

CITY OF DALLAS, TEXAS

CODE OF ORDINANCES

VOLUME I

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ARTICLE VII.

DEPARTMENT OF CODE COMPLIANCE.

SEC. 2-71. CREATED; DIRECTOR OF CODE COMPLIANCE.

(a) There is hereby created the department of code compliance of the city of Dallas, at the head of which shall be the director of code compliance 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 code compliance and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager.

(b) Whenever the director or department of streets, sanitation, and code enforcement services is referred to in relation to a code enforcement responsibility in this code or in any other city ordinance, the term means the director or department of code compliance. (Ord. 23666)

SEC. 2-72. DUTIES OF THE DIRECTOR OF CODE COMPLIANCE.

The director of the department of code compliance shall perform the following duties:

(1) Supervise and administer the department of code compliance.

(2) Supervise and administer code enforcement programs of the city, except as otherwise provided by the city manager.

(3) Perform such other duties as may be required by the city manager or by ordinance of the city council. (Ord. Nos. 23666; 28424; 30240)

ARTICLE VII-a.

OFFICE OF MANAGEMENT SERVICES.

SEC. 2-73. CREATED; DIRECTOR OF MANAGEMENT SERVICES.

There is hereby created a division of the city manager's office to be known as the office of management services, the head of which shall be the director of management services who shall be appointed by the city manager. The office of management services will be composed of the director of management services and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. Nos. 25517; 27697)

SEC. 2-74. DUTIES OF THE DIRECTOR OF MANAGEMENT SERVICES.

The director of management services shall perform the following duties:

(1) Supervise and administer the office of management services.

(2) Supervise and administer vital statistics.

(3) Perform such other duties as may be required by the city manager or by ordinance of the city council. (Ord. Nos. 25517; 27697; 30675)

ARTICLE VII-b.

RESERVED OFFICE OF DATA ANALYTICS AND BUSINESS INTELLIGENCE.

~~SECS. 2-75 THRU 2-75.1. RESERVED.~~

~~—(Repealed by Ord. 30994)~~

SEC. 2-75. CREATED; DIRECTOR OF DATA ANALYTICS AND BUSINESS INTELLIGENCE.

There is hereby created a division of the city manager's office to be known as the office of data

analytics and business intelligence, the head of which shall be the director of data analytics and business intelligence, 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 data analytics and business intelligence and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. 31658)

SEC. 2-75.1. DUTIES OF THE DIRECTOR OF DATA ANALYTICS AND BUSINESS INTELLIGENCE.

The director of data analytics and business intelligence shall perform the following duties:

(1) Supervise and administer the office of data analytics and business intelligence.

(2) Perform such other duties as may be required by the city manager or by ordinance of the city council. (Ord. 31658)

(c) Whenever the director of finance is referred to in the city charter, this code, or any other city ordinance, the term means the chief financial officer.

(d) Whenever the director of public utilities or the director of consumer services is referred to in a franchise granted by the city, those terms mean the chief financial officer. (Ord. Nos. 22026; 23694; 24410; 27697)

ARTICLE XV-a.

CITY CONTROLLER'S OFFICE.

SEC. 2-135. CREATED; CITY CONTROLLER AS HEAD OF OFFICE.

There is hereby created a division of the city manager's office to be known as the city controller's office of the city, the head of which shall be the city controller who shall be appointed by the city manager. The city controller must be a person professionally competent by experience and training to manage the office. The office shall be composed of the city controller and such other assistants and employees as the city council may provide upon recommendation of the city manager. (Ord. 27697)

SEC. 2-135.1. DUTIES OF THE CITY CONTROLLER.

The city controller shall perform the following duties:

- (1) Supervise and administer the city controller's office.
- (2) Direct the accounting function of the city and specifically:

(A) establish and maintain an adequate and efficient accounting and financial information system for the city;

(B) maintain comprehensive accounts of all real, personal, and mixed property of the city; and

(C) maintain comprehensive accounts of all receipts and disbursements of money, separating under proper headings each source of receipt and the cause of each disbursement.

(3) Prepare and transmit regular reports detailing the activities of all city departments, including but not limited to:

(A) a summary statement of the revenues and expenses of the preceding period, transmitted to the city manager, detailed as to the appropriations and funds, in such manner as to show the financial condition of the city and of such department, division, and office as of the last day of the period, reflecting the condition of each of the city funds, showing the budget appropriation, the amount expended to the date of the report, and the unexpended balance; and

(B) periodic and annual financial reports, including an annual balance sheet.

(4) Perform such other duties as may be required by the city manager or by ordinance of the city council. (Ord. 27697)

ARTICLE XV-b.

OFFICE OF BUDGET AND MANAGEMENT SERVICES.

SEC. 2-135.2. CREATED; DIRECTOR OF BUDGET AND MANAGEMENT SERVICES.

~~There is hereby created a division of the city manager's office to be known as the office of budget of~~

~~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.~~

There is hereby created a division of the city manager's office to be known as the office of budget and management services of the city of Dallas, at the head of which shall be the director of budget and management services, 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 management services and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager. (Ord. Nos. 27697; 30654; 31658)

SEC. 2-135.3. DUTIES OF THE DIRECTOR OF BUDGET AND MANAGEMENT SERVICES.

~~— 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.~~

The director of budget and management services shall perform the following duties:

(1) Supervise and administer the office of budget and management services.

(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; 31658)

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

(a) Definitions.

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

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

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

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

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

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

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

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

(b) Stormwater drainage utility rates.

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

IMPERVIOUS AREA (in square feet)	MONTHLY RATE
up to 2,000	\$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 \$2.10 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.~~

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

IMPERVIOUS AREA (in square feet)	MONTHLY RATE
up to 2,000	\$4.25
2,001 - 3,500	\$6.76
3,501 - 5,500	\$10.11
more than 5,500	\$16.53

(2) The stormwater drainage charge for all other benefitted properties not defined as residential-benefitted property is an amount equal to \$2.29 per month for each 1,000 square feet, or parts thereof, of impervious area of the benefitted property, with a minimum charge of \$6.53 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~~; 31657)

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)

CHAPTER 6A

AMUSEMENT CENTERS

- Sec. 6A-1. Definitions.
 Sec. 6A-2. License required.
 Sec. 6A-3. Reserved.
 Sec. 6A-4. License application.
 Sec. 6A-5. Fee.
 Sec. 6A-6. License display, replacement, and transferability.
 Sec. 6A-7. Refusal to issue or renew license.
 Sec. 6A-8. License revocation.
 Sec. 6A-9. Appeal from refusal to issue or renew license; from decision to revoke license.
 Sec. 6A-10. Hours of operation.
 Sec. 6A-11. Responsibility of licensee.

SEC. 6A-1. DEFINITIONS.

In this chapter:

(1) AMUSEMENT CENTER means a business establishment in which at least 25 percent of the public floor area is devoted to coin-operated amusement devices and their public use. If a billiard hall, as defined in Chapter 9A of this code, occupies a portion of a business establishment, the billiard hall floor area shall not be included in determining the total public floor area of the establishment.

~~— (2) COIN-OPERATED AMUSEMENT DEVICE means a machine or device operated by insertion of a coin, token or similar object, for the purpose of amusement or skill. This term does not include:~~

~~— (A) musical devices;~~

~~— (B) billiard tables;~~

~~— (C) machines designed exclusively for children; or~~

~~— (D) devices designed to train persons in athletic skills or golf, tennis, baseball, archery, or other similar sports.~~

(2) COIN-OPERATED AMUSEMENT DEVICE means a machine or device operated by electronic transfer of funds or by insertion of a coin, bill, token, card, or similar object, for the purpose of amusement or skill. This term does not include:

(A) musical devices;

(B) billiard tables;

(C) machines designed exclusively for children; or

(D) devices designed to train persons in athletic skills or golf, tennis, baseball, archery, or other similar sports.

(3) CHIEF OF POLICE means the chief of police of the city of Dallas or his designated agent.

(4) LICENSEE means a person licensed to operate an amusement center.

(5) OPERATOR means a person who manages or controls an amusement center.

(6) PERSON means an individual, assumed name entity, partnership, joint-venture, association, or other legal entity. (Ord. Nos. 14736; 14932; 31620)

SEC. 6A-2. LICENSE REQUIRED.

No person may operate an amusement center in the city without first obtaining a license from the chief of police. (Ord. 14736)

SEC. 6A-3. RESERVED.

(Repealed by Ord. 22140)

SEC. 6A-4. LICENSE APPLICATION.

(a) An applicant for a license shall file with the chief of police a written application on a form

CHAPTER 12**CITY YOUTH PROGRAM
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- Sec. 12-1. Purpose.
- Sec. 12-2. Expiration date.
- Sec. 12-3. Definitions.
- Sec. 12-4. Administration.
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- Sec. 12-6. Enrollment.
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- Sec. 12-17. Safety.
- Sec. 12-18. Fire.
- Sec. 12-19. Health.

ARTICLE I.**GENERAL.****SEC. 12-1. PURPOSE.**

This chapter and the standards of care established by this chapter are adopted by the city council of the city of Dallas, Texas in compliance with Section 42.041(b)(14) of the Texas Human Resources Code, as amended, in order to exempt city youth programs from state child-care licensing requirements. These standards of care are intended to be minimum standards by which the city will operate its youth programs. The programs operated by the city are recreational in nature and are not child-care facilities. Although this chapter establishes standards of care for city youth programs for children of ages five through 13 years, nothing in this chapter requires the city to provide any youth programs, or prevents the city from limiting youth programs to specific age groups within the five- through 13-year-old range. (Ord. Nos. 23159; 23534; 23907; 24281; 24611; 24943; 25269; 25628; 25998; 26376; 26800; 27222; 27565; 27911; 28217; 28670; 29036; 30106; 30650)

SEC. 12-2. EXPIRATION DATE.

This chapter and the youth program standards of care established in this chapter expire on September ~~12, 2019~~, 9, 2021, unless sooner terminated or extended by ordinance of the city council. (Ord. Nos. 23159; 23534; 23907; 24281; 24611; 24943; 25269; 25628; 25998; 26376; 26800; 27222; 27565; 27911; 28217; 28670; 29036; 29358; 30106; 30650; 30976; 31647)

CHAPTER 12B**CONVENIENCE STORES****ARTICLE I.****GENERAL PROVISIONS.**

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- Sec. 12B-2. Definitions.
- Sec. 12B-3. Authority of chief of police, fire department, and department of code compliance.
- Sec. 12B-4. Delivery of notices.
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- Sec. 12B-18. Store visibility.
- Sec. 12B-19. Employee safety training; telephone access.
- Sec. 12B-20. Trespass affidavits.
- Sec. 12B-21. Coin-operated amusement devices prohibited.

ARTICLE I.**GENERAL PROVISIONS.****SEC. 12B-1. PURPOSE OF CHAPTER.**

The purpose of this chapter is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. To this end, this chapter establishes a registration program for convenience stores and provides requirements relating to surveillance camera systems, video recording and storage systems, alarm systems, drop safes, security signs, height markers, store visibility, safety training programs, and trespass affidavits. (Ord. 27293)

SEC. 12B-2. DEFINITIONS.

In this chapter:

(1) **CERTIFICATE OF REGISTRATION** means a certificate of registration issued by the chief under this chapter to the owner or operator of a convenience store.

(2) **CHIEF** means the chief of the police department of the city or the chief's authorized representative.

(3) **CIGAR BAR** means a bar that derives 15 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or rental of tobacco, tobacco products, or smoking accessories for on-premises consumption.

(4) **CONVENIENCE GOODS** means basic food, household, tobacco products, paraphernalia, and pharmaceutical items.

(5) **CONVENIENCE STORE** means any business that is primarily engaged in the retail sale of

Convenience Stores

SEC. 12B-21. COIN-OPERATED AMUSEMENT DEVICES PROHIBITED.

Coin-operated amusement devices, as defined in Chapter 6A, are prohibited in a convenience store, including the sales floor, office, storage room, and back room areas, whether open or closed to the public.
(Ord. 31620)

[Intentionally left blank]

(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 - \$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.~~

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

(A) Alley or curb collection service for municipal solid waste - \$30.52 per dwelling unit per month for one roll-cart, plus \$11.81 per month for each additional garbage roll-cart requested by the owner or occupant of the premises.

(B) Packout or drive-in collection service for municipal solid waste - \$106.30 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 - \$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.~~

(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 - \$30.52 per apartment unit or mobile home space per month.

(B) Packout collection service for municipal solid waste - \$106.30 per apartment unit or mobile home space per month.

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

TABLE OF MONTHLY CHARGES

(Garbage & Recycling, per Section 18-9(b)(6), more than once a week)

	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

(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~~; **31657**)

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.

~~————— (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.~~

(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 - \$51.60 per load.

(B) Commercial pickups - \$51.60 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 \$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. Each ton shall be assessed an additional \$2.00 per ton customer processing fee for each individual load paid and processed by a cashier upon entering the landfill.~~

(2) Except as provided in Subsection (b)(3), the charge for all materials accepted at a city landfill site is \$34.20 per ton based on the landfill weighing

system, with a minimum charge of \$34.20 for any load that is less than one ton. Each ton shall be assessed an additional \$2.00 per ton customer processing fee for each individual load paid and processed by a cashier upon entering the landfill.

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

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

(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 - \$51.60 per load.

(B) Commercial pickups - \$51.60 per load.

(C) Trucks or trailers with a cargo bed length of less than 15 feet - \$120.00 per load.

(D) Trucks or trailers with a cargo bed length of 15 feet or greater - \$257.40 per load.

(E) Roll-off containers, whether open top or compactor - \$274.80 per load.

(F) Compactor trucks - \$343.20 per load.

(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 \$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 and must be signed by the city manager and approved as to form by the city attorney.

(2) The disposal service contract must provide for a guaranteed annual tonnage of solid waste of not less than 10,000 tons to be disposed of at the landfill. The contractor shall not exceed the contracted guaranteed annual tonnage by more than 25 percent; this will be the contractor's maximum annual tonnage limit. Notwithstanding Subsection (b)(3) of this section, if the landfill weighing system is inoperable during a delivery of solid waste under the contract, the tonnage will be estimated by the city on the basis of the full capacity of the vehicle delivering the solid waste.

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

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

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

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

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

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

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

Disposal Service Contract Discount Rate				
SOLID WASTE DISPOSED OF AT THE LANDFILL DURING A CONTRACT YEAR (in tons)		DISCOUNT RECEIVED BASED ON THE CONTRACT TERM (in percentages)		
From	To	1 or 2 Year Contract Term	3 or 4 Year Contract Term	5 Year Contract Term
10,000	49,999	12.28%	13.60%	14.88%
50,000	74,999	14.24%	16.24%	20.16%
75,000	99,999	14.88%	17.56%	22.80%
100,000	124,999	15.60%	18.84%	25.40%
125,000	149,999	15.76%	19.16%	26.12%
150,000	199,999	15.84%	19.40%	26.52%
200,000	No maximum	16.00%	19.76%	27.16%

5,000	9,999	12.28%	13.60%	14.88%
10,000	49,999	17.81%	19.72%	21.58%
50,000	74,999	20.65%	23.55%	29.23%
75,000	99,999	21.58%	25.46%	33.06%
100,000	124,999	22.62%	27.32%	36.83%
125,000	149,999	22.85%	27.78%	37.87%
150,000	199,999	22.97%	28.13%	38.45%
200,000	No maximum	23.20%	28.65%	39.38%

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

(B) shall charge the full disposal service charge required by Subsection (c)(4), without a n y

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

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

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

(f) A person who refuses to pay a disposal service charge required by this section or who breaches a term or condition of a disposal service contract entered into under Subsection (c) may not deposit any waste at a city transfer station or landfill site. (Ord. Nos. 16367; 16697; 17133; 18876; 19300; 20448; 20838; 21058; 21431; 21819; 22206; 22565; 24743; 25754; 26960; 27092; 27203; 27353; 27934; 28019; 29039; 29477; 30215; 30993; 31332; 31396, ~~eff. 1/1/20~~ **31657**)

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

CHAPTER 28**MOTOR VEHICLES AND TRAFFIC****ARTICLE I.****IN GENERAL.**

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- Sec. 28-4. Authority to remove vehicles; redemption; fees.
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- Sec. 28-6. Reserved.
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- Sec. 28-11. Establishment and control.
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- Sec. 28-21. Intentional collisions.
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- Sec. 28-24. Authority to install.
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- Sec. 28-30. Display of unauthorized signs, signals or markings.
- Sec. 28-31. Interference with devices or railroad signs or signals.

Sec. 28-223. Hearing officers - powers, duties, and functions.

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Sec. 28-230. Failure to answer a civil school bus stop arm citation or appear at a hearing.

Sec. 28-231. Civil fines for school bus stop arm violations; penalties and other costs.

Sec. 28-232. Appeal from hearing.

Sec. 28-233. Effect of liability; exclusion of civil remedy; enforcement.

Sec. 28-234. Disposition of civil fines, penalties, and costs assessed for school bus stop arm violations.

ARTICLE XXI.

MISCELLANEOUS FEES.

Sec. 28-235. Engineering review and location fees.

ARTICLE I.

IN GENERAL.

SEC. 28-1. SHORT TITLE.

This chapter may be cited as the Dallas Traffic Ordinance. (Ord. 14584)

Department or any other licensing agency showing the name of the person to whom the license plates were issued. This proof shall constitute prima facie evidence of the fact that the person to whom such certificate of registration was issued was the driver of the automobile. This presumption may be rebutted by competent evidence. (Ord. 14584)

ARTICLE V.

TRAFFIC-CONTROL DEVICES.

SEC. 28-24. AUTHORITY TO INSTALL.

(a) The traffic engineer shall conduct studies and investigations of the public streets and highways within the city and shall determine those places on public streets and highways where a particular danger or hazard exists to motor vehicle traffic and pedestrian traffic and shall place and maintain traffic control signs, signals, and devices in accordance with these studies and determinations as required under this chapter and other traffic laws. In addition, the city manager, the director of transportation, the chief of police, the chief of fire-rescue, or personnel acting under their authority, and public contractors or their employees performing work pursuant to any federal, state, county, road district, or city contract, may place and maintain barricades, detour signs, or other warning devices at places where danger becomes apparent as a result of hazards caused by the weather or natural phenomena, defects, or obstructions in or near streets, alleys, sidewalks, parkways, parks, or other public places, as a result of building construction or demolition, or where street, alley, or sidewalk construction or repair is underway.

(b) The traffic engineer shall conduct studies and investigations of the public streets and highways within the city and, in accordance with these studies, recommend to the city council those places on public streets and highways where permanent traffic diverters should be located. After the city council approves a

location, the department of transportation is authorized to install and maintain permanent traffic diverters at the approved location. (Ord. Nos. 14584; 14900; 22026; 23694; 28424; 30239; 30654)

SEC. 28-24.1. TRAFFIC BARRICADE MANUAL.

(a) The traffic engineer is authorized to prescribe a traffic barricade manual, conforming to the *Texas Manual on Uniform Traffic Control Devices approved by the Texas Transportation Commission*, for providing barricades, warning signs, and other traffic control devices that alert the public to hazards caused by construction, repair, pavement excavation or cuts, or other uses requiring closure of any portion of a public street or public right-of-way.

(b) A person commits an offense if he fails to comply with any provision of the city's traffic barricade manual while occupying a public street or public right-of-way for the purpose of construction, repair, pavement excavation or cuts, or other uses requiring closure of any portion of the public street or public right-of-way.

(c) It is a defense to prosecution under Subsection (b) that the provision of the city's traffic barricade manual was superseded by a provision of the *Texas Manual on Uniform Traffic Control Devices*, and the person was complying with the state provision.

(d) A person convicted of an offense under Subsection (b) of this section is punishable by a fine of \$500. (Ord. Nos. 15124; 19749; 27294)

SEC. 28-24.2. FEES FOR PLAN REVIEWS AND FIELD ADJUSTMENTS.

Fees for traffic signal plan review, traffic control plan review, traffic signals field adjustments, and street lights plan review.

(1) **The fee shall be paid to the director when the application is filed. An application will not be processed until the fee has been paid.**

(2) **The director shall deposit fees in the official city depository not later than the next business**

day following receipt of the fees.

(3) No refund of the fee may be made.

(4) Fee schedule.

Type of Application	Application Fee
Traffic signal plan review	\$1,000.00
Traffic control plan review	\$1,000.00
Traffic signals field adjustments	\$1,500.00
Street lights plan review	\$500.00

(Ord. 31657)

**SEC. 28-25. AUTHORIZED
INSTALLATION PRESUMED.**

In any prosecution for violation of this chapter, the authorized installation of a traffic control device or signal shall be presumed. (Ord. 14584)

penalties, and costs ordered by the hearing officer. An appeal petition must be accompanied by a notarized statement in which the vehicle owner agrees to pay all civil fines, penalties, and costs ordered by the hearing officer, if the person is still found liable by the municipal court upon appeal.

(e) At an appeal hearing, the civil school bus stop arm citation and the recorded images produced by the photographic school bus stop arm enforcement system are prima facie proof of the school bus stop arm violation, and the enforcement officer or other authorized person who issued the citation is not required to be present unless requested by the vehicle owner.

(f) At an appeal hearing, the reliability of the photographic school bus stop arm enforcement system used to produce the recorded images of the school bus stop arm violation may be attested to by affidavit of an officer or employee of the city, or of the entity with which the city contracts to install or operate the system, who is responsible for inspecting and maintaining the system. An affidavit of an officer or employee of the city that alleges a school bus stop violation based on an inspection of the pertinent recorded images is admissible in a proceeding under this article, is evidence of the facts contained in the affidavit, and is prima facie evidence of the violation alleged in the school bus stop arm citation. (Ord. 28654)

**SEC. 28-233. EFFECT OF LIABILITY;
EXCLUSION OF CIVIL
REMEDY; ENFORCEMENT.**

(a) The imposition of a civil fine under this article is not a conviction or criminal offense and may not be considered a conviction or criminal offense for any purpose. Failure to timely pay a civil fine under this article may not result in an arrest warrant being issued for the vehicle owner and may not be recorded on the owner's driving record.

(b) A civil fine may not be imposed under this article on the owner of a motor vehicle if the operator of the vehicle was arrested or was issued a criminal citation by a peace officer under Section 545.066 of the Texas Transportation Code, as amended, for the school bus stop arm violation recorded by the photographic school bus stop arm enforcement system.

(c) The city attorney is authorized to file suit or take other action to collect any civil fines, penalties, and costs assessed under this article. (Ord. 28654)

**SEC. 28-234. DISPOSITION OF CIVIL
FINES, PENALTIES, AND
COSTS ASSESSED FOR
SCHOOL BUS STOP ARM
VIOLATIONS.**

Civil fines, penalties, and costs assessed under this article must be used to fund the automated school bus stop arm enforcement program, other programs designed to further student safety, and other traffic safety projects and improvements. (Ord. 28654)

ARTICLE XXI.

MISCELLANEOUS FEES.

**SEC. 28-235. ENGINEERING REVIEW AND
LOCATION FEES.**

(a) The following fees must be paid to the director when the application is filed. An application will not be processed until the fee has been paid.

Type of Application	Application Fee
311-T Review	\$2,500.00
Utilities Location	1,000.00

(b) The director shall deposit fees in the official city depository not later than the next business day following receipt of the fees.

(c) No refund of the fee may be made.

(d) Fee schedule.
(Ord. 31657)

vehicles will be parked for compensation, if the property owner is different from the applicant;

(5) the address of the property on which motor vehicles will be parked for compensation and the extent of the area on which the business is to operate;

(6) proof of ownership of the property on which motor vehicles will be parked for compensation, or, if the applicant is not the property owner, a current notarized statement from the owner authorizing the operation of the business on the property;

(7) an agreement to indemnify the city and its officers and employees against all claims of damage or injury to persons or property, whether public or private, arising out of the parking of motor vehicles by the applicant, or by the applicant's agents or representatives, for compensation within the Fair Park parking area;

(8) the signature of the applicant (if the applicant is a corporation, the signature of a duly authorized officer and, if the applicant is a partnership, the signature of one of the partners); and

(9) any other information the director considers necessary to the enforcement and implementation of this division. (Ord. Nos. 4037; 16703; 22067; 29102)

SEC. 32-24. INVESTIGATION OF APPLICATION.

Upon the filing of a properly filled out application for a Fair Park parking license, the director shall make or cause to be made such investigation as is deemed necessary to determine the fitness of the applicant for a license. (Ord. Nos. 4037; 4124; 21037; 22067; 29102)

SEC. 32-25. ISSUANCE OF LICENSE; EXPIRATION.

(a) Upon approving the license application and receiving payment of the license fee required by this

division, the director shall issue a Fair Park parking license to the applicant.

(b) The issuance of a license under this division permits premises to be used as a parking area only during the period of the state fair of Texas and any designated special event, although the premises are not zoned for such use under the Dallas Development Code. Within the area bounded by Fitzhugh Avenue, the T. and P. Railroad, Metropolitan Avenue, and R. B. Cullum Boulevard, parking must be limited to driveways and vacant lots.

(c) No license may be issued under this division during an event in progress unless the director received the license application at least five business days before the day the event began.

(d) The issuance of any license under this division does not grant or confer any vested right to the licensee or operator, but is subject to revocation or cancellation as provided in this division.

(e) A Fair Park parking license expires May 31 of each year and may be renewed by making application in accordance with Section 32-23. A licensee shall apply for renewal at least 30 days before the expiration of the license. (Ord. Nos. 4037; 4124; 16703; 22067; 29102)

SEC. 32-26. LICENSE FEE.

~~—The annual fee for a Fair Park parking license is \$25. No refund of a license fee will be made.~~

The annual fee for a Fair Park parking license is \$100. No refund of a license fee will be made. (Ord. Nos. 4037; 16703; 18411; 22067; 29102; **31657**)

SEC. 32-27. LICENSE REVOCATION; APPEAL.

In addition to any other penalties, the director may revoke a Fair Park parking license if the director determines that a licensee has violated any provision of this division. A licensee may appeal the revocation

the applicant must pay the license fee and obtain the license. The chief of police's approval of the issuance of a license does not authorize the applicant to operate a sexually oriented business until the applicant has paid all fees required by this chapter and obtained possession of the license.

(e) The license, if granted, must state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the sexually oriented business. The license must be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time. (Ord. Nos. 19196; 19377; 20552; 21629; 21838; 24206; 24440; 24699; 27139; 27697)

SEC. 41A-6. FEES.

(a) The annual fee for a sexually oriented business license is \$1,097.

~~—(b) In addition to the fees required by Subsection (a) and (c), an applicant for an initial sexually oriented business license shall, at the time of making application, pay a nonrefundable fee of \$3,175 for the city to conduct a survey to ensure that the proposed sexually oriented business is in compliance with the locational restrictions set forth in Section 41A-13.~~

(b) In addition to the fees required by Subsection (a) and (c), an applicant for an initial sexually oriented business license shall, at the time of making application, pay a nonrefundable fee of \$1,198 for the city to conduct a survey to ensure that the proposed sexually oriented business is in compliance with the locational restrictions set forth in Section 41A-13.

(c) In addition to the fees required by Subsections (a) and (b), an applicant for an initial sexually oriented business license shall, at the time of making application, pay a nonrefundable fee of \$90 for the chief of police to obtain a letter of zoning verification to ensure that the proposed sexually oriented business is permitted in the zoning district in which it will be located. The chief of police shall request and obtain the letter of zoning verification from the department of sustainable development and construction within 30 days after receipt of the license application. For any sexually oriented business holding a valid license on October 25, 2000, this subsection will apply to the first renewal of that license issued after

October 25, 2000. (Ord. Nos. 19196; 20612; 21838; 22206; 24051; 24440; 24699; 25047; 25048; 25909; 27697; 29477; 30653; 31657)

(A) the applicant;

(B) if the applicant is a lessee, the property owner; and

(C) any independent contractor the applicant will use to provide valet parking service;

(2) the proposed location of the valet parking service and any valet parking service stands;

(3) the number of spaces requested to be reserved for the valet parking service, each space being 22 feet long, if parallel to the curb, or nine feet wide, if head in to the curb; as a rule, three spaces must be reserved unless the director determines that, because of special traffic conditions, a greater or lesser number of spaces is needed to efficiently operate the valet parking service;

(4) the proposed hours and days of operation of the valet parking service;

(5) the location of off-street parking to be used in connection with the valet parking service and a signed agreement or other documentation showing that the applicant has a legal right to park vehicles at that location;

(6) proof of insurance required by Section 43-126.12; and

(7) a list of names and addresses of all property owners, or their representatives, located within 50 feet of, on the same side of the street as, and within the same block as the valet parking service location, either:

(A) with signatures showing consent to the operation of a valet parking service by the applicant; or

(B) without signatures, in which case the director shall notify the listed persons of the valet parking service application and obtain comments.

(d) The director shall forward a copy of any completed application to any person required to be notified under Subsection (c)(7) and to the departments of public works, sanitation services, code compliance, sustainable development and construction, planning and urban design, and risk management, and to any other department that might be affected by the proposed operation of a valet parking service. Each department, and any other notified persons, shall review the application and return it, with any comments, to the director within 30 days of receipt.

(e) After reviewing the application and comments of the departments and of any person notified in accordance with Subsection (c)(7), and upon receiving payment of all fees required by this division, the director may issue a valet parking service license unless denial is required by Section 43-126.7.

(f) A licensee desiring to change the location or hours of operation of a valet parking service must submit a new application to the director in accordance with this section. (Ord. Nos. 19190; 22026; 23694; 25047; 27697; 28424; 29478; 29882; 30239; 30654)

SEC. 43-126.6. FEES.

~~—(a) A nonrefundable application fee of \$25 must accompany each application for a valet parking service license.~~

(a) A nonrefundable application fee of \$800 must accompany each application for a valet parking service license.

(b) The annual fee for a valet parking service license is:

(1) if the valet parking service is being conducted inside the central business district, \$250 per space for the first six spaces reserved by the valet parking service, plus \$1,000 for each space over six reserved by the valet parking service; or

(2) if the valet parking service is being conducted outside the central business district, \$350 per space for the first two spaces reserved by the valet

parking service, plus \$1,000 for each space over two reserved by the valet parking service.

(c) No annual license fee is required if the valet parking service is conducted completely on private property and the public right-of-way is only used for maneuvering vehicles.

~~—(d) In addition to other fees required by this section, an applicant must pay \$25 for each sign or curb marking placed by the city at the valet parking service location in accordance with Section 43-126.14 of this division.~~

(d) In addition to other fees required by this section, an applicant must pay \$400 for each sign or curb marking placed by the city at the valet parking service location in accordance with Section 43-126.14 of this division.

(e) In addition to other fees required by this section, an applicant must pay an annual fee of \$50 if a valet parking service stand is placed on public right-of-way. (Ord. Nos. 19190; 19969; 25539; 31657)

SEC. 43-126.7. DENIAL OR REVOCATION OF LICENSE; TEMPORARY SUSPENSION.

(a) The director shall deny a valet parking service license if:

(1) the applicant fails to comply with the requirements of this division or other applicable law;

(2) the applicant makes a false statement of material fact on an application for a valet parking service license; or

(3) the director determines that the operation of the valet parking service would:

(A) endanger the safety of persons or property or otherwise not be in the public interest;

(B) unreasonably interfere with pedestrian or vehicular traffic;

(C) unreasonably interfere with the use of a pole, traffic sign, traffic signal, hydrant, mailbox, or

other object permitted at or near the proposed location of the valet parking service; or

(D) unreasonably interfere with an existing use permitted at or near the proposed location of the valet parking service.

(b) The director shall revoke a valet parking service license if:

(1) the licensee fails to comply with the requirements of the valet parking service license, this division, or other applicable law;

(2) the licensee made a false statement of material fact on an application for a valet parking service license; or

(3) the director determines that the operation of the valet parking service:

(A) endangers the safety of persons or property or is otherwise not in the public interest;

(B) unreasonably interferes with pedestrian or vehicular traffic;

(C) unreasonably interferes with the use of a pole, traffic sign, traffic signal, hydrant, mailbox, or other object permitted at or near the location of the valet parking service; or

(D) unreasonably interferes with an existing use permitted at or near the location of the valet parking service.

(c) The city council may, at any time, unconditionally revoke a valet parking service license issued pursuant to this division.

(d) The director may temporarily suspend the operations of a valet parking service if the public right-of-way reserved by the valet parking service is needed for an emergency or temporary use, including, but not limited to, the construction, maintenance, or repair of

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

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

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

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

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

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

(1) a customer charge; and

(2) a usage charge.

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

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

(1) Water Service Customer Charges.

<u>METER SIZE</u>	<u>RATE PER METER</u>
5/8-inch meter	\$5.33
3/4-inch meter	7.40
1-inch meter	10.78
1-1/2-inch meter	20.00
2-inch meter	32.54
3-inch meter	77.00
4-inch meter	126.62
6-inch meter	251.45
8-inch meter	418.53
10-inch meter or larger	642.66
5/8-inch meter	\$5.38
3/4-inch meter	\$7.47
1-inch meter	\$10.89
1-1/2-inch meter	\$20.20
2-inch meter	\$32.87
3-inch meter	\$77.77
4-inch meter	\$127.89
6-inch meter	\$253.96
8-inch meter	\$422.72
10-inch meter or larger	\$649.09

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

<u>TYPE OF USAGE</u>		
(A) Residential:		
(i)	Up to 4,000 gallons	\$1.86
(ii)	4,001 to 10,000 gallons	4.00
(iii)	10,001 to 20,000 gallons	6.50
(iv)	20,001 to 30,000 gallons	9.30
(v)	Above 30,000 gallons	10.70
(i)	Up to 4,000 gallons	\$1.88
(ii)	4,001 to 10,000 gallons	\$4.05
(iii)	10,001 to 20,000 gallons	\$6.59
(iv)	20,001 to 30,000 gallons	\$9.40

(v)	Above 30,000 gallons	\$10.86
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(B) General service:

(i)	Up to 10,000 gallons	3.73
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(ii)	Above 10,000 gallons	4.05
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(iii)	Above 10,000 gallons and 1.4 times annual average monthly usage	6.15
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(i)	Up to 10,000 gallons	\$4.22
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(ii)	Above 10,000 gallons	\$4.60
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(iii)	Above 10,000 gallons and 1.4 times annual average monthly usage	\$7.02
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(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) \$2,370.15 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.~~

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

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

(B) \$2,534.11 per month as a usage charge on the first 1,000,000 gallons used in a billing period; and

(C) \$3.89 per 1,000 gallons used in excess of 1,000,000 gallons per month.

(2) The customer must agree that consumption billed during any billing period ending in May, June, July, August, September, and October will not exceed 1.5 times the average monthly consumption billed in the previous winter months of December through March.

(3) To be eligible for the special rate, a customer's maximum hourly water usage during a seven-day period must not be greater than seven times the average hourly usage rate for the same seven-day period.

(4) If a customer's usage of water exceeds the amounts allowed under Subsection (f)(2) or (f)(3), the customer will be notified that the customer will be billed at the regular usage charge stated in Subsection (c) for a minimum of 12 months, and such additional time until the customer can demonstrate to the satisfaction of the director that the requirements of Subsection (f)(2) and (f)(3) can be maintained.

(5) The director may grant a variance to Subsection (f)(4) where special circumstances warrant.

~~(g) Adjusted rates for hidden water leaks. When a customer experiences a substantial increase in water or wastewater usage from a hidden water leak and the customer meets the requirements of Section 49-9(e), the director will adjust the account and bill the customer:~~

~~(1) an estimated amount of normal water usage for the period at the regular rate;~~

~~(2) the excess water usage caused by the hidden leak at the following applicable rate:~~

~~(g) Adjusted rates for hidden water leaks. When a customer experiences a substantial increase in water or wastewater usage from a hidden water leak and the customer meets the requirements of Section 49-9(e), the director will adjust the account and bill the customer.~~

~~(1) an estimated amount of normal water usage for the period at the regular rate;~~

~~(2) the excess water usage caused by the hidden leak at the following applicable rate:~~

and

~~(3) the applicable wastewater rate prescribed in Section 49-18.2(c), based on an adjustment of wastewater volume to estimated normal volume, where adjustment is appropriate.~~

(3) the applicable wastewater rate prescribed in Section 49-18.2(c), based on an adjustment of wastewater volume to estimated normal volume, where adjustment is appropriate.

TYPE OF USAGE		RATE PER 1,000 GALLONS
(A)	Residential	\$1.86
(B)	General service	3.73
(C)	Optional general service	3.65
(D)	Municipal service	2.75
(A)	Residential	\$1.88
(B)	General service	\$4.22
(C)	Optional general service	\$3.89
(D)	Municipal service	\$2.83

(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 \$2.75 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 \$2.83 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; 31657)

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
5/8-inch meter	\$4.83
3/4-inch meter	\$6.62
1-inch meter	\$9.54
1-1/2-inch meter	\$18.48
2-inch meter	\$28.79
3-inch meter	\$70.20
4-inch meter	\$112.53
6-inch meter	\$221.50
8-inch meter	\$369.75
10-inch meter	\$580.96

~~(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: \$4.00 per 1,000 gallons of water used.~~

~~(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.~~

(2) Monthly residential use charge: \$5.41 per 1,000 gallons of the average water consumption billed in the months of December, January, February, and March or the actual month's water consumption, whichever is less, up to a maximum charge of 40,000 gallons per month.

(3) Monthly general service usage charge: \$4.56 per 1,000 gallons of water used.

(4) Monthly usage charge for Section 49-18.1(f) customer: \$4.21 per 1,000 gallons of water used.

(5) Monthly general service usage charge for wastewater separately metered: \$4.26 per 1,000 gallons of wastewater discharged.

(6) Monthly surcharge for excessive concentrations of waste: an amount calculated in accordance with Sections 49-18.12, 49-48 and 49-49 of this chapter.

(7) Monthly surcharges for excessive concentrations of waste for wastewater separately metered: An amount calculated in accordance with Sections 49-18.12, 49-48 and 49-49 of this chapter.

~~—— (7) Monthly 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 \$2.75 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 \$2.92 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; **31657**)

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 evaporation, irrigation or water consumed in products, as illustrated by, but not limited to, cooling towers, boilers, lawn watering systems, or food products.

established by the highest rate of flow controller setting.

(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 \$0.3766 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 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 \$0.3959 per 1,000 gallons of water used, and the annual water year demand charge is \$291,422 per each mgd, as

~~———— (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:~~

(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 \$2.2107 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
3-inch	\$77.77
4-inch	\$127.89
6-inch	\$253.96
8-inch	\$422.72
10-inch or larger	\$649.09

~~———— (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.~~

(4) The rate for regular untreated water service to a governmental entity is \$0.8915 per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.3894 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 \$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.~~

(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 \$3.0679 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 21.6 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 \$0.3590 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.~~

(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 \$0.3321 per 1,000 gallons of water treated, and the annual water year demand charge is \$44,814 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; 31657)

SEC. 49-18.5. RATE FOR UNTREATED WATER.

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

(a) Regular rate. The charge for untreated water is \$0.8915 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.~~

(b) Interruptible rate. The charge for interruptible service is \$0.3894 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; **31657**)

SEC. 49-18.6. FEES FOR INSPECTION AND TESTING OF METERS AND BACKFLOW PREVENTION DEVICES.

(a) Meter inspection fees. No charge will be made for the first meter change or meter test requested by a customer at a single service connection within any 12-month period. For each additional meter change or meter test requested by a customer within a 12 month period that does not result in a finding that the meter over-registered in excess of 1-1/2 percent, the director shall charge the customer a fee according to the following schedule:

<u>Meter-Size</u>	<u>Fee</u>
5/8 to 1-inch	\$50.00
1-1/2 to 2-inch	\$35.00
Larger than 2-inch	Actual cost of change and test

(b) Meter replacement fees. A customer with an existing one-inch service and a 5/8-inch or 3/4-inch meter, who requests that the meter be increased to one inch, shall pay a fee of \$185. Any other customer requesting an increase in meter size up to but not greater than the size of the existing service shall pay a connection charge for the requested size meter in accordance with Section 49-18.7(a) and (b).

(c) Inspection fee for meter verification. An inspection under Section 49-9(d) is free if the director verifies a gross discrepancy or a customer requests not more than one inspection during any six-month period, otherwise the charge is \$15 for an inspection.

(d) Backflow prevention device inspection fees. The owner or person in control of premises on which a backflow prevention device is located must pay a fee to the city for the periodic inspection and testing as follows:

- | | | |
|-----|--------------------------------------------------------------------------------------|--------------|
| (1) | For any backflow prevention device | \$50.00 each |
| (2) | For each additional backflow prevention device inspected at the same site, same time | \$45.00 each |

(e) Exception. This section does not apply to a governmental entity that receives wholesale water or wastewater service. (Ord. Nos. 19201; 19300; 23289; 25049; 25385; 26135; 26479; 27355)

SEC. 49-18.7. SERVICE CONNECTION CHARGES.

~~(a) Water service installation and connection charge. The director shall charge for the installation of all water service connection at the following rates:~~

(a) Water service installation and connection charge. The director shall charge for the installation of all water service connection at the following rates:

(1) Water Service Installation Charges.

<u>Connection Size</u>	<u>Fee</u>
3/4-inch	\$3,600.00
1-inch	\$3,750.00
1 1/2-inch	\$4,800.00
2-inch	\$5,400.00
3/4-inch	\$3,790.00
1-inch	\$4,200.00
1 1/2-inch	\$5,580.00
2-inch	\$6,270.00

(2) Connecting Existing Water Service.

<u>Connection Size</u>	<u>Fee</u>
3/4-inch	\$820.00
1-inch	\$910.00
1 1/2-inch	\$1,830.00
2-inch	\$1,830.00
Up to 2-inch bullhead	\$2,580.00
3/4-inch	\$890.00
1-inch	\$950.00
1 1/2-inch	\$1,830.00

2-inch **\$1,940.00**

Up to 2-inch bullhead **\$2,590.00**

~~(b) Wastewater service installation and connection fees. Except as provided in Subsection (d), the city shall charge the following rates for the installation or connection of residential wastewater service lines:~~

(b) Wastewater service installation and connection fees. Except as provided in Subsection (d), the city shall charge the following rates for the installation or connection of residential wastewater service lines:

(1)	First wastewater service line installation and connection charge	\$3,110.00 \$4,060.00
(2)	For connecting existing wastewater service lines constructed by other persons	\$475.00

(c) Installation of large or commercial connections. In cases where the service connection involved is a water service connection larger than two inches or a wastewater service connection to a commercial, industrial or other non-residential service establishment, the following rules apply:

(1) If the director does not require the applicant to construct and install the service connection pursuant to Section 49-24(c)(4), the applicant shall pay the city an amount equal to the department's cost of constructing and installing the service connection. This amount is due prior to commencement of construction by the city.

(2) If the director requires the applicant to construct and install the service connection pursuant to Section 49-24(c)(4), the applicant shall pay a connection inspection fee of \$275 and shall bear all costs of construction and installation and the cost of any materials or appurtenances supplied by the department for construction or installation purposes. The connection inspection fee and amounts payable to the city for the cost of materials and appurtenances must be paid at the time of permit issuance.

(3) Unpaid charges due and owed to the city and other unpaid costs of construction incurred by the applicant under this subsection must be paid before the department will activate water or wastewater service to the property connected.

(d) Special residential wastewater connections. The connection charge procedures described in Subsections (e) and (f) of this section will apply to a residential wastewater service application when:

(1) wastewater service to the premises requires a deep cut connection;

(2) the service will be connected to a wastewater main located in a specific purpose easement obtained by the city; or

(3) a customer requests an additional wastewater service line or relocation of an existing wastewater service line.

(e) Fees for special residential wastewater connections. The director will furnish an estimate of cost to an applicant for a special residential wastewater service connection as described in Subsection (d) of this section. The applicant must deposit the estimated amount before the director will issue a permit for the connection. The final cost will be adjusted upon completion of the work, but in no event will the final cost be less than the flat charge stated in Subsection (b). Should the final cost of the work exceed the amount deposited, the director will furnish the party or parties making the deposit a statement showing the amount of the excess. The statement will constitute notice that the excess amount is due. The director may refuse or discontinue service to the property until full payment has been made for the work performed. Upon completion of the work, if final cost is less than the amount of estimate or deposit, a refund of the amount of overpayment will be immediately made to the party or parties from whom the deposit was received.

(f) Alternatives to Subsection (e). As an alternative to the procedure of Subsection (e), an applicant for a special residential wastewater service connection may request, and the director may furnish, a price at which the city will install a connection at the premises where service is desired, without regard to the actual cost of the installation. The price will never be less than the flat charge stated in Subsection (b). If the applicant agrees to pay this price, then he shall make full payment of this price to the director before work is begun on the installation and no further adjustments will be made.

(g) What constitutes cost in Subsections (e) and (f). The flat rate charge and the estimate of cost of any special residential wastewater service connection shall include all costs incidental to making the installation of

the service connection required, including the necessary repairs to pavement of any kind or character involved in making the service connection. The department shall make the necessary pavement repairs.

(h) Standard affordable housing refund. Whenever affordable housing units are provided as a part of a project in accordance with Division 51A-4.900 of the Dallas Development Code, as amended, the director shall authorize a refund of a percentage of the total service connection fees paid by the permittee for the project equal to the percentage of standard affordable housing units provided in the project. (Ord. Nos. 19201; 19300; 20215; 21663; 23289; 25049; 25385; 25755; 26479; 27698; 28795; 29150; 29879; 30215; 30993; 31657)

SEC. 49-18.8. SECURITY DEPOSIT AMOUNTS.

The amount of a security deposit is governed by the following:

(1) Standard deposit for residential service accounts.

5/8-inch and 3/4-inch meter	\$ 80.00
1-inch meter	\$100.00
1 1/2-inch meter	\$120.00
2-inch meter and larger	\$160.00

(2) Standard deposit for other than residential service accounts. An amount is required sufficient to cover two times the average bill in the past 12 months for the location served. In the case of a new account, the deposit is two times the average estimated bill.

(3) A residential service customer who has service discontinued twice within a 12-month period for nonpayment of charges shall make an additional deposit equal to one-sixth of his total standard bill for the prior 12 months or \$80, whichever is greater. This increase in deposit is in addition to other charges

required for reinstatement of service. If information to determine the total standard bill for the prior 12 months is unavailable or inapplicable, the director may determine the amount of the required deposit based on bills to similar property for those months for which the information is unavailable or inapplicable.

(4) The director may require a higher security deposit, not to exceed three times the average bill at the location served or to be served, for any class of service, when the director determines that there is a substantial risk of financial loss to the department. (Ord. Nos. 19201; 25385)

SEC. 49-18.9. CHARGES FOR USE OF FIRE HYDRANTS.

~~— A person requesting use of water from a fire hydrant pursuant to Section 49-27 shall pay the following application charges:~~

~~— (1) a deposit of \$1,500 to be refunded when the service is discontinued and the meter is returned to the city by the person or the person's authorized representative, less any unpaid fees for services and any costs to repair damage in excess of normal wear;~~

~~— (2) a monthly fire hydrant service charge of \$77.00; and~~

~~— (3) a usage charge for water that will be billed at the general service rate prescribed in Section 49-18.1(c)(2)(B).—~~

A person requesting the use of water from a fire hydrant pursuant to Section 49-27 shall pay the following application charges:

(1) a deposit of \$1,500 to be refunded when the service is discontinued and the meter is returned to the city by the person or the person's authorized representative, less any unpaid fees for services and any costs to repair damage in excess of normal wear;

(2) a monthly fire hydrant service charge of \$77.77; and

(3) a usage charge for water that will be billed at the general service rate prescribed in Section 49-18.1(c)(2)(B). (Ord. Nos. 19201; 19300; 21430; 25385; 26135; 26961; 27698; 28025; 28426; 28795; 29150; 29479;

29879; 30215; 30653; 31657)

SEC. 49-18.10. SPECIAL ASSESSMENT RATES; LOT AND ACREAGE FEES.

(a) Special assessment rate. When a person owning benefited property is charged in accordance with Section 49-56(b), the following front foot rates will be applied:

(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)

39-inch pipe

linear foot

170.00

**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	\$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

42-inch pipe	linear foot	175.00
45-inch pipe	linear foot	190.00
48-inch pipe	linear foot	200.00
4-inch valve	each	700.00
6-inch valve	each	900.00
8-inch valve	each	1,200.00
12-inch valve	each	2,200.00
16-inch valve	each	4,100.00
20-inch valve	each	7,350.00
24-inch valve	each	9,700.00
30-inch valve	each	16,000.00
36-inch valve	each	21,000.00
42-inch valve	each	43,000.00
48-inch valve	each	64,000.00
Fire hydrant	each	3,000.00
3/4-inch copper deadhead	each	820.00
1-inch copper deadhead	each	910.00
1 1/2-inch copper deadhead	each	1,830.00
2-inch copper deadhead	each	1,830.00
3/4-inch copper deadhead	each	890.00
1-inch copper deadhead	each	950.00
1 1/2-inch copper deadhead	each	1,830.00
2-inch copper deadhead	each	1,940.00
3/4-inch water service, meter box and transfer for others	each	1,110.00
1-inch water service, meter box and transfer for others	each	1,170.00
1 1/2-inch water service, meter box and transfer for others	each	1,560.00
2-inch water service, meter box and transfer for others	each	2,130.00
Cut and plug water main for others	each	735.00
Remove fire hydrant for others	each	540.00
Reconnect existing service for others	each	700.00
Disposal of heavily chlorinated water	contract	1,500.00
3/4-inch air relief	each	1,485.00
1-inch air relief	each	3,450.00
2-inch air relief	each	4,350.00
Bore for 6-inch water	linear foot	145.00
Bore for 8-inch water	linear foot	165.00
Bore for 12-inch water	linear foot	180.00
Bore for 16-inch water	linear foot	195.00
Bore for 20-inch water	linear foot	230.00
Bore for 24-inch water	linear foot	245.00
Bore for 36-inch water	linear foot	265.00
Bore for 39-inch water	linear foot	270.00
Bore for 42-inch water	linear foot	275.00
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	\$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	\$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. (Ord. Nos. 19201; 19526; 20077; 20449; 20737; 21430; 21824; 22208; 24414; 27355; 31332, ~~eff. 10/1/19~~; 31657)

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

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:

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>
31479	3-25-20		1	Amends 28-41.1
			2	Amends 28-41.1.1
			3	Amends 43-158
			4	Amends 43-161(d)
			5	Amends 43-168(g)
			6	Amends 43-168(o)
			7	Amends 43-168(s)
			8	Amends 43-168(t)
			9	Amends 43-169(a)
			10	Amends 43-169(e)
			11	Amends 43-169(i)
			12	Amends 43-169(l)
			13	Amends 43-169(n)
			14	Amends 43-169(p)
			15	Adds 43-169(r)
			16	Adds 43-169(s)
			17	Amends 43-170(c)
			18	Amends 43-170(d)
			19	Amends 43-171
			20	Amends 43-172
			21	Amends 43-174(b)
31504	4-8-20		1	Amends 8-1.4(a)
31505	4-8-20		1	Amends 8-1.4(a)
			2	Adds 8-1.4(i)
31533	5-13-20		1	Amends 2-8
			2	Amends 2-9
31540	5-27-20		1	Amends Ch. 28, Art. XIX, 28-203 thru 28-219.1
31552	6-10-20		1	Amends 28-44
			2	Amends 28-50(c)
			3	Amends 28-59
			4	Amends 28-60(b)
31554	6-10-20		1	Amends 44-35(c)
31556	6-24-20		1	Deletes 5-64(f)
31557	6-24-20		1	Adds 42A-2(25.1)
			2	Amends 42A-6(a)
			3	Amends 42A-12(j)
			4	Adds 42A-12(l)
31620	9-9-20		1	Amends 6A-1(2)
			2	Adds 12B-21
31647	9-9-20		1	Amends 12-2

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>
31657	9-23-20	10-1-20	1	Amends 2-168(b)
			2	Amends 18-9(c)(1)
			3	Amends 18-9(c)(2)
			4	Amends 18-11(a)(6)
			5	Amends 18-11(b)(2)
			6	Amends 18-11(b)(3)
			7	Amends 18-11(c)(5)
			8	Adds 28-24.2
			9	Adds Ch. 28, Art. XXI, 28-235
			10	Amends 32-26
			11	Amends 41A-6(b)
			12	Amends 43-126.6(a)
			13	Amends 43-126.6(d)
			14	Amends 49-18.1(c)
			15	Amends 49-18.1(f)(1)
			16	Amends 49-18.1(g)
			17	Amends 49-18.1(i)
			18	Amends 49-18.2(c)
			19	Amends 49-18.2(f)
			20	Amends 49-18.4(b)
			21	Amends 49-18.4(e)
			22	Amends 49-18.4(f)
			23	Amends 49-18.5(a)
			24	Amends 49-18.5(b)
			25	Amends 49-18.7(a)
			26	Amends 49-18.7(b)
			27	Amends 49-18.9
			28	Amends 49-18.11
31658	9-23-20	10-1-20	1	Amends Ch. 2, Art. VII-b, 2-75, 2-75.1
			2	Amends Ch. 2, Art. XV-b, 2-135.2, 2-135.3

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(h) Fees for letters of zoning verification.

(1) A letter of zoning verification will not be processed until the fee for the letter has been paid.

(2) The applicant shall pay the fee to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) The standard fee for a letter of zoning verification is \$90 per letter. A minimum processing time of seven days is required after payment of the standard fee. If expedited processing is requested, a surcharge must be paid in accordance with the following schedule:

<u>Processing Time</u>	<u>Surcharge</u>
1 day	\$25.00
2-3 days	\$20.00
4-5 days	\$15.00
6 days	\$10.00

(5) A request for a letter of zoning verification must be made in writing. The maximum area for which a letter of zoning verification may be requested is one city block. If the area for which zoning verification is requested cannot be clearly defined by lot and block number, the applicant must furnish a plat with the request.

(i) Fees for development impact review.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the building official. The building official shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) The fee for a site plan review required under Section 51A-4.803 is \$50.00.

(5) An applicant shall pay a fee of \$300.00 for an appeal to the city plan commission of a decision of the director denying a development impact review or residential adjacency review application, as described in this chapter.

(j) Fees for thoroughfare plan amendments.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director of sustainable development and construction. The director of sustainable development and construction shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) No refund of a fee may be made.

(4) Fee schedule for thoroughfare plan amendment:

<u>Length of Roadway</u>	<u>Application Fee</u>
0-.25 miles	\$2,660.00
Longer than .25 miles	\$2,660.00 plus \$.87 per linear foot

<u>Length of Roadway</u>	<u>Application Fee</u>
0-.25 miles	\$5,325.00
Longer than .25 miles	\$5,325.00 plus \$.87 per linear foot

(k) Fees for miscellaneous items.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the filing fee to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

permit and license appeal board in accordance with Section 2-96 of the Dallas City Code.

(9) By making an application for an occasional sale permit, accepting the permit, and conducting the sale, the permit holder authorizes any code enforcement officer to enter the property to determine that the occasional sale is being conducted in compliance with this chapter.

(10) Permits are only valid for the dates specified on the application. If inclement weather prevents the occasional sale, the director of code compliance may, in his sole discretion, issue a replacement permit at no cost to the applicant. The applicant must request the replacement permit within one week after the date of the cancelled occasional sale. No more than one replacement permit shall be issued per calendar year per address.

(y) Fees for property description review.

(1) An application will not be processed until the fee has been paid.

(2) The applicant shall pay the fee to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) A fee is required for each review.

(4) No refund of a fee may be made.

(5) Fee schedule:

<u>Type of Property Description</u>	<u>Application Fee</u>
Platted	\$12.50
Metes and bounds less than four pages	\$25.00
Metes and bounds four pages and more	\$50.00

(z) Fee-in-lieu for park land dedication and park development fees.

(1) The developer shall pay the filing fee to the building official. The building official shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(2) Fee schedule for park land dedication fee-in-lieu.

<u>Type of Development</u>	<u>Fee-in-lieu</u>
Single family or duplex	\$762.00 per dwelling unit
Multifamily (one bedroom)	\$299.00
Multifamily (two or more bedrooms)	\$600.00
College dormitory, fraternity, or sorority house	\$299.00 per sleeping room
Hotel and motel	\$327.00 per guest room

(3) Park development fees.

<u>Type of Development</u>	<u>Park land development fee</u>
Single family or duplex	\$403.00 per dwelling unit
Multifamily (one bedroom)	\$158.00
Multifamily (two or more bedrooms)	\$317.00
College dormitory, fraternity, or sorority house	\$158.00 per sleeping room
Hotel and motel	\$173.00 per guest room

(Ord. Nos. 19455; 19557; 19832; 20037; 20073; 20093; 20132; 20612; 20920; 20926; 20927; 21431; 21553; 21751; 22004; 22026; 22206; 22392; 22738; 22920; 24051; 24542; 24843; 25047; 25048; 25384; 26001; 26161; 26529; 26530; 26536; 26730; 26920; 27069; 27430; 27495; 27587; 27695; 27697; 27893; 28021; 28073; 28096; 28272; 28424; 28553; 28803; 29128; 29228; 29024; 30215; 30808; 30931; 30934; 30993; 30994; 31040; 31657)

of the city, or the traffic engineer's authorized representative.

(140) TRANSIENT STAND means a site for the placing and use of a manufactured home, recreational vehicle, or tent.

(140.1) TRANSPARENCY means the total area of window opening, door opening, or other opening, expressed as a percentage of the total facade area by story.

(141) TRANSPORTATION USES means those uses defined in Section 51A-4.211.

(141.1) "UC" DISTRICTS means the UC-1, UC-2, and UC-3 districts established under this chapter (also called "urban corridor districts").

(141.2) URBAN CORRIDOR DISTRICTS means the UC-1, UC-2, and UC-3 districts established under this chapter (also called "UC" districts). *[Note: Section 1 of Ordinance No. 24718 adds 51A-2.102 (141.2), providing a definition for the term "street level." Section 4 of Ordinance No. 24718 adds 51A-2.102(141.2), providing a definition for the term "urban corridor districts."]*

(142) UTILITY AND PUBLIC SERVICE USES means those uses defined in Section 51A-4.212.

(142.1) WALKABLE URBAN MIXED USE DISTRICTS means the WMU-3, WMU-5, WMU-8, WMU-12, WMU-20, and WMU-40 districts established under Article XIII of this chapter.

(142.2) WALKABLE URBAN RESIDENTIAL DISTRICTS means the WR-3, WR-5, WR-8, WR-12, WR-20, and WR-40 districts established under Article XIII of this chapter.

(143) WHOLESALE, DISTRIBUTION, AND STORAGE USES means those uses defined in Section 51A-4.213.

(143.1) WMU DISTRICTS means the WMU-3, WMU-5, WMU-8, WMU-12, WMU-20, and WMU-40 districts established under Article XIII of this chapter (also called "walkable urban mixed use districts").

(143.2) WR DISTRICTS means the WR-3, WR-5, WR-8, WR-12, WR-20, and WR-40 districts established

under Article XIII of this chapter (also called "walkable urban residential districts").

(144) ZONING DISTRICT means a classification assigned to a particular area of the city within which zoning regulations are uniform.

(145) ZONING DISTRICT MAP means the official map upon which the zoning districts of the city are delineated. (Ord. Nos. 19455; 19786; 19806; 20272; 20360; 20361; 20383; 20411; 20478; 20673; 20902; 20920; 21002; 21186; 21663; 22018; 24163; 24718; 24731; 24843; 25047; 25977; 26286; 26530; 27334; 27495; 27572; 28072; 28073; 28424; 29128; 30239; 30654; 30932; 31607)

- Accessory community center (private).
- Pedestrian skybridges.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(A) Front yard.

(i) There is no minimum front yard.

(ii) The maximum front yard is the smallest possible distance that meets the requirements for buffer zone and pedestrian zone in the curb-to-building area, except for any area in the front yard that meets the qualifications for a pedestrian plaza in Subparagraph (iii) below. See Subsection (c)(8)(B) for details about the curb-to-building area.

(iii) Part of the front yard may be used for a pedestrian plaza. A plaza may have a maximum depth of 50 feet (measured perpendicular from the frontage to the opposite side of the plaza) and a maximum length (measured along the side of the plaza parallel to the frontage) of 20 percent of the length of the building along the frontage.

(iv) Urban form setback. An additional front yard setback of one foot for each two feet in height above 55 feet is required for that portion of a building above 55 feet in height.

(B) Side and rear yard.

(i) No side yard is required on a side of the lot that is adjacent to a central area, mixed use, or urban corridor district; however, if a side yard is provided, it must be at least five feet wide.

(ii) The minimum side yard is 10 feet on any side of a lot where that side of the lot is

directly across a street 64 feet or less in width from, or is directly across an alley from, an R, R(A), D, D(A), TH, TH(A), or CH district, or where part of a structure on that side of the lot is within 330 feet of an R, R(A), D, D(A), TH, TH(A), or CH district.

(iii) The minimum side yard is five feet in all other cases.

(iv) The minimum rear yard is 10 feet in UC-1, and 15 feet in UC-2 and UC-3.

(C) Dwelling unit density.

(i) The minimum number of dwelling units per acre is 10 in UC-1; 35 in UC-2; and 45 in UC-3.

(ii) The minimum dwelling unit area is 500 square feet.

(D) Floor area ratio.

(i) The maximum floor area ratio without any bonuses is 0.6 in UC-1; 0.85 in UC-2; and 1.0 in UC-3.

(ii) The maximum floor area ratio with a bonus for having an above-grade parking structure is 1.8 in UC-1; 3.0 in UC-2; and 4.0 in UC-3.

(iii) The maximum floor area ratio with a bonus for having a below-grade parking structure is 2.0 in UC-1; 3.6 in UC-2; and 4.5 in UC-3.

(E) Height.

(i) The maximum structure height without any bonuses is 30 feet in UC-1; 40 feet in UC-2; and 55 feet in UC-3.

(ii) The maximum structure height with a bonus for having an above- or below-grade parking structure is 55 feet in UC-1; 80 feet in UC-2; and 100 feet in UC-3.

(iii) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(F) Lot coverage. The maximum lot coverage is 80 percent. Above-ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. There is no minimum lot size.

(H) Stories.

(i) The minimum number of stories above street level is two in UC-1; three in UCD2; and four in UC-3.

(ii) The maximum number of stories above street level with bonuses for an above- or below-street-level parking structure is four in UCD1; six in UC-2; and eight in UC-3.

(5) Off-street parking and loading. The off-street parking requirements in Division 51A-4.200 and the off-street parking and loading regulations in Division 51A-4.300 apply, except as follows:

(A) Multifamily use parking requirements. One parking space is required per 500 square feet of multifamily dwelling unit floor area on the lot, up to a maximum of two parking spaces per dwelling unit.

(B) Parking reductions. A lot located within 500 feet of a bus stop on a DART bus route, or a shuttle bus route connecting to a DART light rail station, with a minimum headway, i.e. the scheduled time interval between the arrival of successive same-route buses, trains, or other vehicles used for public transportation at a passenger stop, of 10 minutes during peak hours and 30 minutes during non-peak hours as these times are set by DART, shall be granted reductions of four percent of total parking requirements for each additional pedestrian amenity type provided in excess of the minimum amenities required [See Subsection (c)(8)(D) for pedestrian amenities rules], up to a maximum 20 percent reduction. If parking reduction is sought, bicycle parking must be provided as an amenity type. The additional pedestrian amenities must be provided within the curb-to-building area and must serve to enhance the pedestrian pathways from building entrances on the lot to transit stops. These parking reductions do not apply to uses that already have parking exemptions based on delta theory. [See Subsection 51A-4.704(b)(4)(A) for delta theory parking regulations.]

(C) On-street parallel parking. On-street parallel parking spaces adjacent to the lot provided on community collectors or four-lane arterials count toward off-street parking requirements. Notwithstanding the foregoing, nothing in this section shall abrogate the authority granted to the city's traffic engineer by Chapter 28 of the Dallas City Code to regulate traffic, including parking, on public streets.

(D) Shared parking. Shared parking is required for all nonresidential uses on the lot. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off street parking requirement for the development is the largest of the five "time-of-day" column sums.

(ff) Enhanced sidewalk with stamped concrete or brick pavers in the pedestrian zone for the full width of the sidewalk, along the entire frontage.

(gg) Public art or water features costing no less than \$2,500, at one per lot.

(hh) Drinking fountains at one per lot.

(ii) Amenities must be placed far enough from the street curb so as not to create a physical barrier to buses.

(iii) Canopies, awnings, and pedestrian street lamp fixtures must have a minimum nine-foot clearance. Lamp fixtures may not exceed 14 feet in height. Light fixtures may not emit light upward into the windows of dwelling units.

(iv) All pedestrian amenities must be maintained by the owner of the lot; if there is more than one owner, all owners are jointly and severally liable for maintenance.

(E) Driveway design requirements.

(i) Pedestrian crosswalks must be clearly marked to indicate where the crosswalk crosses the driveway.

(ii) Common or joint driveways are required when adjacent lots have direct vehicular access.

(iii) Curb cuts must be no less than 12 and no more than 24 feet in length (measured parallel to the frontage). Each lot may have a maximum of one curb cut for each frontage.

(iv) Driveways into parking areas or structures must be from an urban corridor.

(v) No part of a circular or semi-circular driveway is permitted on an urban corridor.

(F) Building envelope design requirements.

~~(i) Building facades. Building facades must be as close as possible to the pedestrian zone. Columns of an arcade must be on the building line, and the internal facade of an arcade must be set back from the building line no more than 10 feet. Parking deck and garage facades visible at ground level from any street or alley must have the appearance of a multiple-story building, and be of similar material finish as the building on the site for which the parking is being provided.~~

(i) Building facades. Building facades must be as close as possible to the pedestrian zone. Columns of an arcade must be on the building line, and the internal facade of an arcade must be set back from the building line no more than 10 feet. Parking deck and garage facades visible at ground level from any street or alley must have the appearance of a multiple-story building. It is recommended that parking deck and garage facades visible at ground level from any street or alley have the appearance of similar material finish as the building on the site for which the parking is being provided.

(ii) Building height and setback. Building height and setback is subject to both residential proximity slope and urban form setback requirements. In all instances, residential proximity slope requirements supersede all other height allowances.

~~(iii) Storefront treatments. The following provisions apply to all uses at ground level except church use and residential uses. All street-fronting street-level portions of a building must have windows and primary entrances facing the street or a plaza. No more than 10 continuous linear feet of street-fronting street-level facade may lack a transparent surface (e.g. a window or a transparent door). Corner lot structures must have corner entrances in compliance with the visibility triangle standards set by the department of sustainable development and construction. Street-fronting, street-level windows must:~~

~~(aa) be clear, unpainted, or made of similarly treated glass allowing visibility within street-level uses;~~

(bb) cover 50 percent or more
of street-level frontage;

(cc) not have a bottom edge
higher than three feet above the base of building; and

(dd) be less than 10 feet high.

(iii) Storefront treatments. The
following provisions apply to all uses at ground level
except church use and residential uses.

(aa) All street-fronting street-
level portions of a building must have windows and
primary entrances facing the street or a plaza. No more
than 10 continuous linear feet of street-fronting street-
level facade may lack a transparent opening (e.g. a
window or a transparent door).

(bb) Corner lot structures must
have corner entrances in compliance with the visibility
triangle standards set by the department of sustainable
development and construction.

(cc) Street-fronting, street-
level windows must:

(I) cover 50 percent or
more of street-level frontage;

(II) not have a bottom
edge higher than three feet above the base of building;
and

(III) be less than 10 feet
high.

(dd) It is recommended that
street-fronting, street-level windows be clear,
unpainted, or made of similarly treated glass allowing
visibility within street-level uses.

(iv) Pedestrian access to the building. Primary pedestrian (i.e. residential and customer) ingress and egress must be to or from an urban corridor. Pedestrian ingress and egress for all other functions must be to or from rear or side yard entrances. Pedestrian pathways must be provided to connect the pedestrian zone to the parking lot, rear entrances to dwellings, and to emergency exits.

(d) Site plan.

(1) A site plan must be submitted in accordance with the requirements of this subsection before an application is made for a permit for work on a lot in an urban corridor district.

(2) Procedure. The applicant should contact the department to arrange a pre-application conference, at which the applicant should provide a sketch plan of the site with the information requested by the department. When the applicant is ready to apply for site plan review, the applicant must provide a detailed site plan.

(3) The site plan must:

(A) satisfy the requirements of Subparagraphs (A) through (G), (J), and (N) through (Q) in Section 51A-4.803(d)(1);

(B) show all existing and proposed points of ingress and egress, building entrances, exits, service areas, and windows;

(C) show all public right-of-way lines;

(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 that will illuminate any portion of a required yard;

(G) show the location of existing and proposed signs;

(H) show the existing and proposed locations of all exterior loudspeakers and sound amplifiers;

(I) show the existing and proposed locations for all mechanical equipment capable of producing high levels of noise;

(J) show all existing and proposed provisions for pedestrian circulation on the lot including the location of the pedestrian amenity zones and the location and description of amenities provided to satisfy the three-amenity rule and the requirements for parking reductions;

(K) demonstrate how the urban corridor district site meets the minimum open space requirements showing location and landscape plans of all open space including buffer zones and screening areas;

(L) demonstrate eligibility for parking requirement reduction or density bonuses, if requested by applicant; and

(M) any other reasonable and pertinent information that the director determines to be necessary for site plan review. (Ord. Nos. 24718; 25785; 26920; 28125; 28214; 28424; 28700; 31607)

(ii) The owner of a manufactured home subdivision must have a plat approved by the commission and filed in the county records before the building official may issue a building permit for the manufactured home subdivision.

(iii) One caretaker's dwelling unit and one office is permitted under this use.

(iv) Uses that are customarily incidental to this use, including an employee's washroom, a manager's office, laundry room, swimming pool, and game courts are permitted provided they are located no closer than 50 feet to an R, R(A), D, D(A), TH, or TH(A) district. The game courts, laundry room, and swimming pool must be for the exclusive use of the residents and their guests. No exterior advertising of the uses is permitted.

(v) The owner under this use must provide and maintain a permanent steel chain link fence or its equivalent. The fence must be at least five feet in height and must completely surround the rear and all sides of this use that are not exposed to a dedicated street.

(vi) Open playground space must be provided under this use at a ratio of 500 square feet of open space for each of the first 20 lots or transient stands provided, and at a ratio of 250 square feet for all additional lots or transient stands.

(vii) This use must comply with the requirements of Chapter 47 of this code.

(5) Multifamily.

(A) Definitions: Three or more dwelling units located on a lot.

(B) Districts permitted: By right in CH, multifamily, central area, mixed use, and urban corridor districts. By right as a restricted component of a building in the GO(A) district. [See Section 51A-4.121(d).]

(C) Off-street parking.

~~Required off-street parking: One space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.~~

(i) Required off-street parking: One space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

(ii) The number of off-street parking spaces required under this subparagraph may be reduced to provide adequate area for the placement of recycling containers in accordance with Section 18-5.1(e) according to the following table:

No. of Dwelling Units	No. of Required Parking Spaces Reduced
8-100	3
101 - 400	3% or 6, whichever is less
401 +	9

This parking reduction only applies to structures built before August 12, 2020.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) Uses that are customarily incidental to the multifamily use and that include an employee's washroom, a manager's office, laundry room, swimming pool, and game courts are permitted provided they are located no closer than 50 feet to an R, R(A), D, D(A), TH, or TH(A) district. The game courts, laundry room, and swimming pool must be for the exclusive use of the residents and their guests. No exterior advertising of the uses is permitted.

(ii) The minimum space between exterior walls of a multifamily dwelling must be 10 feet between the walls if only one wall has an opening for light and air and 20 feet if both walls have an opening

quality, shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply proof of compatibility. The property owner or applicant may appeal a decision of the building official to deny a permit due to lack of compatibility to the board of adjustment.

(dd) Industrialized housing must comply with municipal aesthetic standards; yard, lot, and space regulations; subdivision regulations; landscaping; and any other regulations applicable to single family dwellings.

(ee) Industrialized housing must be securely fixed to a permanent foundation.

(ff) Industrialized housing may not be constructed in a historic overlay district unless the industrialized housing conforms to the preservation criteria of the historic overlay district.

(gg) Industrialized housing may not be constructed in a conservation district unless the industrialized housing conforms to the conservation district regulations.

(hh) Industrialized housing may not be constructed unless it complies with public deed restrictions for the property.

(vii) Accessory structures. Except in the agricultural district, accessory structures are subject to the following regulations:

(aa) Except as provided in this section, no person shall rent an accessory structure. For purposes of this section, rent means the payment of any form of consideration for the use of the accessory structure.

(bb) Except for accessory dwelling units, no person shall use an advertisement, display, listing, or sign on or off the premises to advertise the rental of an accessory structure.

(cc) The height of an accessory structure may not exceed the height of the main building.

(dd) The floor area of any individual accessory structure on a lot, excluding floor area used for parking, may not exceed 25 percent of the floor area of the main building.

(ee) The total floor area of all accessory structures on a lot, excluding floor area used for parking, may not exceed 50 percent of the floor area of the main building.

~~(ff) Accessory structures must have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the main building. "Compatible" as used in this provision means similar in application, color, materials, pattern, quality, shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply proof of compatibility. This provision does not apply to accessory structures with a floor area of 200 square feet or less.~~

(ff) Accessory structures must have a roof-pitch and fenestration compatible with the main building. It is recommended that accessory structures have exterior siding, roofing, and foundation fascia compatible with the main building. "Compatible" as used in this provision means similar in application, color, pattern, shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply the proof of compatibility. Use of similar materials or materials of similar quality to the main building serves as additional evidence that the property owner's burden of proof of compatibility has been met. This provision does not apply to accessory structures with a floor area of 200 square feet or less. (Ord. Nos. 19455; 19786; 19912; 20360; 20493; 20953; 21044; 21663; 22139; 22390; 23897; 24585; 24718; 24857; 25133; 25486; 25977; 27495; 28803; 29208; 30184; 30890; 30930; 31607; 31608)

SEC. 51A-4.210.

RETAIL AND PERSONAL SERVICE USES.

(a) General provisions. Except as otherwise provided in this article, the following general

(v) The interior height of the passageway must be at least 7 1/2 feet. The interior height at the springline of vaulted ceilings must be at least 7 1/2 feet.

(vi) Supports may be located within the public right-of-way if the placement of the support structure does not impede pedestrian traffic and maintains minimum sidewalk clearance widths required in the zoning district and in conformance with the Americans with Disabilities Act, 42 U.S.C. Chapter 126.

(vii) A sign must be posted within the adjoining structures indicating whether the skybridge is open to the public, the location of the pedestrian skybridge, and where the pedestrian skybridge leads.

(viii) Pedestrian skybridges must meet state and federal standards for accessibility to and usability by individuals with disabilities.

(ix) Pedestrian skybridges connected to structures with air conditioning must be enclosed and air conditioned.

(x) Any change in slope of the pedestrian skybridge greater than one percent must be over private property or concealed within the pedestrian skybridge.

(xi) Pedestrian skybridges must not diverge from a perpendicular angle to the right-of-way by more than 30 degrees.

(xii) ~~Reserved. At least 70 percent of the side walls must be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than six percent. "Light transmission" means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. "Luminous reflectance" means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.~~

(xiii) Minimum artificial lighting of 15 foot candles must be provided. Lighting must not

produce glare of an intensity that creates a nuisance for motor vehicles or pedestrians.

(xiv) No exterior signs, other than government signs, may be applied to or suspended from any pedestrian skybridge.

(xv) Pedestrian skybridges must not be located within 300 feet of an historic overlay district.

(xvi) Pedestrian skybridges must be designed to prevent people from jumping or throwing objects from the pedestrian skybridge.

(xvii) Structural materials must be durable and easily maintained. Construction must comply with the City of Dallas Building and Fire Codes.

(xviii) Pedestrian skybridges must not interfere with or impair use of the right-of-way by existing or proposed communication and utility facilities.

(xix) The applicant must post bond for the estimated cost to the city to remove the pedestrian skybridge if it becomes a public nuisance.

(xx) Skybridges may be placed in the required front, side, or rear yard.

(G) Recommended pedestrian skybridge standards. Pedestrian skybridges are recommended to be constructed and maintained in accordance with the following guidelines:

(i) Pedestrian skybridges which are open to the public should penetrate the second story of the adjoining structures, or, if not possible, as close as possible to the street level.

(ii) Pedestrian skybridges should penetrate the adjoining structures as closely as possible to escalators or elevators having access to the entire structure and the street.

(iii) Free-standing pedestrian skybridges and pedestrian skybridges connected to

structures without air conditioning should have a roof, wind breaks, and adequate ventilation that maximize the comfort and safety of pedestrians. A pedestrian skybridge should be open only when the adjoining structures are open.

(iv) If the length of the pedestrian skybridge exceeds 250 feet, the passageway should be interrupted by interior visual breaks, such as turns, courts, or plazas.

(v) Primary lighting sources should be recessed and indirect. Accent lighting is encouraged. Natural lighting should be used in addition to artificial lighting.

(vi) The pedestrian skybridge should be designed so as to coordinate with the adjoining structures to the extent possible. Where coordination is not possible, the pedestrian skybridge should be of a neutral color, such as brown or grey.

(vii) At least 70 percent of the side walls should be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than six percent. "Light transmission" means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. "Luminous reflectance" means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.

(H) Waiver. The city council may, by a three-fourths vote, grant a waiver to the pedestrian skybridge standards contained in this paragraph if the council finds that:

(i) strict compliance with the requirements will unreasonably burden the use of either of the properties;

(ii) the waiver will not adversely affect neighboring property;

(iii) the waiver will not be contrary to the public interest; and

(iv) the waiver will not be contrary to the public health, safety, or welfare.

(I) Compliance regulations. Pedestrian skybridge uses are not subject to the compliance

regulations contained in Section 51A-4.704. (Ord. Nos. 19455; 19786; 20411; 20478; 20845; 21001; 21002; 21289; 21454; 21663; 21735; 22004; 22204; 22392; 23012; 23031; 23258; 24205; 24718; 24843; 24899; 24915; 26334; 26746; 28021; 28700; 28737; 28803; 29024; 30257; 30894; 31041; 31607)

(f) Passenger loading and unloading.

(1) A passenger loading and unloading area is required if the mechanized parking facility is served by an attendant or valet.

(2) Passenger loading and unloading areas must comply with the requirements of Section 51A-4.306(f) regardless of zoning district.

(3) The passenger loading and unloading area must have adequate means of ingress from and egress to a street or an alley. The building official shall only consider alley access in satisfaction of this requirement when alley access is permitted by this chapter.

(g) Required stacking.

(1) One stacking space per every 10 mechanized parking bays is required for a mechanized parking facility not served by an attendant or valet.

(2) A mechanized loading bay counts as a stacking space.

(3) Required stacking must comply with Section 51A-4.304.

(4) The building official may reduce the stacking space requirement if the building official determines that all of the stacking spaces are not necessary based on an analysis of the operational plan. An applicant seeking a stacking space reduction from the building official shall provide the building official with a report by an independent professional engineer to justify the requested reduction.

(h) No use of public right-of-way. All stacking, maneuvering, parking, and loading for mechanized parking must be accomplished on private property.

(i) Access lane.

(1) An access lane no less than 20 feet in width must be provided outside each mechanized loading bay if the mechanized parking facility is not fully automated.

(2) An applicant seeking a reduction in the required width of an access lane from the building official shall provide the building official with a report by an independent professional engineer to justify the requested reduction.

(3) The building official may waive this requirement or reduce the width of an access lane required under this subsection if the building official determines that doing so will not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.

(j) Required signs. A sign must be prominently displayed at all entrances of a mechanized parking facility. Each sign must:

(1) state the business hours of operation of the mechanized parking facility;

(2) have a phone number provided by the building official to be used for reporting violations of this division and any malfunctions of the mechanized parking facility;

(3) have the phone number of the licensee;

(4) have the issuance number of the license;

(5) have a phone number for 24-hour assistance;

(6) be constructed of weather resistant material;

(7) be no less than 30 inches wide and 24 inches long; and

(8) have clearly legible letters in a color that contrasts with the background material.

(k) Facade.

~~—————(1) These facade requirements apply to any portion of a building containing mechanized parking except when accessory to a single family or duplex use. If there is a conflict between the regulations within a zoning district that require concealment of parking structure facades, this subsection controls.~~

(1) These facade requirements apply to any portion of a building containing mechanized parking except when accessory to a single family or duplex use. If there is a conflict between the regulations within a

zoning district that require concealment of parking structure facades, this subsection controls.

~~————— (2) An aboveground mechanized parking facility must be concealed by a facade that is:~~

~~————— (A) compatible in appearance with the facade of the main building it serves, or~~

~~————— (B) compatible in appearance with other buildings within a one block radius.~~

~~————— (3) The burden is on the property owner or applicant to supply proof of compatibility.~~

~~————— (4) Aperture area or articulation must be provided at a minimum of 20 percent and a maximum of 80 percent for any street facing facade.~~

~~————— (5) Articulation must be provided at least every 30 feet, measured horizontally and vertically.~~

~~————— (6) Except for pedestrian and vehicular entrances, the aperture area must be screened with an opaque or translucent material that may be permeable or impermeable. Screening materials for the aperture area may have no more than 36 square inches of transparent material in any given square foot of surface and may have no more than 25 percent transparency.~~

~~————— (7) The board of adjustment may grant a special exception to the standards in this subsection when, in the opinion of the board, the special exception will not adversely affect neighboring property. The alternative facade must provide adequate screening of equipment and structures and mitigate noise.~~

(2) An aboveground mechanized parking facility must be concealed by a facade. It is recommended that the facade be:

(A) compatible in appearance with the facade of the main building it serves, or

(B) compatible in appearance with other buildings within a one block radius.

(3) Aperture area or articulation must be provided at a minimum of 20 percent and a maximum of 80 percent for any street facing facade.

(4) Articulation must be provided at least every 30 feet, measured horizontally and vertically.

(5) Except for pedestrian and vehicular entrances, the aperture area must be screened. It is recommended that the required screening be

constructed with an opaque or translucent material that may be permeable or impermeable and that the aperture area have no more than 36 square inches of transparent material in any given square foot of surface and have no more than 25 percent transparency.

(6) The board of adjustment may grant a special exception to the standards in this subsection when, in the opinion of the board, the special exception will not adversely affect neighboring property. The alternative facade must provide adequate screening of equipment and structures and mitigate noise. (Ord. Nos. 29128; 31607)

(E) Trim or accent elements using decorative contrasting colors or decorative neon lighting of at least 10 percent of the area of the facade wall exclusive of fenestration.

(5) Facade wall changes. Facade walls must have a one or more of the following changes:

(A) Changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(B) Changes in plane with a depth of at least 24 inches, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(6) Materials and colors.

~~(A) No more than 75 percent of the area of a facade wall, exclusive of fenestration, may have a single material or color.~~

~~(B) The following materials may only be used on rear facade walls:~~

~~(i) Smooth-faced concrete block that is non-tinted or non-burnished.~~

~~(ii) Tilt-up concrete panels that are unadorned or untextured.~~

~~(iii) Prefabricated steel panels.~~

(A) No more than 75 percent of the area of a facade wall, exclusive of fenestration, may have a single material or color.

(B) It is recommended that the following materials are only used on rear facade walls:

(i) Smooth-faced concrete block that is non-tinted or non-burnished.

(ii) Tilt-up concrete panels that are unadorned or untextured.

(iii) Prefabricated steel panels.

(7) Roofs.

(A) Roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so that they not visible from a

point five feet, six inches above grade at the property line. Screening materials must match the materials and colors used on the main building. Chain link fence may not be used as a screening material.

(B) Roofs must have at least one of the following design elements:

(i) Parapets with horizontal tops having height changes of at least one foot occurring

boundary of the lot where the use is conducted to the nearest boundary of the zoning district in issue.

(i) External speakers are prohibited.

(ii) Staging, loading, or idling of commercial vehicles in a service area is prohibited between the hours of 10:00 p.m. and 7:00 a.m. Signs prohibiting staging, loading, or idling of commercial vehicles between the hours of 10:00 p.m. and 7:00 a.m. must be posted every 100 feet adjacent to the service area.

(iii) An external lighting plan demonstrating compliance with all city ordinances must be submitted to and approved by the building official prior to the issuance of a building permit for new construction, a building permit to expand to 100,000 square feet or more, or a certificate of occupancy.

(10) Variations and exceptions. The city plan commission, whether or not a specific use permit is required, may approve a site plan that does not comply with the requirements of these design standards provided that:

(A) strict compliance with these design standards is impractical due to site constraints or would result in substantial hardship;

(B) the site plan complies with the spirit and intent of these design standards;

(C) the site plan furthers the stated purpose of these design standards; and

(D) the variation or exception from these design standards will not adversely affect surrounding properties.

The city plan commission shall follow the same procedure used for approval of minor amendments to development plans and the fee for a minor plan amendment shall apply. (Ord. Nos. 25785; 27404; 28553; 31607)

Division 51A-4.700. Zoning Procedures.

SEC. 51A-4.701. ZONING AMENDMENTS.

(a) Initiation.

(1) The city council or the commission may authorize a public hearing on an amendment to this article or a change in a zoning district classification or boundary. If 10 or fewer property owners are involved, the director shall send written notice to the owners of real property within the subject area not less than 10 days before the meeting at which the city council or commission will consider authorization of a public hearing. This notice must be written in English and Spanish if the area of request is located wholly or partly within a census tract in which 50 percent or more of the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census. If more than 10 property owners are involved, the director shall give notice of the public hearing in the official newspaper of the city at least 10 days before the meeting at which the city council or commission will consider authorization of a public hearing.

(2) A person may request a change in the zoning district classification or boundary by filing an application with the director.

(A) The application must be on a form approved by the commission and furnished by the department.

(B) Each owner of property within the area of request must sign the application.

(C) The applicant must pay an application fee.

(D) If the area of request is adjacent to a public street or alley, the director shall extend its boundaries to the centerline of the adjacent street or alley.

(E) An applicant requesting a change in zoning to an urban corridor district shall submit a concept plan in addition to the general requirements for a zoning change. The concept plan must indicate:

the date of the board's decision. This provision does not preclude the granting of additional special exceptions in accordance with this section. The two year limitation on a request for a property in Section 51A-4.703(e) does not apply to this section. (Ord. 21663)

SEC. 51A-4.905. PROCEDURES TO OBTAIN A DENSITY BONUS.

(a) In general. Regulations for SAH districts in Article IV specify the dwelling unit density permitted by right. A density bonus may be obtained in these districts if one or more SAH units or an in-lieu payment is provided in accordance with this division. Prior to the issuance of a building permit that would increase the dwelling unit density in a SAH district above the number permitted by right, an application for a density bonus must be submitted to and approved by the director.

(b) Application. An application for a density bonus must be filed with the director on a form provided by the city. The application must include the following:

(1) the date, names, addresses, and telephone numbers of both the property owner and the person preparing the plan;

(2) lot and block description, the zoning classification, and the census tract of the lot for which the density bonus is requested;

(3) the dwelling unit density proposed for the lot and the dwelling unit density permitted by right;

(4) the number of SAH units required as a result of receiving the density bonus;

(5) if applicable, where the SAH units will be provided, including the lot and block description, the zoning classification, and the census tract of the lot where the SAH units will be located;

(6) if applicable, the amount of the in-lieu payment that will be provided;

(7) any other reasonable and pertinent information that the director determines to be necessary for review. (Ord. 21663)

SEC. 51A-4.906. REVIEW BY THE DIRECTOR.

(a) The director shall approve an application for a density bonus that complies with the standards in Subsection (b).

(b) Standards.

(1) An SAH unit provided to qualify a lot for the density bonus must be:

(A) within three miles of the lot receiving the density bonus;

(B) on a lot where no more than 30 percent of the dwelling units are SAH units;

(C) in a non-minority concentrated area; and

(D) in compliance with all city ordinances.

(2) An SAH unit provided to qualify a lot for a density bonus may not be used to qualify another lot for a density bonus.

~~————— (3) The design and materials of SAH units must be equivalent to the design and materials of other units located on the same lot. The size of bedrooms in SAH units must be consistent with the size of bedrooms in other units located on the same lot.~~

(3) The design of SAH units must be equivalent to the design of other units located on the same lot. It is recommended that the materials of SAH units be equivalent to the materials of other units located on the same lot. The size of bedrooms in SAH units must be consistent with the size of bedrooms in other units located on the same lot.

(4) Of the SAH units provided, 21 percent must have one bedroom, 45 percent must have two bedrooms, 28 percent must have three bedrooms, and five percent must have four bedrooms. In determining the number of units to be provided, fractional units are counted to the nearest whole number, with one-half counted as an additional unit. (Ord. Nos. 21663; 31607)

(f) Guidelines.

(1) A street name may be based upon physical, political, or historic features of the area.

(2) The name of a subdivision and names thematically related to the name of a subdivision may be given to a street within the subdivision.

(g) Waiver. The city council, by a three-fourths vote of its members, may waive any of the standards contained in this section when waiver would be in the public interest and would not impair the public health, safety, or welfare. (Ord. Nos. 19832; 23407)

SEC. 51A-9.305. REVIEW OF APPLICATION.

~~— (a) Within 10 working days after receipt of a complete application for a street name change, the subdivision administrator shall request comment regarding the potential impacts of the name change on the operations of the following city departments and other affected entities:~~

~~— (1) Department of transportation.~~

~~— (2) Department of public works.~~

~~— (3) Office of budget.~~

~~— (4) Fire-rescue department.~~

~~— (5) Department of sustainable development and construction.~~

~~— (6) Police department.~~

~~— (7) Water utilities department.~~

~~— (8) Department of sanitation services.~~

~~— (9) Department of code compliance.~~

~~— (10) Contiguous municipalities if any property abutting the street is within the contiguous municipality.~~

~~— (11) Dallas County Historical Commission.~~

~~— (12) TXU Electric, or its successor.~~

~~— (13) TXU Gas, or its successor.~~

~~— (14) Southwestern Bell Telephone Company, or its successor.~~

~~— (15) U.S. Postal Service.~~

(a) Within 10 working days after receipt of a complete application for a street name change, the subdivision administrator shall request comment regarding the potential impacts of the name change on the operations of the following departments and other affected entities:

(1) Department of transportation.

(2) Department of public works.

(3) Office of budget and management services.

(4) Fire-rescue department.

(5) Department of sustainable development and construction.

(6) Police department.

(7) Water utilities department.

(8) Department of sanitation services.

(9) Department of code compliance.

(10) Contiguous municipalities if any property abutting the street is within the contiguous municipality.

(11) Dallas County Historical Commission.

(12) TXU Electric, or its successor.

(13) TXU Gas, or its successor.

(14) Southwestern Bell Telephone Company,
or its successor.

(15) U.S. Postal Service.

(b) The subdivision administrator shall formulate a recommendation on the proposed street name change based upon his own review of the application, the standards in Section 51A-9.304, and the comments received from those listed in Subsection (a). The subdivision administrator shall set a date for review of the application before the subdivision review committee of the city plan commission.

(c) Notice of the public hearing before the subdivision review committee must be advertised in the official newspaper of the city no fewer than 15 days before the date of the hearing. The subdivision administrator must also send written notice of the public hearing to abutting property owners as ownership appears on the last approved ad valorem tax roll no fewer than 15 days before the date of the hearing. Notification signs must be posted along the street for no fewer than 15 days before the date of the hearing.

(d) The subdivision review committee shall formulate a recommendation based upon their review of the application, the standards contained in Section 51A-9.304, and the recommendation of the subdivision administrator. (Ord. Nos. 19832; 22026; 23694; 24410; 24843; 25047; 27204; 28073; 28424; 30239; 30654; 31658)

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>
31410 (Cont'd)			9	Amends 51A-7.1729(a)(8)
			10	Deletes 51A-7.1729(a)(11)
			11	Amends 51A-7.1729(a)(12)
			12	Deletes 51A-7.1729(a)(13)
			13	Amends 51A-7.1729(b)(3)(B)
31471	2-26-20		1	Amends 51A-4.701(b)(5)
			2	Amends 51A-4.701(c)
			3	Amends 51A-4.701(g)(5)(A)
31607	8-12-20		2	Adds 51A-2.102(140.1)
			3	Amends 51A-4.127(c)(8)(F)(i)
			4	Amends 51A-4.127(c)(8)(F)(iii)
			5	Amends 51A-4.209(b)(6)(E)(vii)(ff)
			6	Amends 51A-4.217(b)(12)(F)(xii)
			7	Adds 51A-4.217(b)(12)(G)(vii)
			8	Amends 51A-4.345(k)
			9	Amends 51A-4.605(a)(6)
			10	Amends 51A-4.906(b)(3)
			11	Amends 51A-13.201(34)
			12	Amends 51A-13.304(b)(6)
			13	Amends 51A-13.304(c)(6)
31608	8-12-20		2	Amends 51A-4.209(b)(5)(C)
			3	Adds 51A-13.403(j)
31657	9-23-20	10-1-20	29	Amends 51A-1.105(j)(4)
31658	9-23-20	10-1-20	3	Amends 51A-9.305(a)