) of this subsection.

**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:~~

(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	\$3.73
2,001 - 3,500	\$5.94
3,501 - 5,500	\$8.89
more than 5,500	\$14.54

IMPERVIOUS AREA (in square feet)	MONTHLY RATE
up to 2,000	\$3.90
2,001 - 3,500	\$6.21
3,501 - 5,500	\$9.29
more than 5,500	\$15.19

~~(2) The stormwater drainage charge for all other benefitted properties not defined as residential-benefitted property is an amount equal to \$2.01 per month for each 1,000 square feet, or parts thereof, of impervious area of the benefitted property, with a minimum charge of \$5.74 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 \$2.10 per month for each 1,000 square feet, or parts thereof, of impervious area of the benefitted property, with a minimum charge of \$6.00 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.

(c) Exemptions. All of the real property that requires an exemption under Subchapter C, Chapter 552 of the Texas Local Government Code, as amended, as well as the real property owned by the following are exempt from the charges prescribed in this section:

- (1) the city if used for municipal purposes;
- (2) the State of Texas; and
- (3) a public or private institution of higher education.

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, eff. 10/1/19)

#### **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)

**SEC. 6-6.1. OPEN CONTAINERS AND CONSUMPTION OF ALCOHOLIC BEVERAGES PROHIBITED IN CERTAIN PUBLIC PLACES.**

(a) A person commits an offense if he consumes an alcoholic beverage outside the Dallas central area on:

(1) any property owned or leased by the city; or

(2) a public street or any public place within 18 feet of a public street.

(b) A person commits an offense if he possesses an open container of or consumes an alcoholic beverage on a public street, public alley, or public sidewalk within 1,000 feet of the property line of a facility that is a public or private school, including a parochial school, that provides all or any part of prekindergarten through twelfth grade.

(c) A person commits an offense if he possesses an open container of or consumes an alcoholic beverage within the Dallas central area.

(d) It is a defense to prosecution under Subsection (a), (b), or (c) of this section that the person:

(1) was attending a special event:

(A) that was authorized by the city; and

(B) for which a valid permit or license to sell or serve alcoholic beverages was issued by the Texas Alcoholic Beverage Commission;

(2) was within the area of an establishment licensed by the Texas Alcoholic Beverage Commission for alcohol consumption on the premises.

(3) is able to prove a defense to prosecution under Section 32-11.3(b) of this code;

(4) was in a motor vehicle;

(5) was inside a building not owned or controlled by the city; or

(6) was inside a residential structure.

(e) Nothing in this section is intended to prohibit or otherwise control the manufacture, sale, distribution, transportation, or possession of alcoholic beverages, except to the extent allowed by state law. (Ord. Nos. 15635; 15816; 15849; 16600; 19963; 21021; 21352; 21385; 21735; 21828; 25174)

**SEC. 6-7. RESERVED.**

(Repealed by Ord. 16870)

**SEC. 6-8. RESERVED.**

(Repealed by Ord. 16870)

**SEC. 6-9. STATE LAW TO CONTROL.**

The penalties provided for by this chapter are subject to the limitations of the Texas Alcoholic Beverage Code, and if there is any conflict between the penalties of this chapter and the state law, then to that extent the state law controls, and the municipal court of the city will have jurisdiction of any offense under this chapter and under the state law only where the Constitution and the general law of this state confer such jurisdiction. (Code 1941, Art. 69-14; Ord. 21735)

**SEC. 6-10. LOCAL FEES.**

~~—The city hereby levies, and shall collect, a fee from every person who is issued a permit or license for a premise located within the city, as allowed under the Texas Alcoholic Beverage Code, as amended. The amount of the fee shall be the maximum permitted under state law.—~~

(a) The city hereby levies, and shall collect, a fee from every person who is issued a permit or license for a premise located within the city, as allowed under the Texas Alcoholic Beverage Code, as amended. The amount of the fee is the maximum permitted under state law.

(b) The Special Collections Division of the Dallas Water Utilities Department shall, upon receipt of payment, issue and provide a receipt to the permittee or licensee.

(c) The receipt must be displayed with the certificate of occupancy in a conspicuous location at the permitted or licensed premise at all times. A person commits an offense if he fails to display the receipt in accordance with this subsection.

(d) A refund of the fees levied under this section may not be made for any reason, except when:

(1) the permittee or licensee is prevented from continuing in business as a result of a local option election; or

(2) the Texas Alcoholic Beverage Commission or its administrator rejects a permit or license application.

(e) A permittee or licensee who sells an alcoholic beverage at a business location within the city before the permittee or licensee pays the fees levied under this section commits a class C misdemeanor punishable by a fine of not less than \$10 and not more than \$200. (Ord. Nos. 30653; 31332, eff. 10/1/19)

(d) The director is the designated caretaker of a loose, impounded, or surrendered animal immediately upon intake at the animal shelter.

(e) Visitation of a seized animal is prohibited.

(f) No animal impounded at a city animal shelter or in the custody or control of animal services may be knowingly sold, released, or otherwise disposed of for research purposes. (Ord. Nos. 26024; 29403; 30483; 30900)

#### SEC. 7-2.6. REDEMPTION OF IMPOUNDED ANIMALS.

~~— (a) To redeem an impounded animal from a city animal shelter, the owner of the animal must provide proof of ownership and pay to the director the following fees for services rendered before redemption:~~

~~— (1) on all animals held at least one full day, a redemption fee of:~~

~~— (A) \$27 for an animal delivered for impoundment to a city animal shelter by a person other than a city employee in the performance of official duties; or~~

~~— (B) \$27 for an animal delivered for impoundment to a city animal shelter by a city employee in the performance of official duties;~~

~~— (2) on all animals held at least one full day, \$10 for each night the animal is housed in a city shelter;~~

~~— (3) \$10 for a rabies vaccination of a dog, cat, or ferret if the owner cannot show either:~~

~~— (A) a current certificate of vaccination for the animal; or~~

~~— (B) a letter from a licensed veterinarian on office stationery dated prior to impoundment stating that the animal was not vaccinated due to health reasons;~~

~~— (4) \$15 for a microchip implant and initial national registration of a dog or cat, unless:~~

~~— (A) the animal was injected with a microchip implant prior to impoundment;~~

~~— (B) a letter from a licensed veterinarian on office stationery dated prior to impoundment stating that the animal should not be injected with a microchip implant for health reasons; and~~

~~— (5) \$60 for sterilization of an animal, unless:~~

~~— (A) the animal was spayed or neutered prior to impoundment;~~

~~— (B) the animal is under six months of age;~~

~~— (C) the owner provides a letter from a licensed veterinarian on office stationery dated prior to impoundment certifying that the animal should not be spayed or neutered for health reasons or is permanently non-fertile as confirmed by a health examination within 90 days prior to impoundment.~~

(a) To redeem an impounded animal from a city animal shelter, the owner of the animal must provide proof of ownership and pay to the director the following fees for services rendered before redemption:

(1) on all animals held at least one full day a redemption fee of:

(A) \$25 for an animal delivered for impoundment to a city animal shelter by a person other than a city employee in the performance of official duties; or

(B) \$25 for an animal delivered for impoundment to a city animal shelter by a city employee in the performance of official duties;

(2) on all animals held at least one full day, \$10 for each night the animal is housed in a city shelter;

(3) \$10 for a rabies vaccination of a dog, cat, or ferret if the owner cannot show either:

(A) a current certificate of vaccination

for the animal; or

(B) a letter from a licensed veterinarian on office stationery dated prior to impoundment stating that the animal was not vaccinated due to health reasons;

(4) \$10 for a microchip implant and initial national registration of a dog or cat unless:

(A) the animal was injected with a microchip implant prior to impoundment;

(B) a letter from a licensed veterinarian on office stationery dated prior to impoundment stating the animal should not be injected with a microchip implant for health reasons; and

(5) \$40 for sterilization of an animal, unless:

(A) the animal was spayed or neutered prior to impoundment;

(B) the animal is under six months of age;

(C) the owner provides a letter from a licensed veterinarian on office stationery dated prior to impoundment certifying that the animal should not be spayed or neutered for health reasons or is permanently non-fertile as confirmed by a health examination within 90 days prior to impoundment.

(b) The redemption period for an animal impounded in a city animal shelter, other than for quarantine or pursuant to a court order, is:

(1) three days after the date of impoundment, unless Paragraph (2) or (3) of this subsection applies to the animal;

(2) five days after the date of impoundment if:

(A) the animal is wearing a legible tag or has a microchip implant identifying its owner with contact information; or

(B) the director has reason to believe the animal has an owner; or

(3) 10 days after the date of impoundment if the animal is being held for protective custody.



(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;~~

~~— (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) \$85 for a dog and \$55 for a cat, unless Subparagraph (B) of this paragraph applies to the adoption; or~~

~~— (B) \$43 for a dog and \$27 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 part of the same transaction, and the adopter will be the ultimate owner of all of the animals adopted in the transaction; and~~

~~— (4) pay to the director the applicable registration fee for the dog or cat under Section 7-4.2; if the dog or cat is at least four months of age and the adopter resides in the city.~~

(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.

(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)

## **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 permit fee of \$100. 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 \$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.

(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)

#### **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 \$50;~~

~~—(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 an 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;~~

(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 each 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.~~

(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)

#### **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 registration fee of \$50;~~

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

(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 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 dangerous 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.~~

(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)

(D) the person has on file with the director, on a form provided for that purpose, a current list describing all prohibited animals kept in the city by the person and specifying the location where each animal is kept;

(11) a participant in a species survival plan of the American Zoo and Aquarium Association for the species of prohibited animal owned by or in the possession, control, or custody of the person, if:

(A) the prohibited animal is an integral part of the species survival plan;

(B) the person has all required state and federal licenses and permits;

(C) the person is in compliance with all federal, state, and city laws or regulations applicable to the animal; and

(D) the person has on file with the director, on a form provided for that purpose, a current list describing all prohibited animals kept in the city by the person and specifying the location where each animal is kept; or

(12) exhibiting a prohibited animal (other than a dangerous wild animal as defined in Section 822.101 of the Texas Health and Safety Code, as amended) at the State Fair of Texas or at a special event conducted with written permission of the city, if the person:

(A) has all required state and federal licenses and permits;

(B) is in compliance with all federal, state, and city laws or regulations applicable to the animal; and

(C) has on file with the director, on a form provided for that purpose, a current list describing all prohibited animals kept in the city by the person and specifying the location where each animal is kept. (Ord. 26024)

## SEC. 7-6.2. REGULATED ANIMALS.

(a) A person commits an offense if he owns a regulated animal for any purpose in the city without holding a valid regulated animal permit issued for the animal under this section.

(b) All defenses set forth in Section 7-6.1(b) relating to prohibited animals are defenses to prosecution under Subsection (a) of this section when applied to regulated animals.

(c) A regulated animal permit may be issued only to a person who is in the business of exhibiting one or more regulated animals to the public and who:

(1) has all required state and federal licenses and permits; and

(2) is in compliance with all federal, state, and city laws or regulations applicable to the regulated animal.

(d) Regulated animal permits are classified as follows:

(1) Annual regulated animal permit. Possession of an annual regulated animal permit is required to keep a regulated animal in the city for more than 10 days within any calendar year. The permit is valid for one year after the date of issuance, unless sooner revoked by the director, and may be renewed by filing an application in accordance with this section.

(2) Temporary regulated animal permit. Possession of a temporary regulated animal permit is required to keep a regulated animal in the city for not more than 10 days within any calendar year. The permit is valid for a period designated by the director not to exceed 10 days.

~~(e) The fees for a regulated animal permit are as follows:~~

(e) The fees for a regulated animal permit are as follows:

(2) prevents escape by the animal; and

(3) provides a safe, healthy, and humane environment for the animal.

(p) An owner of a regulated animal shall keep and confine the animal in accordance with the caging requirements and standards established by the director.

(q) For each regulated animal, the owner shall comply with all applicable standards of the Animal Welfare Act (7 U.S.C. Section 2131, et seq.), as amended, and with regulations adopted under that Act relating to:

- (1) facilities and operations;
- (2) animal health and husbandry; and
- (3) veterinary care.

(r) An owner of a regulated animal commits an offense if he fails to comply with this section. Each animal with respect to which there is a violation and each day that a violation continues is a separate offense.

(s) The director shall deny issuance or renewal of a regulated animal permit if the applicant:

- (1) makes a false statement of material fact on an application for a regulated animal permit;
- (2) is not in compliance with this section or Article III of this chapter;
- (3) is not in compliance with any conditions of the permit or any rules established by the director relating to the regulated animal;
- (4) has had a regulated animal permit revoked by the director within the preceding 12 months; or
- (5) intentionally or knowingly impeded a lawful inspection by the director or the director's authorized representative.

(t) The director shall revoke a regulated animal permit if the director determines that the permit holder has:

- (1) made a false statement of material fact on an application for a regulated animal permit;
- (2) violated a provision of this section or Article III of this chapter;
- (3) violated a condition of the permit or a rule established by the director relating to the regulated animal; or
- (4) intentionally or knowingly impeded a lawful inspection by the director or the director's authorized representative.

(u) If the director refuses to issue or renew a regulated animal permit, or revokes a regulated animal permit, the director shall send to the applicant or permit holder by certified mail, return receipt requested, written notice of the action, including the reason for the action, and a statement of the right to an appeal. The applicant or permit holder may appeal the decision of the director to a permit and license appeal board in accordance with Section 2-96 of this code. The filing of a request for an appeal hearing with the permit and license appeal board stays an action of the director in revoking a permit until the permit and license appeal board makes a final decision. (Ord. Nos. 26024; 29879, eff. 10/1/15; 31332, eff. 10/1/19)

## ARTICLE VII.

### MISCELLANEOUS.

#### SEC. 7-7.1. INTERFERENCE WITH AN ANIMAL SERVICES OFFICER.

A person commits an offense if he interferes with, hinders, or molests any employee or agent of animal services in the performance of official duties. (Ord. 26024)

**CHAPTER 15D****EMERGENCY VEHICLES****ARTICLE I.****AMBULANCES.****Division 1. General Provisions.**

- Sec. 15D-1. Statement of policy.  
 Sec. 15D-2. General authority and duty of director.  
 Sec. 15D-3. Establishment of rules and regulations.  
 Sec. 15D-4. Definitions.

**Division 2. Emergency Medical Services.**

- Sec. 15D-5. Emergency ambulance service provided by fire department; fee.  
 Sec. 15D-5.1. Mobile community healthcare program provided by fire department.  
 Sec. 15D-5.2. **Emergency medical service training program.**  
 Sec. 15D-6. Private emergency ambulance service regulations.

**Division 3. Private Ambulance Service License.**

- Sec. 15D-7. Private ambulance service license required.  
 Sec. 15D-8. Qualification for private ambulance license.  
 Sec. 15D-9. Application for license.  
 Sec. 15D-9.1. Public hearing; burden of proof.  
 Sec. 15D-9.2. License issuance; fee; display; transferability.  
 Sec. 15D-9.3. Expiration and renewal of license.  
 Sec. 15D-9.4. Refusal to issue or renew license.  
 Sec. 15D-9.5. Suspension and revocation of license.  
 Sec. 15D-9.6. Appeal from license suspension.  
 Sec. 15D-9.7. Appeal from license denial or revocation.

**Division 4. Ambulance Personnel Permit.**

- Sec. 15D-9.8. Ambulance personnel permit required.  
 Sec. 15D-9.9. Qualification for ambulance personnel permit.  
 Sec. 15D-9.10. Application for ambulance personnel permit.  
 Sec. 15D-9.11. Investigation of application.  
 Sec. 15D-9.12. Issuance and denial of ambulance personnel permit.  
 Sec. 15D-9.13. Expiration of permit; voidance upon suspension or revocation of state driver's license.  
 Sec. 15D-9.14. Provisional permit.  
 Sec. 15D-9.15. Probationary permit.  
 Sec. 15D-9.16. Duplicate permit.  
 Sec. 15D-9.17. Display of permit.  
 Sec. 15D-9.18. Suspension by a designated representative.  
 Sec. 15D-9.19. Suspension of ambulance personnel permit.  
 Sec. 15D-9.20. Revocation of ambulance personnel permit.  
 Sec. 15D-9.21. Private ambulance operation after suspension, revocation, or denial of permit renewal.  
 Sec. 15D-9.22. Appeal of denial, suspension, or revocation.  
 Sec. 15D-9.23. Current mailing address of permittee.

**Division 5. Miscellaneous Regulations.**

- Sec. 15D-9.24. Duty of licensee and permittee to comply.  
 Sec. 15D-9.25. Licensee's duty to enforce compliance by permittees.  
 Sec. 15D-9.26. Insurance.

**Division 6. Service Rules and Regulations.**

- Sec. 15D-9.27. Private ambulance service.  
 Sec. 15D-9.28. Apparel to be worn by ambulance personnel.



and used for transporting the sick or injured in answer to an emergency call.

(9) EMERGENCY CALL means any request for ambulance service that is made by telephone or other means of communication in circumstances that are, or have been represented to be, an emergency.

(10) EMERGENCY MEDICAL SERVICES means services used to respond to an individual's perceived need for immediate medical care and to prevent death or aggravation of physiological or psychological illness or injury.

(11) EMERGENCY MEDICAL SERVICES VEHICLE means any motor vehicle constructed, reconstructed, arranged, equipped, or used in the mobile community healthcare program by the fire department for the purpose of providing emergency medical services but not for transporting sick, injured, or deceased persons.

(12) EMERGENCY PATIENT means a person in whom a sickness or injury may cause a significant risk to the person's life or limb. Such sickness or injury may include, but is not limited to, trauma (major injury to the body, head, or extremities), chest pain, abdominal pain, unconsciousness, delirium, imminent delivery of a child, and serious infection.

(13) EMERGENCY PREHOSPITAL CARE means care provided to the sick or injured during emergency transportation to a medical facility and includes any necessary stabilization of the sick or injured in connection with that transportation.

(14) EMERGENCY RUN means an emergency ambulance trip, requiring the use of warning lights or sirens, to the place where an emergency exists or from the place of the emergency to a hospital, medical clinic or office, or other appropriate destination for the patient.

(15) FIRE ALARM DISPATCHER means the central communications center of the fire department.

(16) FIRE CHIEF means the chief of the fire department or the chief's duly authorized representative.

(17) FIRE DEPARTMENT means the fire department of the city of Dallas, Texas.

(18) FIRE DEPARTMENT PARAMEDIC means a fire department employee certified as a paramedic by the Texas Department of State Health Services.

(18.1) HARDSHIP ASSISTANCE means the reduction of ambulance service charges assessed to a transported patient or the payment-responsible party on behalf of a transported patient approved by the city manager, department director, or designee.

(19) LAWFUL ORDER means a verbal or written directive issued by the director in the performance of official duties in the enforcement of this chapter and any rules and regulations promulgated under this chapter.

(20) LICENSE means written authorization issued by the director for a person to operate a private ambulance service within the city.

(21) LICENSEE means a person licensed under this article to engage in private ambulance service. The term includes any owner, operator, driver, ambulance personnel, employee, or agent of the licensed business, but does not include a subcontractor.

(22) MEDICAL DIRECTOR means a physician licensed by the Texas Medical Board who is under contract with the city to be responsible for all aspects of the provision of emergency medical services within the city under Title 22 of the Texas Administrative Code Chapter 197, as amended.

(23) MUTUAL AID CALL means a request for emergency ambulance service issued by one political jurisdiction to a neighboring political jurisdiction.



(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) \$1,578 for each transport of a resident of the city of Dallas to a hospital and \$1,678 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.~~

(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.

~~———— (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) \$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.~~

(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. In the case of service received by a minor, the parent or guardian of the minor shall be responsible for payment of all fees.~~

(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)

## 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.

services vehicles to provide emergency medical services, including immunization and vaccinations, to:

(A) individuals that meet criteria established by the director;

(B) individuals identified through a contract executed under Paragraph (5) below; and

(C) police and fire personnel.

(3) The director shall promulgate standard operating procedures regarding emergency medical services provided by fire department paramedics as part of the mobile community healthcare program.

(4) A physician licensed to practice medicine in Texas shall develop, implement, and revise protocols and standing delegation orders regarding emergency medical services provided by the fire department paramedics as part of the mobile community healthcare program.

(5) The city may enter into contracts with hospitals within Dallas city limits authorizing fire department paramedics, through the mobile community healthcare program, to provide emergency medical services to certain individuals who reside in the city, meet criteria established by a contract, and are designated by the contracting hospital. These contracts with hospitals must:

(A) require that any emergency medical services provided by the fire department paramedics shall be provided under the supervision of the individual's treating physician or the appropriate hospital medical staff and through the exercise of the supervising physician's independent medical judgment;

(B) require that the hospital develop treatment protocols for their discharged individuals receiving emergency medical services from fire department paramedics through the mobile community

healthcare program, and that those treatment protocols are deemed by the medical director to be within the scope of the fire department paramedics' certification;

(C) require that any medications prescribed to individuals participating in the mobile community healthcare program will be prescribed by the individual's treating physician or the appropriate hospital medical staff based on the prescribing physician's relationship with the individual; and

(D) be reviewed and approved as to form by the compliance officer and director of risk management before consideration by city council.

(6) Nothing in this chapter shall be construed to restrict a physician from delegating administrative and technical or clinical tasks not involving the exercise of independent medical judgment to those specifically trained individuals instructed and directed by a licensed physician who accepts responsibility for the acts of such allied health personnel. Further, nothing shall be construed to relieve the supervising physician of the professional or legal responsibility for the care and treatment of his or her patients.

(c) Fees. The city shall charge a \$252 per hour fee to hospitals utilizing emergency medical services in the city to provide mobile community healthcare. (Ord. Nos. 29544; 31332, eff. 10/1/19)

#### **SEC. 15D-5.2. EMERGENCY MEDICAL SERVICE TRAINING PROGRAM.**

(a) Findings and purpose. The city partners with Emergency Medical Service ("EMS") training programs throughout the city. Through the partnerships, the city provides students in the programs the opportunity to participate in ride-outs with Dallas Fire-Rescue EMS personnel for the purpose of attaining the necessary training hours required for program completion.

(b) Fees. The city shall charge the following fees for all training ride-out services:

(1) \$75 per emergency medical training internship college district student.

(2) \$75 per emergency medical training paramedic corporate student. (Ord. 31332, eff. 10/1/19)

**SEC. 15D-6. PRIVATE EMERGENCY  
AMBULANCE SERVICE  
REGULATIONS.**

(a) A person who is not a member of the fire department or of an agency of the United States commits an offense if he furnishes, operates, conducts, maintains, advertises, or otherwise engages in or professes to be engaged in emergency ambulance service within the city, for the purpose of picking up emergency patients within the city, except in the following circumstances:

(1) A person shall operate an emergency ambulance within the city to render assistance during a catastrophe or major emergency if requested to do so

(2) Limits may be temporarily lifted at the discretion of the director of sanitation for matters concerning public health and safety. [eff. 7/1/20]

(g) Oversized brush and bulky trash collection.

(1) In general. The occupant of a residence or duplex may request one oversized brush and bulky trash collection per year to occur during one of their normal collection months. This oversized collection will take the place of one of the 12 monthly brush and bulky trash collections.

(2) Dimensions. An oversized collection may not exceed 20 cubic yards or consist of more than 10 cubic yards of bulky trash.

(3) Request. An occupant of a residence or duplex must submit, either online or by phone, an oversized collection service request through the city's 311 services requests systems before the beginning of an occupant's normally scheduled collection week in order to avoid an excessive volume service fee.

(4) Fee. Where the quantity of the oversized brush and bulky trash set out for collection exceeds 20 cubic yards, the set out may be collected and a fee will be assessed on the dwelling unit's water bill pursuant to a fee schedule that will be adopted in the 2019-2020 fee ordinance. [eff. 7/1/20]

~~(h) Excessive and non-compliant brush and bulky trash service fees.~~

~~(1) Excessive brush and bulky trash service fees. Where the quantity of brush and bulky trash set out for collection exceeds 10 cubic yards and a request for an oversized brush and bulky trash collection was not submitted, the set out may be collected and a fee will be assessed on the dwelling unit's water bill pursuant to a fee schedule that will be adopted in the 2019-2020 fee ordinance.~~

~~(2) Non-compliant brush and bulky trash service fees. A dwelling unit is subject to a service charge for a collection of a non-compliant brush and bulky trash set out which contains excluded items as defined in Section 18-2(3), that are with or on top of the set out, or if such items are~~

~~placed so close to the set out pile that the items cannot reasonably be removed from the pile to be collected. A service charge will be placed on the dwelling unit's water bill pursuant to a fee schedule that will be adopted in the 2019-2020 fee ordinance.~~

~~(3) Violations. Nothing in this subsection prevents the city from issuing a citation for a violation described in this section.~~

(h) Excessive and non-compliant brush and bulky trash service fees.

(1) Excessive brush and bulky trash service fees. Where the quantity of brush and bulky trash set out for collection exceeds 10 cubic yards and a request for an oversized brush and bulky trash collection was not submitted, the set out may be collected and a fee will be assessed on the dwelling unit's water bill. The fee will be assessed at a rate of \$60 per five cubic yards, billed in five cubic yard increments.

(2) Non-compliant brush and bulky trash service fees. A dwelling unit is subject to a service charge for a collection of a non-compliant brush and bulky trash set out which contains excluded items as defined in Section 18-2(3), that are with or on top of the set out, or if such items are placed so close to the set out pile that the items cannot reasonably be removed from the pile to be collected. A service charge will be placed on the dwelling unit's water bill. The fee will be assessed at a rate of \$60 per five cubic yards, billed in five cubic yard increments.

(3) Violations. Nothing in this subsection prevents the city from issuing a citation for a violation described in this section. [eff. 7/1/20] (Ord. Nos. 16367; 19172; 19991; 21058; 21632; 22295; 24000; 24142; 24299; 26960; 28019; 31231; 31332, eff. 7/1/20)

**SEC. 18-5. REGULATING THE COLLECTION AND REMOVAL OF SOLID WASTE MATERIALS FROM APARTMENTS, INSTITUTIONS, COMMERCIAL ESTABLISHMENTS, AND MOBILE HOME PARKS.**

(a) The manual collection of dry or wet solid waste from an apartment, institution, commercial

(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 - \$27.29 per dwelling unit per month for one rollcart, plus \$10.56 per month for each additional garbage rollcart requested by the owner or occupant of the premises.~~~~(B) Packout or drive-in collection service for municipal solid waste - \$95.04 per dwelling unit per month.~~

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

(A) Alley or curb collection service for municipal solid waste - \$28.64 per dwelling unit per month for one rollcart, plus \$10.56 per month for each additional garbage rollcart requested by the owner or occupant of the premises.

(B) Packout or drive-in collection service for municipal solid waste - \$99.75 per dwelling unit per month.

~~(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 - \$27.29 per apartment unit or mobile home space per month.~~~~(B) Packout collection service for municipal solid waste - \$95.04 per apartment unit or mobile home space per month.~~

(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 - \$28.64 per apartment unit or mobile home space per month.

(B) Packout collection service for municipal solid waste - \$99.75 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 &amp; Recycling, per Section 18-9(b)(6), more than once a week)

	NUMBER OF COLLECTIONS PER WEEK*						
96-gallon RollCarts	1	2	3	4	5	6	7
1	\$30.33	\$59.59	\$88.85	\$118.11	\$147.37	\$176.63	\$205.89
2	\$60.66	\$119.18	\$177.70	\$236.22	\$294.73	\$353.25	\$ 411.77



(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)

NUMBER OF 96-GALLON RECYCLING ROLL CARTS									
1	2	3	4	5	6	7	8	9	10
\$19.83	\$39.66	\$59.49	\$79.32	\$99.15	\$118.98	\$138.81	\$158.64	\$178.47	\$198.30

~~————— (5) Extraordinary collection and removal service: A cost plus rate determined by the director of sanitation for materials not included in the regular collection service as described in Section 18-8, as amended.~~

(5) Extraordinary collection and removal service: A cost plus rate of \$50 per five cubic yards, billed in five cubic yard increments for materials not included in the regular collection service as described in Section 18-8, as amended.

(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.

(9) The fee for replacement of a rollcart that is lost or damaged due to a customer's negligence is \$49.59 for a garbage rollcart or \$52.94 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 \$100 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, eff. 10/1/19)

#### 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 have illegally disposed of or caused the illegal disposal of the solid waste. If a vehicle is used to illegally dispose of solid waste, the owner of the vehicle is presumed to have illegally disposed of or authorized the illegal disposal of the solid waste. Proof of ownership of a vehicle may be made by a computer-generated record of the registration of the vehicle with the Texas Department of Public Safety showing the name of the person to whom state license plates were issued. This proof is prima facie evidence of the ownership of the vehicle by the person to whom the certificate of registration was issued.

(2) The director of sanitation shall be responsible for determining disposal procedures, authorized users, and methods of operation at municipal transfer stations and landfill sites inside the city.

(3) The director of sanitation shall have authority to approve the establishment and make inspections of non-municipal landfill sites inside the city to ensure compliance with federal, state, and local law regulating the establishment and operation of landfill sites.

(4) The director of sanitation shall have authority to regulate traffic at the city's transfer stations and landfill sites. Designated employees of the department of sanitation services shall direct traffic by voice, hand, or signal at the transfer stations and landfill sites. A person commits an offense if he fails or refuses to comply with a traffic directive of a designated employee of the department of sanitation services. A designated employee of the department of sanitation services may cause the removal from a transfer station or landfill site of any person or vehicle in violation of this paragraph.

(b) Processing and disposal of solid waste materials by private persons, firms, or corporations will be permitted only after application has been made to, and approved by, the director of sanitation as complying with all applicable city, county, state, and federal regulations pertaining to solid waste processing and disposal operations, and all fees required by this article have been paid.

(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 \$47 per ton based on the transfer station weighing system, with a minimum charge of \$47 for any load that is less than one ton.~~

(5) Except as provided in Subsection (a)(6), the charge for all materials accepted at the transfer station is \$51 per ton based on the transfer station weighing system, with a minimum charge of \$51 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 - \$40 per load.

————— (B) Commercial pickups - \$47 per load.

————— (C) Trucks or trailers with a cargo bed length of less than 15 feet - \$187 per load.

————— (D) Trucks or trailers with a cargo bed length of not less than 15 feet but less than 25 feet - \$234 per load.

(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 - \$43.43 per load.

(B) Commercial pickups - \$51 per load.

(C) Trucks or trailers with a cargo bed length of less than 15 feet - \$203 per load.

(D) Trucks or trailers with a cargo bed length of not less than 15 feet but less than 25 feet - \$254 per load.

(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 \$26.25 per ton based on the landfill weighing system, with a minimum charge of \$26.25 for any load that is less than one ton.

(2) Except as provided in Subsection (b)(3), the charge for all materials accepted at a city landfill site is \$28.50 per ton based on the landfill weighing system, with a minimum charge of \$28.50 for any load that is less than one ton.

————— (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 - \$39.50 per load.

————— (B) Commercial pickups - \$39.50 per load.

————— (C) Trucks or trailers with a cargo bed length of less than 15 feet - \$92.15 per load.

~~————— (D) Trucks or trailers with a cargo bed length of 15 feet or greater - \$197.50 per load.~~

~~————— (E) Roll-off containers, whether open top or compactor - \$210.60 per load.~~

~~————— (F) Compactor trucks - \$263.25 per load.~~

(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 - \$43.00 per load.

(B) Commercial pickups - \$43.00 per load.

(C) Trucks or trailers with a cargo bed length of less than 15 feet - \$100.00 per load.

(D) Trucks or trailers with a cargo bed length of 15 feet or greater - \$214.50 per load.

(E) Roll-off containers, whether open top or compactor - \$229.00 per load.

(F) Compactor trucks - \$286.00 per load.

~~————— (4) A fee of \$46.80 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.~~

(4) A fee of \$48.80 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 \$87.75 per use.~~

(5) The fee for use of the city's mechanical tipper to off-load tractor trailer loads is \$91.50 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 \$10 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.

(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

(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, eff. 10/1/19)

**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 and removed from the premises.

(d) Notice to remove.

(1) Before removing illegally-deposited solid waste material from private premises, the director must notify the owner of the premises to remove the solid waste material within seven days. This notice must be in writing and may be served by handing it to the owner in person or by sending it United States regular mail, addressed to the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the premises are located.

(2) If personal service to the owner cannot be obtained, then the owner may be notified by:

(A) publication at least once in the official newspaper adopted by the city council;

(B) posting the notice on or near the front door of each building on the premises to which the violation relates; or

(C) posting the notice on a placard attached to a stake driven into the ground on the premises to which the violation relates.

(3) If the director mails a notice to a property owner in accordance with Subsection (d)(1) and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered as delivered.

(4) In a notice provided under this section, the director may, by regular mail and by a posting on the property, inform the owner of the property on which the violation exists that, if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city may, without further notice, correct the violation at the owner's expense and then assess the expense against the property. If a violation covered by a notice under this subsection occurs within the one-year period, and the city has not been informed in writing by the owner

(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 tax payer 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, 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.

(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. 25635)

#### SEC. 18-57. LICENSE AND PERMIT FEES.

~~—(a) The annual fee for a tire business license is \$75.~~

~~—(b) The annual fee for each mobile tire repair unit permit is \$75.~~

~~—(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 \$32.~~

~~—(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 \$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. (Ord. Nos. 25635; 26598; 29879; 31332, eff. 10/1/19)

#### SEC. 18-58. ISSUANCE, DENIAL, AND DISPLAY OF A LICENSE OR PERMIT.

(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 application;

(3) failed to pay a license or permit fee required under this article; or

(4) has had a tire business license revoked within the preceding 12 months.

(b) Upon issuance of a license to an applicant, the director shall issue a permit to each vehicle to be operated by the applicant as a mobile tire repair unit.

(c) If the director determines that an applicant should be denied a tire business license, the director shall notify the applicant in writing that the application is denied and include in the notice the reason for denial and a statement informing the applicant of the right of appeal.



**SEC. 18-59. REVOCATION OF A LICENSE.**

(a) The director shall revoke a tire business license if the licensee:

(1) refuses to allow any agent of the city entry into and inspection of the tire business or a mobile tire repair unit;

(2) is convicted twice within a 24-month period of any city ordinance or state or federal law regulating solid waste, litter, dumping, pollution, standing water, insect or rodent infestation, junk or salvage yards, junk motor vehicles, tires, or similar health, sanitation, or environmental concerns; or

(3) violates any provision of this article or Section 19-34.1 of this code. (Ord. 25635)

**SEC. 18-60. APPEALS.**

If the director denies issuance of a license or a license renewal or revokes a license issued pursuant to this article, this action is final unless the applicant or licensee shall, within 30 days after the receipt of written notice of the director's action, file with the city manager a written appeal. The city manager shall, within 10 days after the appeal is filed, consider all the evidence in support of and against the action appealed and render a decision either sustaining or reversing the action. The decision of the city manager is final. (Ord. 25635)

**SEC. 18-61. EXPIRATION AND RENEWAL OF LICENSE; VOIDANCE OF AUTHORITY TO OPERATE A MOBILE TIRE REPAIR UNIT.**

(a) A tire business license expires one year from the date of issuance and may be renewed by making application in accordance with Section 18-56. A licensee shall apply for renewal at least 30 days before the expiration of the license.

(b) Any permit to operate a mobile tire repair unit that is granted under this article expires upon expiration, revocation, suspension, or nonrenewal of the accompanying tire business license. (Ord. 25635)

**SEC. 18-62. TRANSPORTING SCRAP TIRES.**

(a) A person commits an offense if he transports scrap tires in a vehicle within the city without:

(1) displaying a valid scrap tire transporter decal in a visible and conspicuous location on the rear of the vehicle;

(2) being listed as a transporter or authorized driver for the vehicle in the application for the vehicle's scrap tire transporter decal that is on file with the director; or

(3) maintaining for inspection at any time a current manifest as required by Section 361.112 of the Texas Health and Safety Code, as amended.

~~—(b) A person wishing to transport scrap tires in the city must apply for a scrap tire transporter decal on a form provided by the director for that purpose. A separate application must be made for each vehicle to be used to transport scrap tires. The application must be signed and verified by the applicant, be accompanied by a nonrefundable decal fee of \$20, and contain all of the following information:~~

~~—(1) The name, mailing address, county of residence, and telephone and facsimile numbers of the transporter and all authorized drivers of the vehicle;~~

~~—(2) The year, make, model, vehicle identification number, and state license registration number for the vehicle on which the tires will be transported, and proof that the vehicle is in compliance with state requirements for vehicle registration, vehicle inspection, and vehicle financial responsibility;~~

(b) A person wishing to transport scrap tires in the city must apply for a scrap tire transporter decal on a form provided by the director for that purpose. A separate application must be made for each vehicle to be used to transport scrap tires. The application must be signed and verified by the applicant, be accompanied by a nonrefundable fee of \$58, and

contain all of the following information:

(1) The name, mailing address, county of residence, and telephone and facsimile numbers of the transporter and all authorized drivers of the vehicle.

(2) The year, make, model, vehicle identification number, and state registration number for the vehicle on which the tires will be transported, and proof that the vehicle is in compliance with state requirements for vehicle registration, vehicle inspection, and vehicle financial responsibility.

(c) A scrap tire transporter decal is not transferable from one vehicle to another.



(d) It is a defense to prosecution under Subsections (a)(1) and (a)(2) of this section that:

(1) not more than six scrap tires were being transported at the same time in the same vehicle; or

(2) the scrap tires were being transported from a point outside of the Dallas city limits to another point outside of the Dallas city limits, and the vehicle did not stop within the Dallas city limits for the purpose of loading or unloading any scrap tires. (Ord. Nos. 25635; 31332, eff. 10/1/19)

#### **SEC. 18-63. IMPOUNDMENT OF VEHICLES.**

(a) A peace officer is authorized to remove or cause the removal of a vehicle when the officer arrests a person for a violation of Section 18-62 and the officer is by law required to take the person arrested immediately before a magistrate.

(b) A vehicle removed and towed under this section must be kept at a place designated by the chief of police as a city pound location until application for redemption is made by the vehicle owner or the owner's authorized agent.

(c) A vehicle impounded under this section will be released to the vehicle owner or the owner's authorized agent in accordance with the provisions of Sections 28-4 and 28-5 of this code, after:

(1) the city has removed all illegal scrap tires from the impounded vehicle and stored or disposed of them in a manner prescribed by the director; and

(2) the vehicle owner or the owner's authorized agent has paid the following fees to the city:

(A) the towing fees required by Section 15D-57 of this code for the tow of a disabled vehicle by an emergency wrecker service;

(B) the notification, impoundment, and storage fees required by Section 28-4 of this code for an impounded vehicle; and

(C) a disposal fee of \$2.50 for each scrap tire removed from the impounded vehicle for disposal by the city. (Ord. 25635)

#### **SEC. 18-64. UNAUTHORIZED DISPOSAL OF TIRES.**

(a) A person commits an offense if he disposes of a scrap tire at any location within the city.

(b) It is a defense to prosecution under Subsection (a) that the scrap tire was disposed of:

(1) at a city landfill in compliance with city regulations governing the landfill; or

(2) at a tire recycling facility or a tire disposal facility that is registered or permitted by the state as required under Section 361.112 of the Texas Health and Safety Code, as amended, provided that the tires were delivered to the facility by a tire transporter registered by the state and the manifest for the tires was signed by the transporter and the facility accepting the tires. (Ord. 25635)

#### **SEC. 18-65. EXEMPTIONS.**

This article does not apply to any department, branch, or agency of the government of the United States or the State of Texas. (Ord. 25635)

#### **SEC. 18-66. PENALTY.**

(a) An offense under this article is punishable by a fine of not less than \$500 or more than \$2,000. Each tire transported in violation of this article constitutes a separate offense.

(b) A culpable mental state is not required for the commission of an offense under this article.

~~—(e) 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 \$87 multiplied by the total number of units in the multitenant property.~~

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

(f) The director shall provide a list of the current graded inspection scores for all registered rental properties on the city's website. (Ord. Nos. 22205; 22695; 24481; 25522; 26598; 27185; 27695; 29879; 30236; 31332, eff. 10/1/19)

**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:

(d) The city may for itself, or for the use and benefit of any person injured or damaged by reason of any defective construction, reconstruction, or repair of any sidewalk, curb, gutter, or driveway approach by any person, firm, or corporation, maintain suit on the bond in any court having jurisdiction, or suit may be maintained by any person injured or damaged by reason of the failure of any person, firm, or corporation who constructs, reconstructs, or repairs any sidewalk, curb, gutters or driveway approach in the city to observe the conditions of the bond. (Ord. Nos. 8590; 22026)

**SEC. 43-45. SAME - EFFECT OF ARTICLE ON PERSONS NOW ENGAGED IN CONSTRUCTION, ETC.**

Nothing in this article shall affect the bond of any person, firm or corporation now engaged in constructing, reconstructing or repairing such facilities which have already been executed in accordance with the terms of existing city laws, nor shall this be construed to in any manner diminish the liability of any surety or principal on such bond. No person having a bond to construct, reconstruct, alter, repair, remove or replace sidewalks, curbs, gutters or driveways on public property within the city shall be permitted to take out a permit for the reconstruction, alteration or repair of any such facility on any public property within the city and allow any person other than the bona fide holder of such bond to do any of the work. No permit for the construction, alteration or repair of any sidewalk, curb, gutter or driveway on any public property within the city shall be granted unless the five year maintenance bond provided for herein shall be in full force and effect at the time of request for such permit and the doing of the work. (Ord. 8590)

**SEC. 43-46. STANDARDS FOR RAW MATERIALS USED IN CONSTRUCTION.**

~~Materials used in sidewalks, curbs, drives, gutters and pavements shall be in accordance with the following standards:~~

~~CEMENT. Portland cement shall conform to the Standard Specifications for Portland Cement (Serial Designation C-150-56) of the A.S.T.M. High-Early-Strength Portland Cement shall conform to the standard specifications for High-Early-Strength Portland Cement (Serial Designation C-150-56) of the A.S.T.M.~~

~~FINE AGGREGATE. Fine aggregate shall consist of a natural sand or a combination of natural sand and not more than 50 percent of stone screenings. Sand shall be uniformly graded, composed of clean, hard, durable particles of natural materials free from adherent coatings. It shall contain no lumps, soft or flaky particles, clay, loam, foreign, organic or other deleterious matter. Stone screenings shall consist of the clean, dustless product resulting from the crushing of stone or gravel, meeting all the requirements for coarse aggregate except for grading. Fine aggregate containing more than five per cent by weight of deleterious substances shall not be used. Fine aggregate shall be well graded in size from coarse to fine, and shall conform to the following requirements, the percentages to be determined by weight:~~

Used In	Percentage Passing Laboratory Sieves						
	3/8 in.	No. 4	No. 8	No. 16	No. 30	No. 50	No. 100
Concrete	100	75-100	60-90	45-80	30-60	6-20	0-4
Mortar			100			15-40	0-10

~~All tests for fine aggregate shall be made in accordance with the current applicable methods of tests of the A.S.T.M.~~

~~COARSE AGGREGATE. Coarse aggregate shall consist of the uniformly graded, clean, hard, durable, uncoated particles of natural gravel or crushed stone or gravel, free from adhering coatings. Coarse aggregate shall not contain more than five per cent by weight of deleterious substances. Coarse aggregate shall be well graded in size from coarse to fine, and shall conform to the following requirements, the percentages to be determined by weight:~~

Materials used in sidewalks, curbs, drives, gutters, and pavements shall be in accordance with the following standards:

CEMENT. Portland cement shall conform to the

Standard Specifications for Portland Cement (Serial Designation C-150-56) of the A.S.T.M. High-Early-Strength Portland Cement shall conform to the standard specifications for High-Early-Strength Portland Cement (Serial Designation C-150-56) of the A.S.T.M.

**FINE AGGREGATE.** Fine aggregate shall consist of a natural sand or a combination of natural sand and not more than 50 percent of stone screenings. Sand shall be uniformly graded, composed of clean, hard, durable particles of natural materials free from adherent coatings. It shall contain no lumps, soft or flaky particles, clay, loam, foreign, organic, or other deleterious matter. Stone screenings shall consist of the clean, dustless product resulting from the crushing of stone or gravel, meeting all the requirements for coarse aggregate except for grading. Fine aggregate containing more than five per cent by weight of deleterious substances shall not be used. Fine aggregate shall be well graded in size from coarse to fine, and shall conform to the city of Dallas Addendum to the Public Works Construction Standards – North Central Texas as Published by the North Central Texas Council of Governments, current edition.

All tests for fine aggregate shall be made in accordance with the current applicable methods of tests of the A.S.T.M.

**COARSE AGGREGATE.** Coarse aggregate shall consist of the uniformly graded, clean, hard, durable, uncoated particles of natural gravel or crushed stone or gravel, free from adhering coatings. Coarse aggregate shall not contain more than five per cent by weight of deleterious substances. Coarse aggregate shall be well graded in size from coarse to fine, and shall conform to the city of Dallas Addendum to the Public Works Construction Standards – North Central Texas as Published by the North Central Texas Council of Governments, current edition.

Max. Size in Inches	Percentage Passing Square Opening Laboratory Sieves						
	2 in.	1 1/2 in.	1 in.	3/4 in.	1/2 in.	3/8 in.	No. 4
2	95-100	60-80	30-55	15-40	8-25	5-15	0-3
1 1/2			45-85	25-70	10-40	5-18	0-5
1			95-100	50-80	25-50	10-30	0-5
3/4				95-100	35-80	15-50	0-5
1/2					75-100	30-80	0-8

— All tests for coarse aggregate shall be made in accordance with the current applicable methods of tests of the A.S.T.M.

— PIT-RUN AGGREGATE. Pit-run aggregate will be permitted provided that portion passing the No. 4 sieve shall conform to these specifications for fine aggregate, and that portion retained on the No. 4 sieve shall conform to these specifications for coarse aggregate.

— WATER. Water used in mixing and curing concrete and mortar shall be clean and free from oil, acid, alkali, foreign organic matter or other deleterious substances.

All tests for coarse aggregate shall be made in accordance with the current applicable methods of tests of the A.S.T.M.

PIT-RUN AGGREGATE. Pit-run aggregate will be permitted provided that portion passing the No. 4 sieve shall conform to these specifications for fine aggregate, and that portion retained on the No. 4 sieve shall conform to these specifications for coarse aggregate.

WATER. Water used in mixing and curing concrete and mortar shall be clean and free from oil, acid, alkali, foreign organic matter, or other deleterious substances. (Ord. Nos. 8590; 31313)

#### SEC. 43-47. SPECIFICATIONS FOR CONCRETE REINFORCING STEEL.

Material for reinforcement shall conform to

requirements of the Standard Specifications for Billet Steel Bars for Concrete Reinforcement (A.S.T.M. Designation A-15-57T) for structural, intermediate or hard grade; or for Rail Steel Bars for Concrete Reinforcement (A.S.T.M. Designation A-16-57-T) or for Axle Steel Bars for Concrete Reinforcement (A.S.T.M. Designation A-160-57T) or for Cold-Drawn Steel Wire

such reconstruction or repair within 15 days after the date of such notice, is guilty of an offense. (Ord. Nos. 8590; 13898; 19963; 22026; 23694; 30239; 30654)

**SEC. 43-64. MIXING CONCRETE OR MORTAR ON EXISTING PAVEMENT; UNUSED MIXTURE TO BE IMMEDIATELY REMOVED.**

No person shall mix concrete or mortar or any mixture or substance containing cement on any existing pavement on public property nor leave or cause to be left any excess concrete or mortar or any mixture or substance containing cement on any existing pavement on public property, nor allow same to leak or fall from any container or receptacle onto pavement on public property. If any concrete, mortar or any mixture or substance containing cement is accidentally dropped or placed upon any pavement on public property within the city, the person responsible shall immediately remove same before such substance hardens or sets on the pavement. (Ord. 8590)

**SEC. 43-65. SIDEWALK DRAINAGE OPENINGS TO HAVE METAL COVERS.**

Wherever water from roofs of adjacent buildings is drained or conducted under sidewalks from downspout drains to the street gutters through aqueducts or concrete troughs, these openings in the sidewalk shall be fitted with strong metal covers, which shall be securely held in place with screws or other fasteners which will not rust or corrode. Such cover shall be set flush with the surface of the sidewalk and securely bolted, fastened or so constructed that it cannot slip, shift or become out of alignment with the surface of the sidewalk. (Ord. 8590)

**SEC. 43-66. ALTERNATIVE MATERIALS AND CONSTRUCTION METHODS.**

(a) The provisions of this article do not prevent the use of types of construction or materials or methods of construction offered as an alternate for the types of construction or materials or methods of construction specifically required by this article, but such alternate types of construction or materials or methods of construction to be given consideration must be offered for approval as being sufficient, safe, and equal to the standards set out in this article. When specifically authorized by the building official, upon review of the access facilities and the types of construction or materials or methods of construction by the director, materials and construction that have been so approved must be used and installed in accordance with the terms of the approval. Such approvals and the conditions upon which they are issued must be specific, must be reasonable when considered in the light of convenience and safety to the general public, must not create an injustice, and must be made a matter of public record.

(b) In unusual circumstances, the terms and provisions of this chapter may be varied by resolution of the city council. (Ord. Nos. 8590; 22026)

**Subdivision II. Sidewalks.**

**SEC. 43-67. MINIMUM DIMENSIONS; FINISHING.**

~~—Sidewalks shall be a minimum width of four feet and shall be four inches thick. The surface may have a monolithic finish by floating with a wooden float until a slight excess of sand appears on the surfaces or may be brushed after troweling in lieu of floating. The edges of the sidewalk, markings and expansion joints shall be tooled to a smooth finish, not less than two~~

~~inches in width. Exposed edges of the sidewalk shall be rounded with an edger to a radius of one-half inch. The surface of the sidewalk shall not be left with a slick or glossy finish.~~

Sidewalks shall be a minimum width of four feet and shall be four inches thick unless wider dimensions are required in the Street Design Manual of the city of Dallas. The surface may have a monolithic finish by floating with a wooden float until a slight excess of sand appears on the surfaces or may be brushed after troweling in lieu of floating. The edges of the sidewalk, markings and expansion joints shall be tooled to a smooth finish, not less than two inches in width. Exposed edges of the sidewalk shall be rounded with an edger to a radius of one-half inch. The surface of the sidewalk shall not be left with a slick or glossy finish. (Ord. Nos. 8590; 31313)

#### SEC. 43-68. CONCRETE SPECIFICATIONS.

~~—(a) Concrete for walks must have a minimum compressive strength of 2,500 pounds per square inch at 28 days. The quantity of mixing water may not exceed seven U.S. gallons per sack (94 pounds) of Portland cement. The slump of the concrete may not exceed four inches.~~

(a) The minimum compressive strength of the concrete and requirements for the quantity of mixing water and the concrete slump must conform to the city of Dallas Addendum to the Public Works Construction Standards – North Central Texas as Published by the North Central Texas Council of Governments, current edition.

(b) The director may inspect the foundation and forms before concrete is poured.

(c) Concrete must be thoroughly compacted so that the minimum thickness is four inches. Concrete must be free from honey-combing, rock pockets and segregation of ingredients. The addition of neat cement to concrete in order to absorb excess water or to accelerate hardening is prohibited. (Ord. Nos. 8590; 22026; 31313)

#### SEC. 43-69. FORM, PLACEMENT AND SLOPE.

Forms shall be set to provide for drainage from the property line to the curb line; the slope in general will

be one-fourth inch per foot of width of sidewalk, and it shall not exceed one-fourth inch per foot of width of sidewalk. (Ord. 8590)

#### SEC. 43-70. JOINTS.

One-half inch expansion joints shall be spaced 25 to 30 foot intervals or as otherwise specified and shall be placed where new work abuts old work, or where new work is constructed adjacent to either concrete work, walls, foundations, etc. The expansion joints shall be filled with premoulded bituminous expansion



joint filler or other approved type and shall extend the entire depth and width of the concrete section. Sidewalk markings shall be grooved three-eighths inch deep on four to five foot centers. (Ord. 8590)

Wooden forms shall have a nominal thickness of two inches, surfaced one side and one edge and shall

## **Division 2. Material Specifications and Construction Methods.**

### **Subdivision I. Curbs and Gutters.**

#### **SEC. 43-71. DESCRIPTION; COMPOSITION OF CONCRETE AND MORTAR USED IN CONSTRUCTION.**

~~—Curb, curb and gutter and separate gutter shall consist of a concrete core and a mortar surface.~~

~~—Concrete shall have a minimum compressive strength of 3,000 pounds per square inch at 28 days. The quantity of mixing water shall not exceed seven U.S. gallons per sack (94 pounds) of Portland cement. The slump of the concrete shall not exceed three inches. Mortar shall be composed of one part Portland cement, one and one-half parts fine aggregate and water.~~

Curb, curb and gutter and separate gutter shall consist of a concrete core and a mortar surface.

The minimum compressive strength of the concrete and requirements for the quantity of mixing water and the concrete slump must conform to the city of Dallas Addendum to Public Works Construction Standards – North Central Texas as published by the North Central Texas Council of Governments, current edition. Mortar shall be composed of one part Portland cement, one and one-half parts fine aggregate and water. (Ord. Nos. 8590; 31313)

#### **SEC. 43-72. CONSTRUCTION OF JOINTS.**

Three-fourths inch expansion joints shall be spaced at 25 to 30 foot intervals or as otherwise specified. The three-fourths inch expansion joints shall be filled with a three-fourths inch premoulded bituminous expansion joint filler or other approved type and shall extend the entire depth and width of the concrete section. Curb and gutter shall be grooved three-eighths inch deep on five-foot centers. (Ord. 8590)

#### **SEC. 43-73. FORMS.**



be straight and devoid of warps, twists, knot holes and other defects to prevent leakage of concrete or mortar. (Ord. 8590)

**SEC. 43-74. PLACEMENT OF CONCRETE AND MORTAR.**

(a) Foundation or subgrade for all work must be set at the grades determined by the director. The director may inspect the foundation, subgrade, and reinforcing before concrete is poured.

(b) Concrete must be thoroughly compacted so that the minimum thickness conforms to the requirements of this article. Concrete must be free from honeycombing, rock pockets, and separation and segregation of ingredients. Upon completion of the concrete core, the one-half inch mortar surface must be placed while the core is still green, the work being carried on uniformly so that a perfect bond is obtained between the concrete core and mortar surface. (Ord. Nos. 8590; 22026)

**SEC. 43-75. FINISHING.**

The mortar surface shall be thoroughly troweled, not less than twice, to a uniformly smooth surface and brush finished. Exposed edges of the gutter and back of curb shall be rounded to a one-half inch radius. (Ord. 8590)

**SEC. 43-76. PROTECTION OF NEW WORK FROM TRAFFIC; BACKFILLING.**

Curb, curb and gutter and separate gutter shall be protected from vehicular traffic for not less than six days.

Earth or sand shall be used for backfill and shall be thoroughly compacted, care being taken not to injure the completed work. (Ord. 8590)

**SEC. 43-77. FINAL DIMENSIONS; GUTTER RATIO REQUIRED FOR CURB FACING; DWELLING FOR DRIVEWAY CONSTRUCTION.**

Curb and gutter shall have the back 12 inches deep and vertical. Curb shall be six inches thick at the top, face battered 1:3. The gutter shall be uniformly six inches thick and a minimum of 24 inches in width, except where gutter joins gutter of a greater width.

Where driveways are to be constructed, the curb may be laid back, radius begun and No. 3 (three-eighths inch diameter) round bars, exposed 15 inches, placed on 24 inches center to center for dowels. (Ord. 8590)

**Subdivision II. Driveway Approaches.**

**SEC. 43-78. SPECIFICATIONS FOR MATERIALS USED IN CONSTRUCTION.**

~~Driveway approaches shall conform to the following standards:~~

~~CONCRETE. Driveway approaches shall be constructed of one-course concrete, reinforced, six inches minimum thickness, which shall have a minimum compressive strength of 2,500 pounds per square inch at 28 days. The quantity of mixing water shall not exceed seven U.S. gallons per sack (94 pounds) of Portland cement. The slump of the concrete shall not exceed four inches.~~

~~REINFORCING STEEL. Reinforcement shall consist of No. 3 (three-eighths inch diameter) round bars placed not more than 24 inches on centers, both directions. Where steel is lapped, the lap shall be not less than 15 inches.~~

Driveway approaches shall conform to the following standards:

CONCRETE. Driveway approaches shall be constructed of one-course concrete, reinforced, with a six inch minimum thickness. The minimum compressive strength of the concrete and requirements for the quantity of mixing water and the concrete slump must conform to the city of Dallas Addendum to the Public Works Construction Standards – North

Central Texas as published by the North Texas Council of Governments, current edition.

REINFORCING STEEL. Reinforcement shall consist of No. 3 (three-eighths inch diameter) round bars placed not more than 24 inches on centers, both directions. Where steel is lapped, the lap shall be not less than 15 inches. (Ord. Nos. 8590; 31313)

permitted provided joint application is made by all interested parties, and the width set out in Section 43-94 is not exceeded. (Ord. 8590)

**SEC. 43-87. MINIMUM ANGLE IN RELATION TO CURB LINE.**

The angle of the driveway approach with the curb line shall be not less than 45 degrees. (Ord. 8590)

**SEC. 43-88. MINIMUM REQUIREMENTS FOR APPROACHES NEAR STREET INTERSECTIONS.**

Where existing right of way permits, driveway approaches nearest an intersection of two streets shall meet the following minimum requirements. The corner rounding shall have curbs constructed with a minimum radius of 20 feet continuously between the points of tangency of the curb lines of both streets. The first driveway may start from the point of tangency of the curb line and corner radius and be cut in with a five foot minimum radius. (Ord. 8590)

**SEC. 43-89. LOCATION OF APPROACHES NEAR TRAFFIC INTERCHANGES, ETC.**

Driveway approaches at or near streets and traffic interchanges, grade separations and traffic circles shall be so located that traffic entering or leaving the street will not impede, confuse, imperil or otherwise interfere with vehicular traffic. (Ord. 8590)

**SEC. 43-90. LOCATION OF APPROACHES AT PEDESTRIAN CROSSINGS, ETC., PROHIBITED.**

Driveway approaches shall not be located at street intersections or at established pedestrian crossings. (Ord. 8590)

**SEC. 43-91. CONSTRUCTION IN EXISTING ANGLE PARKING AREAS PROHIBITED; EXCEPTIONS.**

Driveway approaches shall not be constructed in existing angle parking areas except when the curb is restored to its normal location along the roadway in front of the premises. (Ord. 8590)

**SEC. 43-92. STANDING OR PARKING OF VEHICLES, ETC., ON DRIVEWAY APPROACHES PROHIBITED.**

Driveway approaches shall not be constructed or designed for use for the standing or parking of vehicles or for use as angle parking. (Ord. 8590)

**SEC. 43-93. ABANDONMENT; DUTY OF ABUTTING PROPERTY OWNER TO RESTORE CURB.**

Whenever the use of any driveway approach is abandoned and no longer used for vehicular access to the abutting property, it shall be the duty of the abutting property owner to restore the curb according to the standards provided in this article. (Ord. 8590)

**SEC. 43-94. RESIDENTIAL DRIVEWAY APPROACHES.**

~~Residential driveway approaches shall comply with the following requirements:~~

~~(a) Width. Residential driveway approaches shall not be less than nine feet nor more than 30 feet in width measured at the property line.~~

~~(b) Radius. A residential driveway approach shall be constructed with the return curbs having a rolled face disappearing at the sidewalk and joining the street curb with a five foot minimum radius, except~~

that on an arterial the minimum radius shall be 10 feet. A driveway 18 feet in width and greater may have a five foot radius on an arterial.

~~—(c) Removal of existing sidewalk. Where the residential driveway approach is designed to cross an existing sidewalk, the sidewalk included in the driveway approach area shall be removed and reconstructed as a driveway approach.~~

Residential driveway approaches shall comply with the following requirements:

(a) Width. Residential driveway approaches shall not be less than 10 feet nor more than 30 feet in width measured at the property line.

(b) Radius. A residential driveway approach shall be constructed with the return curbs having a rolled face disappearing at the sidewalk and joining the street curb with a five foot minimum radius, except that on an arterial the minimum radius shall be 10 feet.

(c) Removal of existing sidewalk. Where the residential driveway approach is designed to cross an existing sidewalk, the sidewalk included in the driveway approach area shall be removed and reconstructed as a driveway approach. (Ord. Nos. 8590; 21186; 31313)

#### SEC. 43-95. COMMERCIAL DRIVEWAY APPROACHES.

~~—Walks, drives, curbs, gutters, pavements and appurtenances on public property and other facilities to provide access to premises used for other than residential purposes shall be constructed, provided or repaired in accordance with the following standards and requirements:~~

~~—(a) Width. The width of any commercial driveway approach shall be not less than 12 feet nor more than 40 feet measured along the property line, except driveway approaches for motor vehicle docks within a building shall not exceed 60 feet in width at the property line. Where more dock space is required, the driveway approaches shall be separated by a traffic island meeting the standards set out in section 43-85.~~

~~—(b) Radius. Commercial driveway approaches shall be constructed with the return curbs having a roll~~

~~face disappearing at the sidewalk and joining the street curb with a five foot minimum radius.~~

~~—(c) Removal of existing sidewalks. Where a commercial driveway approach is to be built, the sidewalk shall be removed and the entire area replaced as a driveway. The driveway approach shall extend to the back side of the existing or future sidewalk.~~

Walks, drives, curbs, gutters, pavements, and appurtenances on public property and other facilities to provide access to premises used for other than residential purposes shall be constructed, provided, or repaired in accordance with the following standards and requirements:

(a) Width. The width of any commercial driveway approach shall be not less than 15 feet nor more than 35 feet measured along the property line, except driveway approaches for motor vehicle docks within a building shall not exceed 60 feet in width at the property line. Where more dock space is required, the driveway approaches shall be separated by a traffic island meeting the standards set out in section 43-85.

(b) Radius. Commercial driveway approaches shall be constructed with the return curbs having a roll face disappearing at the sidewalk and joining the street curb with a 10 foot minimum radius.

(c) Removal of existing sidewalks. Where a commercial driveway approach is to be built, the sidewalk shall be removed and the entire area replaced as a driveway. The driveway approach shall extend to the back side of the existing or future sidewalk. (Ord. Nos. 8590; 31313)

telecommunications company, cable company, water utility, storm water utility, or wastewater utility, regardless of whether the public service provider is publicly or privately owned or required to operate within the city pursuant to a franchise, including a network provider as that term is defined in Chapter 284 of the Texas Local Government Code, as amended.

(20) SPOILS or EXCAVATED MATERIAL means construction waste, construction supplies, or excavated dirt, fill, or other similar material that is stored or placed upon the surface of a public right-of-way.

(21) SUBDIVISION means "subdivision" as defined in Article VIII, "Plat Regulations," of the Dallas Development Code, as amended.

~~———— (22) THOROUGHFARE means:~~

~~———— (A) a public traffic arterial, as designated in the city's thoroughfare plan;~~

~~———— (B) a nonresidential collector street, as defined in the *City of Dallas Paving Design Manual*; and~~

~~———— (C) all streets within the central business district.~~

(22) THOROUGHFARE means:

(A) a public traffic arterial, as designated in the city's thoroughfare plan;

(B) a nonresidential collector street, as defined in the *Street Design Manual* of the city of Dallas; and

(C) all streets within the central business district.

(23) UTILITY STRUCTURE:

(A) means any structure, cabinet, or other appurtenance (other than a pole or a device attached to a pole) that is owned or used by a public service provider to provide service; and

(B) does not include:

(i) a device or structure used to control or direct pedestrian or vehicular traffic on an

adjacent roadway; or

(ii) any infrastructure that provides water used for fire suppression. (Ord. Nos. 24495; 26263; 28424; 30239; 30620; 30654; 31313)

(4) PUBLIC POOL means a swimming pool to which the general public has access.

(5) SEMI-PUBLIC POOL means a swimming pool that is privately owned and open only to an identifiable class of persons, including, but not limited to, motel guests, apartment residents, and club members. (Ord. Nos. 15256; 30090)

#### **SEC. 43A-2. PERMIT REQUIRED; APPLICATION; ISSUANCE.**

No person may construct, modify, or repair a pool in the city without obtaining a permit. The application for a permit must be on a form provided by the building official and must be accompanied by the required fee and a specified number of copies of the plans of which the applicant seeks approval. If the building official and the director are satisfied that the proposed pool will conform in all respects to the requirements of the law, a permit shall be issued by the building official to the applicant. (Ord. Nos. 15256; 30090)

#### **SEC. 43A-3. INSPECTIONS AND REINSPECTIONS.**

(a) The director shall have all of the authority granted to the city under Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Section 207, as amended, to inspect a pool at any reasonable time and to enter upon the premises where a pool is located to the extent necessary to make a full examination for compliance with this chapter and state law. Advanced notice or permission for inspections or investigations by the director is not required.

(b) Public pools and semi-public pools, excluding multiunit, shall be inspected at least annually, and multiunit pools shall be inspected with the graded inspections for multitenant properties in accordance with Chapter 27 of the Dallas City Code. For purposes of this subsection, "multiunit" has the meaning ascribed to it in Texas Health and Safety Code Section 757.001, as amended.

(c) Water samples from a pool may be taken.

~~(d) If a reinspection is required, the fee for the reinspection is \$43.~~

(d) If a reinspection is required, the fee for the reinspection is \$20. (Ord. Nos. 15256; 29879; 30090; 31332, eff. 10/1/19)

#### **SEC. 43A-3.1. INCORPORATION OF HEALTH AND SAFETY CODE REGULATIONS FOR MULTIUNIT POOL ENCLOSURES.**

The provisions of Texas Health and Safety Code Chapter 757, as amended, apply and supersede any regulations in this chapter for pools owned, controlled, or maintained by the owner or manager of a multiunit rental complex or by a property owner's association and for doors and windows of rental dwellings opening into the pool yard of a multiunit rental complex or condominium, cooperative, or town home project. (Ord. 30090)

### **ARTICLE II.**

#### **POOL DESIGN AND CONSTRUCTION.**

#### **SEC. 43A-4. MATERIALS.**

A swimming pool must be constructed of materials that are sanitary, enduring, and non-toxic to humans. Materials used on walls and bottom surfaces must provide a watertight structure with a smooth and easily cleaned finish, free from cracks or open joints other than structural expansion joints. (Ord. 15256)

#### **SEC. 43A-5. SHAPE.**

The shape of a pool must be designed so that the water is uniformly circulated and so that all interior areas of a pool are visible from the edge of the pool. (Ord. 15256)

(b) Underwater lighting must provide 5/10 watts per square foot of pool area for private pools, and one watt per square foot of pool area for public or semi-public pools, and must be installed and maintained in a manner that will insure the safety of swimmers. If underwater lighting is used, deck lighting must be directed away from the pool surface as much as possible and be of a capacity not less than 6/10 watts per square foot of deck area. If underwater lighting is not used, pool and pool area lighting must be of a capacity not less than two watts per square foot of total area.

(c) Deck and underwater lighting must also comply with the standards in Texas Administrative Code Title 25, Part 1, Subchapter L, Chapter 265, Subsection 265.199(k), as amended. (Ord. Nos. 15256; 30090)

#### SEC. 43A-16. TOILET FACILITIES.

(a) Semi-public pools must have toilet facilities available within 200 feet of the pool.

(b) Public pools must have toilet facilities for each sex at the pool site.

(c) Dressing and toilet facilities at public and semi-public pools must comply with the standards in Texas Administrative Code Title 25, Part 1, Subchapter L, Chapter 265, Section 201, as amended. (Ord. Nos. 15256; 30090)

### ARTICLE III.

#### MAINTENANCE AND OPERATION OF SWIMMING POOLS.

#### SEC. 43A-17. PERMIT AND MANAGER OF OPERATIONS REQUIRED.

(a) A person shall not operate a public or semi-public pool without a permit. To obtain a permit an applicant must complete a form provided by the director. An applicant must designate a manager of operations of each pool for which a permit is sought. A person designated as manager of operations of a pool must reside in the city or be employed on the premises where the pool is located.

(b) If a manager of operations of a pool ceases to perform that function for any reason, the owner of the pool shall designate a new manager within a reasonable period of time.

~~—(c) The director shall issue a permit to an applicant if a qualified manager of operations has been designated and the fee has been paid. The amount of the fee is \$47 for each pool owned by an applicant. The fee is due on or before the first day of March of each calendar year. If a permit is initially issued after the first day of March of a calendar year, the fee for that year will be prorated according to the number of whole months remaining in the year. No refunds will be made.~~

(c) The director shall issue a permit to an applicant if a qualified manager of operations has been designated and the fee has been paid. The amount of the fee is \$20 for each pool owned by an applicant. The fee is due on or before the first day of March of each calendar year. If a permit is initially issued after the first day of March of a calendar year, the fee for that year will be prorated according to the number of whole months remaining in the year. No refunds will be made.

(d) This section does not apply to pools owned by the city. (Ord. Nos. 15256; 16271; 17989; 18411; 19300; 25048; 29879; 31332, eff. 10/1/19)

#### SEC. 43A-18. CERTIFICATION OF MANAGER OF OPERATIONS.



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 \$47.~~

(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. (Ord. Nos. 15256; 18411; 20612; 25048; 29879; 31332, eff. 10/1/19)

#### 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.



**ARTICLE V.****HOTEL OCCUPANCY TAX.**

- Sec. 44-34. Definitions.
- Sec. 44-35. Levy; amount; disposition of revenue.
- Sec. 44-35.1 Exemptions and refunds.
- Sec. 44-36. Responsibility for collection, reporting, and payment of tax.
- Sec. 44-37. Reports; payments; fees.
- Sec. 44-37.1. Tax collection on purchase of a hotel.
- Sec. 44-37.2. Convenience charge for certain payments made by credit card.
- Sec. 44-38. Rules and regulations.
- Sec. 44-39. Penalties.

**ARTICLE VI.****SHORT-TERM MOTOR VEHICLE RENTAL TAX.**

- Sec. 44-40. Definitions.
- Sec. 44-41. Tax imposed.
- Sec. 44-42. Collection of tax.
- Sec. 44-43. Reports; payment to the city; fees; records.
- Sec. 44-44. Collection procedures on purchase of a motor vehicle rental business.
- Sec. 44-45. Use of revenue derived from imposition of tax.
- Sec. 44-46. Rules and regulations.
- Sec. 44-47. Penalties.

**ARTICLE VII.****ADDITIONAL HOTEL OCCUPANCY TAX.**

- Sec. 44-48. Definitions.
- Sec. 44-49. Levy of tax; amount; duration.
- Sec. 44-50. Use of tax revenue.
- Sec. 44-51. Exemptions and refunds.
- Sec. 44-52. Responsibility for collection, reporting, and payment of tax; statement of tax purpose required.
- Sec. 44-53. Reports; payments; fees.
- Sec. 44-54. Tax collection on purchase of a hotel.
- Sec. 44-55. Rules and regulations.
- Sec. 44-56. Penalties.

**ARTICLE VIII.****TAXATION OF TANGIBLE PERSONAL PROPERTY IN TRANSIT.**

- Sec. 44-57. Taxation of tangible personal property in transit.

**ARTICLE I.****IN GENERAL.****SEC. 44-1. PERSONS REQUIRED TO RENDER; TIME FOR RENDITION.**

(a) All persons shall, on or before the first day of April of each year, furnish the assessor and collector of taxes of the city a full and complete statement, list and schedule, verified by affidavit, of all real and personal property situated in the city not otherwise exempt and all personal property located elsewhere and subject to taxation in the city, owned, held or controlled by them or in their possession as agent, bailee, warehouseman or custodian on the first day of January next preceding and shall, in such statement, list and schedule, state the name and address of the owner of such property.

(b) The assessor and collector of taxes shall provide a form for the rendition of income producing personal property. A person furnishing the statement, list, and schedule of income producing personal property required in Subsection (a) shall use the form provided by the assessor and collector of taxes and shall state the market value of the property listed.

(c) For the purpose of this section "income producing personal property" means tangible personal property used in the course of conducting a business.

(d) For the purpose of this section the market value of income producing personal property shall be established using any method approved by the State

(d) Each remittance of a tax required by this article must contain the following statement and representation:

**The tax remitted and paid to the City of Dallas with this report was collected pursuant to the requirements of Article V, Chapter 44, Dallas City Code, as amended.**

(Ord. Nos. 12470; 17955; 23555)

#### **SEC. 44-37.1. TAX COLLECTION ON PURCHASE OF A HOTEL.**

(a) If a person who is liable for the payment of a tax under this article is the owner of the hotel and sells the hotel, the successor to the seller or the seller's assignee shall withhold an amount of the purchase price sufficient to pay the tax due until the seller provides a receipt from the director showing that the amount has been paid or a certificate stating that no tax is due.

(b) The purchaser of a hotel who fails to withhold an amount of the purchase price as required by this section is liable for the amount required to be withheld to the extent of the value of the purchase price.

(c) The purchaser of a hotel may request that the director issue a certificate stating that no tax is due or issue a statement of the amount required to be paid before a certificate may be issued. The director shall issue the certificate or statement not later than 60 days after receiving the request.

(d) If the director fails to issue the certificate or statement within the period provided by Subsection (c) of this section, the purchaser is released from the obligation to withhold the purchase price or pay the amount due. (Ord. Nos. 19388; 23555)

#### **SEC. 44-37.2. CONVENIENCE CHARGE FOR CERTAIN PAYMENTS MADE BY CREDIT CARD.**

(a) Pursuant to Chapter 132 of the Texas Local Government Code, as amended, the director shall collect a convenience fee charge in an amount equal to

the credit card processing fee charged to the city for all fees, taxes, and payments included in this article, when the payment is made by credit card.

(b) The convenience fee charge collected under this section shall be deposited in the fund of the city which recorded the associated credit card processing fee. (Ord. 31332, eff. 10/1/19)

necessary to aid in the determination of whether the requested certificate of registration should be granted.

(b) If the application for a certificate of registration is being made for multiple vacant buildings located at the same address, then the information required in Subsection (a) must be provided for each vacant building located at that address.

(c) A registrant shall notify the director within 10 days after any material change in the information contained in the application for a certificate of registration for a vacant building, including any changes in ownership of the property. (Ord. 27248)

#### SEC. 48B-8. REGISTRATION FEE AND INSPECTION CHARGE.

~~—(a) The fee for a certificate of registration for a vacant building is \$73, plus an inspection charge in an amount equal to \$185.64 + (\$0.009282 × total square feet of building area, excluding stairwells, elevator shafts, and mechanical rooms).~~

(a) The fee for a certificate of registration for a vacant building is \$79, plus an inspection charge in an amount equal to \$185.64 + (\$0.009282 × total square feet of building area, excluding stairwells, elevator shafts, and mechanical rooms).

(b) If one certificate of registration is issued for multiple vacant structures located at the same address, the inspection charge will be calculated using the aggregate area in square feet of all the vacant buildings.

(c) If a certificate of registration expires under Section 48B-12 and the registration term was less than six months, then the registration fee (minus the inspection charge) may be prorated on the basis of whole months and partially refunded to the registrant, if the director receives a written request for the refund from the registrant within 90 days after expiration of the certificate of registration. If a certificate of registration expires under Section 48B-12 and no inspection was conducted by the city during the registration term, then the full inspection charge may be refunded, if the director receives a written request for the refund from the registrant within 90 days after

expiration of the certificate of registration. Otherwise, no refund of a registration fee or inspection charge will be made. (Ord. Nos. 27248; 29879, ~~eff. 10/1/15~~; 31332, eff. 10/1/19)

#### SEC. 48B-9. 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 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 for a certificate of registration; and

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

(b) If the director determines that the requirements of Subsection (a) have not been met, the director shall deny a certificate of registration to the applicant.

(c) If the director determines that an applicant should be denied a certificate of registration, the director shall deliver written notice to the applicant that the application is denied and include in the notice the reason for denial and a statement informing the applicant of the right of appeal.

(d) 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 to the director or to a peace officer for examination. (Ord. 27248)

(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) \$2,287.29 per month as a usage charge on the first 1,000,000 gallons used in a billing period; and~~

~~\_\_\_\_\_ (C) \$3.24 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) \$2,370.15 per month as a usage charge on the first 1,000,000 gallons used in a billing period; and

(C) \$3.65 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:

<u>TYPE OF USAGE</u>		<u>RATE PER 1,000 GALLONS</u>
(A)	Residential	\$1.86
(B)	General service	3.73
(C)	Optional general service	<del>3.24</del> 3.65
(D)	Municipal service	<del>2.51</del> 2.75

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.

(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 \$2.51 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 \$2.75 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, eff. 10/1/19)

## 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	\$4.78
3/4-inch meter	6.55
1-inch meter	9.45
1-1/2-inch meter	18.30
2-inch meter	28.50
3-inch meter	69.50
4-inch meter	111.42
6-inch meter	219.31
8-inch meter	366.09
10-inch meter or larger	575.21

(2) Monthly residential use charge: \$5.36 per 1,000 gallons of the average water consumption billed in the months of December, January, February, and March or of 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: \$4.11 per 1,000 gallons of water used.

~~(4) Monthly usage charge for Section 49-18.1(f) customer: \$3.86 per 1,000 gallons of water used.~~

(4) Monthly usage charge for Section 49-18.1(f) customer: \$4.00 per 1,000 gallons of water used.

~~(5) Monthly general service usage charge for wastewater separately metered: \$3.91 per 1,000 gallons of wastewater discharged.~~

(5) Monthly general service usage charge for wastewater separately metered: \$4.05 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 surcharge 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 \$2.74 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 \$2.75 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, eff. 10/1/19)

### 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 \$40.00 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)

#### **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 \$0.3650 per 1,000 gallons of water used, and the annual water year demand charge is \$276,434 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 \$0.3766 per 1,000 gallons of water used, and the annual water year demand charge is \$278,529 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 \$2.0749 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 \$2.0936 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	\$77.00
4-inch	126.62
6-inch	251.45
8-inch	418.53
10-inch or larger	642.66

~~———— (4) The rate for regular untreated water service to a governmental entity is \$0.8572 per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.3440 per 1,000 gallons of untreated water used.~~

(4) The rate for regular untreated water service to a governmental entity is \$0.8707 per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.3549 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 \$2.8601 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 3.1 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 \$3.0381 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 14.1 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 \$0.3118 per 1,000 gallons of water treated, and the annual water year demand charge is \$36,781 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 \$0.3590 per 1,000 gallons of water treated, and the annual water year demand charge is \$40,783 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, eff. 10/1/19)

#### SEC. 49-18.5. RATE FOR UNTREATED WATER.

~~———— (a) Regular rate. The charge for untreated water is \$0.8572 per 1,000 gallons of water used.~~

(a) Regular rate. The charge for untreated water is \$0.8707 per 1,000 gallons of water used.

~~———— (b) Interruptible rate. The charge for interruptible service is \$0.3440 per 1,000 gallons of water used.~~

(b) Interruptible rate. The charge for interruptible service is \$0.3549 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, eff. 10/1/19)

# **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:

(2) \$785.00 per acre of any unsubdivided tract utilizing an existing water main;

(3) \$0.018 per square foot of lot that is part of a subdivided tract utilizing an existing wastewater main;

(4) \$785.00 per acre of any unsubdivided tract utilizing an existing wastewater main.

(d) Acreage fee for developers. Developers required to pay an acreage fee in accordance with Section 49-62 will be charged as follows:

(1) \$785.00 per acre of land for an existing water main; and

(2) \$785.00 per acre of land for an existing wastewater main. (Ord. Nos. 19201; 19300; 20653; 22564)

#### SEC. 49-18.11. EVALUATED COST TABLES FOR OVERSIZE, SIDE, OR OFF-SITE FACILITIES.

~~The director will use the following evaluated cost tables to calculate city payments and to calculate fees due under Section 49-62. City payments will be calculated by the director by using either the unit prices in the construction contract submitted by the developer, or the unit prices in the evaluated cost tables, whichever is less.~~

The director will use the following evaluated cost tables to calculate city payments and to calculate fees due under Section 49-62. City payments will be calculated by the director by using either the unit prices in the construction contract submitted by the developer, or the unit prices in the evaluated cost tables, whichever is less.

##### WATER MAINS AND APPURTENANCES

ITEM	UNITS	
4-inch pipe	linear foot	\$34.00
6-inch pipe	linear foot	40.00
8-inch pipe	linear foot	43.00
12-inch pipe	linear foot	70.00
16-inch pipe	linear foot	80.00
20-inch pipe	linear foot	90.00
24-inch pipe	linear foot	140.00
30-inch pipe	linear foot	150.00
36-inch pipe	linear foot	165.00

~~39-inch pipe linear foot 170.00~~

##### WATER MAINS AND APPURTENANCES

ITEM	UNITS	
4-inch pipe	linear foot	\$55.00
6-inch pipe	linear foot	60.00
8-inch pipe	linear foot	65.00
12-inch pipe	linear foot	75.00
16-inch pipe	linear foot	120.00
20-inch pipe	linear foot	130.00
24-inch pipe	linear foot	140.00
30-inch pipe	linear foot	150.00
36-inch pipe	linear foot	165.00
39-inch pipe	linear foot	170.00

45-inch pipe	linear foot	190.00	42-inch pipe	linear foot	175.00
48-inch pipe	linear foot	200.00	45-inch pipe	linear foot	190.00
4-inch valve	each	700.00	48-inch pipe	linear foot	200.00
6-inch valve	each	800.00	4-inch valve	each	700.00
8-inch valve	each	1,200.00	6-inch valve	each	900.00
12-inch valve	each	1,900.00	8-inch valve	each	1,200.00
16-inch valve	each	4,100.00	12-inch valve	each	2,200.00
20-inch valve	each	7,350.00	16-inch valve	each	4,100.00
24-inch valve	each	9,700.00	20-inch valve	each	7,350.00
30-inch valve	each	16,000.00	24-inch valve	each	9,700.00
36-inch valve	each	21,000.00	30-inch valve	each	16,000.00
42-inch valve	each	43,000.00	36-inch valve	each	21,000.00
48-inch valve	each	64,000.00	42-inch valve	each	43,000.00
Fire hydrant	each	2,350.00	48-inch valve	each	64,000.00
3/4-inch copper deadhead	each	525.00	Fire hydrant	each	3,000.00
1-inch copper deadhead	each	585.00	3/4-inch copper deadhead	each	820.00
1 1/2-inch copper deadhead	each	975.00	1-inch copper deadhead	each	910.00
2-inch copper deadhead	each	1,545.00	1 1/2-inch copper deadhead	each	1,830.00
3/4-inch water service, meter box and transfer for others	each	1,110.00	2-inch copper deadhead	each	1,830.00
1-inch water service, meter box and transfer for others	each	1,170.00	3/4-inch water service, meter box and transfer for others	each	1,110.00
1 1/2-inch water service, meter box and transfer for others	each	1,560.00	1-inch water service, meter box and transfer for others	each	1,170.00
2-inch water service, meter box and transfer for others	each	2,130.00	1 1/2-inch water service, meter box and transfer for others	each	1,560.00
Cut and plug water main for others	each	735.00	2-inch water service, meter box and transfer for others	each	2,130.00
Remove fire hydrant for others	each	540.00	Cut and plug water main for others	each	735.00
Reconnect existing service for others	each	585.00	Remove fire hydrant for others	each	540.00
Disposal of heavily chlorinated water	contract	1,120.00	Reconnect existing service for others	each	700.00
3/4-inch air relief	each	1,485.00	Disposal of heavily chlorinated water	contract	1,500.00
1-inch air relief	each	3,450.00	3/4-inch air relief	each	1,485.00
2-inch air relief	each	4,350.00	1-inch air relief	each	3,450.00
Bore for 6-inch water	linear foot	145.00	2-inch air relief	each	4,350.00
Bore for 8-inch water	linear foot	165.00	Bore for 6-inch water	linear foot	145.00
Bore for 12-inch water	linear foot	180.00	Bore for 8-inch water	linear foot	165.00
Bore for 16-inch water	linear foot	195.00	Bore for 12-inch water	linear foot	180.00
Bore for 20-inch water	linear foot	230.00	Bore for 16-inch water	linear foot	195.00
Bore for 24-inch water	linear foot	245.00	Bore for 20-inch water	linear foot	230.00
Bore for 36-inch water	linear foot	265.00	Bore for 24-inch water	linear foot	245.00
Bore for 39-inch water	linear foot	270.00	Bore for 36-inch water	linear foot	265.00
Bore for 42-inch water	linear foot	275.00	Bore for 39-inch water	linear foot	270.00
Bore for 45-inch water	linear foot	280.00	Bore for 42-inch water	linear foot	275.00
Bore for 48-inch water	linear foot	285.00	Bore for 45-inch water	linear foot	280.00
			Bore for 48-inch water	linear foot	285.00

SANITARY SEWER MAINS AND APPURTENANCES

ITEM	UNITS	
6-inch pipe	linear foot	\$30.00
8-inch pipe	linear foot	50.00
10-inch pipe	linear foot	55.00
12-inch pipe	linear foot	60.00
15-inch pipe	linear foot	75.00
18-inch pipe	linear foot	80.00
21-inch pipe	linear foot	90.00
24-inch pipe	linear foot	110.00
27-inch pipe	linear foot	130.00
30-inch pipe	linear foot	140.00
33-inch pipe	linear foot	160.00
36-inch pipe	linear foot	190.00

SANITARY SEWER MAINS AND APPURTENANCES

ITEM	UNITS	
39-inch pipe	linear foot	200.00
42-inch pipe	linear foot	210.00
48-inch pipe	linear foot	230.00
Lateral	each	700.00
Lateral for others	each	1,200.00
Reconnect existing lateral for others	each	500.00
Cleanout	each	460.00
Wastewater access device	each	2,200.00
4-foot diameter manhole	each	4,000.00
5-foot diameter manhole	each	4,200.00
6-foot diameter manhole	each	5,000.00
Type "S" manhole	each	5,400.00
Bore for 6-inch sewer	linear foot	135.00
Bore for 8-inch sewer	linear foot	160.00
Bore for 10-inch sewer	linear foot	220.00
Bore for 12-inch sewer	linear foot	240.00
Bore for 15-inch sewer	linear foot	260.00
Bore for 18-inch sewer	linear foot	270.00
Bore for 21-inch sewer	linear foot	275.00
Bore for 24-inch sewer	linear foot	290.00
Bore for 27-inch sewer	linear foot	295.00
Bore for 30-inch sewer	linear foot	300.00
Bore for 33-inch sewer	linear foot	305.00
Bore for 36-inch sewer	linear foot	310.00
Bore for 39-inch sewer	linear foot	315.00
Bore for 42-inch sewer	linear foot	320.00
Bore for 48-inch sewer	linear foot	325.00
Abandon existing manhole for others	each	630.00

SANITARY SEWER MAINS AND APPURTENANCES

ITEM	UNITS	
6-inch pipe	linear foot	\$55.00
8-inch pipe	linear foot	65.00
10-inch pipe	linear foot	70.00
12-inch pipe	linear foot	75.00
15-inch pipe	linear foot	85.00
18-inch pipe	linear foot	100.00
21-inch pipe	linear foot	110.00

24-inch pipe	linear foot	120.00
27-inch pipe	linear foot	130.00
30-inch pipe	linear foot	140.00
33-inch pipe	linear foot	160.00
36-inch pipe	linear foot	190.00
39-inch pipe	linear foot	200.00
42-inch pipe	linear foot	210.00
48-inch pipe	linear foot	230.00
Lateral	each	900.00
Lateral for others	each	1,200.00
Reconnect existing lateral for others	each	700.00
Cleanout	each	460.00
Wastewater access device	each	2,200.00
4-foot diameter manhole	each	5,800.00
5-foot diameter manhole	each	6,000.00
6-foot diameter manhole	each	6,400.00
Type "S" manhole	each	7,000.00
Bore for 6-inch sewer	linear foot	135.00
Bore for 8-inch sewer	linear foot	160.00
Bore for 10-inch sewer	linear foot	220.00
Bore for 12-inch sewer	linear foot	240.00
Bore for 15-inch sewer	linear foot	260.00
Bore for 18-inch sewer	linear foot	270.00
Bore for 21-inch sewer	linear foot	275.00
Bore for 24-inch sewer	linear foot	290.00
Bore for 27-inch sewer	linear foot	295.00
Bore for 30-inch sewer	linear foot	300.00
Bore for 33-inch sewer	linear foot	305.00
Bore for 36-inch sewer	linear foot	310.00
Bore for 39-inch sewer	linear foot	315.00
Bore for 42-inch sewer	linear foot	320.00
Bore for 48-inch sewer	linear foot	325.00
Abandon existing manhole for others	each	700.00



#### MISCELLANEOUS ITEMS

ITEM	UNITS	
Crushed rock for paving repairs	cubic yard	\$30.00
Asphalt paving	square yard	100.00
Concrete paving	cubic yard	375.00
Driveway	cubic yard	215.00
Sidewalk	square yard	40.00
Curb and gutter	linear foot	29.00
Stabilized backfill	cubic yard	60.00
Concrete backfill	cubic yard	170.00
Rip rap	square yard	40.00
Rock foundation	cubic yard	60.00
Excavation: in excess of 10 feet in depth below approved street grade:		
— in dirt	cubic yard	15.00
— in rock	cubic yard	30.00

#### MISCELLANEOUS ITEMS

ITEM	UNITS	
Crushed rock for paving repairs	cubic yard	\$40.00
Asphalt paving	square yard	150.00
Concrete paving	cubic yard	375.00
Driveway	cubic yard	215.00
Sidewalk	square yard	50.00
Curb and gutter	linear foot	40.00
Stabilized backfill	cubic yard	90.00
Concrete backfill	cubic yard	170.00
Rip rap	square yard	40.00
Rock foundation	cubic yard	60.00
Excavation: in excess of 10 feet in depth below approved street grade:		
in dirt	cubic yard	15.00
in rock	cubic yard	30.00

#### NOTE:

~~A payment for an extra depth manhole shall be calculated by adding 10 percent of the manhole unit price for each foot in excess of 10 feet below approved street grade to the unit price.~~

A payment for an extra depth manhole shall be calculated by adding 10 percent of the manhole unit price for each foot in excess of 10 feet below approved street grade to the unit price. (Ord. Nos. 19201; 19526; 20077; 20449; 20737; 21430; 21824; 22208; 24414; 27355; 31332, eff. 10/1/19)

Surcharge rate formula. The person responsible for industrial waste discharge in excessive concentrations of BOD and suspended solids shall pay an industrial surcharge in addition to regular water and wastewater rates, either under Section 49-49 or in accordance with the following cost factors and formula:

(1) The user's cost factors for excessive industrial waste are based on the capital and operating cost of wastewater facilities to provide treatment for the reduction of BOD and suspended solids. The formula is:

#### **SEC. 49-18.12. INDUSTRIAL SURCHARGE RATE FORMULA FOR EXCESSIVE CONCENTRATIONS.**

(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 \$64 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 \$44 to the director at the time the license is issued. No refund of license fees shall be made. (Ord. Nos. 13795; 16700; 29879, eff. 10/1/15; 31332, eff. 10/1/19)

#### **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 \$72. 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 \$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. (Ord. Nos. 13966; 15970; 16476; 18411; 18876; 19300; 29879, eff. 10/1/15; 31332, eff. 10/1/19)

#### **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

~~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 \$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. (Ord. Nos. 14487; 16476; 16700; 18411; 18876; 20076; 26598; 29879, ~~eff. 10/1/15~~; 31332, eff. 10/1/19)

#### **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 \$68 a year.~~

(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. (Ord. Nos. 14990; 16476; 18411; 18876; 19300; 20076; 26478; 29879; ~~eff. 10/1/15~~; 31332, ~~eff. 10/1/19~~)

#### 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

revocation under this subparagraph.) The time period between conviction in municipal court and final disposition on appeal of the conviction is not included in calculating the two-year period if the conviction is affirmed; or

(4) the licensee has knowingly subcontracted with or employed, for the performance of work which requires state or city professional licensing or registration, a person who does not have the requisite license or registration, or in the alternative has negligently failed to ascertain the person's qualifications prior to subcontracting with or employing the person;

(5) the licensee knowingly misrepresented the quality or quantity of a material or service:

(A) used or rendered in connection with a home repair performed or agreed to be performed by the licensee; or

(B) offered or advertised in connection with the licensee's home repair business; or

(6) the licensee knowingly misrepresented the price of a material or service:

(A) used or rendered in connection with a home repair performed or agreed to be performed by the licensee; or

(B) offered or advertised in connection with the licensee's home repair business.

(b) The director shall notify the licensee in writing of a revocation and include in the notice the reasons for the revocation, the date the director orders the revocation and the date the order is to take effect, and a statement informing the licensee of his right of appeal.

(c) A home repair license becomes void on the effective date of notification issued under Subsection (b) of this section, and the licensee shall surrender the revoked license at the demand of the director.

(5) A copy of a current, valid certificate of occupancy showing that the credit access business is in compliance with the Dallas Development Code.

~~(6) A non-refundable application fee of \$76.~~

(6) A non-refundable application fee of \$67.

(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 held by the applicant or registrant. (Ord. Nos. 28287; 29879, eff. 10/1/15; 31332, eff. 10/1/19)

#### **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 access business. The certificate of registration must be presented upon request to the director or any peace officer for examination. (Ord. 28287)

#### **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

(2) the date of expiration, revocation, or other termination of the registrant's state license.

(b) A certificate of registration may be renewed by making application in accordance with Section 50-149. A registrant shall apply for renewal at least 30 days before the expiration of the registration. (Ord. 28287)

#### **SEC. 50-151.1. NONTRANSFERABILITY.**

A certificate of registration for a credit access business is not transferable. (Ord. 28287)

#### **Division 3. Miscellaneous Requirements for Credit Access Businesses.**

#### **SEC. 50-151.2. MAINTENANCE OF RECORDS.**

(a) A credit access business shall maintain a complete set of records of all extensions of consumer credit made by the credit access business, which must include the following information:

(1) The name and address of the consumer.

(2) The principal amount of cash actually advanced.

(3) The documentation used to establish a consumer's income under Section 50-151.3.

(b) A credit access business shall maintain a copy of each written agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer).

(c) A credit access business shall maintain copies of all quarterly reports filed with the Texas Consumer Credit Commissioner under Section 393.627 of the Texas Finance Code, as amended.

(d) The records required to be maintained by a credit access business under this section must be retained for at least three years and made available for inspection by the city upon request during the usual and customary business hours of the credit access business. (Ord. 28287)

## 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>
31143	3-27-19		1	Amends 6-4(f)
31144	3-27-19	6-1-19	1	Repeals and reserves Ch. 29A
			2	Amends Ch. 42A, 42A-1 thru 42A-41
31181	4-24-19	8-1-19, 8-1-21	1	Amends Ch. 20, 20-1 thru 20-12
31192	4-24-19	10-1-19	1	Amends Ch. 2, Art. XXII, 2-153 thru 2-154.1
			2	Amends Ch. 37, Art. III, 37-31 thru 37-38.2
31193	5-8-19		1	Adds 19-38
			2	Deletes 19-38
31209	5-22-19		1	Amends 43-139(c)(19)
			2	Amends 43-139(d)(8)
			3	Amends 43-139(e)
			4	Amends 43-139(g)
			5	Amends 43-141(b)
			6	Amends 43-141(h)(1)
			7	Amends 43-141(i)(2)
31215	5-22-19		1	Amends Ch. 24, Art. I, 24-1 thru 24-6.1
31231	6-12-19		1	Amends 18-2
			2	Amends 18-4(e)
		7-1-20	3	Amends 18-4(f)
		7-1-20	4	Adds 18-4(g)
		7-1-20	5	Adds 18-4(h)
			6	Adds 18-9(c)(11)
31233	6-12-19		1	Amends 15D-15(12)
			2	Amends 15D-53(a)
31289	8-28-19		1	Adds 15D-4(18.1)
			2	Amends 15D-5(c)
			3	Adds 15D-5(e)
31313	9-11-19		1	Amends 43-46
			2	Amends 43-67
			3	Amends 43-68(a)
			4	Amends 43-71
			5	Amends 43-78
			6	Amends 43-94
			7	Amends 43-95
			8	Amends 43-135(22)
31332	9-18-19	10-1-19	1	Amends 2-168(b)
			2	Amends 6-10
			3	Amends 7-2.6(a)
			4	Amends 7-2.7(a)



			5	Amends 7-4.11(c)
			6	Amends 7-5.5(a)
			7	Amends 7-5.15(a)
			8	Amends 7-6.2(e)
			9	Amends 15D-5(b)
			10	Adds 15D-5.1(c)
			11	Adds 15D-5.2
			12 - 17	Amends Ch. 16
	[sec. 18 eff. 7/1/20]		18	Amends 18-4(h)
			19	Amends 18-9(c)(1)
			20	Amends 18-9(c)(2)
			21	Amends 18-9(c)(5)
			22	Amends 18-11(a)(5)
			23	Amends 18-11(a)(6)
			24	Amends 18-11(b)(2)
			25	Amends 18-11(b)(3)
			26	Amends 18-11(b)(4)
			27	Amends 18-11(b)(5)
			28	Amends 18-57
			29	Amends 18-62(b)
			30	Amends 27-42(e)
			31	Amends 43A-3(d)
			32	Amends 43A-17(c)
			33	Amends 43A-18(b)
			34	Adds 44-37.2
			35	Amends 48B-8(a)
			36	Amends 49-18.1(f)(1)
			37	Amends 49-18.1(g)
			38	Amends 49-18.1(i)
			39	Amends 49-18.2(c)(4)
			40	Amends 49-18.2(c)(5)
			41	Amends 49-18.2(f)
			42	Amends 49-18.4(b)
			43	Amends 49-18.4(e)
			44	Amends 49-18.4(f)
			45	Amends 49-18.5(a)
			46	Amends 49-18.5(b)
			47	Amends 49-18.11
			48	Amends 50-82
			49	Amends 50-101
			50	Amends 50-116
			51	Amends 50-137(a)
			52	Amends 50-149(a)(6)
31333	9/18/19	10/1/19	1	Amends 2-37.12
			2	Amends 2-105(a)
			3	Amends Ch. 2, Art. XVI, 2-136 thru 2-137
			4	Amends Ch. 2, Art. XXVI-a, 2-162.1 thru 2-162.4

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Department of convention and event services (See DEPARTMENT OF CONVENTION AND EVENT SERVICES)	
Department of equipment and fleet management (See DEPARTMENT OF EQUIPMENT AND FLEET MANAGEMENT)	
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<del>Contracts for radio station air time required; other radio station contracts</del>	<del>Sec. 2-162.4</del>
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# CITY OF DALLAS, TEXAS

## CODE OF ORDINANCES

### VOLUME III

Contains ~~7/19~~ 10/19 Supplement current through  
Ordinance ~~31174~~ 31265 31314, passed ~~4-10-19~~ 6-26-19 9-11-19

AMERICAN LEGAL PUBLISHING CORPORATION

One West Fourth Street, 3rd Floor Cincinnati, Ohio 45202 (513) 421-4248

- Sec. 51A-7.304. Detached signs.
- Sec. 51A-7.305. Attached signs.
- Sec. 51A-7.306. Detached non-premise signs prohibited generally.
- Sec. 51A-7.307. Relocation of certain detached non-premise signs.
- Sec. 51A-7.308. Digital display on certain detached non-premise signs.

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- Sec. 51A-7.802. Public hearings provided.
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- Sec. 51A-7.901.1. Designation of subdistricts.
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- Sec. 51A-7.903. Definitions.
- Sec. 51A-7.904. Detached non-premise signs.
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- Sec. 51A-7.906. General provisions for all signs in the downtown sign district.

~~—SPECIAL PROVISIONS FOR SIGNS WITHIN  
—THE GENERAL CBD, MAIN STREET,  
—CONVENTION CENTER, AND  
—RETAIL SUBDISTRICTS~~

**SPECIAL PROVISIONS FOR SIGNS WITHIN  
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CONVENTION CENTER, RETAIL, AND  
DISCOVERY SUBDISTRICTS**

- Sec. 51A-7.907. General provisions.
- Sec. 51A-7.908. Videoboard sign.
- Sec. 51A-7.909. Attached non-premise district activity videoboard signs.
- Sec. 51A-7.910. Operational requirements for attached videoboard signs.

(1) The name, address, telephone number, and signature of the applicant. If the applicant is not the owner of the lot, he must submit a letter from the owner authorizing him to act on the owner's behalf.

(2) The name, address, and telephone number of the owner of the lot. If there is more than one owner, the names, addresses, and telephone numbers of all owners must be provided.

(3) The street address and complete legal description of the lot.

(4) A brief description of all existing and proposed uses on the lot.

(5) Any other reasonable and pertinent information that the director determines to be necessary for site plan review.

(c) Site plan submission. A site plan submission under this section must include one reproducible print (blackline polyester film or equal) with five folded blue-line or blackline copies, and one 8-1/2 inch by 11 inch clear film positive. The print and copies must have a scale of one inch equals 100 feet or larger (e.g. one inch equals 50 feet, one inch equals 40 feet, etc.) and be on a standard drawing sheet of a size not to exceed 36 inches by 48 inches.

(d) Site plan requisites.

~~(1) In general. If the site plan is required due to estimated trip generation or a requirement for DIR in the use regulations, it must:~~

~~(A) include a location diagram showing the position of the lot in relation to surrounding streets in the city's major street network;~~

~~(B) contain title block and reference information pertaining to the lot and plan, including the name of the project, the names of the persons responsible for preparing the plan, the zoning classification of the lot, the scale of the plan (both numeric and graphic), and the date of submission, with provision for dating revisions;~~

~~(C) show the dimensions of the lot, and indicate lot area in both square feet and acres;~~

~~(D) show or describe the building envelope for each existing and proposed building on the lot;~~

~~(E) show the location of all existing streets, alleys, easements for street purposes, utility and other easements, floodway management areas, and the 100-year flood plain, if applicable;~~

~~(F) show all areas proposed for dedication or reservation;~~

~~(G) show zoning setback and building lines for each existing and proposed building on the lot;~~

~~(H) show all existing and proposed points of ingress and egress and estimated peak hour turning movements to and from existing and proposed public and private streets and alleys;~~

~~(I) show all existing and proposed median cuts and driveways located within 250 feet of the lot;~~

~~(J) show all existing and proposed off-street parking and loading areas, indicating the general dimensions of parking bays, aisles, and driveways, and the number of cars to be accommodated in each row of parking spaces;~~

~~(K) show all existing and proposed provisions for pedestrian circulation on the lot, including sidewalks, walkways, crosswalks, and pedestrian plazas;~~

~~(L) indicate average daily traffic counts on adjacent streets and illustrate estimated peak hour turning movements at intersections located within 250 feet of the lot;~~

~~(M) show the location and indicate the type of any special traffic regulation facilities proposed or required;~~

~~(N) show the existing and proposed topography of the lot using contours at intervals of two feet or less. Existing contours must be shown with dashed lines; proposed contours must be shown with solid lines;~~

(1) In general. If the site plan is required due to estimated trip generation or a requirement for DIR in the use regulations, it must:

(A) include a location diagram showing the position of the lot in relation to surrounding streets in the city's major street network;

(B) contain title block and reference information pertaining to the lot and plan, including the name of the project, the names of the persons responsible for preparing the plan, the zoning classification of the lot, the scale of the plan (both numeric and graphic), and the date of submission, with provisions for dating revisions;

(C) show the dimensions of the lot, and indicate lot area in both square feet and acres;

(D) show or describe the building envelope for each existing and proposed building on the lot;

(E) show the location of all existing streets, alleys, easements for street purposes, utility and other easements, floodway management areas, and the one-percent annual chance flood plain, if applicable;

(F) show all areas proposed for dedication or reservation;

(G) show zoning setback and building lines for each existing and proposed building on the lot;

(H) show all existing and proposed points of ingress and egress and estimated peak hour turning movements to and from existing and proposed public and private streets and alleys;

(I) show all existing and proposed median cuts and driveways located within 250 feet of the lot;

(J) show all existing and proposed off-street parking and loading areas, indicating the general dimensions of parking bays, aisles, and driveways, and the number of cars to be accommodated in each row of parking spaces;

(K) show all existing and proposed provisions for pedestrian circulation on the lot, including sidewalks, walkways, crosswalks, and pedestrian plazas;

(L) indicate average daily traffic counts on adjacent streets and illustrate estimated peak hour turning movements at intersections located within 250 feet of the lot;

(M) show the location and indicate the type of any special traffic regulation facilities proposed

or required;

(N) show the existing and proposed topography of the lot using contours at intervals of two feet or less. Existing contours must be shown with dashed lines; proposed contours must be shown with solid lines;

~~\_\_\_\_\_ (O) show the existing and proposed locations for municipal solid waste containers and receptacles;~~

~~\_\_\_\_\_ (P) show surrounding properties and the approximate location of buildings within a distance of 250 feet of the lot, indicating their zoning district classification. Surrounding properties may be drawn at a smaller scale than that required under Subsection (c);~~

~~\_\_\_\_\_ (Q) show locations, calipers, and names (both common and scientific) of all trees near proposed construction activity (trees in close proximity that all have a caliper of less than eight inches may be designated as a "group of trees" with only the number noted); and~~

~~\_\_\_\_\_ (R) contain any other reasonable and pertinent information that the director determines to be necessary for site plan review.~~

(O) show the existing and proposed locations for municipal solid waste containers and receptacles;

(P) show surrounding properties and the approximate location of buildings within a distance of 250 feet of the lot, indicating their zoning district classification. Surrounding properties may be drawn at a smaller scale than that required under Subsection (c);

(Q) show locations, calipers, and names (both common and scientific) of all trees near proposed construction activity (trees in close proximity that all have a caliper of less than eight inches may be designated as a "group of trees" with only the number noted); and

(R) contain any other reasonable and pertinent information that the director determines to be necessary for site plan review.

(2) Residential adjacency items. If the lot has a residential adjacency as defined in Subsection (d)(3) and is not in the Oak Lawn Special Purpose District (Planned Development District No. 193), the site plan must:

(A) satisfy the requirements of Subparagraphs (A) through (G), (J), and (N) through (Q) in Subsection (d)(1);

(B) show all existing and proposed points of ingress and egress;

(C) show the existing and proposed locations for all building entrances, exits, service areas, and windows;

(D) show the location and indicate the type, size, and height of perimeter fencing, screening, and buffering elements proposed or required;

(E) show all provisions to be made to direct and detain storm water and to mitigate erosion both during and following the completion of construction;

(F) show the location and indicate the type, orientation, size, and height of light standards which will illuminate any portion of a required yard;



(B) Approval of an application or site plan submission subject to conditions noted.

(2) An appeal must be made within 10 days after notice is given to the applicant of the director's decision.

(3) An appeal is made by filing a written request with the director for review by the city plan commission.

(4) Decisions of the commission are final as to available administrative remedies and are binding on all parties.

(5) If the commission fails to make a decision on the appeal within 30 calendar days of the date that the written request is filed with the director, the application and submission are considered to be approved subject to compliance with all other applicable city codes, ordinances, rules, and regulations.

(j) Validity of approved site plan. An approved site plan is valid for a period of two years. If a permit to authorize work on the lot has not been obtained upon expiration of the two-year period, a new site plan submission is required.

(k) Effect of approved site plan. The approval of a site plan by the director or commission does not result in the vesting of development rights, nor does it permit the violation of any city ordinance or state law, nor does it preclude the building official from refusing to issue a permit if he determines that plans and specifications do not comply with applicable laws and ordinances, or that the work described in the application for the permit does not conform to the requirements of the construction codes. (Ord. Nos. 19455; 19786; 19929; 20037; 20730; 21760; 22053; 22026; 25047; 27697; 28073; 28424; 28553; 31314)

## **Division 51A-4.900. Affordable Housing.**

### **SEC. 51A-4.901. PURPOSE.**

This division is adopted to comply with Section 3.5 of the Consent Decree entered on September 24, 1990, in the United States District Court for the Northern District of Texas in the case of Debra Walker et al. v. U.S. Department of Housing and Urban Development et al. and to further the following related and more specific purposes:

(a) to encourage the provision of dwelling units affordable to families of low income throughout the city;

(b) to ensure that these dwelling units are safe, sanitary, decent, and otherwise substantially equivalent to public housing in the city;

(c) to ensure that these dwelling units are available in a variety of sizes to the same extent as throughout the city; and

(d) to otherwise promote the general welfare of the city and its residents. (Ord. 21663)

### **SEC. 51A-4.902. DEFINITIONS.**

Unless the context clearly indicates otherwise:

(a) DENSITY BONUS means an increase in the number of dwelling units otherwise allowed for any particular lot.

(b) DWELLING UNIT OF ADEQUATE SIZE means:

(1) an efficiency or larger unit for a family consisting of one person;

## ARTICLE V.

FLOOD PLAIN AND ESCARPMENT  
ZONE REGULATIONS.

## Division 51A-5.100. Flood Plain Regulations.

SEC. 51A-5.101. DEFINITIONS AND  
INTERPRETATIONS  
APPLICABLE TO THE  
FLOOD PLAIN  
REGULATIONS.

——— (a) Definitions. The following definitions are applicable to the flood plain regulations in this article:

——— (1) ~~AREA OF SPECIAL FLOOD HAZARD~~ means the land in the flood plain within a community that is subject to a one percent or greater chance of flooding in any given year.

——— (2) ~~BASEMENT~~ means any area of a building having its floor subgrade, or below ground level, on all sides.

——— (3) ~~BASE FLOOD~~ means the flood having a one percent chance of being equalled or exceeded in any given year.

——— (3.1) ~~BASE FLOOD ELEVATION~~ means the water surface elevation from a flood having a one percent chance of being equalled or exceeded in any given year, which is shown on the flood insurance rate map (FIRM) and in the accompanying flood insurance study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE.

——— (4) ~~DESIGN FLOOD~~ (City's Design Standard) means the 100-year frequency flood discharge as calculated for fully developed watershed conditions. For the Dallas Floodway Levee System, the design flood is the standard project flood as calculated for the Corridor Development Certificate process.

——— (5) ~~DEVELOPMENT~~ means any manmade change in improved and unimproved real estate, including but not limited to the construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials unless approved by the city on a temporary basis in connection with authorized construction activities.

——— (6) ~~ENVIRONMENTALLY SIGNIFICANT AREA~~ means an area in the flood plain:

——— (A) with slopes greater than three to one;

——— (B) containing endangered species of either flora or fauna;

——— (C) which is geologically similar to the Escarpment Zone, as defined in Division 51A-5.200, "Escarpment Regulations," of this article;

——— (D) identified as wetlands; —

——— (E) determined to be an archeological or historic site; or

——— (F) containing more than 1,000 square inches of trunk area of protected trees, in the aggregate, within a 10,000 square foot land area. Trunk diameter is measured at a point 12 inches above grade. To be included in the calculation of trunk area, a tree must have a trunk equal to or greater than six inches. For purposes of this subparagraph, a protected tree is defined in Section 51A-10.101 of this chapter.

——— (7) ~~EXISTING MANUFACTURED HOME PARK~~ means a manufactured home park or subdivision for which the construction of facilities for servicing the lots was completed before March 16, 1983, the effective FIRM date.

——— (8) ~~FEMA~~ means the Federal Emergency Management Agency, which is the federal agency responsible for administering the National Flood Insurance Program.

(a) Definitions. The following definitions are applicable to the flood plain regulations in this article:

(1) **AREA OF SPECIAL FLOOD HAZARD**

means the land in the flood plain within a community that is subject to a one percent or greater chance of flooding in any given year.

(2) **BASEMENT** means any area of a

building having its floor subgrade, or below ground level, on all sides.

(3) **BASE FLOOD** means the flood having a

one percent chance of being equalled or exceeded in any given year.

(4) **BASE FLOOD ELEVATION** means the

water surface elevation from a flood having a one percent chance of being equalled or exceeded in any given year, which is shown on the flood insurance rate map (FIRM) and in the accompanying flood insurance study (FIS) for Zones A, AE, AH, A1 - A30, AR, V1-V30, or VE.

(5) **DESIGN FLOOD** (City's Design

Standard) means the one-percent chance flood frequency discharge as calculated for fully developed watershed conditions. For the Dallas Floodway Levee System, the design flood is the standard project flood as calculated for the Corridor Development Certificate process.

(6) **DEVELOPMENT** means any manmade

change in improved and unimproved real estate, including but not limited to the construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials unless approved by the city on a temporary basis in connection with authorized construction activities.

(7) **ENVIRONMENTALLY SIGNIFICANT**

**AREA** means an area in the flood plain:

(A) with slopes greater than three to one;

(B) containing endangered species of either flora or fauna;

(C) which is geologically similar to the Escarpment Zone, as defined in Division 51A-5.200, "Escarpment Regulations," of this article;

(D) identified as wetlands;

(E) determined to be an archeological or

historic site; or

(F) containing more than 1,000 square

inches of trunk area of protected trees, in the aggregate, within a 10,000 square foot land area. Trunk diameter is measured at a point 12 inches above grade. To be included in the calculation of trunk area, a tree must have a trunk equal to or greater than six inches. For purposes of this subparagraph, a protected tree is defined in Section 51A-10.101 of this chapter.

(8) **EXISTING MANUFACTURED HOME**

**PARK** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots was completed before March 16, 1983, the effective FIRM date.

(9) **FEMA** means the Federal Emergency

Management Agency, which is the federal agency responsible for administering the National Flood Insurance Program.

~~————— (9) FLOOD OR FLOODING means a general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or runoff of surface waters from any source.~~

~~————— (10) FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community on which the Federal Emergency Management Agency has delineated the areas of special flood hazards and the insurance risk premium zones applicable to the community.~~

~~————— (11) FLOOD INSURANCE STUDY (FIS) means the official report provided by FEMA containing flood profiles, water surface elevation of the base flood, and the Flood Boundary-Floodway Map.~~

~~————— (12) FLOOD PLAIN (FP) means any land area susceptible to inundation by the design flood.~~

~~————— (13) FLOOD PLAIN ALTERATION means the construction of buildings or other structures, alterations, mining, dredging, filling, grading, or excavation in the flood plain which does not remove an FP designation. (Examples include the construction of a tennis court, a playground, a swimming pool, a fence, a deck, an erosion control wall, or the installation of significant landscaping.)~~

~~————— (14) FLOOD PLAIN OR FP ADMINISTRATOR means the director of water utilities, who is responsible for administering the federal flood insurance program, or the director's designated representative.~~

~~————— (15) FLOOD PROOFING means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage.~~

~~————— (16) FLOODWAY (OR REGULATORY FLOODWAY) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the design flood without~~

~~cumulatively increasing the water surface elevation or to discharge more than a designated height or rate.~~

~~————— (17) HUNDRED YEAR FREQUENCY FLOOD (100 year flood) means the flood having a one percent chance of being equalled or exceeded in any given year. The 100 year flood in Dallas is based upon fully developed land uses within the watershed as defined by the current zoning designation.~~

~~————— (17.1) INTERIOR DRAINAGE AREAS mean the geographical areas that act as a watershed for the sumps.~~

~~————— (18) LEVEE means a manmade structure (usually an earthen embankment) designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water for protection from temporary flooding.~~

~~————— (19) LEVEE SYSTEM means a flood protection system consisting of a levee or levees and associated structures such as closure and drainage devices constructed and operated in accordance with sound engineering practices.~~

~~————— (20) LOWEST FLOOR means the lowest floor of the lowest enclosed area of a building (including its basement). An unfinished or flood resistant enclosure that is useable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor.~~

~~————— (21) MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when connected to the required utilities. In this article only, the term "manufactured home" includes park trailers, travel trailers, and similar vehicles placed on a site for more than 180 consecutive days, but does not include recreational vehicles.~~

~~————— (22) MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels)~~

(10) FLOOD OR FLOODING means a general and temporary condition of partial or complete inundation of normally dry land areas from the

unusual and rapid accumulation or runoff of surface waters from any source.

(11) FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community on which the Federal Emergency Management Agency has delineated the areas of special flood hazards and the insurance risk premium zones applicable to the community.

(12) FLOOD INSURANCE STUDY (FIS) means the official report provided by FEMA containing flood profiles, water surface elevation of the base flood, and the Flood Boundary-Floodway Map.

(13) FLOOD PLAIN (FP) means any land area susceptible to inundation by the design flood.

(14) FLOOD PLAIN ALTERATION means the construction of buildings or other structures, alterations, mining, dredging, filling, grading, or excavation in the flood plain which does not remove an FP designation. (Examples include the construction of a tennis court, a playground, a swimming pool, a fence, a deck, an erosion control wall, or the installation of significant landscaping.)

(15) FLOOD PLAIN OR FP ADMINISTRATOR means the director of water utilities, who is responsible for administering the federal flood insurance program, or the director's designated representative.

(16) FLOOD PROOFING means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage.

(17) FLOODWAY (OR REGULATORY FLOODWAY) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the design flood without cumulatively increasing the water surface elevation or to discharge more than a designated height or rate.

(18) INTERIOR DRAINAGE AREAS mean the geographical areas that act as a watershed for the sumps.

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(22) MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when connected to the required utilities. In this article only, the term "manufactured home" includes park trailers, travel trailers, and similar vehicles placed on a site for more than 180 consecutive days, but does not include recreational vehicles.

of land divided into two or more manufactured home lots for rent or sale.

————— (23) NATIONAL FLOOD INSURANCE PROGRAM (NFIP) means the federal program administered by FEMA which enables property owners to purchase flood insurance against damage to or loss of property resulting from a flood.

————— (24) POOL-RIFFLE SEQUENCES mean the alternating deep and shallow flow conditions caused by a moving, nonuniform channel grade.

————— (25) SEEP means a location where natural groundwater makes its way in a non-continuous flow to the surface, creating a wet soil condition.

————— (26) SPECIAL EXCEPTION means a grant of relief to a property owner permitting reconstruction in a manner otherwise prohibited by this division.

————— (27) STANDARD PROJECT FLOOD means the flood caused by the most severe combination of meteorological and hydrological conditions reasonably characteristic of the region. The standard project flood is defined by the U.S. Army Corps of Engineers for use in major flood control projects.

————— (28) STRUCTURE means, for purposes of this division, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

————— (29) SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

————— (30) SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market or tax appraisal value of the structure, whichever is greater, as determined by an independent appraiser or the last official City tax

roll, either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition “substantial improvement” occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure for the sole purpose of complying with federal, state, or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official as necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

————— (31) SUMPS mean drainage features of levee systems that temporarily store storm water runoff before it is conveyed to a river system by pumping over or draining through a levee.

————— (32) SWALES mean low lying areas in the flood plain that convey flood waters when flow exceeds channel capacity.

————— (33) VALLEY STORAGE means the measure of a stream’s ability to store water as it moves downstream.

————— (34) VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation.

————— (35) WATERSURFACE ELEVATION means the height, in relation to the North American Vertical Datum (NAVD) of 1988, of floods of various magnitudes and frequencies in the flood plain.

(23) MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

(24) NATIONAL FLOOD INSURANCE PROGRAM (NFIP) means the federal program administered by FEMA which enables property owners to purchase flood insurance against damage to or loss of property resulting from a flood.



(25) ONE-PERCENT ANNUAL CHANCE FLOOD FREQUENCY (one-percent annual chance flood) means the flood having a one percent chance of being equalled or exceeded in any given year. The one-percent annual chance flood in Dallas is based upon fully developed land uses within the watershed as defined by the current zoning designation.

(26) POOL-RIFFLE SEQUENCES mean the alternating deep and shallow flow conditions caused by a moving, nonuniform channel grade.

(27) SEEP means a location where natural groundwater makes its way in a non-continuous flow to the surface, creating a wet soil condition.

(28) SPECIAL EXCEPTION means a grant of relief to a property owner permitting reconstruction in a manner otherwise prohibited by this division.

(29) STANDARD PROJECT FLOOD means the flood caused by the most severe combination of meteorological and hydrological conditions reasonably characteristic of the region. The standard project flood is defined by the U.S. Army Corps of Engineers for use in major flood control projects.

(30) STRUCTURE means, for purposes of this division, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

(31) SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

(32) SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market or tax appraisal value of the structure, whichever is greater, as determined by an independent appraiser or the last official City tax roll, either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition "substantial improvement" occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not,

however, include any project for improvement of a structure for the sole purpose of complying with federal, state, or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official as necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

(33) SUMPS mean drainage features of levee systems that temporarily store storm water runoff before it is conveyed to a river system by pumping over or draining through a levee.

(34) SWALES mean low lying areas in the flood plain that convey flood waters when flow exceeds channel capacity.

(35) VALLEY STORAGE means the measure of a stream's ability to store water as it moves downstream.

(36) VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation.

(37) WATERSURFACE ELEVATION means the height, in relation to the North American Vertical Datum (NAVD), of floods of various magnitudes and frequencies in the flood plain.

(b) Interpretations. The intent of this ordinance is to equal or exceed the minimum federal criteria for participation in the National Flood Insurance Program, located in 44 Code of Federal Regulations, Chapter I, Part 60.3(d). (Ord. Nos. 19455; 19786; 20360; 24085; 27318; 27572; 27697; 27893; 30994; 31314)



## (1) Structures must be:

(A) securely anchored to the foundation and otherwise designed to prevent flotation and collapse during inundation; and

(B) designed to prevent damage to nonstructural elements during inundation.

(2) Thermal insulation used below the first floor level must be of a type that does not absorb water.

(3) Adhesives must have a bonding strength that is unaffected by inundation.

(4) Doors and all wood trim must be sealed with a water-proof paint or similar product.

(5) Electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities must be designed and located to prevent water from entering or accumulating in the components during flooding.

(6) Basements.

(A) Basements are permitted only in nonresidential construction and only if they are designed to preclude inundation by the design flood level, either by:

(i) locating any exterior opening at least three feet above the level of the design flood elevation; or

(ii) using water-tight closures, such as bulkheads and flood shields.

(B) All basements must be constructed so that any enclosure area, including utilities and sanitary facilities below the flood-proofed design level, is watertight with impermeable walls.

(C) Basement walls must be built with the capacity to resist hydrostatic and hydrodynamic loads and the effects of buoyancy resulting from

flooding to the flood-proofed design level so that minimal damage will occur from floods that exceed the flood-proofed design level.

(D) The area surrounding the structure must be filled to or above the elevation of the design flood. The fill must be compacted, and slopes must be protected by vegetative cover.

(E) Basements must be designed by a licensed engineer.

(7) Plywood used at or below the first floor level must be of an "exterior" or "marine" grade and of a water-resistant or waterproof variety.

(8) Wood flooring used at or below the first floor level must be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without incurring structural damage to the building.

(9) Basement ceilings must consist of a sufficient wet strength and be installed to survive inundation.

(10) Paints or other finishes used at or below the first floor level must be capable of surviving inundation.

(11) All air ducts, large pipes and storage tanks located at or below the first floor level must be firmly anchored to prevent flotation.

~~———— (12) Tanks must be vented at a location above the 100-year flood level.~~

(12) Tanks must be vented at a location above the one-percent annual chance flood level. (Ord. Nos. 19455; 19786; 20360; 24085; 24543; 27697; 27893; 30994; 31314)

**SEC. 51A-5.105.****FILLING IN THE FLOOD PLAIN.**(a) Permit required.

(1) A person shall not deposit or store fill, place a structure, excavate, or engage in any other

(10) Any alteration of the FP area necessary to obtain a removal of an FP prefix may not cause any additional expense in any current or projected public improvements.

~~—— (i) Special criteria for the Trinity and the Elm Fork. If the FP area is in the flood plain of the Trinity River, Elm Fork of Trinity River, West Fork of the Trinity River, Five Mile Creek - confluence to Bonnie View Road, White Rock Creek - confluence to Scyene Road, or the regulatory floodways established by FEMA, the following requirements must be met:~~

~~———— (A) Encroachment into the floodway is prohibited unless FEMA issues a conditional Letter of Map Revision.~~

~~———— (B) Fill elevations and first floor elevations in flood plain areas located along the Elm Fork, West Fork or main stem of the Trinity River that would be protected from inundation by the 100-year or greater flood by a federally authorized flood control project must be constructed at a minimum elevation of one foot above the design flood. The parking requirements in Section 51A-5.104(b)(4) do not apply.~~

(i) Special criteria for the Trinity and Elm Fork. If the FP area is in the flood plain of the Trinity River, Elm Fork of Trinity River, West Fork of the Trinity River, Five Mile Creek - confluence to Bonnie View Road, White Rock Creek - confluence to Scyene Road, or the regulatory floodways established by FEMA, the following requirements must be met:

(A) Encroachment into the floodway is prohibited unless FEMA issues a conditional Letter of Map Revision.

(B) Fill elevations and first floor elevations in flood plain areas located along the Elm Fork, West Fork or main stem of the Trinity River that would be protected from inundation by the one-percent annual chance or greater flood by a federally authorized flood control project must be constructed at a minimum elevation of one foot above the design flood. The parking requirements in Section 51A-5.104(b)(4) do not apply.

(j) Term of permit validity and extension procedures.

(A) Permits issued after October 11, 1996. A fill permit is valid for a five-year time period from the date of issuance. The fill permit automatically terminates if the filling operations have not been completed within the five-year time period. The director of water utilities may grant a one-time extension of a fill permit for an additional three-year time period upon receipt of a written request made at least 30 days before the expiration of the original permit. The applicant for permit extension must demonstrate that the project fully complies with the flood plain regulations that were in effect at the time that the original permit was approved.

(B) Permits issued before October 11, 1996. Fill permits issued before October 11, 1996, shall expire on December 31, 2001. The director of water utilities shall notify owners of fill permits governed by this paragraph that:

(i) filling must be completed no later than December 31, 2001; and

(ii) a one-time extension of the permit for an additional three-year time period may be granted by the director of water utilities upon receipt of a written request made at least 30 days before the expiration date of the original permit. The applicant for permit extension must demonstrate that the project fully complies with the flood plain regulations that were in effect at the time that the original permit was approved.

(C) New permit required upon expiration. When a fill permit terminates, the applicant must apply for a new permit before filling the property. The new application must comply with the flood plain regulations that are in effect at the time that the request is considered by the city council.

(D) Presumption of completion. Filling operations are deemed completed when the applicant submits:

(i) a certification to the director of water utilities that proper fill elevations have been achieved and the specifications of the approved application have been followed; and

(ii) a letter of map revision from FEMA, if applicable. (Ord. Nos. 19455; 19786; 21299; 22920; 24085; 25047; 27697; 27893; 28424; 29478; 30994; 31314)

~~————— (2) Grading is not permitted within the 100 year flood plain boundaries of watercourses unless it is:~~

~~————— (A) in conjunction with the construction of approved drainage facilities; or~~

~~————— (B) authorized by a city council approved fill permit. All grading must comply with Section 51A-5.207 of this division.~~

(2) Grading is not permitted within the one-percent annual chance flood plain boundaries of watercourses unless it is:

(A) in conjunction with the construction of approved drainage facilities; or

(B) authorized by a city council approved fill permit. All grading must comply with Section 51A-5.207 of this division.

(3) Indigenous vegetation must be retained and protected except in immediate areas of development so that a minimal amount of vegetation is removed or replaced. If vegetation is removed, it must be replaced with new vegetation of the same variety unless the building official approves an alternative variety as being less susceptible to disease or better suited for urban development.

(4) Development must be accomplished in a manner which assures that as small an area as possible is exposed to erosion at any one time. When land is exposed during development, the exposure must be kept to the shortest practical period of time not to exceed six months. In extraordinary cases, an extension of the six month time period may be granted in writing by the director. In such cases the director shall seek and consider the recommendation of the escarpment area review committee before making his decision.

(5) Areas where construction activities have ceased for more than 21 days must be stabilized by the developer to minimize erosion through the use of temporary or permanent vegetation, mulching, sod, geotextiles, or similar measures. In cases where permanent measures are not installed, the developer must maintain the temporary measures until the site is either fully developed or permanent vegetation with a density of at least 70 percent of the native background

vegetative cover for the area has been installed.

(6) Sediment basins or other installations approved by the director must be installed and maintained to remove sediment from runoff waters accumulating on land undergoing development. These

the director that these velocities do not produce detrimental erosion. If damaging erosion is occurring, site-specific erosion control measures are required. Energy dissipators, if required, must be approved by the director to maintain channel velocities at acceptable levels. (Ord. Nos. 19455; 26000; 30893; 31314)

#### **SEC. 51A-5.207. GRADING PLAN.**

(a) A grading plan must be submitted for all proposed development within a geologically similar area. Except for items that are expressly waived by the director, the following items must be included as part of the plan:

(1) A soil engineering report. This report must include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of the site to be developed. The report must be signed by a registered professional engineer.

(2) An engineering geology report. This report must include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations covering the adequacy of the site to be developed. The report must be signed by a registered professional engineer.

(3) Limiting dimensions, elevations or finish contours to be achieved by grading, and proposed drainage channels and related construction.

(4) Detailed plans for all surface and subsurface drainage devices, walls, cribbing, dams, and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and the estimated runoff of the area.

(b) Development within a geologically similar area must conform to the following performance standards:

(1) Grading must be planned so as to have the least disturbance on the area's natural topography, watercourses, vegetation, and wildlife. This may preclude all development in certain areas. No cleared, graded, or otherwise disturbed land may be left without temporary protective stabilizing cover. (See Section 51A-5.206.)

(2) The maximum slopes permitted in geologically similar areas shall be determined by the director based on the results of the geotechnical investigations of the site materials and other factors analyzed in this division.

(3) Topsoil must be stockpiled and redistributed on areas where vegetation will be grown after the grading is completed. Methods to insure maintenance of these areas until vegetation is established must be detailed. (Ord. Nos. 19455; 26000)

#### **SEC. 51A-5.208. VEGETATION PLAN.**

(a) A vegetation plan must be submitted for all proposed development in a geologically similar area. Except for items that are expressly waived by the director, the plan must:

(1) show the location and type of landscape features and plant materials in the areas of proposed development; and

(2) specify all proposed vegetation removal and replacement.

(b) Development in a geologically similar area must conform to the following performance standards:

(1) Indigenous vegetation must be retained and protected except in immediate areas of

J/384 and a closed portion of Griffin and Ashland Streets, with the shortest line connecting to a point on the southeast line of Ashland Street and the northeast line of an alley in Block G/385;

THENCE northeasterly with said southeast lines of Ashland Street, crossing Summer Street and extending to a point for a corner on the NE line of Wesley Alley;

THENCE southeasterly along said NE line of Wesley Alley to the SE line of Block I/354, a point for a corner;

THENCE northeasterly along the southeast line of Block I/354 and along the northwest line of Cedar Springs Road to a point for a corner on the southwest line of 24 feet wide Yates Alley;

THENCE northeasterly with the northwest lines of Cedar Springs Road, crossing Yates Alley, old Field Street, Alamo Street, right of way for new extension of Field Street, and Caroline Street and extending said northwest line of Cedar Springs Road across Akard Street to a point for a corner on the east line of Cedar Springs Road;

THENCE with the east line of Cedar Springs Road northerly to the south line of Harwood Street, a point for a corner;

THENCE easterly with said south line of Harwood Street and extending same to a point for a corner on the easterly line of McKinney Avenue extended;

THENCE northeasterly along said extension line and the easterly line of McKinney Avenue to a point for a corner on the southwest line of Olive Street;

THENCE crossing Olive Street to a point for a corner on the southeast line of Thomas Street;

THENCE northeasterly along the southeast lines of Thomas Street, crossing Pearl Street, Crockett Court, Leonard Street, Fairmount Street, Routh Street, Boll Street, Worthington Street, Clay Alley, Allen Street, Clyde Alley, Clark Street, Ellis Street and Hugo Street

and continuing to the southwest line of Hall Street and the point of beginning.

(b) Other special provision sign districts created in accordance with this article are not controlled by this division even though such districts may be wholly or partially located within the boundaries described in Subsection (a). (Ord. Nos. 19455; 20167; 21404; 24606)

#### SEC 51A-7.901.1. DESIGNATION OF SUBDISTRICTS.

~~—(a) This district is divided into eight subdistricts: Retail Subdistrict A, Retail Subdistrict B, the General CBD Subdistrict, the Downtown Perimeter Subdistrict, the Main Street Subdistrict, the Convention Center Subdistrict, the Akard Station Subdistrict, and the Whitacre Tower Subdistrict.~~

(a) This district is divided into nine subdistricts: Retail Subdistrict A, Retail Subdistrict B, the General CBD Subdistrict, the Downtown Perimeter Subdistrict, the Main Street Subdistrict, the Convention Center Subdistrict, the Akard Station Subdistrict, the Whitacre Tower Subdistrict, and the Discovery Subdistrict.

(b) Retail Subdistrict A is that central area of downtown within the boundaries described in the Exhibit A attached to Ordinance No. 30685, passed by the Dallas City Council on October 25, 2017.

(c) Retail Subdistrict B is that central area of downtown within the boundaries described in the Exhibit A attached to Ordinance No. 30685, passed by the Dallas City Council on October 25, 2017.

(d) The General CBD Subdistrict is that area of the district within the Freeway Loop, more particularly described in the Exhibit A attached to Ordinance No. 30685, passed by the Dallas City Council on October 25, 2017.

(e) The Downtown Perimeter Subdistrict is that area outside of the freeway loop within the downtown sign district.

(f) The Main Street Subdistrict is that area of downtown near Main Street described in Exhibit A attached to Ordinance No. 30685, passed by the Dallas City Council on October 25, 2017.

(g) The Convention Center Subdistrict is that area of downtown near the convention center, more particularly described in the Exhibit A attached to Ordinance No. 30685, passed by the Dallas City Council on October 25, 2017.

(h) The Akard Station Subdistrict is that area of downtown that is more particularly described in the Exhibit A attached to Ordinance No. 30685, passed by the Dallas City Council on October 25, 2017.

(i) The Whitacre Tower Subdistrict is that area of downtown within the boundaries described in the Exhibit A attached to Ordinance No. 30685 passed by the Dallas City Council on October 25, 2017.

(j) The Discovery Subdistrict is that area of downtown within the boundaries described in the Exhibit A attached to Ordinance No. 31191, passed by the Dallas City Council on April 24, 2019. (Ord. Nos. 24606; 24925; 28346; 29227; 29751; 30685; 31191)

restaurant establishments that generate pedestrian

#### SEC. 51A-7.902. PURPOSE.

The purpose of this division is to regulate both the construction of new signs and the alterations of existing signs with a view towards enhancing, preserving, and developing the unique character of the downtown area while addressing the diversity of businesses and promoting the economy of downtown. The general objectives of this division include those listed in Section 51A-7.101 as well as aesthetic considerations to ensure that signs are appropriate to the architecture of the district, do not obscure significant architectural features of its buildings, and lend themselves to the developing retail and residential uses and the pedestrian character of the area. The district regulations are in large part inspired by the high level of pedestrian activity and the need to maximize effective orientation of signage toward the walking public. (Ord. Nos. 19455; 20167; 21404; 24606)

#### SEC. 51A-7.903. DEFINITIONS.

In this division:

(1) ACTIVITY DISTRICT means a group of entertainment, cultural, performance, retail, or



(21.1) MEDIA CENTER PLAZA means an outdoor area that is accessible to the public, and includes:

(A) a plaza that is at least 120,000 square feet in size; and

(B) structures containing ground-floor retail and restaurant uses.

(21.2) MEDIA WALL SIGN means an attached sign projecting no more than five feet from a building, the face of which is parallel to the building facade, and which may wrap around the corner of a building. A media wall sign must be located adjacent to a media center plaza. A media wall sign must be a changeable message sign, and must incorporate changeable messages, including streaming.

(22) MESSAGE AREA means the area within the effective area of a sign that provides a specific commercial or non-commercial message and that excludes all extremity and intra-areas associated with the sign fixture.

(22.1) MIDDLE LEVEL SIGN means an attached sign wholly or partially situated within the middle level sign area.

(22.2) MIDDLE LEVEL SIGN AREA means the portion of a building facade that is between the lower level sign area and the upper level sign area.

(23) MONUMENT SIGN means a detached sign applied directly onto a grade-level support structure (instead of a pole support) with no separation between the sign and grade.

(24) MOVEMENT CONTROL SIGN means a sign that directs vehicular and pedestrian movement within this district.

(24.1) PEDESTRIAN-ORIENTED CONCESSION SIGN means a premise sign displaying advertising for one or more retail uses to on-site pedestrians.

(25) PROJECTING ATTACHED SIGN means an attached sign projecting more than 12 inches from a building at an angle other than parallel to the facade.

(26) PROMOTIONAL MESSAGE means a message that identifies or promotes a cultural activity within this district, any special event being conducted in this district, any event being conducted, in whole or in part, in an entertainment complex, or any other event that will benefit the city. Benefit to the city is established by:

(A) use of city property in accordance with a contract, license, or permit;

(B) the receipt of city monies for the activity or event; or

other similar technology, and that is mounted to the exterior of a building.

(35) WELCOME MESSAGE means a message that identifies and greets heads of state, foreign dignitaries, groups using city property in accordance with a contract, license, or permit, or government organizations.

(36) WINDOW ART DISPLAY means an exhibit or arrangement placed within a storefront window of a building and designed to be viewed from a street or public area.

(37) WINDOW SIGN means a sign painted or affixed to a window.

(38) WORD: For purposes of this division, each of the following is considered to be one word:

(A) Any word in any language found in any standard unabridged dictionary or dictionary of slang.

(B) Any proper noun or any initial or series of initials.

(C) Any separate character, symbol, or abbreviation such as "&", "\$", "%", and "Inc."

(D) Any telephone number, street number, or commonly used combination of numerals and symbols such as "\$5.00" or "50%",

(E) Any Internet website, network, or protocol address, domain name, or universal record locator.

(F) Any symbol or logo that is a registered trademark but which itself contains no word or character.

(G) A street address is not considered to be a word. (Ord. Nos. 20167; 21404; 22425; 24606; 24925; 27795; 28346; 28347; 29227; 31191)

#### **SEC. 51A-7.904. DETACHED NON-PREMISE SIGNS.**

Except as provided in this division, no person may erect a detached non-premise sign in this district. (Ord. Nos. 19455; 20167; 21404; 24606; 24925)

#### **SEC. 51A-7.905. SIGN PERMIT REQUIREMENT.**

(a) Except as provided in Sections 51A-7.908, 51A-7.914, and 51A-7.915, a person shall not alter, place, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city.

(b) The procedure for obtaining a sign permit is outlined in Section 51A-7.505 of this article. Section 51A-7.602 of this article does not apply to signs in this district.

(c) A person who violates Subsection (a) is guilty of a separate offense for each day or portion of a day during which the violation is continued. (Ord. Nos. 20167; 21404; 24606; 24925)

#### **SEC. 51A-7.906. GENERAL PROVISIONS FOR ALL SIGNS IN THE DOWNTOWN SIGN DISTRICT.**

(a) Except as provided in Subsection (b), the regulations of Section 51A-7.303 apply in this district.

(b) For retail and personal service uses within the Main Street Subdistrict, Retail Subdistrict A, and Retail Subdistrict B, the measurements of luminance are taken from any premise or public right-of-way other than an alley outside the Main Street Subdistrict, Retail Subdistrict A, and Retail Subdistrict B, respectively.

(c) Illuminated signs in this district must comply with Section 51A-6.104 of the Dallas Development Code, as amended. (Ord. Nos. 24606; 24925; 27795; 29227)

~~SPECIAL PROVISIONS FOR SIGNS WITHIN THE  
GENERAL CBD, MAIN STREET, CONVENTION  
CENTER, AND RETAIL SUBDISTRICTS.~~

**SPECIAL PROVISIONS FOR SIGNS WITHIN THE  
GENERAL CBD, MAIN STREET, CONVENTION  
CENTER, RETAIL, AND DISCOVERY  
SUBDISTRICTS.**

**SEC. 51A-7.907. GENERAL PROVISIONS.**

(a) Signs over the right-of-way.

(1) Signs may be located within the public right-of-way subject to the franchise requirements of Chapter XIV of the City Charter, Article VI of Chapter 43 of the Dallas City Code, as amended, Chapter 45 of the Dallas Building Code, and the requirements of all other applicable laws, codes, ordinances, rules, and regulations.

(2) The director shall review the location of any sign located in or overhanging the public right-of-way to ensure that the sign will not pose a traffic hazard or visibility obstruction.

(3) No portion of a sign may be located less than two feet from the back of a street curb.

(b) Signs in general.

(1) Except as provided in Division 51A-7.900 of Article VII, all applications for certificates of appropriateness for detached signs in this district must be reviewed by the special sign district advisory committee using the permit procedures set forth in Division 51A-7.500. The director procedure in Division 51A-7.500 is not available for detached signs in this district. All applications for certificates of appropriateness for other types of signs in this district must be in accordance with Division 51A-7.500 of Article VII.

(2) Unless otherwise provided, all signs in this district must be premise signs.

(3) All wind devices except for flags and banners are prohibited in this district unless allowed

under a special events permit issued under Chapter 42A of the Dallas City Code, as amended. (Ord. Nos. 24606; 24925; 25047; 28073)

**SEC. 51A-7.908. VIDEOBOARD SIGN.**

(a) One videoboard sign may be attached to a building adjacent to the Main Street Subdistrict.

(b) The videoboard sign may display any message.

(c) A certificate of appropriateness is required for approval of the specific size and location of the videoboard sign.

(d) The videoboard sign may not be placed on a landmark structure. (Ord. 24925)

**SEC. 51A-7.909. ATTACHED NON-  
PREMISE DISTRICT  
ACTIVITY VIDEOBOARD  
SIGNS.**

(a) Content. Non-premise district activity videoboard signs must display district activity messages a minimum of three minutes of every operational hour and must display either district activity messages or premise messages for an additional minimum of nine minutes of every operational hour.

(b) Location and number.

(1) A maximum of 15 non-premise district activity videoboard signs are permitted and may only be erected on buildings with frontage on streets within Retail Subdistrict A and Retail Subdistrict B bounded by Jackson Street, Lamar Street, Pacific Avenue, and Cesar Chavez Boulevard.

(2) A maximum of one non-premise district activity videoboard sign is permitted per block face.

video and audio is permitted, except that ticker tape streaming is permitted at all times when the videoboard sign is operating. Ticker tape streaming must be located within the bottom 10 percent of the effective area.

(e) Malfunction. Videoboard sign operators must respond to a malfunction or safety issue within one hour after notification. (Ord. Nos. 27481; 27572)

**SEC. 51A-7.911. ATTACHED PREMISE SIGNS.**

(a) Attached signs in general.

(1) Attached signs must be securely attached.

(2) Attached signs overhanging the public way are permitted, except that no sign may project closer than two feet to the vertical plane extending through the back of a street curb.

~~————— (3) The total effective area for all signs on a facade may not exceed:~~

~~————— (A) 30 percent of the area in the lower level sign area;~~

~~————— (B) 20 percent of the area in the middle level sign area; and~~

~~————— (C) 30 percent of the area in the upper level sign area.~~

(3) The total effective area for all signs on a facade, excluding media wall signs in the Discovery Subdistrict, may not exceed:

(A) 30 percent of the area in the lower level sign area;

(B) 20 percent of the area in the middle level sign area; and

(C) 30 percent of the area in the upper level sign area.

(4) Except as provided in this paragraph, attached signs may not project more than four feet above the roof line. Attached signs in the Convention Center Subdistrict may not project more than nine feet above the roof line.

Projecting attached signs are not included in these effective area calculations. See additional restrictions on sign area in the provisions for specific sign types.

(6) Only an entertainment facility may have a marquee sign.

(g) Projecting attached signs.

(1) Lower projecting attached signs.

(A) No premise may have more than one lower projecting attached sign per pedestrian entrance.

(B) No lower projecting attached sign may exceed 15 square feet in effective area in the general CBD and convention center subdistricts, or 30 square feet in effective area in the Main Street Subdistrict, Retail Subdistrict A, and Retail Subdistrict B.

(C) No lower projecting attached sign may be lower than 10 feet above grade, or project vertically above the roof of a building, or 25 feet above grade, whichever is lower.

(D) No lower projecting attached sign may project more than five feet into the public right-of-way.

(2) Upper projecting attached signs.

(A) No premise may have more than one upper projecting attached sign.

(B) No upper projecting attached sign may project more than five feet into the public right-of-way.

(C) An upper projecting attached sign:

(i) may be located outside the upper level sign area; and

(ii) may not be lower than 12 feet above grade.

(D) The lowest point of an upper projecting attached sign must be located within 36 feet above grade.

(E) No upper projecting attached sign may exceed 180 square feet in effective area.

(3) The board of adjustment may authorize a special exception to the effective area, height, or location restrictions for a projecting attached sign if the board finds, after a public hearing, that the special exception will not be contrary to the public interest, adversely affect neighboring properties, or create a traffic hazard and that the special exception will be in harmony with the general purpose and intent of this division. In no event may a special exception granted under this paragraph authorize a sign to exceed 300 square feet in effective area or 45 feet in height.

(4) All projecting attached videoboard signs must have videoboard displays on both sides of the sign.

(h) Media wall signs.

(1) One media wall sign is permitted in the Discovery Subdistrict only.

(2) A media wall sign may be located no lower than 15 feet from grade and may be located no higher than 125 feet from grade.

(3) Non-premise messages are permitted only when streaming live or pre-recorded media content that is not simply an advertisement or commercial.

(4) For purposes of a media wall sign, PREMISE means the property within the Discovery Subdistrict and the property within the Media Center Plaza abutting the Discovery Subdistrict.

(5) For purposes of a media wall sign, PREMISE SIGN means any sign that contains content that relates to the premise and referring exclusively to the following:

(A) the name, trade name, or logo of the owner or occupant of the premises, or the identification of the premise;

(B) accommodations, services, or activities offered or conducted on the premise;

(i) encourage the use of illustrative images or other non-repetitive design elements;

(ii) encourage visually interesting, vibrant, and colorful designs;

(iii) discourage use of solid colors or repetitive design elements; and

(iv) discourage an image of a single product or product logo without other graphic elements.

(C) The supergraphic sign may be internally or externally illuminated. If internally illuminated, the supergraphic sign may consist of translucent materials, but not transparent materials.

(D) The supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

(3) Effective area. Minimum permitted effective area is 2,500 square feet. Maximum permitted effective area is 6,500 square feet.

(4) Height. The supergraphic sign may not be lower than 10 feet above grade level.

(5) Location. The supergraphic sign may only be located on the east facade of the building.

~~————— (6) Additional provisions.~~

~~————— (A) The supergraphic sign is intended to be compatible with the West End Historic District as determined by the Landmark Commission.~~

~~————— (B) All hardware fasteners for the supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.~~

~~————— (C) The supergraphic sign may not be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.~~

~~————— (D) The existing painted sign on the east facade must remain uncovered and visible.~~

**(6) Additional provisions.**

**(A) All hardware fasteners for the supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.**

**(B) The supergraphic sign may not be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.**

**(C) The existing painted sign on the east facade must remain uncovered and visible. (Ord. Nos. 30139; 31204)**

**SEC. 51A-7.1007.2. ANTIOCH CHURCH SUBDISTRICT.**

(a) In general. Except as provided in this division, the provisions of the West End Historic Sign District apply in this subdistrict.

(b) Definitions. In this subdistrict:

(1) SUPERGRAPHIC SIGN means a large attached premise or non-premise sign on a mesh or fabric surface, a projection of a light image onto a wall face without the use of lasers, or painted or vinyl adhesive signage.

(2) WALL FACE means an uninterrupted blank plane of a wall, from vertical edge to vertical edge, from its highest edge to its lowest edge. Edges can be established by a distinct change in materials or off-set which runs across (transects) the entire wall in a straight line.

(c) Supergraphic sign.

(1) Number. A maximum of one supergraphic sign is permitted.

(2) Visual display and coverage.



(ii) The effective area of text is the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word.

(B) The supergraphic sign is intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(i) encourage the use of illustrative images or other non-repetitive design elements;

(ii) encourage visually interesting, vibrant, and colorful designs;

(iii) discourage use of solid colors or repetitive design elements; and

(iv) discourage an image of a single product or product logo without other graphic elements.

(C) The supergraphic sign may be internally or externally illuminated. If internally illuminated, the supergraphic sign may consist of translucent materials, but not transparent materials.

(D) The supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

(3) Effective area. Minimum permitted effective area is 2,500 square feet. Maximum permitted effective area is 6,500 square feet.

(4) Height. The supergraphic sign may not be lower than 10 feet above grade level.

(5) Location. The supergraphic sign may only be located on the east facade of the building.

~~————— (6) Additional provisions:~~

~~————— (A) The supergraphic sign is intended to be compatible with the West End Historic District as determined by the Landmark Commission:~~

~~————— (B) All hardware fasteners for the supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas:~~

~~————— (C) The supergraphic sign may not be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102:~~

~~————— (D) The supergraphic sign may not display the same message for more than six consecutive months in any 12-month period:~~

~~————— (E) The supergraphic sign must be removed on or before September 27, 2027. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after September 27, 2027 and all permits authorizing a supergraphic sign automatically expire on that date:~~

(6) Additional provisions.

(A) All hardware fasteners for the supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

(B) The supergraphic sign may not be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.

(C) The supergraphic sign may not display the same message for more than six consecutive months in any 12-month period.

(D) The supergraphic sign must be removed on or before September 27, 2027. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after September 27, 2027, and all permits authorizing a supergraphic sign automatically expire on that date.

(d) This section expires on September 27, 2027, unless re-enacted before that date. The city plan commission and city council shall review this section



before its expiration date. (Ord. Nos. 30663; 31203)

**SEC. 51A-7.1008.            BANNERS ON  
STREETLIGHT POLES.**

Banners may be mounted on streetlight poles subject to the following regulations:

(a) A banner must display a promotional message, a welcome message, or generic graphics. No sponsorship identification is permitted on a banner.

(b) No more than 10 percent of the effective area of a banner may contain a welcome message that identifies and greets a group using city property in accordance with a contract, license, or permit.

## Division 51A-7.1500.

## Provisions for McKinney Avenue Sign District.

## SEC. 51A-7.1501. DESIGNATION OF SIGN DISTRICT.

—A special provision sign district is hereby created to be known as the McKinney Avenue Sign District. The McKinney Avenue Sign District is that area within the following described boundaries:

~~BEGINNING at a point on the northwest line of McKinney Avenue, said point being 166.84 feet southwest of the southwest line of Fairmount Street;~~

~~THENCE in a northwesterly direction along a line, said line being approximately 142 feet southwest of and parallel to the southwest line of Fairmount Street, a distance of approximately 482.05 feet to a point for corner on the common line between City Blocks 949 and 1/949;~~

~~THENCE in a southwesterly direction along said common block line, a distance of approximately 20.4 feet to a point for corner on the centerline of a 16 feet wide public alley adjacent to Lots 13 and 15 in City Block 1/949;~~

~~THENCE in a northwesterly direction along the centerline of said alley and its northwestward prolongation across Mahon Street and continuing along the centerline of a 16 feet wide public alley in City Block 3/950 and continuing along the northwestward prolongation of the centerline of said alley, a distance of approximately 705 feet to a point for corner on the centerline of Howell Street;~~

~~THENCE in a northeasterly direction along the centerline of Howell Street, a distance of approximately 400.4 feet to a point for corner on the southeastward prolongation of the centerline of a 20 feet wide public alley in City Blocks 952 and 953;~~

~~THENCE in a northwesterly direction along said line and continuing along the centerline of said alley in City~~

~~Blocks 952 and 953, a distance of approximately 403 feet to a point for corner on a line, said line being 30 feet northwest of and parallel to the southeast line of Lot 10 in City Block 952;~~

~~THENCE in a northeasterly direction along said line and its northeastward prolongation across Routh Street and continuing along the centerline of Laclede Street, a distance of approximately 1,060 feet to a point for corner on the centerline of Vine Street;~~

~~THENCE in a northwesterly direction along the centerline of Vine Street, a distance of approximately 245 feet to a point for corner on the centerline of Cole Avenue;~~

~~THENCE in a northeasterly direction along the centerline of Cole Avenue, a distance of approximately 793 feet to a point for corner on a line, said line being 118.0 feet northeast of and parallel to the northeast line of Sneed Street;~~

~~THENCE in a southeasterly direction along said line, continuing along the northeast boundary of Lot 1-A in City Block 17/965, a distance of approximately 156.40 feet to a point for corner on the centerline of a 15 feet wide public alley in City Block 17/965;~~

~~THENCE in a northeasterly direction along the centerline of said alley, a distance of approximately 315 feet to a point on the southwest line of Bowen Street;~~

~~THENCE in a northeasterly direction, continuing along the northeastward prolongation of the centerline of the 15 feet wide public alley in City Block 17/965, crossing Bowen Street and continuing along the centerline of a 15 feet wide alley in City Block 12/970 and its northeastward prolongation, crossing Hall Street, and continuing along the centerline of a 15 feet wide public alley in City Block 9/972, a total distance of approximately 940 feet to a point for corner on a line, said line being the southeasterly prolongation of the common line between Lots 3 and 4 in City Block 9/972;~~

~~THENCE in a northwesterly direction along said line and continuing along said common line between Lots~~

~~3 and 4 and continuing along the northwestward prolongation of said common lot line, a distance of approximately 202.5 feet to a point for corner on the centerline of Cole Avenue;~~

~~THENCE in a northeasterly direction along the centerline of Cole Avenue, a distance of approximately 338 feet to a point for corner on the centerline of Lemmon Avenue;~~

~~THENCE in a northeasterly direction along a line, said line being 224.7 feet southeast of and parallel to the southeast line of Cole Avenue, a distance of approximately 130 feet to a point for corner on a line, said line being the northwestward prolongation of the common line between Lots 2 and 3 in City Block 978;~~

~~THENCE in a southeasterly direction along said line, and continuing along said common line in City Block 978, and continuing along the southeastward prolongation of said line, crossing McKinney Avenue and extending into City Block 10-A/637, a total distance of approximately 560 feet to a point for corner on a line, said line being approximately 168 feet southeast of and parallel to the southeast line of McKinney Avenue;~~

~~THENCE in a southwesterly direction along said line, crossing Lemmon Avenue, and continuing into City Block 11/971, a distance of approximately 607.67 feet to a point for corner on a line, said line being approximately 146 feet northeast of and parallel to the northeast line of Hall Street;~~

~~THENCE in a southeasterly direction along said line, a distance of approximately 295 feet to a point for corner on the centerline of Oak Grove Avenue;~~

~~THENCE in a southwesterly direction along the centerline of Oak Grove Avenue, a distance of approximately 1,356 feet to a point for corner on the centerline of McKinney Avenue;~~

~~THENCE in a southerly direction along the centerline of McKinney Avenue, a distance of approximately 115 feet to a point for corner on the northwestward prolongation of the centerline of Clyde Lane;~~

~~THENCE in a southeasterly direction along said line and continuing along the centerline of Clyde Lane, a distance of approximately 320 feet to a point for corner on a line, said line being the northeastward prolongation of the common line between Lots 18 and 19 in City Block B/578;~~

~~THENCE in a southwesterly direction along said line and continuing along said common line between Lots 18 and 19, a distance of approximately 90 feet to a point for corner on the southwest line of Lot 18 in City Block B/578;~~

~~THENCE in a southeasterly direction along said lot line, a distance of approximately 40 feet to a point for corner on the common line between Lots 1 and 2 in City Block A/578;~~

~~THENCE in a southwesterly direction along said common lot line and its southwestward prolongation, a distance of approximately 155 feet to a point for corner on the centerline of Allen Street;~~

~~THENCE in a southeasterly direction along the centerline of Allen Street, a distance of approximately 100 feet to a point for corner on a line, said line being perpendicular to the southwest line of Allen Street;~~

~~THENCE in a southwesterly direction along said line, a distance of approximately 22.5 feet to a point for corner on the southwest line of Allen Street, said point also being the northernmost corner of Lot 5 in City Block 577;~~

~~THENCE in a southerly direction along the western boundary of said Lot 5 and continuing in a southeasterly direction along the southwestern boundary of Lots 6 and 7, and continuing along the southeastward prolongation of the southwestern boundary of said Lot 7, a distance of approximately 277.5 feet to a point for corner on the centerline of a 15 feet wide public alley adjacent to City Block A/577;~~

~~THENCE in a southwesterly direction along the centerline of said alley and its southwestward~~

prolongation, a distance of approximately 190 feet to a point for corner on the centerline of Worthington Street;

THENCE in a southeasterly direction along the centerline of Worthington Street, a distance of approximately 50 feet to a point for corner on a line, said line being perpendicular to the southwest line of Worthington Street;

THENCE in a southwesterly direction along said line, a distance of approximately 24 feet to a point for corner on the southwest line of Worthington Street, said point also being the most northerly corner of Lot 5-A in City Block A/561;

THENCE in a southwesterly direction along the northwest line of said Lot 5-A, a distance of 158.69 feet to a point for corner;

THENCE in a southeasterly direction along the southwest line of Lot 5-A in City Block A/561, a distance of 48.3 feet to a point for corner;

THENCE South 39°38'00" West along a common property line, a distance of approximately 172 feet to a point for corner on the centerline of Boll Street;

THENCE in a southeasterly direction along the centerline of Boll Street, a distance of approximately 80 feet to a point for corner on a line, said line being perpendicular to the southwest line of Boll Street;

THENCE in a southwesterly direction along said line, a distance of approximately 25 feet to a point for corner on the southwest line of Boll Street, said point also being the most easterly corner of Lot 4 in City Block A/554;

THENCE in a southerly and southwesterly direction along the southeasterly boundary of Lots 1, 2, 3 and 4 in City Block A/554, and continuing along the southwestward prolongation of the southeast boundary of Lot 1 in City Block A/554, a distance of approximately 355 feet to a point for corner on the centerline of Routh Street;

THENCE in a southeasterly direction along the centerline of Routh Street, a distance of approximately 120 feet to a point for corner on a line, said line being perpendicular to the southwest line of Routh Street;

THENCE in a southwesterly direction along said line, a distance of approximately 25 feet to a point for corner on the southwest line of Routh Street, said point also being the centerline of a 15 feet wide public alley in City Block C/549;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 375 feet to a point for corner on the centerline of Fairmount Street;

THENCE in a southeasterly direction along the centerline of Fairmount Street, a distance of approximately 30 feet to a point for corner on a line, said line being the northeastward prolongation of the centerline of a 20 feet wide public alley in City Block B/548;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 210 feet to a point for corner on the centerline of Leonard Street;

THENCE in a northwesterly direction along the centerline of Leonard Street, a distance of approximately 120 feet to a point for corner on the centerline of McKinney Avenue;

THENCE in a southwesterly direction along the centerline of McKinney Avenue, a distance of approximately 40 feet to a point for corner on a line, said line being approximately 142 feet southwest of and parallel to the southwest line of Fairmount Street;

THENCE in a northwesterly direction along said line, a distance of approximately 35 feet to a point on the northwest line of McKinney Avenue, the PLACE OF BEGINNING.

A special provision sign district is hereby created to be known as the McKinney Avenue Sign District. The McKinney Avenue Sign District is that area within the following described boundaries:

BEGINNING at a point on the northwest line of

McKinney Avenue, said point being 166.84 feet southwest of the southwest line of Fairmount Street;

THENCE in a northwesterly direction along a line, said line being approximately 142 feet southwest of and parallel to the southwest line of Fairmount Street, a distance of approximately 482.05 feet to a point for corner on the common line between City Blocks 949 and 1/949;

THENCE in a southwesterly direction along said common block line, a distance of approximately 20.4 feet to a point for corner on the centerline of a 16 feet wide public alley adjacent to Lots 13 and 15 in City Block 1/949;

THENCE in a northwesterly direction along the centerline of said alley and its northwestward prolongation across Mahon Street and continuing along the centerline of a 16 feet wide public alley in City Block 3/950 and continuing along the northwestward prolongation of the centerline of said alley, a distance of approximately 705 feet to a point for corner on the centerline of Howell Street;

THENCE in a northeasterly direction along the centerline of Howell Street, a distance of approximately 400.4 feet to a point for corner on the southeastward prolongation of the centerline of a 20 feet wide public alley in City Blocks 952 and 953;

THENCE in a northwesterly direction along said line and continuing along the centerline of said alley in City Blocks 952 and 953, a distance of approximately 403 feet to a point for corner on a line, said line being 30 feet northwest of and parallel to the southeast line of Lot 10 in City Block 952;

THENCE in a northeasterly direction along said line and its northeastward prolongation across Routh Street and continuing along the centerline of Laclede Street, a distance of approximately 1,060 feet to a point for corner on the centerline of Vine Street;

THENCE in a northwesterly direction along the centerline of Vine Street, a distance of approximately 245 feet to a point for corner on the centerline of Cole Avenue;

THENCE in a northeasterly direction along the centerline of Cole Avenue, a distance of approximately 793 feet to a point for corner on a line, said line being 118.0 feet northeast of and parallel to the northeast line

of Sneed Street;

THENCE in a southeasterly direction along said line, continuing along the northeast boundary of Lot 1-A in City Block 17/965, a distance of approximately 156.40 feet to a point for corner on the centerline of a 15 feet wide public alley in City Block 17/965;

THENCE in a northeasterly direction along the centerline of said alley, a distance of approximately 315 feet to a point on the southwest line of Bowen Street;

THENCE in a northeasterly direction, continuing along the northeastward prolongation of the centerline of the 15 feet wide public alley in City Block 17/965, crossing Bowen Street and continuing along the centerline of a 15 feet wide alley in City Block 12/970 and its northeastward prolongation, crossing Hall Street, and continuing along the centerline of a 15 feet wide public alley in City Block 9/972, a total distance of approximately 940 feet to a point for corner on a line, said line being the southeasterly prolongation of the common line between Lots 3 and 4 in City Block 9/972;

THENCE in a northwesterly direction along said line and continuing along said common line between Lots 3 and 4 and continuing along the northwestward prolongation of said common lot line, a distance of approximately 202.5 feet to a point for corner on the centerline of Cole Avenue;

THENCE in a northeasterly direction along the centerline of Cole Avenue, a distance of approximately 338 feet to a point for corner on the centerline of Lemmon Avenue;

THENCE in a northeasterly direction along a line, said line being 224.7 feet southeast of and parallel to the southeast line of Cole Avenue, a distance of approximately 130 feet to a point for corner on a line, said line being the northwestward prolongation of the common line between Lots 2 and 3 in City Block 978;

THENCE in a southeasterly direction along said line, and continuing along said common line in City Block 978, and continuing along the southeastward prolongation of said line, crossing McKinney Avenue a total distance of approximately 360 feet to a point for corner on the centerline of McKinney Avenue;

THENCE in a southwesterly direction along said centerline of McKinney Avenue, a distance of approximately 131 feet to a point at the intersection of

said centerline of McKinney Avenue and the centerline of Lemmon Avenue;

THENCE in a southeasterly direction along said centerline of Lemmon Avenue, a distance of approximately 198 feet to a point for corner on a line, said line being approximately 198 feet southeast of and parallel to said centerline of McKinney Avenue;

THENCE in a southwesterly direction along said line, crossing Lemmon Avenue, and continuing into City Block 11/971, a distance of approximately 474.51 feet to a point for corner on a line, said line being approximately 146 feet northeast of and parallel to the northeast line of Hall Street;

THENCE in a southeasterly direction along said line, a distance of approximately 295 feet to a point for corner on the centerline of Oak Grove Avenue;

THENCE in a southwesterly direction along the centerline of Oak Grove Avenue, a distance of approximately 1,356 feet to a point for corner on the centerline of McKinney Avenue;

THENCE in a southerly direction along the centerline of McKinney Avenue, a distance of approximately 115 feet to a point for corner on the northwestward prolongation of the centerline of Clyde Lane;

THENCE in a southeasterly direction along said line and continuing along the centerline of Clyde Lane, a distance of approximately 320 feet to a point for corner on a line, said line being the northeastward prolongation of the common line between Lots 18 and 19 in City Block B/578;

THENCE in a southwesterly direction along said line and continuing along said common line between Lots 18 and 19, a distance of approximately 90 feet to a point for corner on the southwest line of Lot 18 in City Block B/578;

THENCE in a southeasterly direction along said lot line, a distance of approximately 40 feet to a point for corner on the common line between Lots 1 and 2 in City Block A/578;

THENCE in a southwesterly direction along said common lot line and its southwestward prolongation, a distance of approximately 155 feet to a point for corner on the centerline of Allen Street;

THENCE in a southeasterly direction along the centerline of Allen Street, a distance of approximately 100 feet to a point for corner on a line, said line being perpendicular to the southwest line of Allen Street;

THENCE in a southwesterly direction along said line, a distance of approximately 22.5 feet to a point for corner on the southwest line of Allen Street, said point also being the northernmost corner of Lot 5 in City Block 577;

THENCE in a southerly direction along the western boundary of said Lot 5 and continuing in a southeasterly direction along the southwestern boundary of Lots 6 and 7, and continuing along the southeastward prolongation of the southwestern boundary of said Lot 7, a distance of approximately 277.5 feet to a point for corner on the centerline of a 15 feet wide public alley adjacent to City Block A/577;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 190 feet to a point for corner on the centerline of Worthington Street;

THENCE in a southeasterly direction along the centerline of Worthington Street, a distance of approximately 50 feet to a point for corner on a line, said line being perpendicular to the southwest line of Worthington Street;

THENCE in a southwesterly direction along said line, a distance of approximately 24 feet to a point for corner on the southwest line of Worthington Street, said point also being the most northerly corner of Lot 5-A in City Block A/561;

THENCE in a southwesterly direction along the northwest line of said Lot 5-A, a distance of 158.69 feet to a point for corner;

THENCE in a southeasterly direction along the southwest line of Lot 5-A in City Block A/561, a distance of 48.3 feet to a point for corner;

THENCE South 39°38'00" West along a common property line, a distance of approximately 172 feet to a point for corner on the centerline of Boll Street;

THENCE in a southeasterly direction along the centerline of Boll Street, a distance of approximately 80 feet to a point for corner on a line, said line being

perpendicular to the southwest line of Boll Street;

THENCE in a southwesterly direction along said line, a distance of approximately 25 feet to a point for corner on the southwest line of Boll Street, said point also being the most easterly corner of Lot 4 in City Block A/554;

THENCE in a southerly and southwesterly direction along the southeasterly boundary of Lots 1, 2, 3 and 4 in City Block A/554, and continuing along the southwestward prolongation of the southeast boundary of Lot 1 in City Block A/554, a distance of approximately 355 feet to a point for corner on the centerline of Routh Street;

THENCE in a southeasterly direction along the centerline of Routh Street, a distance of approximately 120 feet to a point for corner on a line, said line being perpendicular to the southwest line of Routh Street;

THENCE in a southwesterly direction along said line, a distance of approximately 25 feet to a point for corner on the southwest line of Routh Street, said point also being the centerline of a 15 feet wide public alley in City Block C/549;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 375 feet to a point for corner on the centerline of Fairmount Street;

THENCE in a southeasterly direction along the centerline of Fairmount Street, a distance of approximately 30 feet to a point for corner on a line, said line being the northeastward prolongation of the centerline of a 20 feet wide public alley in City Block B/548;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 210 feet to a point for corner on the centerline of Leonard Street;

THENCE in a northwesterly direction along the centerline of Leonard Street, a distance of approximately 120 feet to a point for corner on the centerline of McKinney Avenue;

THENCE in a southwesterly direction along the centerline of McKinney Avenue, a distance of approximately 40 feet to a point for corner on a line, said line being approximately 142 feet southwest of and

parallel to the southwest line of Fairmount Street;

THENCE in a northwesterly direction along said line, a distance of approximately 35 feet to a point on the northwest line of McKinney Avenue, the PLACE OF BEGINNING. (Ord. Nos. 21145; 31265)



**SEC. 51A-7.1502. DESIGNATION OF SUBDISTRICTS.**

(a) This district is hereby divided into three subdistricts, which shall be known as the Spine, Quadrangle, and Peripheral Subdistricts.

~~—(b) The Spine Subdistrict is that area of the city within the following described boundaries:~~

~~BEGINNING at a point on the northwest line of McKinney Avenue, said point being 166.84 feet southwest of the southwest line of Fairmount Street;~~

~~THENCE in a northwesterly direction along a line, said line being approximately 142 feet southwest of and parallel to the southwest line of Fairmount Street, a distance of approximately 317.05 feet to a point for corner on a line, said line being approximately 165 feet southeast of and parallel to the common line between City Blocks 949 and 1/949;~~

~~THENCE in a northeasterly direction along said line, a distance of approximately 167 feet to a point for corner on the centerline of Fairmount Street;~~

~~THENCE in a northeasterly direction along a line, said line being the southwestward prolongation of the centerline of Howland Street and continuing along the centerline of Howland Street and its northeastward prolongation, a distance of approximately 458 feet to a point for corner on the centerline of Routh Street;~~

~~THENCE in a northwesterly direction along the centerline of Routh Street, a distance of 90 feet to a point for corner on a line, said line being the southwestward prolongation of the centerline of Howland Street in City Block 3/955;~~

~~THENCE in a northeasterly direction along said line and continuing along the centerline of Howland Street to a point for corner on the centerline of Boll Street;~~

~~THENCE in a northwesterly direction along the centerline of Boll Street to a point for corner on a line,~~

~~said line being 105 feet northwest of and parallel to the northwest line of Howland Street;~~

~~THENCE in a northeasterly direction along said line to a point for corner on the common line between Lots 6 and 6A in City Block 2/955;~~

~~THENCE in a northwesterly direction along said common lot line to a point for corner on the north/south common line between Lots 6 and 6A in City Block 2/955;~~

~~THENCE in a southwesterly direction along said common lot line and its southwestward prolongation to a point for corner on the centerline of Boll Street;~~

~~THENCE in a northwesterly direction along the centerline of Boll Street to a point for corner on the centerline of Howell Street;~~

~~THENCE in a northeasterly direction along the centerline of Howell Street to a point for corner on the centerline of Worthington Street;~~

~~THENCE in a southeasterly direction along the centerline of Worthington Street to a point for corner on a line, said line being the southwestward prolongation of the common line between Lots 1 and 10 in City Block 1/955;~~

~~THENCE in a northeasterly direction along said line, and continuing along said common lot line, a distance of approximately 195.86 feet to a point for corner on the south line of Lot 1 in City Block 955;~~

~~THENCE in a westerly direction along the south line of said Lot 1, a distance of approximately 67 feet to a point for corner on the southeast line of Howell Street;~~

~~THENCE in a northwesterly direction along a line, said line being perpendicular to the southeast line of Howell Street, a distance of approximately 25 feet to a point for corner on the centerline of Howell Street;~~

~~THENCE in a northeasterly direction along the centerline of Howell Street to a point for corner on the centerline of Vine Street;~~

~~THENCE in a northwesterly direction along the centerline of Vine Street to a point for corner on the centerline of Cole Avenue;~~

~~THENCE in a northeasterly direction along the centerline of Cole Avenue to a point for corner on a line, said line being the northwestward prolongation of the southwest line of Lot 3 in City Block 963;~~

~~THENCE in a southeasterly direction along said line, and continuing along the southwest line of said Lot 3 to a point for corner on the southeast line of said Lot 3;~~

~~THENCE in a northeasterly direction along the southeast line of said Lot 3 to a point for corner on the northeast line of said Lot 3;~~

~~THENCE in a northwesterly direction along the northeast line of said Lot 3 and its northwestward prolongation to a point for corner on the centerline of Cole Avenue;~~

~~THENCE in a northeasterly direction along the centerline of Cole Avenue to a point for corner on a line, said line being the northwestward prolongation of the northeast line of Lot 1A in City Block 963;~~

~~THENCE in a southeasterly direction along said line, and continuing along the northeast line of said Lot 1A to a point for corner on the northwest line of said Lot 1A;~~

~~THENCE in a northeasterly direction along the northwest line of said Lot 1A and its northeastward prolongation to a point for corner on the centerline of Allen Street;~~

~~THENCE in a southeasterly direction along the centerline of Allen Street to a point for corner, said point being approximately 169.5 feet southeast of the northeastward prolongation of the southeast line of Laclede Street;~~

~~THENCE in a northwesterly direction along a line parallel with the southwest line of McKinney Avenue, a distance of approximately 495 feet to a point for corner on the centerline of Sneed Street, with said point being approximately 122.77 feet southeast of the southeast line of Cole Avenue, said point also being at the intersection of the southwestward prolongation of the centerline of a 15 foot wide public alley in City Block 17/965;~~

~~THENCE in a northeasterly direction along the centerline of said alley, a distance of approximately 458 feet to a point on the southwest line of Bowen Street;~~

~~THENCE in a northeasterly direction, continuing along the northeastward prolongation of the centerline of the 15 foot wide public alley in City Block 17/965, crossing Bowen Street and continuing along the centerline of a 15 foot wide alley in City Block 12/970 and its northeastward prolongation, crossing Hall Street, and continuing along the centerline of a 15 foot wide public alley in City Block 9/972, a total distance of approximately 1,278 feet to a point for corner on the centerline of Lemmon Avenue;~~

~~THENCE in a northwesterly direction along the centerline of Lemmon Avenue, a distance of approximately 30 feet to a point for corner on a line, said line being the southwestward prolongation of the common line between Lots 1 and 2 in City Block 978;~~

~~THENCE in a northeasterly direction along said line and continuing along the common line between said Lots 1 and 2, a distance of approximately 138 feet to a point for corner on the common line between Lots 2 and 3 in City Block 978;~~

~~THENCE in a southeasterly direction along said common lot line and continuing along the southeastward prolongation of said line, crossing McKinney Avenue and extending into City Block 10-A/637, a total distance of approximately 400 feet to a point for corner on a line, said line being approximately 168 feet southeast of and parallel to the southeast line of McKinney Avenue;~~

~~THENCE in a southwesterly direction along said line, crossing Lemmon Avenue, and continuing into City Block 11/971, a distance of approximately 607.67 feet to a point for corner on a line, said line being approximately 146 feet northeast of and parallel to the northeast line of Hall Street;~~

~~THENCE in a southeasterly direction along said line, a distance of approximately 85 feet to a point for corner on the centerline of Noble Street;~~

~~THENCE in a southwesterly direction along the centerline of Noble Street and its southwestward prolongation, a distance of approximately 171 feet to a point for corner on the centerline of Hall Street;~~

~~THENCE in a southeasterly direction along the centerline of Hall Street, a distance of approximately 205 feet to a point for corner on the centerline of Oak Grove Avenue;~~

~~THENCE in a southwesterly direction along the centerline of Oak Grove Avenue, a distance of approximately 1,185 feet to a point for corner on the centerline of McKinney Avenue;~~

~~THENCE in a southerly direction along the centerline of McKinney Avenue, a distance of approximately 115 feet to a point for corner on the northwestward prolongation of the centerline of Clyde Lane;~~

~~THENCE in a southeasterly direction along said line and continuing along the centerline of Clyde Lane, a distance of approximately 320 feet to a point for corner on a line, said line being the northeastward prolongation of the common line between Lots 18 and 19 in City Block B/578;~~

~~THENCE in a southwesterly direction along said line and continuing along said common line between Lots 18 and 19, a distance of approximately 90 feet to a point for corner on the southwest line of Lot 18 in City Block B/578;~~

~~THENCE in a southeasterly direction along said lot line, a distance of approximately 40 feet to a point for corner~~

~~on the common line between Lots 1 and 2 in City Block A/578;~~

~~THENCE in a southwesterly direction along said common lot line and its southwestward prolongation, a distance of approximately 155 feet to a point for corner on the centerline of Allen Street;~~

~~THENCE in a southeasterly direction along the centerline of Allen Street, a distance of approximately 100 feet to a point for corner on a line, said line being perpendicular to the southwest line of Allen Street;~~

~~THENCE in a southwesterly direction along said line, a distance of approximately 22.5 feet to a point for corner on the southwest line of Allen Street, said point also being the northernmost corner of Lot 5 in City Block 577;~~

~~THENCE in a southerly direction along the western boundary of said Lot 5 and continuing in a southeasterly direction along the southwestern boundary of Lots 6 and 7, and continuing along the southeastward prolongation of the southwestern boundary of said Lot 7, a distance of approximately 277.5 feet to a point for corner on the centerline of a 15 foot wide public alley adjacent to City Block A/577;~~

~~THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 190 feet to a point for corner on the centerline of Worthington Street;~~

~~THENCE in a southeasterly direction along the centerline of Worthington Street, a distance of approximately 50 feet to a point for corner on a line, said line being perpendicular to the southwest line of Worthington Street;~~

~~THENCE in a southwesterly direction along said line, a distance of approximately 24 feet to a point for corner on the southwest line of Worthington Street, said point also being the most northerly corner of Lot 5-A in City Block A/561;~~

~~THENCE in a southwesterly direction along the northwest line of said Lot 5-A, a distance of 158.69 feet to a point for corner;~~

~~THENCE in a southeasterly direction along the southwest line of Lot 5-A in City Block A/561, a distance of 48.3 feet to a point for corner;~~

~~THENCE South 39°38'00" West along a common property line, a distance of 172.0 feet to a point for corner on the centerline of Boll Street;~~

~~THENCE in a southeasterly direction along the centerline of Boll Street, a distance of approximately 80 feet to a point for corner on a line, said line being perpendicular to the southwest line of Boll Street;~~

~~THENCE in a southwesterly direction along said line, a distance of approximately 25 feet to a point for corner on the southwest line of Boll Street, said point also being the most easterly corner of Lot 4 in City Block A/554;~~

~~THENCE in a southerly and southwesterly direction along the southeasterly boundary of Lots 1, 2, 3 and 4 in City Block A/554 and continuing along the southwestward prolongation of the southeast boundary of Lot 1 in City Block A/554, a distance of approximately 355 feet to a point for corner on the centerline of Routh Street;~~

~~THENCE in a southeasterly direction along the centerline of Routh Street, a distance of approximately 120 feet to a point for corner on a line, said line being perpendicular to the southwest line of Routh Street;~~

~~THENCE in a southwesterly direction along said line, a distance of approximately 25 feet to a point for corner on the southwest line of Routh Street, said point also being the centerline of a 15-foot wide public alley in City Block C/549;~~

~~THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 375 feet to a point for corner on the centerline of Fairmount Street;~~

~~THENCE in a southeasterly direction along the centerline of Fairmount Street, a distance of approximately 30 feet to a point for corner on a line, said line being the northeastward prolongation of the centerline of a 20 foot wide public alley in City Block B/548;~~

~~THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 210 feet to a point for corner on the centerline of Leonard Street;~~

~~THENCE in a northwesterly direction along the centerline of Leonard Street, a distance of approximately 120 feet to a point for corner on the centerline of McKinney Avenue;~~

~~THENCE in a southwesterly direction along the centerline of McKinney Avenue, a distance of approximately 40 feet to a point for corner on a line, said line being approximately 142 feet southwest of and parallel to the southwest line of Fairmount Street;~~

~~THENCE in a northwesterly direction along said line, a distance of approximately 35 feet to a point on the northwest line of McKinney Avenue, the PLACE OF BEGINNING.~~

**(b) The Spine Subdistrict is that area of the city within the following described boundaries:**

**BEGINNING at a point on the northwest line of McKinney Avenue, said point being 166.84 feet southwest of the southwest line of Fairmount Street;**

**THENCE in a northwesterly direction along a line, said line being approximately 142 feet southwest of and parallel to the southwest line of Fairmount Street, a distance of approximately 317.05 feet to a point for corner on a line, said line being approximately 165 feet southeast of and parallel to the common line between City Blocks 949 and 1/949;**

**THENCE in a northeasterly direction along said line, a distance of approximately 167 feet to a point for corner on the centerline of Fairmount Street;**

**THENCE in a northeasterly direction along a line, said line being the southwestward prolongation of the centerline of Howland Street and continuing along the centerline of Howland Street and its northeastward**

prolongation, a distance of approximately 458 feet to a point for corner on the centerline of Routh Street;

THENCE in a northwesterly direction along the centerline of Routh Street, a distance of 90 feet to a point for corner on a line, said line being the southwestward prolongation of the centerline of Howland Street in City Block 3/955;

THENCE in a northeasterly direction along said line and continuing along the centerline of Howland Street to a point for corner on the centerline of Boll Street;

THENCE in a northwesterly direction along the centerline of Boll Street to a point for corner on a line, said line being 105 feet northwest of and parallel to the northwest line of Howland Street;

THENCE in a northeasterly direction along said line to a point for corner on the common line between Lots 6 and 6A in City Block 2/955;

THENCE in a northwesterly direction along said common lot line to a point for corner on the north/south common line between Lots 6 and 6A in City Block 2/955;

THENCE in a southwesterly direction along said common lot line and its southwestward prolongation to a point for corner on the centerline of Boll Street;

THENCE in a northwesterly direction along the centerline of Boll Street to a point for corner on the centerline of Howell Street;

THENCE in a northeasterly direction along the centerline of Howell Street to a point for corner on the centerline of Worthington Street;

THENCE in a southeasterly direction along the centerline of Worthington Street to a point for corner on a line, said line being the southwestward prolongation of the common line between Lots 1 and 10 in City Block 1/955;

THENCE in a northeasterly direction along said line, and continuing along said common lot line, a distance of approximately 195.86 feet to a point for corner on the south line of Lot 1 in City Block 955;

THENCE in a westerly direction along the south line of said Lot 1, a distance of approximately 67 feet to a point for corner on the southeast line of Howell Street;

THENCE in a northwesterly direction along a line, said line being perpendicular to the southeast line of Howell Street, a distance of approximately 25 feet to a point for corner on the centerline of Howell Street;

THENCE in a northeasterly direction along the centerline of Howell Street to a point for corner on the centerline of Vine Street;

THENCE in a northwesterly direction along the centerline of Vine Street to a point for corner on the centerline of Cole Avenue;

THENCE in a northeasterly direction along the centerline of Cole Avenue to a point for corner on a line, said line being the northwestward prolongation of the southwest line of Lot 3 in City Block 963;

THENCE in a southeasterly direction along said line, and continuing along the southwest line of said Lot 3 to a point for corner on the southeast line of said Lot 3;

THENCE in a northeasterly direction along the southeast line of said Lot 3 to a point for corner on the northeast line of said Lot 3;

THENCE in a northwesterly direction along the northeast line of said Lot 3 and its northwestward prolongation to a point for corner on the centerline of Cole Avenue;

THENCE in a northeasterly direction along the centerline of Cole Avenue to a point for corner on a line, said line being the northwestward prolongation of the northeast line of Lot 1A in City Block 963;

THENCE in a southeasterly direction along said line, and continuing along the northeast line of said Lot 1A to a point for corner on the northwest line of said Lot 1A;

THENCE in a northeasterly direction along the northwest line of said Lot 1A and its northeastward prolongation to a point for corner on the centerline of Allen Street;

THENCE in a southeasterly direction along the centerline of Allen Street to a point for corner, said point being approximately 169.5 feet southeast of the northeastward prolongation of the southeast line of Laclede Street;

THENCE in a northwesterly direction along a line

parallel with the southwest line of McKinney Avenue, a distance of approximately 495 feet to a point for corner on the centerline of Sneed Street, with said point being approximately 122.77 feet southeast of the southeast line of Cole Avenue, said point also being at the intersection of the southwestward prolongation of the centerline of a 15-foot-wide public alley in City Block 17/965;

THENCE in a northeasterly direction along the centerline of said alley, a distance of approximately 458 feet to a point on the southwest line of Bowen Street;

THENCE in a northeasterly direction, continuing along the northeastward prolongation of the centerline of the 15 foot wide public alley in City Block 17/965, crossing Bowen Street and continuing along the centerline of a 15 foot wide alley in City Block 12/970 and its northeastward prolongation, crossing Hall Street, and continuing along the centerline of a 15 foot wide public alley in City Block 9/972, a total distance of approximately 1,278 feet to a point for corner on the centerline of Lemmon Avenue;

THENCE in a northwesterly direction along the centerline of Lemmon Avenue, a distance of approximately 30 feet to a point for corner on a line, said line being the southwestward prolongation of the common line between Lots 1 and 2 in City Block 978;

THENCE in a northeasterly direction along said line and continuing along the common line between said Lots 1 and 2, a distance of approximately 138 feet to a point for corner on the common line between Lots 2 and 3 in City Block 978;

THENCE in a southeasterly direction along said common lot line and continuing along the southeastward prolongation of said line, crossing McKinney Avenue a total distance of approximately 200 feet to a point for corner on the centerline of McKinney Avenue;

THENCE in a southwesterly direction along said centerline of McKinney Avenue, a distance of approximately 131 feet to a point at the intersection of said centerline of McKinney Avenue and the centerline of Lemmon Avenue;

THENCE in a southeasterly direction along said centerline of Lemmon Avenue, a distance of approximately 198 feet to a point for corner on a line, said line being approximately 198 feet southeast of and

parallel to said centerline of McKinney Avenue;

THENCE in a southwesterly direction along said line, crossing Lemmon Avenue, and continuing into City Block 11/971, a distance of approximately 474.51 feet to a point for corner on a line, said line being approximately 146 feet northeast of and parallel to the northeast line of Hall Street;

THENCE in a southeasterly direction along said line, a distance of approximately 85 feet to a point for corner on the centerline of Noble Street;

THENCE in a southwesterly direction along the centerline of Noble Street and its southwestward prolongation, a distance of approximately 171 feet to a point for corner on the centerline of Hall Street;

THENCE in a southeasterly direction along the centerline of Hall Street, a distance of approximately 205 feet to a point for corner on the centerline of Oak Grove Avenue;

THENCE in a southwesterly direction along the centerline of Oak Grove Avenue, a distance of approximately 1,185 feet to a point for corner on the centerline of McKinney Avenue;

THENCE in a southerly direction along the centerline of McKinney Avenue, a distance of approximately 115 feet to a point for corner on the northwestward prolongation of the centerline of Clyde Lane;

THENCE in a southeasterly direction along said line and continuing along the centerline of Clyde Lane, a distance of approximately 320 feet to a point for corner on a line, said line being the northeastward prolongation of the common line between Lots 18 and 19 in City Block B/578;

THENCE in a southwesterly direction along said line and continuing along said common line between Lots 18 and 19, a distance of approximately 90 feet to a point for corner on the southwest line of Lot 18 in City Block B/578;

THENCE in a southeasterly direction along said lot line, a distance of approximately 40 feet to a point for corner on the common line between Lots 1 and 2 in City Block A/578;

THENCE in a southwesterly direction along said common lot line and its southwestward prolongation,



a distance of approximately 155 feet to a point for corner on the centerline of Allen Street;

THENCE in a southeasterly direction along the centerline of Allen Street, a distance of approximately 100 feet to a point for corner on a line, said line being perpendicular to the southwest line of Allen Street;

THENCE in a southwesterly direction along said line, a distance of approximately 22.5 feet to a point for corner on the southwest line of Allen Street, said point also being the northernmost corner of Lot 5 in City Block 577;

THENCE in a southerly direction along the western boundary of said Lot 5 and continuing in a southeasterly direction along the southwestern boundary of Lots 6 and 7, and continuing along the southeastward prolongation of the southwestern boundary of said Lot 7, a distance of approximately 277.5 feet to a point for corner on the centerline of a 15-foot-wide public alley adjacent to City Block A/577;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 190 feet to a point for corner on the centerline of Worthington Street;

THENCE in a southeasterly direction along the centerline of Worthington Street, a distance of approximately 50 feet to a point for corner on a line, said line being perpendicular to the southwest line of Worthington Street;

THENCE in a southwesterly direction along said line, a distance of approximately 24 feet to a point for corner on the southwest line of Worthington Street, said point also being the most northerly corner of Lot 5-A in City Block A/561;

THENCE in a southwesterly direction along the northwest line of said Lot 5-A, a distance of 158.69 feet to a point for corner;

THENCE in a southeasterly direction along the southwest line of Lot 5-A in City Block A/561, a distance of 48.3 feet to a point for corner;

THENCE South 39°38'00" West along a common property line, a distance of 172.0 feet to a point for corner on the centerline of Boll Street;

THENCE in a southeasterly direction along the

centerline of Boll Street, a distance of approximately 80 feet to a point for corner on a line, said line being perpendicular to the southwest line of Boll Street;

THENCE in a southwesterly direction along said line, a distance of approximately 25 feet to a point for corner on the southwest line of Boll Street, said point also being the most easterly corner of Lot 4 in City Block A/554;

THENCE in a southerly and southwesterly direction along the southeasterly boundary of Lots 1, 2, 3 and 4 in City Block A/554 and continuing along the southwestward prolongation of the southeast boundary of Lot 1 in City Block A/554, a distance of approximately 355 feet to a point for corner on the centerline of Routh Street;

THENCE in a southeasterly direction along the centerline of Routh Street, a distance of approximately 120 feet to a point for corner on a line, said line being perpendicular to the southwest line of Routh Street;

THENCE in a southwesterly direction along said line, a distance of approximately 25 feet to a point for corner on the southwest line of Routh Street, said point also being the centerline of a 15-foot-wide public alley in City Block C/549;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 375 feet to a point for corner on the centerline of Fairmount Street;

THENCE in a southeasterly direction along the centerline of Fairmount Street, a distance of approximately 30 feet to a point for corner on a line, said line being the northeastward prolongation of the centerline of a 20-foot-wide public alley in City Block B/548;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, a distance of approximately 210 feet to a point for corner on the centerline of Leonard Street;

THENCE in a northwesterly direction along the centerline of Leonard Street, a distance of approximately 120 feet to a point for corner on the centerline of McKinney Avenue;

THENCE in a southwesterly direction along the centerline of McKinney Avenue, a distance of



from the director and the chief planning officer only upon their determination that a turnaround is not needed to serve the traffic on the street or otherwise needed to protect the public interest.

~~— (c) Intersections. The following regulations govern the alignment of intersections:~~

~~— (1) All streets must intersect as close to a right angle as permitted by topography or other natural physical conditions. A street must not intersect with another street or railroad at an angle of more than 105 degrees or less than 75 degrees.~~

~~— (2) The intersection of two streets must not be located within 115 feet of a railroad right-of-way if one of the streets crosses the railroad right-of-way at grade. This 115 foot separation is measured from the nearest point of the intersection of the street right-of-way and the nearest point of the railroad right-of-way.~~

~~— (3) A driveway or alley approach must not be located within 50 feet of a railroad right-of-way.~~

~~— (4) An intersection must not have more than four street approaches.~~

~~— (5) Proposed intersections along one side of an existing cross street must, wherever practical, align with existing intersections on the opposite side of the cross street. Street centerline offsets of less than 150 feet are not permitted unless the cross street is divided by a median without openings at either intersection.~~

~~— (6) If served by a median opening, minor streets that intersect divided thoroughfares must be spaced at least 360 feet apart, measured from centerline to centerline unless otherwise approved by the traffic engineer.~~

(c) Intersections. The following regulations govern the alignment of intersections:

(1) All streets must intersect as close to a right angle as permitted by topography or other natural physical conditions. A street must not intersect with another street or railroad at an angle of more than 105 degrees or less than 75 degrees.

(2) The intersection of two streets must not be located within 100 feet of a railroad right-of-way if

one of the streets crosses the railroad right-of-way at grade. This 100 foot separation is measured from the nearest point of the intersection of the street right-of-way and the nearest point of the railroad right-of-way.

(3) A driveway or alley approach must not be located within 100 feet of a railroad right-of-way.

(4) An intersection must not have more than four street approaches.

(5) Proposed intersections along one side of an existing cross street must, wherever practical, align with existing intersections on the opposite side of the cross street. Street centerline offsets of less than 150 feet are not permitted unless the cross street is divided by a median without openings at either intersection.

(6) If served by a median opening, minor streets that intersect divided thoroughfares must be spaced at least 360 feet apart, measured from centerline to centerline unless otherwise approved by the traffic engineer.

(d) Private streets. If a private street is indicated in the street layout, it must be designed and constructed in accordance with this section and Section 51A-8.604.

(e) Street names. The naming of public or private streets created through the platting process is the responsibility of the applicant. Street names must

conform to the standards for street names contained in Division 51A-9.300 of this chapter. All proposed street names must be reviewed by the fire department, the department of sustainable development and construction, and the police department before consideration by the commission. (Ord. Nos. 20092; 21186; 23384; 25047; 28073; 28424; 29478, eff. 10/1/14; 31314)

**SEC. 51A-8.507. ALLEYS.**

(a) When required. Alleys are required only in residential zoning districts, and then only when required under Section 51A-8.604 based on accommodation of street pavement width and zoning density. Alleys must provide continuous vehicular access regardless of zoning.

(b) Regulations. All alleys must meet the following standards:

(1) Alleys must have a minimum right-of-way of 15 feet in width.

(2) Alley right-of-way must not exceed 20 feet in width.

(3) Alleys must consist of at least 10 feet of pavement.

(4) Permanent dead-end alleys are not allowed unless all access is prohibited between the alley and public rights-of-way. Alleys must either intersect with a dedicated public or private undivided street or an existing alley. If a dead-end alley is shown on a proposed plat, an approved turnaround must be provided unless a waiver is obtained from the director and the chief planning officer. A waiver is permitted only if the director and the chief planning officer determine a turnaround is not necessitated by the amount of traffic on the alley, nor otherwise needed to protect the public interest.

(5) Alleys must function without reliance on fire lanes or access easements. An alley must provide vehicular access from a dedicated public right-of-way or easement to another dedicated public

right-of-way along pavement which is all within dedicated public right-of-way.

(6) Alleys adjoining and parallel to divided thoroughfares must be separated from the thoroughfare by a traffic barrier in accordance with Section 51A-8.618 of this article.

(7) Dedications for an alley are required as provided in Section 51A-8.604(c). Where an alley intersects a street, a 15-foot visibility triangle (alley sight easement) is required. Measurements are taken along the property line.

~~———— (8) Alleys must be designed and constructed according to the requirements of the Paving Design Manual and the Standard Details for Public Works Construction of the department of public works.~~

(8) Alleys must be designed and constructed according to the requirements of the Street Design Manual and the Standard Details for Public Works Construction of the department of public works.

(c) Private alleys. If a private alley is indicated, it must be designed and constructed in accordance with all of the requirements in this section, and must be labeled as a private alley on the proposed plat. Easements for utilities and franchises must be dedicated in private alleys under the same circumstances and in the same manner as required for private streets pursuant to Section 51A-8.610. (Ord. Nos. 20092; 23384; 25047; 28073; 28424; 29478; 30239; 30654; 31314)

## SEC. 51A-8.508. PARKS AND COMMON AREAS.

(a) Generally. If any portion of property subject to a plat application qualifies as a prospective park site pursuant to the standards and guidelines contained in the Long Range Physical Plan for Park and Recreational Facilities, the director of parks and recreation must be notified and given an opportunity to negotiate for the acquisition of the property by the city before a final plat is approved. If the applicant elects to make a commitment to sell that portion of the property to the city, he may designate the portion as a reservation for park use if the following requirements are met:

(1) The portion is of a suitable size, dimension, topography, and general character for its intended purpose.

(2) Adequate access to the portion is provided.

(3) The dimensions of the portion are clearly identified on the plat.

(4) Any development shown on the portion complies with the standards of the park and recreation department.

(b) Proper access. Land reserved for recreation sites and parks is considered to have proper access and visibility if:

(1) the property has frontage of at least 100 feet on an improved public street; or

(2) the property has a high degree of visibility and has paved public vehicular access to an improved public street. The paved access must be at least 20 feet in width and must comply with the construction standards of the department of public works.

(c) Utilities. Water, wastewater, and electrical facilities must be provided to the perimeter of the site.

(d) Common areas. Areas retained in private ownership but intended for the benefit of the owners of lots in the plat must be shown as common areas on the plat. A permanent maintenance plan must be approved for the area before release of the final plat. (Ord. Nos. 20092; 23384; 28424; 30239; 30654)

## SEC. 51A-8.509. FIRE AND POLICE ACCESS.

(a) Generally. The layout design of a plat must take into consideration the provision of adequate fire and police access.

**SEC. 51A-8.511. CONSERVATION EASEMENT.**

(a) The owner of the property to be platted may provide an easement on all or part of the property to conserve trees and other natural features, subject to acceptance by the city, to the city or jointly to the city and a nonprofit association dedicated to the conservation of land. Before the city may consider accepting the easement, or consider approving the acceptance of an easement with a nonprofit association as the joint grantee of a conservation easement, the owner shall provide the building official with a list of the protected trees by name (both common and scientific) and caliper or an estimate thereof calculated and documented in a manner approved by the city arborist, written consent by any lienholder of the property to subordination of the lienholder's interest to the conservation easement area, and a preservation strategy for the easement. The grantee of a conservation easement, if not the city, should be an eligible grantee such that the grantor will have the option of receiving a property tax benefit on the assessed value of the conservation easement area. The conservation easement area should be accessible to the public for walking, upon trails if the area exceeds 30 acres, unless this activity poses a risk to endangered species.

(b) The easement must be approved by the building official and approved as to form by the city attorney.

(c) The owner may offer a conservation easement to the city through the city arborist, or to a nonprofit association approved by the city (a list of such associations may be obtained from the city arborist). (Ord. Nos. 22053; 23384; 24843)

**SEC. 51A-8.512. SHARED ACCESS DEVELOPMENT.**

See Section 51A-4.411 for regulations concerning shared access developments. (Ord. 26333)

**Division 51A-8.600. Infrastructure Design and Construction.**

**SEC. 51A-8.601. GENERAL STANDARDS.**

(a) Infrastructure design and construction for water and wastewater mains must comply with Chapter 49 of the Dallas City Code, as amended, and all other applicable requirements of the water utilities department. All other infrastructure design and construction must comply with this section.

~~——(b) All street paving, storm drainage, bridge, and culvert design and construction must conform to the standards, criteria, and requirements of the following, as they may from time to time be amended by those responsible for their promulgation, except that the design criteria in effect on the date the commission approves the preliminary plat must be used to design the infrastructure:~~

~~——(1) The Thoroughfare Plan for the city of Dallas;~~

~~——(2) The Central Business District Streets and Vehicular Circulation Plan;~~

~~——(3) The Long Range Physical Plan for Parks and Recreational Facilities;~~

~~——(4) The Paving Design Manual of the department of public works;~~

~~——(5) The storm drainage policy of the city of Dallas;~~

~~——(6) The Drainage Design Manual of the department of public works;~~

~~——(7) The Plan Development Checklist of the department;~~

~~——(8) The Standard Construction Details of the department of public works;~~

~~———— (9) The Texas Uniform Traffic Control Device Manual.~~

~~———— (10) The Dallas Central Business District Pedestrian Facilities Plan.~~

~~———— (11) The 1985 Dallas Bike Plan.~~

~~———— (12) The City of Dallas Planning Policies.~~

~~———— (13) All other codes and ordinances of the city of Dallas.~~

(b) All street paving, storm drainage, bridge, and culvert design and construction must conform to the standards, criteria, and requirements of the following, as they may from time to time be amended by those responsible for their promulgation, except that the design criteria in effect on the date the commission approves the preliminary plat must be used to design the infrastructure.

(1) The Thoroughfare Plan for the city of Dallas.

(2) The Central Business District Streets and Vehicular Circulation Plan.

(3) The Long Range Physical Plan for Parks and Recreational Facilities.

(4) The Street Design Manual of the city of Dallas.

(5) The storm drainage policy of the city of Dallas.

(6) The Drainage Design Manual of the city of Dallas.

(7) The Plan Development Checklist of the department.

(8) The Standard Construction Details of the department of public works.

(9) The Texas Uniform Traffic Control Device Manual.

(10) The Dallas Central Business District Pedestrian Facilities Plan.

(11) The most recently adopted Dallas Bike Plan.

(12) The City of Dallas Planning Policies.

(13) All other codes and ordinances of the city of Dallas.

(c) If the infrastructure construction is not included in a city-approved private development contract within two years from the preliminary plat approval date, then the infrastructure must be redesigned using the most current criteria. (Ord. Nos. 20092; 21186; 23384; 25047; 28073; 28424; 30239; 30654; 31314)

#### SEC. 51A-8.602.

#### DEDICATIONS.

(a) Generally. The owner of the property to be platted must provide an easement or fee simple dedication of all property needed for the construction of streets, thoroughfares, alleys, sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of this article. Dedications shown on plats are irrevocable offers to dedicate the property shown. Once the offer to dedicate is made, it may be accepted by an action by the city council, by acceptance of the improvements in the dedicated areas for the purposes intended, or by actual use by the city. No improvements may be accepted until they are constructed according to the approved plans, details, and specifications, and the final plat is filed for record in the office of the county clerk of the county in which the property is located.

(b) Apportionment of exactions. See Section 51A-1.109 for regulations and procedures concerning apportionment of exactions.

contained within the boundaries of the proposed plat, the full right-of-way width must be dedicated.

(2) The amount of right-of-way, pavement width, and minimum centerline radius for all minor streets must be provided in accordance with the chart in Section 51A-8.604.

(3) When property has been previously platted and improvements have been constructed, accepted, and used, the commission may waive the requirements for additional right-of-way for existing streets if:

(A) no realignment of any minor street is proposed;

(B) no change in zoning classification is proposed;

(C) the street has been improved with the required number of lanes, and the full right-of-way standard is not warranted by expected traffic volumes, property access requirements, truck, bus, and taxi loading, or pedestrian use;

(D) the director and the chief planning officer recommend the waiver; and

(E) the commission finds that the area is a redeveloping area.

~~—— (d) Corner clips and sight easements.~~

~~—— (1) Corner clips must be dedicated at all intersections by means of a street easement. The minimum size for the corner clip is that of a triangle with the legs along the edges of the street rights-of-way equaling 10 feet. A larger or smaller corner clip may be required where conditions exist that restrict the ability of the city to provide an adequate turning radius, or to maintain public appurtenances within the area of the corner clip.~~

~~—— (2) Sight easements must be provided if required by the Paving Design Manual of the department of public works.~~

(d) Corner clips and sight easements.

(1) Corner clips must be dedicated at all

intersections by means of a street easement. A corner clip is a triangle with the legs along the edges of the street rights-of-way. The size of the corner clip is based on the city's current design standards. Corner clips must be sized to provide an adequate turning radius, or to maintain public appurtenances within the area of the corner clip.

(2) Sight easements must be provided if required by the Street Design Manual of the city of Dallas.

(e) Alley sight easements. Alley sight easements must be granted at the intersection of any alley with a street. The size of the sight easement is that of a triangle with legs along the property lines equaling 15 feet.

(f) Utilities and drainage easements. Easements necessary for poles, wires, conduits, wastewater, gas, water, telephone, electric power, storm drainage, and any other utilities needed to serve the property being platted must be granted. All easements must comply with the following standards:

(1) Unless the grantee of an easement gives express written approval, no structures, fences, trees, shrubs or any other improvement may be placed in, on, above, over, or across the easement. An exception to this rule is that paving for parking, walkways, and driveways may be constructed over or across utility or drainage easements unless such construction is specifically prohibited by the plat or easement instrument.

(2) Any structures, fences, trees, shrubs, or other improvements, including paving, exist at the pleasure of the grantee. The owner of the subservient estate is liable for the full cost for any adjustments, relocations, restorations, replacements, or reconstruction to any item placed within the easement other than the utilities. The grantee has no responsibility for any destruction or damage to items other than utilities placed within the easement. Grantees of easements have the right of ingress and egress to their respective easements for the purposes of constructing, inspecting, and maintaining their improvements.

(3) If alleys are not provided, rear lot drainage easements and facilities may be required to prevent cross-lot drainage.

(g) Floodways. Floodway management areas and floodway easements must be dedicated or granted in accordance with Section 51A-8.611. (Ord. Nos. 20092; 21186; 23384; 24843; 24859; 25047; 26530; 28073; 28424; 29478; 30239; 30654; 31314)



**SEC. 51A-8.603. CONSTRUCTION REQUIRED.**

(a) All public and private streets and alleys within or along the perimeter of the proposed plat must be improved to the standards of this article.

(b) Storm drainage improvements, bridges, and culverts must be provided as needed to serve the subdivision in accordance with this article.

(c) Sidewalks must be provided in accordance with Section 51A-8.606 of this article.

(d) Median openings, extra lanes, and driveways must be provided in accordance with Section 51A-8.607 of this article.

(e) Street appurtenances must be provided in accordance with Section 51A-8.608 of this article.

(f) Railroad crossing facilities must be provided in accordance with Section 51A-8.609 of this article.

(g) Utility facilities must be provided in accordance with Section 51A-8.610 of this article.

(h) Monumentation must be provided in accordance with Section 51A-8.617 of this article. (Ord. Nos. 20092; 23384)

**SEC. 51A-8.604. STREET ENGINEERING DESIGN AND CONSTRUCTION.**

~~—(a) Generally. Streets, whether dedicated to the public use or privately owned, must be designed in accordance with the Paving Design Manual of the department of public works. The geometrics of streets must be designed to provide appropriate access for passenger, delivery, emergency, and maintenance vehicles.~~

(a) Generally. Streets, whether dedicated to the public use or privately owned, must be designed in accordance with the Street Design Manual of the city of Dallas. The geometrics of streets must be designed to provide appropriate access for passenger, delivery, emergency, and maintenance vehicles.

(b) Street construction required.

(1) Within the boundaries of the proposed plat, the owner must construct all thoroughfares, minor streets, and alleys shown on the proposed plat.

(2) When a minor street is along the perimeter of the proposed plat and the street is not improved with an approved all weather paving material to a width of 20 feet, the owner must improve the street to that standard along the length of the proposed plat.

(3) When a thoroughfare is along the perimeter of the proposed plat for 1000 feet or more, the owner must construct thoroughfare, sidewalk, and storm drainage improvements to complete one-half of the thoroughfare requirements along the entire length of the plat, adjusted for any participation in the construction under Section 51A-8.614.

~~—(c) Minor street criteria. If additional right-of-way for a minor street has been waived by the commission in accordance with Section 51A-8.602(c)(3), the amount of street construction required for the streets on which the requirements have been waived is determined by the director of sustainable development and construction. Additional street construction may be required, if necessary, based on the existing condition or width of the streets, and if warranted by the expected traffic volumes, property access requirements, or truck, bus, and taxi loading. If additional right-of-way has not been waived, minor streets must be designed and constructed to meet the following criteria.~~

(c) Minor street criteria. If additional right-of-way for a minor street has been waived by the commission in accordance with Section 51A-8.602(c)(3), the amount of street construction required for the streets on which the requirements have been waived is determined by the director of sustainable development and construction. Additional street construction may be required, if necessary, based on the existing condition or width of the streets, and if warranted by the expected traffic volumes, property access requirements, or truck, bus, and taxi loading. If additional right-of-way has not been waived, minor streets must be designed and constructed to meet criteria given in the Street Design Manual of the city of Dallas.

Standards for Minor Streets<sup>\*</sup>

Zoning	Street Classification	Pavmt. Width (In feet)	ROW Width (In feet)	Min. Alley Required	Centerline Radius (In feet) <sup>**</sup>
R-1 thru R-7.5	L-2-U(B)	26	50	YES	150
	L-2-U(A)	22	52	NO	200
	S-2-U	26	56	NO	220
R-5, MH, D	L-2-U(A)	33	53	YES	200
TH-1, TH-2	S-2-U	26	56	NO	220
TH-3, CH, Multifamily	S-2-U	26	56	NO	220
All Non-Residential Districts Except PDDs, and the WMU and WR Districts in Article XIII.	S-2-U	26	56	NO	280

<sup>\*</sup> — Minor streets are referred to as local streets in the Paving Design Manual. Local streets comprise all roadways not identified as expressways, arterials, or collectors. All pavement widths are measured from face of curb to face of curb. Additional pavement width is required for all bike routes designated in the 1985 Dallas Bike Plan.

<sup>\*\*</sup> — Unusual circumstances or special designs requiring variance from the standards in this column may be approved by the traffic engineer upon a finding that unsafe conditions would result from strict enforcement of these provisions or a special design will enhance safety or traffic flow.

(d) Private streets criteria. When permitted, private streets are governed by the following regulations:

(1) Private streets must be constructed and maintained to the standards for public rights-of-way and must be approved by the director and the chief planning officer. Sidewalks are required and must be constructed and maintained to the standards for sidewalks in the public right-of-way. Water and wastewater mains must be installed in accordance with the applicable ordinances.

(2) A legal entity must be created that is responsible for street lighting, street maintenance and cleaning, and the installation and maintenance of interior traffic control devices. The legal instruments establishing the responsibility for a private street or alley must be submitted to the commission for approval, be approved as to legal form by the city attorney, and be recorded in the appropriate county. A

provision must be included in the legal instruments that addresses the consequences of failure to maintain the private street or alley and its appurtenances, including the right, but not the obligation, of the city to take any action needed to bring the private street or alley into compliance.

(3) Private streets must contain private service easements including, but not limited to the following easements: utilities; storm drainage; fire lane; street lighting; government vehicle access; mail collection and delivery access; and utility meter reading access.

(4) Street lights comparable with those required on public rights-of-way must be provided. Street lighting design plans must be approved by the director based upon applicable guidelines.

(5) Design plans and location of all traffic control devices must be approved by the traffic engineer. The design, size, color, and construction of all traffic control devices must comply with the requirements for those located in public rights-of-way.

(6) The fire protection standards in Article XIII of the Dallas Fire Code must be followed.

(7) A public school, park, or other public facility must be accessible from public rights-of-way in accordance with this code.

(8) Private streets must comply with the thoroughfare plan and must not interrupt public through streets.

(9) Private street names and numbers must be approved by the commission.

(10) At all entrances to subdivisions with private streets, signs identifying the streets as private must be posted. Private street signs must be:

- (i) black on a yellow background;
- (ii) diamond-shaped;

(iii) a minimum of 24 by 24 inches; and

(iv) installed pursuant to city traffic standards.

(11) Private streets and the area they serve must be platted.

(12) A guard house may be constructed at any entrance to a private street. All guard houses must be at least 30 feet from a public right-of-way.

(13) Any structure that restricts access to a private street must provide a passageway 20 feet wide and 14 feet high.

(14) One private street entrance must remain open at all times. If an additional private street entrance is closed at any time, it must be constructed to permit opening of the passageway in emergencies by boltcutters or breakaway panels.

(15) A private street system serving an area containing over 150 dwelling units must have a minimum of two access points to a public street.

(16) A private street system may serve no more than 300 dwelling units.

(17) The city has no obligation to maintain a private street. (Ord. Nos. 20092; 21186; 22392; 23384; 23535; 25047; 27495; 28073; 28424; 29478; 30239; 30654; 31314)

#### SEC. 51A-8.605. SANITATION COLLECTION ACCESS REQUIRED.

(a) Access required. The owner or homeowners' association must provide access for city sanitation collection. If unmanned gates are used, the gates must remain open during routine collection hours (Monday through Saturday between 7 a.m. and 7 p.m.) A notation must be placed on a plat for single family or duplex lots indicating that it is the responsibility of the

owner or homeowners' association to provide adequate access for city sanitation collection.

(b) Indemnity agreement. If sanitation collection occurs on a private access easement, the owner or homeowners' association must execute an agreement with the city department of street, sanitation, and code enforcement services indemnifying the city against damages to any private streets in the development caused by the city's provision of routine sanitation collection. The agreement must be approved as to form by the city attorney's office. (Ord. Nos. 20092; 23384)

#### SEC. 51A-8.606. SIDEWALKS.

(a) Required. Sidewalk construction is required along all public and private streets unless waived by the director.

~~(b) Design. All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the requirements contained in the Paving Design Manual, the Standard Construction Details, and any other council approved plan as amended. When poles, standards, and fire hydrants must be placed in the proposed sidewalk alignment, the sidewalk must be widened as delineated in the Standard Construction Details to provide a three-foot-wide clear distance between the edge of the obstruction or overhang projection and the edge of the sidewalk.~~

(b) Design. All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the requirements contained in the Street Design Manual, the Standard Construction Details, and any other council approved plan as amended. When poles, standards, and fire hydrants must be placed in the proposed sidewalk alignment, the sidewalk must be widened as delineated in the Standard Construction Details to provide a three-foot-wide clear distance between the edge of the obstruction or overhang projection and the edge of the sidewalk.

(c) Timing of construction. All sidewalks in the parkways of thoroughfares must be constructed concurrently with the thoroughfare or, if the thoroughfare is already constructed, before the acceptance of any improvements. Construction of

(1) In this subsection:

(A) MID-BLOCK LOT means a lot that is not a corner lot.

(B) CORNER LOT means a lot that is located at the intersection of two or more streets.

(2) The director may grant a waiver under these conditions:

(A) In general. These conditions apply to all waiver requests.

(i) If sidewalk construction would cause drainage, safety, or other engineering issues that cannot be feasibly addressed as determined by the director.

(ii) If a city approved and funded sidewalk construction project is planned to begin within one year of the waiver application submittal.

(iii) If the waiver will not have an adverse effect on neighboring properties.

(B) Mid-block lot. If sidewalks do not exist on the adjacent lots and on more than 80 percent of the lots on the same blockface.

(C) Corner lot. If sidewalks do not exist on any of the mid-block lots on the same blockface and the lot is not located within one-quarter mile, as measured along street frontages, from a transit stop, school, park, playground, or other pedestrian accessible destination.

(3) The denial of a waiver application must clearly state the specific reasons why the waiver conditions were not satisfied.

(4) Waivers for sidewalks on separate frontages of corner lots shall be determined independently for each blockface, but will require only one fee.

(5) Granting a waiver does not preclude the city from installing sidewalks at some later time and assessing the abutting owners for the cost of the installation. (Ord. Nos. 20092; 23384; 25047; 28073; 29478; 30933; 31314)

**SEC. 51A-8.607. MEDIAN OPENINGS, EXTRA LANES, AND DRIVEWAYS.**

(a) Generally. All median openings, driveway approaches, driveways, and extra lanes including left turn lanes, right turn lanes, acceleration/deceleration lanes, and other extra lanes must be located, designed, and constructed in accordance with the current standards of the department of public works.

(b) When required. Left turn lanes are required to serve median openings providing access to the proposed plat. Other extra lanes must be designed and constructed as part of the subdivision infrastructure improvements when:

(1) they are required by the thoroughfare plan;

(2) they are required by the zoning district in which the property is located; or

(3) they are recommended and approved by the director and the chief planning officer for proper traffic management.

(c) Spacing of openings. Median openings must be at least 400 feet from median openings serving thoroughfare intersections with divided thoroughfares, measured between the noses of the median. Median openings serving minor streets and driveway approaches along a divided thoroughfare must be at least 300 feet apart, measured between the noses of the median, unless the traffic engineer determines that the potential vehicular traffic in the area does not require 300-foot spacing. The minimum median opening width is 60 feet. Wider openings may be required in order to

storm water runoff drainage onto, through, and originating within the subdivision. No final plat release may be issued until proper provision has been made for drainage.

~~————— (2) Private drainage systems are those which serve one lot or tract, or any open system that serves more than one lot or tract for which a private entity has maintenance obligations. Private systems are owned and maintained by a private entity. Easements must be provided to allow access by the city to any open system in the event that private system failure or diminished function jeopardizes the public's health, safety or welfare. Private storm water drainage systems must be designed in general conformance with the design standards of the department of water utilities as set forth in the Drainage Design Manual of the department of water utilities. Private enclosed systems are not required to be constructed according to the Standard Construction Details, File 251D-1.~~

(2) Private drainage systems are those which serve one lot or tract, or any open system that serves more than one lot or tract for which a private entity has maintenance obligations. Private systems are owned and maintained by a private entity. Easements must be provided to allow access by the city to any open system in the event that private system failure or diminished function jeopardizes the public's health, safety or welfare. Private storm water drainage systems must be designed in general conformance with the design standards of the department of water utilities as set forth in the Drainage Design Manual of the city of Dallas. Private enclosed systems are not required to be constructed according to the Standard Construction Details, File 251D-1.

(3) Public drainage systems are those systems which serve more than one lot or tract, excluding open systems maintained by a private entity. The portion of a drainage system located downstream from a lot or tract boundary, and the portion of any drainage system within the lot or tract boundary which conveys storm drainage from outside the lot or tract boundary are public systems. Public storm water drainage systems must be designed and constructed in strict conformance with department of water utilities requirements.

(4) The city owns and maintains public systems that have been constructed and accepted

pursuant to Section 51A-8.612.

~~————— (5) All storm drainage facilities must be designed and constructed to safely drain a 100-year storm as outlined in the Drainage Design Manual of the department of water utilities. Paved streets and alleys, ditches, and swales may be used for emergency overflow capacity in parallel with enclosed systems provided the requirements of the Drainage Design Manual of the department of water utilities are met.~~

(5) All storm drainage facilities must be designed and constructed to safely drain a one-percent annual chance storm event as outlined in the Drainage Design Manual of the city of Dallas. Paved streets and alleys, ditches, and swales may be used for emergency overflow capacity in parallel with enclosed systems provided the requirements of the Drainage Design Manual of the city of Dallas are met.

sedimentation of soils during and after construction. The owner is responsible for maintenance of erosion and sedimentation control measures during development and shall remove sediment from city right-of-way or storm drainage systems that occurs during the construction phase. Revegetation of the disturbed area is required as a part of the approved erosion control plan.

~~———— (c) Detention.~~

~~———— (1) Detention facilities required in this subsection must be designed to provide detention for the 100-year frequency storm with dual outlet control structures designed for 5-year and 100-year storms. Dual outlet design provides control of peak rates for more frequent storms, thus reducing chances of flooding and erosion downstream. Detention must be provided in the following instances:~~

~~———— (A) The property to be platted is in or drains through the escarpment zone or a geologically similar area as defined in Division 51A-5.200 of this chapter.~~

~~———— (B) The development of the platted area results in an increase to the existing rate of runoff due to a rezoning of the platted area that allows higher density. Detention will not be required if:~~

~~———— (i) the rezoned area is in the redeveloped area and there is no increase in impermeable surface; or~~

~~———— (ii) the change in zoning results in less than a 20 percent increase in the runoff, and the area rezoned is less than 3 acres, or an adequate outfall exists to handle the developed discharge.~~

~~———— (C) The proposed development does not have adequate outfall to carry the 100-year flood without damaging property downstream, or the owner of downstream property refuses to provide the needed easements to the city. Detention will not be required under this subparagraph if the owner funds and~~

~~constructs the storm drainage system to provide a 100-year runoff carrying capacity.~~

~~———— (D) The property to be platted contributes to the storm drainage of a neighboring municipality having detention requirements, provided there are written agreements with the neighboring municipalities.~~

~~———— (2) Detention facilities must be designed and constructed in conformance with the Drainage Design Manual of the department of water utilities.~~

~~———— (3) Detention area easements must be dedicated on the plat when detention facilities are on-site, and dedicated by a separate instrument when detention facilities are off-site.~~

~~———— (4) Each adjoining property owner and his successors and assigns shall be responsible for simple, routine maintenance of the detention area easement. The city of Dallas is responsible for any major maintenance and repair work necessary for the public safety and welfare.~~

~~———— (5) The constructed detention facilities and pond area must remain to line and grade and must not be altered without the approval of the director of water utilities.~~

~~———— (6) If detention is provided due to inadequate outfall pursuant to Section 51A-8.611(c)(1), then upstream storm drainage systems must be designed for a 100-year storm, up to the outfall into the detention basin. Drainage systems constructed downstream must be designed for a 100-year storm of the drainage basin without taking into consideration the reduction in flow provided by the detention facility upstream, unless a lesser criteria is approved by the director of water utilities when the proposed development does not increase the stormwater drainage from the property and the director determines that the drainage system is not necessary to preserve public health or safety.~~

**(c) Detention.**

(1) Detention facilities required in this subsection must be designed to provide detention for the one-percent, two-percent, 10 percent, and 50 percent annual chance storm events. Detention must



be provided in the following instances:

(A) The property to be platted is in or drains through the escarpment zone or a geologically similar area as defined in Division 51A-5.200 of this chapter.

(B) The development of the platted area results in an increase to the existing rate of runoff due to a rezoning of the platted area that allows higher density. Detention will not be required if:

(i) the rezoned area is in the redeveloped area and there is no increase in impermeable surface;

(ii) the change in zoning results in less than a 20 percent increase in the runoff, and the area rezoned is less than 3 acres, or an adequate outfall exists to handle the developed discharge; or

(iii) the rezoned area is less than one acre in size and adds less than 5,000 square feet of additional impervious surface relative to existing conditions.

(C) The proposed development does not have adequate outfall to carry the one-percent annual chance storm event without damaging property downstream, or the owner of downstream property refuses to provide the needed easements to the city. Detention will not be required under this subparagraph if the owner funds and constructs the storm drainage system to provide a one-percent annual chance storm event runoff carrying capacity.

(D) The property to be platted contributes to the storm drainage of a neighboring municipality having detention requirements, provided there are written agreements with the neighboring municipalities.

(2) Detention facilities must be designed and constructed in conformance with the Drainage Design Manual of the city of Dallas.

(3) Detention area easements must be dedicated on the plat when detention facilities are on-site, and dedicated by a separate instrument when detention facilities are off-site.

(4) Each adjoining property owner and his successors and assigns shall be responsible for simple,

routine maintenance of the detention area easement. The city of Dallas is responsible for any major maintenance and repair work necessary for the public safety and welfare.

(5) The constructed detention facilities and pond area must remain to line and grade and must not be altered without the approval of the director of water utilities.

(6) If detention is provided due to inadequate outfall pursuant to Section 51A-8.611(c)(1), then upstream storm drainage systems must be designed for a one-percent annual chance storm event, up to the outfall into the detention basin. Drainage systems constructed downstream must be designed for a one-percent annual chance storm event of the drainage basin without taking into consideration the reduction in flow provided by the detention facility upstream, unless a lesser criteria is approved by the director of water utilities when the proposed development does not increase the stormwater drainage from the property and the director determines that the drainage system is not necessary to preserve public health or safety.



~~————— (7) Storm water runoff from any plat into a contiguous city may be required to comply with the criteria of the contiguous city as directed by the director of sustainable development and construction provided there is a written agreement in effect at the time.~~

~~————— (8) The dual outlet control is not required in the design of the detention basin when the proposed outfall is onto an erosion protected surface that is no less than 100 feet from the outfall.~~

~~————— (9) When development of the property downstream results in the construction of facilities designed to accommodate the 100-year storm, and the detention facilities upstream are no longer necessary, the detention facilities may be abandoned and the land reclaimed for other purposes.~~

(7) Storm water runoff from any plat into a contiguous city may be required to comply with the criteria of the contiguous city as directed by the director of sustainable development and construction provided there is a written agreement in effect at the time.

(8) When development of the property downstream results in the construction of facilities designed to accommodate the one-percent annual chance storm event, and the detention facilities upstream are no longer necessary, the detention facilities may be abandoned and the land reclaimed for other purposes.

(d) Floodways.

~~————— (1) Generally, Floodways must be provided in accordance with the recommendation of the director of water utilities and the requirements of the commission to accommodate the 100-year storm drainage flows. Floodway dedications must be identified on the plat and monumented on the ground. Floodway conditions must be satisfied before submitting a final plat for a certificate of approval. Division 51A-5.100 applies to all floodways.~~

(1) Generally, Floodways must be provided in accordance with the recommendation of the director of water utilities and the requirements of the commission to accommodate the one-percent annual chance storm event drainage flows. Floodway dedications must be identified on the plat and monumented on the ground. Floodway conditions must be satisfied before submitting a final plat for a

certificate of approval. Division 51A-5.100 applies to all floodways.

(2) Floodway easements.

(A) Floodway easements are drainage areas dedicated to the city as an easement to prevent obstructions of floodway capacity in a flood plain. Except as provided in Paragraph (3), a floodway easement is required for any portion of a property that is within a flood plain.

(B) A 15-foot wide floodway access easement from a publicly dedicated right-of-way may be required and may extend along a creek, parallel to the top of the bank to inspect or maintain a floodway easement.

easement is not maintained in compliance with this subsection, the city has the right, but not the obligation, to put the floodway easement in compliance with this subsection. The owner of the floodway easement must pay the city for maintenance work performed within 180 days after the date of presentation of the bill. If a bill is not paid by the owners when due, the city shall file a lien statement that includes expenses assessed, the name of the owner, if known, and the legal description of the lot with the county clerk of the county where the lot is located.

(3) Floodway management areas.

(A) Floodway management areas are drainage areas dedicated to the city in fee simple to prevent obstructions of floodway capacity in a flood plain. All floodways not dedicated as a floodway management area must be dedicated as a floodway easement.

(B) If any portion of the subject property is (1) within a flood plain and (2) abuts a public park, green belt, open space, trail system, or the Trinity River that has been recommended for improvement in a flood plain management plan, the Trinity River corridor plan, the park and recreation long range development plan, the park and recreation master plan, the trail network plan, or any other master plan adopted by the park and recreation board or city council, the directors of water utilities, sustainable development and construction, and parks and recreation must be notified and given an opportunity to negotiate for the acquisition of the property for a floodway management area before a final plat is approved. The property owner is encouraged, but not required, to donate the floodway management areas to the city.

(C) If the applicant donates or commits to sell that portion of the property to the city, the applicant must designate that portion as a dedication or reservation on the plat. Upon acquisition of the property, the city maintains the floodway management area.

(D) The area for each floodway management area must be identified on the plat in square feet or in acres.

(E) No lot may extend into a floodway management area.

(e) Lot to lot drainage. Each lot must be drained to an abutting street or alley unless the director of sustainable development and construction determines that drainage to a street or alley is infeasible. If the director of sustainable development and construction determines that street alley drainage is not feasible, drainage may be provided as follows:

(1) If no more than the rear 15 feet of a lot drains toward the rear lot line, a well-pronounced swale must be provided as approved by the director of sustainable development and construction.

~~————— (2) If more than the rear 15 feet of a lot drains toward the rear lot line, a paved invert in a common area or a drainage easement is required. In order to accommodate the 100-year storm, an enclosed drainage system with inlets may be designed. Each portion of the system that drains one lot must be a private system. Each portion of the system that drains more than one lot must be a public system within an easement.~~

(2) If more than the rear 15 feet of a lot drains toward the rear lot line, a paved invert in a common area or a drainage easement is required. In order to accommodate the one-percent annual chance storm event, an enclosed drainage system with inlets may be designed. Each portion of the system that drains one lot must be a private system. Each portion of the system that drains more than one lot must be a public system within an easement. (Ord. Nos. 20092; 23384; 25047; 27333; 27572; 27697; 30994; 31314)

**SEC. 51A-8.612.**

**PRIVATE DEVELOPMENT CONTRACTS.**

(a) Generally. Once the infrastructure plans and apportionment determination have been approved, but before the final release of a plat or approval of a zoning district classification or boundary change requiring an exaction, private development contracts must be executed by the chief engineer for sustainable

**Division 51A-8.700. Administration.****SEC. 51A-8.701. NOTHING DEEMED SUBMITTED UNTIL FEES PAID.**

Whenever a requirement exists for the submission of plans and a fee exists for the processing of the plans, no submission is complete until all required fees have been paid. (Ord. Nos. 20092; 23384)

**SEC. 51A-8.702. EARLY RELEASE OF BUILDING OR FOUNDATION PERMIT.**

(a) Generally. No building or foundation permit may be issued before the completion and filing for record of a final plat except in accordance with this section. The recipient of an early release permit bears the entire risk that improvements may need to be modified or removed based on engineering plan review or final plat denial. No certificate of occupancy shall be issued until the final plat is properly filed for record as required by this article and state law, and all conditions of preliminary plat approval and all other applicable rules and regulations have been satisfied.

(b) Application. An application for an early release must be submitted to the building official. The building official shall review the application and determine whether an early release is appropriate. If the building official recommends the early release, a building or foundation permit may be issued. The application for early release must include:

- (1) the number of copies required for circulation and review;
- (2) a copy of the approved preliminary plat;
- (3) the file number assigned to the plat application by the city;

(4) a copy of the action letter from the subdivision administrator outlining the conditions of preliminary plat approval;

(5) all requisites for building or foundation permit applications, whichever apply; and

(6) a site plan showing the following:

(A) Boundary lines of the property.

(B) Existing streets.

(C) Pavement widths and surface compositions for existing and proposed driveways, sidewalks, and areas intended for vehicular travel.

(D) Improvements existing on the property, and all proposed improvements.

(E) All dedications required by the preliminary plat.

(c) Fee. The fee for early release of a building or foundation permit is \$300.

~~— (d) Requirements for approval. No early release may be authorized until:~~

~~— (1) clearance has been received from all affected departments;~~

~~— (2) the commission or the subdivision administrator has approved a preliminary or final plat subject to conditions in accordance with this article.~~

~~— (3) all submitted plans conform to all applicable city ordinances, requirements, and conditions of plat approval, and compliance can otherwise be enforced;~~

~~— (4) all affected departments have determined the basic requirements necessary for final approval;~~

(d) Requirements for approval. No early release may be authorized until:

(1) clearance has been received from all affected departments;

(2) the commission or the subdivision administrator has approved a preliminary or final plat subject to conditions in accordance with this article.

(3) all submitted plans conform to all applicable city ordinances, requirements, and conditions of plat approval, and compliance can otherwise be enforced;

(4) all affected departments have determined the basic requirements necessary for final approval;

~~———— (5) the proposed building site has adequate all-weather access through public or private right-of-way;~~

~~———— (6) adequate storm drainage outfall exists to safely discharge on-site drainage of a one-hundred-year flood;~~

~~———— (7) adequate assurance has been received that off-site easements necessary for infrastructure to serve the plat have been secured;~~

~~———— (8) the proposed site has adequate water facilities for emergency fire service;~~

~~———— (9) infrastructure plans for the proposed plat have been submitted to the department and are in general conformance with city standards;~~

~~———— (10) if required by the director, private development contracts and bonds have been submitted;~~

~~———— (11) the application complies with all applicable laws;~~

~~———— (12) the only requirement preventing the building or foundation permit from being issued is the completion and filing for record of the plat;~~

~~———— (13) the building or foundation permit clearly states that no certificate of occupancy will be issued for the property or, for residential applications, no final inspection will be made until all platting requirements have been met;~~

~~———— (14) the owner acknowledges in writing concurrence with the conditions under which the permit is issued; and~~

~~———— (15) the fee required by Subsection (c) is paid to the building official.~~

(5) the proposed building site has adequate all-weather access through public or private right-of-way;

(6) adequate storm drainage outfall exists to safely discharge on-site drainage of a one-percent annual chance flood;

(7) adequate assurance has been received

that off-site easements necessary for infrastructure to serve the plat have been secured;

(8) the proposed site has adequate water facilities for emergency fire service;

(9) infrastructure plans for the proposed plat have been submitted to the department and are in general conformance with city standards;

(10) if required by the director, private development contracts and bonds have been submitted;

(11) the application complies with all applicable laws;

(12) the only requirement preventing the building or foundation permit from being issued is the completion and filing for record of the plat;

(13) the building or foundation permit clearly states that no certificate of occupancy will be issued for the property or, for residential applications, no final inspection will be made until all platting requirements have been met;

(14) the owner acknowledges in writing concurrence with the conditions under which the permit is issued; and

(15) the fee required by Subsection (c) is paid to the building official. (Ord. Nos. 20092; 21431; 23384; 25047; 26529; 28073; 31314)

## ARTICLE X.

LANDSCAPE AND TREE CONSERVATION  
REGULATIONS.

## Division 51A-10.100. In General.

## SEC. 51A-10.101. DEFINITIONS.

— In this article:—

— (1) ~~AGE CLASS~~ means a distinct group of trees originating from a single natural event or regeneration activity (i.e., a 10-year age class), as used in inventory management.

— (2) ~~ANSI A300~~ means the American National Standard for Tree Care Operations, including all parts, as amended.

— (3) ~~APPROVED TREE LIST~~ means the list of replacement and landscape trees approved by the director.

— (4) ~~ARTIFICIAL LOT~~ means an area within the building site that is delineated by the building official or the director of park and recreation for the sole purpose of satisfying the requirements of this article (see Section 51A-10.122).

— (5) ~~BOUNDARY TREE~~ means:

— (A) a tree growing on a property boundary line between two private lots resulting in joint ownership by the adjacent property owners when the trunk exists on each property; or

— (B) a tree that has 20 percent or more of its tree canopy cover extending over a property line into an adjacent building site.

— (6) ~~BROWNFIELD~~ means a building site, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

— (7) ~~CALIPER~~ means the thickness of a tree trunk measured in inches.

— (8) ~~CANOPY TREE~~ means a species of tree that normally bears crown foliage no lower than six feet above ground level upon maturity.

— (9) ~~CLASS 1 TREE~~ means a tree located in a primary natural area or a geologically similar area within 50 feet above the escarpment zone.

— (10) ~~CLASS 2 TREE~~ means a tree that is not otherwise classified as a Class 1 tree or Class 3 tree.

— (11) ~~CLASS 3 TREE~~ means Arizona ash, black willow, cottonwood, hackberry, honeylocust, mesquite, mimosa, mulberry, ornamentals, *pinus spp.*, Siberian elm, silver maple, sugarberry, or a small tree.

— (12) ~~CLEARING~~ means any activity that removes or seriously injures one or more trees or the vegetative ground cover of one or more trees, such as root mat removal or topsoil removal.

— (13) ~~COVERED SOIL AREA~~ means an area of soil that is under nonpermeable pavement and is designed to accommodate tree root growth.

— (14) ~~CRITICAL ROOT ZONE~~ means the circular area of ground surrounding a tree extending a distance of one foot per diameter inch of the tree, measured from the tree trunk or stem.

— (15) ~~DEVELOPMENT IMPACT AREA~~ means the area of land or vegetation alteration within a property including, but not limited to, clearing, grading, excavating, filling, and any construction site operations, paving, or any other installation.

— (16) ~~DIAMETER~~ means the thickness of a tree trunk.

— (17) ~~DRIP LINE~~ means a vertical line that runs from the outermost point of the crown of a tree to the ground.

In this article:

(1) **AGE CLASS** means a distinct group of trees originating from a single natural event or regeneration activity (i.e., a 10-year age class), as used

in inventory management.

(2) ANSI A300 means the American National Standard for Tree Care Operations, including all parts, as amended.

(3) APPROVED TREE LIST means the list of replacement and landscape trees approved by the director.

(4) ARTIFICIAL LOT means an area within the building site that is delineated by the building official or the director of park and recreation for the sole purpose of satisfying the requirements of this article (see Section 51A-10.122).

(5) BOUNDARY TREE means:

(A) a tree growing on a property boundary line between two private lots resulting in joint ownership by the adjacent property owners when the trunk exists on each property; or

(B) a tree that has 20 percent or more of its tree canopy cover extending over a property line into an adjacent building site.

(6) BROWNFIELD means a building site, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

(7) CALIPER means the thickness of a tree trunk measured in inches.

(8) CANOPY TREE means a species of tree that normally bears crown foliage no lower than six feet above ground level upon maturity.

(9) CLASS 1 TREE means a tree located in a primary natural area or a geologically similar area within 50 feet above the escarpment zone.

(10) CLASS 2 TREE means a tree that is not otherwise classified as a Class 1 tree or Class 3 tree.

(11) CLASS 3 TREE means Arizona ash, black willow, cottonwood, hackberry, honeylocust, mesquite, mimosa, mulberry, ornamentals, *pinus spp.*, Siberian elm, silver maple, sugarberry, or a small tree.

(12) CLEARING means any activity that removes or seriously injures one or more trees or the

vegetative ground cover of one or more trees, such as root mat removal or topsoil removal.

(13) COVERED SOIL AREA means an area of soil that is under nonpermeable pavement and is designed to accommodate tree root growth.

(14) CRITICAL ROOT ZONE means the circular area of ground surrounding a tree extending a distance of one foot per diameter inch of the tree, measured from the tree trunk or stem.

(15) DEVELOPMENT IMPACT AREA means the area of land or vegetation alteration within a property including, but not limited to, clearing, grading, excavating, filling, and any construction site operations, paving, or any other installation.

(16) DIAMETER means the thickness of a tree trunk.

(17) DRIP LINE means a vertical line that runs from the outermost point of the crown of a tree to the ground.



—————(18) ENHANCED PAVEMENT means any permeable or nonpermeable decorative pavement material intended for pedestrian or vehicular use approved by the director. Examples of enhanced pavement include, but are not limited to, brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

—————(19) EVERGREEN TREE OR SHRUB means a tree or shrub of a species that normally retains its leaves throughout the year.

—————(20) FACADE PLANTING AREA means the portion of a lot abutting a storefront, office, or mixed use building facade.

—————(21) FLOOD PLAIN means any land area susceptible to inundation by the hundred-year frequency flood.

—————(22) FOREST STAND DELINEATION ("FSD") means a comprehensive assessment of the conditions of a property using multiple types of information, including, but not limited to, a tree survey, aerial imagery collected from private or public sources, natural resources assessments, topographic maps, management plans, a map of conservation areas, land use maps, etc., to provide the required data to determine tree replacement requirements and forest conservation objectives.

—————(23) GRADING means any digging, scooping, removing, depositing or stockpiling, of earth materials.

—————(24) GREEN INFRASTRUCTURE means the ecological framework of trees and vegetation used in conjunction with engineered systems for the effective and resilient processes of stormwater management, climate adaptation, urban heat abatement, biodiversity, improved air quality, clean water, and healthy soils, for sustainable social, health, and economic benefits of the urban community.

—————(25) GROUND COVER means natural mulch, or plants of species that normally reach a height of less

than three feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

—————(26) HABITAT PRESERVATION AND RESTORATION AREA means a designated area on a landscape plan dedicated to the restoration and preservation of an undeveloped site through active or passive management practices.

—————(27) HISTORIC TREE means a tree, or grove of trees, that has been recognized by resolution of the city council as having cultural or historical significance.

—————(28) HUNDRED-YEAR FREQUENCY FLOOD means the flood having a one percent chance of being equalled or exceeded in any given year. This flood is based upon the drainage area being fully developed to current zoning limitations.

—————(29) INTERIOR ZONE means the area of a lot not included in a street buffer zone or a residential buffer zone.

—————(30) INVASIVE PLANT means a plant that has been classified as invasive to the Dallas region by Texas Parks and Wildlife or the Texas Department of Agriculture.

—————(31) LANDSCAPE ARCHITECT means a person licensed to use the title of "landscape architect" in the State of Texas in accordance with state law.

—————(32) LANDSCAPE AREA means an open soil area covered by natural grass, ground cover, stone aggregate or river rock, or other plant materials for the purpose of landscaping or the growth and establishment of trees and other vegetation.

—————(33) LANDSCAPE BUFFER STRIP means a landscape area that serves a buffer function.

—————(34) LARGE SHRUB means a shrub that normally reaches a height of six feet or more upon maturity.

(18) ENHANCED PAVEMENT means any permeable or nonpermeable decorative pavement material intended for pedestrian or vehicular use approved by the director. Examples of enhanced

pavement include, but are not limited to, brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(19) EVERGREEN TREE OR SHRUB means a tree or shrub of a species that normally retains its leaves throughout the year.

(20) FACADE PLANTING AREA means the portion of a lot abutting a storefront, office, or mixed use building facade.

(21) FLOOD PLAIN means any land area susceptible to inundation by the one-percent annual chance flood.

(22) FOREST STAND DELINEATION ("FSD") means a comprehensive assessment of the conditions of a property using multiple types of information, including, but not limited to, a tree survey, aerial imagery collected from private or public sources, natural resources assessments, topographic maps, management plans, a map of conservation areas, land use maps, etc., to provide the required data to determine tree replacement requirements and forest conservation objectives.

(23) GRADING means any digging, scooping, removing, depositing, or stockpiling of earth materials.

(24) GREEN INFRASTRUCTURE means the ecological framework of trees and vegetation used in conjunction with engineered systems for the effective and resilient processes of stormwater management, climate adaptation, urban heat abatement, biodiversity, improved air quality, clean water, and healthy soils, for sustainable social, health, and economic benefits of the urban community.

(25) GROUND COVER means natural mulch, or plants of species that normally reach a height of less than three feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

(26) HABITAT PRESERVATION AND RESTORATION AREA means a designated area on a landscape plan dedicated to the restoration and preservation of an undeveloped site through active or passive management practices.

(27) HISTORIC TREE means a tree, or grove

of trees, that has been recognized by resolution of the city council as having cultural or historical significance.

(28) INTERIOR ZONE means the area of a lot not included in a street buffer zone or a residential buffer zone.

(29) INVASIVE PLANT means a plant that has been classified as invasive to the Dallas region by Texas Parks and Wildlife or the Texas Department of Agriculture.

(30) LANDSCAPE ARCHITECT means a person licensed to use the title of "landscape architect" in the State of Texas in accordance with state law.

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(32) LANDSCAPE BUFFER STRIP means a landscape area that serves a buffer function.

(33) LARGE SHRUB means a shrub that normally reaches a height of six feet or more upon maturity.

~~————— (35) LARGE TREE means a tree species that typically attains a height and canopy width of at least 50 feet at maturity, or as classified by the director.~~

~~————— (36) LEGACY TREE means a large or medium tree planted in a landscape area in accordance with Section 51A-10.104 and Section 51A-10.135.~~

~~————— (37) LOT means:~~

~~————— (A) a "lot" as defined in Section 51A-2.102; and~~

~~————— (B) an "artificial lot" as defined in this section.~~

~~————— (38) LOT WITH RESIDENTIAL ADJACENCY means any of the following:~~

~~————— (A) A building site containing a multifamily use that is adjacent to or directly across:~~

~~————— (i) a street 64 feet or less in width; or~~

~~————— (ii) an alley;~~

~~from private property in a single family, duplex, townhouse, CH, or RTN district or a residential planned development district.~~

~~————— (B) A building site containing a nonresidential use that is adjacent to or directly across:~~

~~————— (i) a street 64 feet or less in width; or~~

~~————— (ii) an alley;~~

~~from private property in an agricultural, single family, duplex, townhouse, CH, multifamily, manufactured housing, or RTN district, or a residential planned development district.~~

~~————— (C) An artificial lot containing a multifamily use if the lot is less than 200 feet from~~

~~private property in a single family, duplex, townhouse, CH, or RTN district, or a residential planned development district.~~

~~————— (D) An artificial lot containing a nonresidential use if the lot is less than 200 feet from private property in an agricultural, single family, duplex, townhouse, CH, multifamily, manufactured housing, or RTN district, or a residential planned development district.~~

~~————— (39) MEDIUM TREE means a tree that typically attains a canopy height of at least 30 feet and a width between 15 feet and 50 feet in width at maturity, or as otherwise classified by the director.~~

~~————— (40) NONPERMEABLE COVERAGE means coverage with any pavement that is not "permeable pavement" as defined in this section.~~

~~————— (41) NURSERY STOCK means a plant grown in or obtained from a nursery.~~

~~————— (42) OPEN SOIL AREA means an unpaved area of soil.~~

~~————— (43) PEDESTRIAN PATHWAY means an area intended for use by pedestrians or non-motorized vehicles that is physically or visually distinguishable from parking and driving surfaces by concrete curbs, wheel stops, or other permanent barriers, landscape barriers, or a change in surface materials such as pavers, patterned concrete, or flagstones.~~

~~————— (44) PERMEABLE PAVEMENT means director approved paving systems, pavers, or other structural surfaces that allow stormwater infiltration.~~

~~————— (45) PREVIOUSLY DEVELOPED SITE means a building site that has been substantially altered through paving, construction, or other activity that requires or required permitting or licensing through a regulatory agency.~~

~~————— (46) PRIMARY NATURAL AREA means an ecologically sensitive area including 100-year flood~~

(34) LARGE TREE means a tree species that typically attains a height and canopy width of at least 50 feet at maturity, or as classified by the director.

(35) LEGACY TREE means a large or medium tree planted in a landscape area in accordance with Section 51A-10.104 and Section 51A-10.135.

(36) LOT means:

(A) a "lot" as defined in Section 51A-2.102; and

(B) an "artificial lot" as defined in this section.

(37) LOT WITH RESIDENTIAL ADJACENCY means any of the following:

(A) A building site containing a multifamily use that is adjacent to or directly across:

(i) a street 64 feet or less in width;  
or

(ii) an alley;

from private property in a single family, duplex, townhouse, CH, or RTN district or a residential planned development district.

(B) A building site containing a nonresidential use that is adjacent to or directly across:

(i) a street 64 feet or less in width;  
or

(ii) an alley;

from private property in an agricultural, single family, duplex, townhouse, CH, multifamily, manufactured housing, or RTN district, or a residential planned development district.

(C) An artificial lot containing a multifamily use if the lot is less than 200 feet from private property in a single family, duplex, townhouse, CH, or RTN district, or a residential planned development district.

(D) An artificial lot containing a nonresidential use if the lot is less than 200 feet from private property in an agricultural, single family, duplex, townhouse, CH, multifamily, manufactured housing, or RTN district, or a residential planned development district.

(38) MEDIUM TREE means a tree that typically attains a canopy height of at least 30 feet and a width between 15 feet and 50 feet in width at maturity, or as otherwise classified by the director.

(39) NONPERMEABLE COVERAGE means coverage with any pavement that is not "permeable pavement" as defined in this section.

(40) NURSERY STOCK means a plant grown in or obtained from a nursery.

(41) ONE-PERCENT ANNUAL CHANCE FLOOD means the flood having a one percent chance of being equalled or exceeded in any given year. This flood is based upon the drainage area being fully developed to current zoning limitations.

(42) OPEN SOIL AREA means an unpaved area of soil.

(43) PEDESTRIAN PATHWAY means an area intended for use by pedestrians or non-motorized vehicles that is physically or visually distinguishable from parking and driving surfaces by concrete curbs, wheel stops, or other permanent barriers, landscape barriers, or a change in surface materials such as pavers, patterned concrete, or flagstones.

(44) PERMEABLE PAVEMENT means director approved paving systems, pavers, or other structural surfaces that allow stormwater infiltration.

(45) PREVIOUSLY DEVELOPED SITE means a building site that has been substantially altered through paving, construction, or other activity that requires or required permitting or licensing through a regulatory agency.

(46) PRIMARY NATURAL AREA means an ecologically sensitive area including one-percent annual chance floodplain and riparian areas, wetlands or 50-foot wetland buffer, perennial and intermittent streams measured to 50 feet above top of bank, and the escarpment zone.

plain and riparian areas, wetlands or 50-foot wetland buffer, perennial and intermittent streams measured to 50 feet above top of bank, and the escarpment zone.

————— (47) PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include the following:

————— (A) A private street or alley.

————— (B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.

————— (C) A railroad right-of-way.

————— (D) A cemetery or mausoleum.

————— (48) PROTECTED TREE means:

————— (A) a tree of any species that has a minimum diameter of eight inches that is not classified as unprotected in this article;

————— (B) any tree in a stand which projects a tree canopy over a building site when identified within a forest stand delineation review; or

————— (C) a tree that was planted as a replacement tree.

————— (49) REMOVE OR SERIOUSLY INJURE means an intentional or negligent action that will more likely than not cause a tree to decline and die within five years of the act. Actions that constitute removing or seriously injuring a tree include, but are not limited to: cutting down a tree; excessively pruning or topping a tree; compacting the soil above the root system of a tree; changing the natural grade above the root system of a tree; damaging the root system or the trunk of a tree (such as by operating machinery near, or by clearing or grading the area around, the trunk of a tree); failing to repair an injury to a tree from fire or other causes, which results in or permits tree infections or pest infestations into or on the tree; applying herbicidal or

other lethal chemicals; and placing nonpermeable pavement over the root system of a tree.

————— (50) RESPONSIBLE PARTY means the property owner and any other person or entity responsible for removing or seriously injuring a protected tree.

————— (51) REPLACEMENT TREE means a tree that is planted in accordance with Section 51A-10.134.

————— (52) ROOTPATH means a path constructed using aeration or drainage strips providing roots a route under pavement from a tree to an adjacent landscape area.

————— (53) SCREENING means screening that complies with Section 51A-4.602, except as those regulations may be expressly modified in this article.

————— (54) SECONDARY NATURAL AREA means undisturbed areas on a building site other than primary natural areas.

————— (55) SIGNIFICANT TREE means a protected healthy tree whose age, size, unique type, or natural or historical character are of special importance to the city, and meets the following species and size requirements:

————— (A) Post oaks with a minimum diameter of 12 inches.

————— (B) Trees of the following species having a minimum 24-inch diameter: American elm, bois d'arc, cedar elm, chittamwood, common persimmon, eastern red cedar, green ash, all other oaks, pecan, all walnut species, and white ash.

————— (56) SMALL TREE means a tree that typically attains a maximum height of 30 feet at maturity or is classified as a small tree by the director.

————— (57) SOIL means a medium that plants will grow in.

(47) PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include the following:

(A) A private street or alley.

(B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.

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(56) SMALL TREE means a tree that typically attains a maximum height of 30 feet at maturity or is classified as a small tree by the director.

(57) SOIL means a medium that plants will grow in.



— (58) ~~STAND~~ means a group of trees or other growth occupying a specific area that is sufficiently similar in species composition, size, age, arrangement, and condition, to be distinguishable from adjacent forest.

— (59) ~~SUSTAINABLE DEVELOPMENT INCENTIVE ("SDI")~~ means a method of compliance that applies sustainable development, tree preservation practices, and tree mitigation reductions.

— (60) ~~TOPPING~~ means the reduction of tree size using internodal cuts without regard to tree health or structural integrity.

— (61) ~~TREE CANOPY COVER~~ means the amount of ground area directly beneath a tree's crown to the drip line or the combined crowns of a stand of trees, measured in square feet.

— (62) ~~TREE REMOVAL PROPERTY~~ means the lot, parcel, right-of-way, or tract of land where a protected tree will be or has been removed or seriously injured.

— (63) ~~TREE SURVEY~~ means a report that meets all of the requirements for a tree survey in Section 51A-10.132.

— (64) ~~UNPROTECTED TREE~~ means the following:

— (A) Callery pear (all cultivars).

— (B) Chinaberry.

— (C) Chinese tallow.

— (D) Ilex species (except for yaupon holly and Possumhaw holly.)

— (E) Palm (all plants in *Palmae*).

— (F) Tree of heaven or *Ailanthus*.

— (G) Other trees listed as invasive plants.

— (H) Trees with a diameter of less than 10 inches at the point on the trunk 4.5 feet above the ground, located on a lot with an existing single family or duplex use that is occupied at the time of removal.

— (65) ~~UNRESTRICTED ZONE~~ means the area on a lot where tree mitigation is not required.

— (66) ~~URBAN STREETSCAPE~~ means the pedestrian-oriented street environment between the back of curb and building facade for frontages that have a required front yard of 15 feet or less in depth.

— (67) ~~WATER COURSE~~ means a natural or constructed channel for the flow of water.

(58) **STAND** means a group of trees or other growth occupying a specific area that is sufficiently similar in species composition, size, age, arrangement, and condition, to be distinguishable from adjacent forest.

(59) **SUSTAINABLE DEVELOPMENT INCENTIVE ("SDI")** means a method of compliance that applies sustainable development, tree preservation practices, and tree mitigation reductions.

(60) **TOPPING** means the reduction of tree size using internodal cuts without regard to tree health or structural integrity.

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(64) **UNPROTECTED TREE** means the following:

(A) **Callery pear (all cultivars).**

(B) **Chinaberry.**



(C) Chinese tallow.

(D) *Ilex* species (except for yaupon holly and Possumhaw holly).

(E) Palm (all plants in *Palmae*).

(F) Tree-of-heaven or *Ailanthus*.

(G) Other trees listed as invasive plants.

(H) Trees with a diameter of less than 10 inches at the point on the trunk 4.5 feet above the ground, located on a lot with an existing single family or duplex use that is occupied at the time of removal.

(65) UNRESTRICTED ZONE means the area on a lot where tree mitigation is not required.

(66) URBAN STREETSCAPE means the pedestrian-oriented street environment between the back of curb and building facade for frontages that have a required front yard of 15 feet or less in depth.

(67) WATER COURSE means a natural or constructed channel for the flow of water. (Ord. Nos. 19455; 20496; 22053; 25155; 30929; 31314)

#### SEC. 51A-10.102. PURPOSE.

The process of urban growth and development with its alteration of the natural topography, vegetation, and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the city can and should be protected through the conservation and enhancement of the unique natural beauty, environment, and vegetative space in this area. Recognizing that the general objectives of this article are to promote and protect the health, safety, and welfare of the public, the city council further declares that this article is adopted for the following specific purposes:

(1) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, ground-water recharge, and storm water runoff retardation and filtration, while at the same time aiding in noise, glare, wind, and heat abatement.

(2) To provide visual buffering between land uses of differing character to alleviate the harshness of urban life.

or removed trees by providing alternatives and options that will enhance the urban forest. (Ord. 30929)

**SEC. 51A-10.131.2. PLANNED  
DEVELOPMENT  
DISTRICTS.**

Deviations from this division require a three-quarters vote of the city council. (Ord. 30929)

**SEC. 51A-10.132. TREE REMOVAL  
APPLICATIONS.**

(a) Tree removal application and posting.

(1) Except as provided in this subsection, a responsible party must post either an approved tree removal application in accordance with this section or a building permit in a conspicuous place at the entrances to the tree removal property, before removing or seriously injuring a protected tree on that tree removal property.

(2) A tree removal application must be posted in a conspicuous place at the entrance to the tree removal property in conjunction with a demolition permit or a grading permit.

(3) For trees removed from public right-of-way, posting of the required tree removal application is not required.

(b) Application for review. An application required under this section must be filed with the building official on a form furnished by the city for that purpose. The application must include the following:

(1) General. The name, address, telephone number, and signature of the applicant. The applicant may be the owner of the tree removal property or a contracted agent acting for the owner.

(2) Owner information. The name, address, and telephone number of each tree removal property owner.

(3) Tree removal property information. The street address, zoning district, and any overlay district of the tree removal property.

(4) Tree survey or forest stand delineation. One of the following must be provided.

(A) A tree survey that shows the location, diameter, and name (both common and scientific) of all trees on the tree removal property (trees in close proximity that all have a diameter of less than eight inches may be designated as a "group of trees" with only the number noted), or an estimate of the total diameter inches of protected trees, calculated and documented using a tree sampling method determined by the building official to be reasonably accurate. The survey does not have to be prepared by a registered surveyor, architect, or landscape architect. Trees not proposed for removal or serious injury, or located further than 20 feet from proposed construction activity need not be shown on the survey unless the building official determines it would help evaluation of the application.

~~————— (B) A forest stand delineation ("FSD") used for the purpose of calculating the total square footage of forest canopy coverage of building sites and providing an ecological assessment of a property. An FSD must be approved by the building official. The building official shall determine the information required to be provided in an FSD. The FSD is applicable to and may be used to calculate:~~

~~————— (i) Tree canopy cover assessment for old-field tree stands and undeveloped lots, two acres or larger, in early succession stages when:~~

~~————— (aa) a stand, or partial stand, with a minimum of 60 percent Class 3, eastern red cedar, or unprotected trees is located in a proposed development impact area;~~

**(B) A forest stand delineation ("FSD") used for the purpose of calculating the total square footage of forest canopy coverage of building sites and providing an ecological assessment of a property. An**

FSD must be approved by the building official. The building official shall determine the information required to be provided in an FSD. The FSD is applicable to and may be used to calculate:

(i) Tree canopy cover assessment for old-field tree stands and undeveloped lots, two acres or larger, in early succession stages when:

(aa) a stand, or partial stand, with a minimum of 60 percent Class 3, eastern red cedar, or unprotected trees is located in a proposed development impact area;

~~(bb) the forest stand delineation excludes areas within 50 feet of a 100-year floodplain, 50 feet of a wetland, 50 feet of an escarpment zone, or 150 feet of a stream bank;~~

~~(cc) the trees in the stand, or partial stand, is designated in an age class of 60 years or less by the building official based on site and historical data; and~~

~~(dd) the stand is assessed and surveyed using tree sampling methods which provide general species quantity and tree size determinations based on the use of quadrat plots, a transect line sampling method, point-quarter sampling method, or other method approved by the building official.~~

~~(ii) Tree canopy cover credit for single family and duplex construction.~~

~~(iii) Tree canopy cover assessment of development impact areas in conjunction with sustainable development incentives.~~

~~(iv) Tree canopy cover assessment on properties five acres or larger with institutional and community service uses or recreation uses when the measured tree canopy coverage is the baseline for determining the number of trees required for replacement when using the canopy cover replacement calculation for legacy trees in Section 51A-10.134(c)(7).~~

~~(v) Forest analysis for baseline documentation to create a conservation easement.~~

~~(vi) Tree canopy cover assessment where trees are removed without authorization.~~

(bb) the forest stand delineation excludes areas within 50 feet of a one-percent chance floodplain, 50 feet of a wetland, 50 feet of an escarpment zone, or 150 feet of a stream bank;

(cc) the trees in the stand, or partial stand, is designated in an age class of 60 years or less by the building official based on site and historical data; and

(dd) the stand is assessed and surveyed using tree sampling methods which provide general species quantity and tree size determinations

based on the use of quadrat plots, a transect line sampling method, point-quarter sampling method, or other method approved by the building official.

(ii) Tree canopy cover credit for single family and duplex construction.

(iii) Tree canopy cover assessment of development impact areas in conjunction with sustainable development incentives.

(iv) Tree canopy cover assessment on properties five acres or larger with institutional and community service uses or recreation uses when the measured tree canopy coverage is the baseline for determining the number of trees required for replacement when using the canopy cover replacement calculation for legacy trees in Section 51A-10.134(c)(7).

(v) Forest analysis for baseline documentation to create a conservation easement.

(vi) Tree canopy cover assessment where trees are removed without authorization.

(5) All permits and approvals related to floodplain, wetland, or escarpment regulations required by city departments or other agencies.

(6) Any other reasonable and pertinent information that the building official determines to be necessary for review.

(i) The building official shall not waive mitigation of protected trees for non-required off-street parking spaces. The number of inches waived must be reduced on a pro-rata basis determined by the percentage of non-required parking spaces provided in the parking area. (Example: If the number of parking spaces required is 450; and 521 spaces are being provided on the lot, then the tree mitigation requirements shall not be waived for the 71 excess parking spaces. [ $71/450=15.78\%$ ]).

(ii) The building official shall not waive mitigation of protected trees for an area greater than 70 percent of the tree removal property. Trees must be mitigated on a pro-rata basis if the development impact area exceeds 70 percent of the tree removal property. (Example: If the development impact area is 85 percent of the tree removal property, 15 percent of the trees removed must be mitigated, [ $0.85-0.70=0.15$ ]).

(C) Significant trees. Any significant tree on the tree removal property removed or seriously injured must be replaced and is not eligible for this mitigation waiver.

(D) Primary natural area. The development impact area waiver may not include trees within a primary natural area.

(E) Special exception. A tree removal property with a waiver must fully comply with the minimum landscape requirements without a special exception.

(F) Completion. No waiver is complete until the tree removal property passes a final tree mitigation inspection or landscape inspection and obtains a permanent certificate of occupancy.

(G) Denial. The building official shall deny a development impact area waiver if the building official determines that the owner is in violation of any of the applicable requirements of this division during the period between initial review and final tree mitigation or landscape inspection. If a waiver is

denied, the required tree replacement must be completed in accordance with Section 51A-10.134. (Ord. Nos. 22053; 25155; 30929; 31314)

#### SEC. 51A-10.133. HISTORIC TREES.

(a) A property owner must agree, on a form approved by the director, to have a tree designated as historic before the historic designation can be approved by city council.

(b) Except as provided in this section, historic status lasts for the life of the tree.

(c) A certified copy of the resolution declaring a tree historic must be filed in the deed records of the county where the historic tree is located.

(d) Except as provided in Section 51A-10.140, historic trees may only be removed by authorization of the city council. (Ord. 30929)

#### SEC. 51A-10.133.1. TRANSPLANTED TREES.

(a) Procedure. Established and healthy protected trees on a tree removal property may be transplanted within the city. The transplanting process must conform to operational and safety standards stated in ANSI A300 (Part 6), as amended, and with ISA Best Management Practices for Tree Planting, as amended.

(1) A protected tree that meets the requirements of this section is not considered removed, or seriously injured, if the transplanted tree is planted and maintained in a healthy growing condition.

(2) Building official approval is required before beginning the transplantation for credit as a landscape tree, for tree replacement, or for acceptance in tree canopy coverage measurements.

(3) The following information is required to obtain building official approval.

(D) The operator is responsible for the cost and fees associated with pre-drilling and post-drilling soil sampling collection and analysis.

(2) Baseline.

(A) The licensed third-party contractor retained by the city must collect and analyze a minimum of five soil samples at locations across the operation site with at least two samples at or adjacent to any proposed equipment to be used on the operation site and analyzed in accordance with this subsection.

(B) If permission to access private property and conduct the baseline study is granted, a minimum of five soil samples must be collected at locations across each property located within 2,000 feet of the boundary of the operation site and analyzed in accordance with this subsection. If permission to access private property and conduct the baseline study is not granted, a baseline study of soil conditions is not required for that property.

(C) The soil sample baseline study analyses must include:

- (i) a description of the point samples and GPS coordinates of each location;
- (ii) planned equipment above the sampled area, if applicable;
- (iii) methodology of sample collection;
- (iv) description of field condition;
- (v) summary of laboratory data results compared to the minimum acceptable soil sampling criteria;
- (vi) copies of all laboratory data sheets;
- (vii) drawings of sample points; and

(viii) analysis of the following: TPH, VOCs, SVOCs, chloride, barium, chromium, and ethylene glycol.

(3) Post-drilling.

(A) After the drilling of each well, the licensed third-party contractor retained by the city must collect and analyze soil samples across the operation site and analyzed in accordance with this subsection.

(B) Additionally, the city, using its licensed third-party contractor, may conduct soil sampling during inspections to document soil quality at the operation site.

(4) Abandonment. When the operation site is abandoned in accordance with the Texas Railroad Commission requirements and Section 51A-12.205 and after the equipment for that well is removed from the operation site, the operator shall collect soil samples of the abandoned operation site to document that the final conditions are within regulatory requirements.

(5) Remediation. If prohibited amounts of a hazardous substance are found at the operation site, the operator shall remediate the location within 30 days. After the operator remediates the operation site, the city, using its licensed third-party contractor, must collect and analyze soil samples at locations on the operation site as are necessary to determine compliance.

(u) Storage and vehicle parking. The only items that may be stored and vehicles that may be parked on the operation site are those that are necessary to the everyday operation of the well and do not constitute a fire hazard. The fire department shall determine what constitutes a fire hazard.

(v) Vector control. The operator must comply with the vector control plan approved as part of the gas well permit and all city ordinances, rules, and regulations regarding mosquito larvae within a fresh-water fracturing pond or elsewhere on the operation site. (Ord. Nos. 26920; 28424; 29228; 29557; 30239; 30654; 31314)

**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>
30994 (Cont'd)			30	Amends 51A-8.611(c)(6)
			31	Amends 51A-8.611(d)(1)
			32	Amends 51A-8.611(d)(2)(D)
			33	Amends 51A-8.611(d)(2)(F)
			34	Amends 51A-8.611(d)(3)(B)
31040	11-14-18		2	Amends 51A-1.105(l)
			3	Adds Div. 51A-9.500, 51A-9.501 thru 51A-9.507
31041	11-14-18		2	Adds 51A-4.217(8.1)
31079	12-12-18		1	Amends 51A-7.1201
			2	Amends 51A-7.1203(a)(23)
			3	Amends 51A-7.1203(a)(33)
			4	Amends 51A-7.1205(c)
			5	Amends 51A-7.1207(a)(1)
			6	Amends 51A-7.1208(b)(1)
			7	Adds 51A-7.1214.3
31109	1-23-19		1	Amends 51A-5.102(a)(3)
31152	3-27-19		7	Amends 51A-4.116(a)(4)
			8	Amends 51A-4.116(b)(4)
			9	Amends 51A-4.116(c)(4)
			10	Amends 51A-4.125(d)(4)
			11	Amends 51A-4.125(e)(4)
			12	Amends 51A-4.125(f)(4)
			13	Adds Div. 51A-4.1110
31174	4-10-19		1	Adds 51A-4.511
31191	4-24-19		1	Amends 51A-7.901.1(a)
			2	Adds 51A-7.901.1(j)
			3	Adds 51A-7.903(21.1)
			4	Adds 51A-7.903(21.2)
			5	Amends title preceding 51A-7.907
			6	Amends 51A-7.911(a)(3)
			7	Adds 51A-7.911(h)
31203	5-8-19		1	Amends 51A-7.1007.2(c)(6)
31204	5-8-19		1	Amends 51A-7.1007.1(c)(6)
31265	6-26-19		1	Amends 51A-7.1501
			2	Amends 51A-7.1502(b)
31314	9-11-19		1	Amends 51A-4.803(d)(1)
			2	Amends 51A-5.101(a)
			3	Amends 51A-5.104(c)(12)
			4	Amends 51A-5.105(i)
			5	Amends 51A-5.206(b)(2)
			6	Amends 51A-8.506(c)
			7	Amends 51A-8.507(b)(8)
			8	Amends 51A-8.601(b)
			9	Amends 51A-8.602(d)



10	Amends 51A-8.604(a)
11	Amends 51A-8.604(c)
12	Amends 51A-8.606(b)
13	Amends 51A-8.611(a)(2)
14	Amends 51A-8.611(a)(5)
15	Amends 51A-8.611(c)
16	Amends 51A-8.611(d)(1)
17	Amends 51A-8.611(e)(2)
18	Amends 51A-8.702(d)
19	Amends 51A-10.101
20	Amends 51A-10.132(b)(4)(B)
21	Amends 51A-12.204(g)(1)(D)

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