

9/2/2015

ORDINANCE NO. 29879

An ordinance amending Sections 5A-3, 5A-8, and 5A-14 of Chapter 5A, "Air Pollution"; amending Sections 7-2.6, 7-4.11, and 7-6.2 of Chapter 7, "Animals"; amending Section 15D-5 of Chapter 15D, "Emergency Vehicles; amending Sections 105, 115, 501, and 901 of Chapter 16, "Dallas Fire Code"; amending Sections 18-2, 18-3, 18-9, and 18-57 of Chapter 18, "Municipal Solid Wastes"; amending Sections 27-32, 27-42, 27-62, and 27-72 of Chapter 27, "Minimum Urban Rehabilitation Standards"; amending Sections 43A-17 and 43A-18 of Chapter 43A, "Swimming Pools"; amending Section 48B-8 of Chapter 48B, "Vacant Buildings"; amending Sections 49-18.1, 49-18.2, 49-18.4, 49-18.5, 49-18.7 and 49-18.9 of Chapter 49, "Water and Wastewater"; and amending Sections 50-82, 50-101, 50-116, 50-137, and 50-149 of Chapter 50, "Consumer Affairs," of the Dallas City Code, as amended; repealing Section 5A-5.1 of Chapter 5A, "Air Pollution," of the Dallas City Code; removing the registration fee and registration requirement for used car lots; adjusting registration fees for facilities that emit or have the potential to emit air contaminants; adjusting fees for redeeming an impounded animal from a city animal shelter; adjusting the intact animal permit fee; adjusting the fee for a temporary regulated animal permit; adjusting emergency ambulance transport fees; adjusting permit fees overseen by the Dallas Fire-Rescue Department; adjusting building reinspection fees; adjusting inspection charges for high risk buildings and occupancies; adjusting plan review fees for fire apparatus access roads and for limited access gates that obstruct such roads; adjusting installation acceptance retest fees; authorizing sanitation services to collect recycling from commercial establishments and establishing a fee for such collection; authorizing more than once-a-week collection of garbage and recycling from certain commercial establishments; adjusting fees for

sanitation collection service; adjusting fees for tire business licenses and mobile tire repair unit permits; adjusting fee for a certificate of registration for a multi-tenant property; adjusting fees for multi-tenant property inspections; adjusting fees for multi-tenant property inspections; adjusting the annual fee for a certificate of registration for a non-owner occupied rental property; adjusting the reinspection fee for non-owner occupied rental property; adjusting the public swimming pool permit fee; adjusting the swimming pool manager training course fee; adjusting the vacant building registration fee; adjusting rates and charges for treated water service, wastewater service, wholesale water, and wastewater service to governmental entities, untreated water service, service connections, and fire hydrant usage; adjusting the wood vendor license fee; adjusting the electronic repair license fee; adjusting the motor vehicle repair license fee; adjusting the home repair license fee; adjusting the credit access business registration fee; making certain conforming, semantic, grammatical, and structural changes; providing for a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 5A-3, "Chapter Definitions," of Chapter 5A, "Air Pollution," of the Dallas City Code is amended to read as follows:

**"SEC. 5A-3. CHAPTER DEFINITIONS.**

The definition of a term in this section applies to each grammatical variation of the term. In this chapter, unless the context requires a different definition:

(1) AIR CONTAMINANT means dust, fumes, gas, mist, odor, particulate matter, toxic materials, smoke, or vapor, individually or in combination, that is produced by a process other than natural.

(2) AIR POLLUTION means the presence in the atmosphere of one or more air contaminants in such concentration and of such duration:

(A) as to have or tend to have an injurious or adverse effect on human health or safety, animal or vegetable life, or property; or

(B) as to interfere with the normal use or enjoyment of animals, vegetation, or other property.

(3) DIRECTOR means the director of the department designated by the city manager to enforce and administer this chapter and includes representatives, agents, or city employees designated by the director to assist in the enforcement and administration of this chapter.

(4) FACILITY means any stationary source of air contaminants and includes the following classes.

(A) Class "1" facility means a stationary source of air contaminants whose actual emissions at design capacity are greater than or equal to 100 tons per year of any pollutant.

(B) Class "2" facility means a stationary source of air contaminants whose uncontrolled emissions at design capacity would be greater than or equal to 100 tons per year for any pollutant, but whose actual emissions are less than 100 tons per year.

(C) Class "3" facility means a stationary source of air contaminants whose uncontrolled emissions at design capacity are less than 100 tons per year, but greater than or equal to five tons per year.

(D) Class "4" facility means a facility whose uncontrolled emissions at design capacity are less than five tons per year but whose emissions are significant, or have the potential to be significant, or have a potential to be a nuisance.

(E) Class "5" facility means a dry cleaner that uses trichloroethylene, perchloroethylene, or naphtha when conducting cleaning operations on clothing or other fabrics.

(5) PERSON means an individual; corporation; government or governmental subdivision; or agency, trust, partnership, or two or more persons having a joint or common economic interest.

~~[(6) USED CAR LOT means a facility or location where used automobiles, trucks, vans, or recreational vehicles are displayed for sale or lease.]~~

SECTION 2. That Chapter 5A, "Air Pollution," of the Dallas City Code is amended by repealing Section 5A-5.1 as follows:

"SEC. 5A-5.1. RESERVED. ~~[USED CAR LOTS: REGISTRATION REQUIRED; FEES.]~~

~~[(a) Any person who owns or operates a used car lot within the city shall register with the director on a form provided for that purpose.~~

~~(b) Before a used car lot will be registered, an annual registration fee must be paid to the director in accordance with the following schedule:~~

Number of vehicle display spaces	Fee
<del>1 to 9</del>	<del>\$200</del>
<del>10 to 49</del>	<del>\$245</del>
<del>50 or more</del>	<del>\$295</del>

~~(c) Registration expires one year from the date of issuance and renewal must be obtained annually.~~

~~(d) At least once a year, the director shall inspect a used car lot for compliance with state and federal laws requiring proper installation of pollution control devices on used motor vehicles.]”~~

SECTION 3. That Subsection (b) of Section 5A-8, “Registration Fees,” of Chapter 5A, “Air Pollution,” of the Dallas City Code is amended to read as follows:

“(b) The fee for each class of facility is as follows:

Class “1” facility	\$1,465
Class “2” facility	\$1,200
Class “3” facility	\$940
Class “4” facility	\$960
Class “5” facility	<u>\$110</u> [80]”

SECTION 4. That Subsection (a) of Section 5A-14, “Offenses,” of Chapter 5A, “Air Pollution,” of the Dallas City Code is amended to read as follows:

“(a) A person commits an offense if he:

(1) refuses to submit information requested by the director under Section 5A-5(a); or

(2) violates a rule of the Texas Natural Resource Conservation Commission identified in Section 5A-6; or

(3) owns, controls, or manages a source that violates the emission standard prescribed by Section 5A-7(a), (b) or (c); or

(4) interferes with the director in the exercise of his authority under Section 5A-9(b); or

(5) violates a rule established under Section 5A-10; or

(6) refuses to allow or interferes with an inspection authorized under Section 5A-11; or

(7) violates a variance or order granted or issued by the Texas Natural Resource Conservation Commission under the Texas Clean Air Act[~~;~~~~or~~];

(8) ~~fails to register a used car lot in compliance with Section 5A-5.1]."~~

SECTION 5. That Subsection (a) of Section 7-2.6, "Redemption of Impounded Animals," of Article II, "Animal Services; City Animal Shelters," of Chapter 7, "Animals," of the Dallas City Code is amended to read as follows:

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

(1) a redemption fee of:

(A) \$50 [7] for an animal delivered for impoundment to a city animal shelter by a person other than a city employee in the performance of official duties; or

(B) \$50 [27] for an animal delivered for impoundment to a city animal shelter by a city employee in the performance of official duties;

(2) \$15 [40] for each night the animal is housed in a city animal shelter;

(3) \$19 [40] for a rabies vaccination of a dog, cat, or ferret if the owner cannot show either:

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

(B) proof that the animal was not vaccinated due to health reasons as verified by a licensed veterinarian;

(4) the applicable registration fee for a dog or cat under Section 7-4.2, if the owner cannot show proof of current registration;

(5) \$15 for a microchip implant and initial national registration of a dog or cat, unless:

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

(B) a licensed veterinarian certifies that the animal should not be injected with a microchip implant for health reasons; and

(6) \$139 [60] for the sterilization of a dog or \$139 [40] for the sterilization of a cat, unless:

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

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

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

(D) the animal is being held for sale by a retail pet store or for adoption by animal services or an animal welfare organization;

(E) the animal is a competition cat or competition dog;

(F) the animal is a service animal; or

(G) the owner of the animal has, or obtains at the time of redemption, a valid intact animal permit for the animal under Section 7-4.11 of this chapter.”

SECTION 6. That Subsection (c) of Section 7-4.11, “Intact Animal Permit,” of Article IV, “Specific Requirements for Dogs and Cats,” of Chapter 7, “Animals,” of the Dallas City Code is amended to read as follows:

“(c) To obtain an intact animal permit, a person must submit an application to the director (on a form provided by the director for that purpose) and pay an annual intact animal permit fee of \$100 [70]. The intact animal permit application must include:

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

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

- (3) a description of the dog or cat;
- (4) proof that the animal is qualified for an intact animal permit under Subsection (b) of this section; and
- (5) any other information determined necessary by the director for the enforcement and administration of this section.”

SECTION 7. That Subsection (e) of Section 7-6.2, “Regulated Animals,” of Article VI, “Prohibited and Regulated Animals,” of Chapter 7, “Animals,” of the Dallas City Code is amended to read as follows:

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

Type of Permit	Fee
(1) Annual	\$500
(2) Temporary	<u>\$250</u> [100].”

SECTION 8. That Subsection (b) of Section 15D-5, “Emergency Ambulance Service Provided by Fire Department; Fee,” of Division 2, “Emergency Medical Services,” of Chapter 15D, “Emergency Vehicles,” of the Dallas City Code is amended to read as follows:

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

(1) \$1,485 [800] for each transport of a resident of the city of Dallas to a hospital and \$1,578 [900] for each transport of a nonresident of the city of Dallas to a hospital.

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

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

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

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

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

SECTION 9. That Subsection 105.8 “Fees and Permits Schedule,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of Chapter 16, “Dallas Fire Code,” of the Dallas City Code is amended to read as follows:

**“105.8 Fees and permits schedule.** An applicant for a permit required by Section 105.6 shall pay, upon issuance of the permit, a nonrefundable permit fee in accordance with the following schedule.

1. Acetylene generator, annual	\$ <u>300.00</u> [ <del>175.00</del> ]
2. Aerosol products, annual	\$ <u>250.00</u> [ <del>175.00</del> ]
3. Air curtain incinerator/pit burner, daily	\$ <u>404.00</u> [ <del>350.00</del> ]
4. Amusement building, <u>annual</u>	\$ <u>150.00</u> [ <del>135.00</del> ]
5. Asphalt (tar) kettles, annual	\$ <u>199.00</u> [ <del>95.00</del> ]
6. Aviation facilities, <u>annual</u>	\$ <u>300.00</u> [ <del>150.00</del> ]
7. Calcium carbide storage, annual	\$ <u>300.00</u> [ <del>175.00</del> ]
8. Candle and open flames	\$ <u>125.00</u> [ <del>95.00</del> ]
9. Carnivals and fairs, daily	\$ <u>200.00</u> [ <del>160.00</del> ]
10. Combustible storage (miscellaneous), annual	\$ <u>250.00</u> [ <del>150.00</del> ]
11. Commercial cooking fire-extinguishing system	\$ <u>267.00</u> [ <del>200.00</del> ]
12. Compressed gas filling/storage/use, annual	\$ <u>250.00</u> [ <del>95.00</del> ]
13. Cryogenic fluids, annual	\$ <u>250.00</u> [ <del>150.00</del> ]
14. Dry cleaning plant, annual	\$ <u>300.00</u> [ <del>140.00</del> ]
15. <i>Explosive</i> /blasting, daily	\$ <u>450.00</u> [ <del>260.00</del> ]
16. Fireworks/ <i>explosive</i> storage, daily	\$ <u>300.00</u> [ <del>160.00</del> ]
17. Fireworks/ <i>explosive</i> transportation, daily	\$ <u>300.00</u> [ <del>190.00</del> ]
18. Fireworks display (initial)	\$ <u>500.00</u> [ <del>405.00</del> ]
19. Fireworks display (subsequent)	\$ <u>300.00</u> [ <del>215.00</del> ]
20. Flammable and combustible liquids, annual	\$ <u>250.00</u> [ <del>125.00</del> ]
21. Floor/wall finishing	\$ <u>150.00</u> [ <del>135.00</del> ]
22. Fruit and crop ripening, annual	\$ <u>279.00</u> [ <del>175.00</del> ]
23. Hazardous materials, annual	\$ <u>550.00</u> [ <del>175.00</del> ]
24. Hazardous production material (HPM), annual	\$ <u>550.00</u> [ <del>175.00</del> ]
25. High-piled storage, annual	\$ <u>200.00</u> [ <del>160.00</del> ]
26. Industrial oven, <u>annual</u>	\$ <u>250.00</u> [ <del>175.00</del> ]
27. Limited access gates, <u>annual</u> (1 to 3 gates)	\$ <u>250.00</u> [ <del>150.00</del> ]



(4 to 7 gates)	\$ <u>300.00</u> [ <del>205.00</del> ]
(8 or more gates)	\$ <u>400.00</u> [ <del>260.00</del> ]
28. Liquid- or gas-fueled vehicles or equipment in assembly buildings, per event:	
(1 to 10 vehicles or pieces of equipment)	\$ <u>200.00</u> [ <del>63.00</del> ]
(11 to 30 vehicles or pieces of equipment)	\$ <u>300.00</u> [ <del>127.00</del> ]
(31 to 400 [ <del>or more</del> ] vehicles or pieces of equipment)	\$ <u>400.00</u> [ <del>191.00</del> ]
(over 400 vehicles or pieces of equipment)	\$ <u>500.00</u>
29. LP-gas storage/use	\$ <u>254.00</u> [ <del>122.00</del> ]
30. LP-gas demonstration/portable cooking ( <u>cart</u> )	\$ <u>150.00</u> [ <del>125.00</del> ]
31. <u>LP-gas demonstration/portable cooking (vehicle)</u>	\$ <u>300.00</u>
<u>32.</u> [32.] Lumber yards and woodworking plants, annual	\$ <u>269.00</u> [ <del>160.00</del> ]
<u>33.</u> [32.] Magnesium, annual	\$ <u>250.00</u> [ <del>175.00</del> ]
<u>34.</u> [33.] Mobile fueling (site survey), annual	\$ <u>400.00</u> [ <del>245.00</del> ]
(vehicle inspection) annual	\$ <u>300.00</u> [ <del>100.00</del> ]
<u>35.</u> [34.] Open burning/recreational fires	\$ <u>250.00</u> [ <del>230.00</del> ]
<u>36.</u> [35.] Private fire hydrant and water supplies, annual	\$ <u>350.00</u> [ <del>105.00</del> ]
<u>37.</u> [36.] Pyrotechnic special effects material, daily: Initial performance	\$ <u>300.00</u> [ <del>185.00</del> ]
Subsequent performances	\$ <u>300.00</u> [ <del>92.00</del> ]
<u>38.</u> [37.] Refrigeration equipment, <u>annual</u>	\$ <u>205.00</u> [ <del>160.00</del> ]
<u>39.</u> [38.] Scrap tire storage, annual	\$ <u>200.00</u> [ <del>160.00</del> ]
<u>40.</u> [39.] Spray painting/dipping, <u>annual</u>	\$ <u>200.00</u> [ <del>135.00</del> ]
<u>41.</u> [40.] State licensed facilities (child care facility, <u>35 children or fewer</u> ), annual	\$150.00
(child care facility, <u>more than 35 children</u> ), annual	\$ <u>200.00</u>
(residential care facility, annual	\$ <u>200.00</u> [ <del>150.00</del> ]
(small assisted living), annual	\$ <u>200.00</u> [ <del>150.00</del> ]
(adult day care facility), annual	\$ <u>200.00</u> [ <del>150.00</del> ]
<u>42.</u> [41.] Temporary membrane structures and tents, per event	\$ <u>300.00</u> [ <del>125.00</del> ]
<u>43.</u> [42.] Tire-rebuilding plant, <u>annual</u>	\$ <u>200.00</u> [ <del>160.00</del> ]
<u>44.</u> [43.] Torch and open flames	\$ <u>200.00</u> [ <del>120.00</del> ]
<u>44.</u> <del>Trench burning (per day)</del>	\$ <u>350.00</u>
45. Waste handling, annual	\$ <u>250.00</u> [ <del>160.00</del> ]
46. Welding/cutting/hotworks	\$ <u>194.00</u> [ <del>125.00</del> ]"

SECTION 10. That Paragraph 105.9.1, "When Required," of Subsection 105.9 "Reinspection Fee," of Section 105, "Permits and Fees," of Part 2, "Administrative Provisions," of Chapter 1, "Scope and Administration," of Chapter 16, "Dallas Fire Code," of the Dallas City Code is amended to read as follows:

**“105.9.1 When required.** Whenever a building or premises in the city is inspected by the *fire code official* and a violation of this code is found, the building or premises shall, after the expiration of any time limit for compliance given in a notice or order issued because of the violations, be reinspected by the *fire code official* to determine that the violation has been eliminated. The owner, occupant, operator or other person responsible for the violation shall pay to the city assessor and collector of taxes a fee in accordance with the following schedule for each reinspection that is conducted until the violation is determined to be eliminated:

NUMBER OF REINSPECTIONS	FEE
1 <sup>ST</sup>	\$00
2 <sup>ND</sup>	\$ <u>125</u> [400]
3 <sup>RD</sup> AND EACH SUBSEQUENT	\$ <u>205</u> [405]

**Exception:** No fee shall be charged for a reinspection of the following:

1. A Group R-3 or R-4 occupancy, as defined in the *Dallas Building Code*.
2. An individual *dwelling unit* within an apartment house or residential condominium complex, as defined in the *Dallas Building Code*, when the violation is the responsibility of the occupant of the *dwelling unit* and not the responsibility of the owner or operator of or the person responsible for the building or premises.
3. Activities directly related to construction conducted on a building or premises, or part of the building or premises, pursuant to a valid building permit issued by the building official, including any reinspection that is required before a certificate of occupancy related to the construction activities may be issued for the building or premises.”

SECTION 11. That Subsection 115.4, “Registration Fee and Inspection Charge,” of Section 115, “Registration and Inspection of High Risk Buildings and Occupancies,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of Chapter 16, “Dallas Fire Code,” of the Dallas City Code is amended to read as follows:

**“115.4 Registration fee and inspection charge.** The fee for a certificate of registration for a high risk occupancy is \$25, plus an inspection charge in accordance with the following schedule.

**BUILDING TYPE:**

**INSPECTION CHARGE [FEE]:**

Public Assembly	
Under 5,000 square feet	\$ <u>150</u> [40]
5,000 - 9,999 square feet	\$ <u>200</u> [80]
10,000 - 59,999 square feet	\$ <u>250</u> [420]

60,000 - 99,999 square feet	\$ <u>250</u> [ <del>160</del> ]
100,000 square feet and over	\$ <u>300</u> [ <del>200</del> ]

#### Hazardous Materials

Under 5,000 square feet	\$ <u>250</u> [ <del>125</del> ]
5,000 - 9,999 square feet	\$ <u>250</u> [ <del>175</del> ]
10,000 - 59,999 square feet	\$ <u>300</u> [ <del>225</del> ]
60,000 - 99,999 square feet	\$ <u>313</u> [ <del>300</del> ]
100,000 square feet and over	\$ <u>400</u> [ <del>350</del> ]

#### High-rise Office/Storage/Assembly

Under 200,000 square feet	\$ <u>250</u> [ <del>200</del> ]
200,000 - 600,000 square feet	\$ <u>260</u> [ <del>400</del> ]
Over 600,000 square feet	\$ <u>291</u> [ <del>500</del> ]

#### High-rise Residential

Under 250 <i>dwelling units</i>	\$ <u>300</u> [ <del>200</del> ]
250 to 600 <i>dwelling units</i>	\$ <u>439</u> [ <del>400</del> ]
Over 600 <i>dwelling units</i>	\$ <u>550</u> [ <del>500</del> ]

#### Health Care Facilities

Under 100 patient rooms or individual <i>dwelling units</i>	\$ <u>300</u> [ <del>200</del> ]
100-500 patient rooms or individual <i>dwelling units</i>	\$ <u>550</u> [ <del>400</del> ]
Over 500 patient rooms or individual <i>dwelling units</i>	\$ <u>650</u> [ <del>500</del> ]

#### **Exceptions:**

1. The inspection charge shall not be assessed for inspecting a building or occupancy that is subject to inspection in order to obtain one of the following operational permits from the fire code official:
  - a. Amusement building.
  - b. Aviation facilities.
  - c. Dry cleaning plant.
  - d. Lumber yards and woodworking plants.
  - e. State licensed facility (child care, residential care, small assisted living, adult day care).
2. The inspection charge shall not be assessed for any property that is exempt from paying City of Dallas property taxes.

3. The inspection charge shall not be assessed for any property that has a current vacant building certificate of registration from the City of Dallas.”

SECTION 12. That Subsection 115.5, “Expiration and Renewal of Registration,” of Section 115, “Registration and Inspection of High Risk Buildings and Occupancies,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of Chapter 16, “Dallas Fire Code,” of the Dallas City Code is amended to read as follows:

**“115.5 Expiration and renewal of registration.** A certificate of registration for high risk buildings and occupancies expires ~~[according to the following schedule:~~

- ~~1. Assembly certificates expire]~~ one year after the date of issuance.
- ~~[2. Hazardous materials certificates expire two years after the date of issuance.~~
- ~~3. High rise certificates expire two years after the date of issuance.~~
- ~~4. Health care certificates expire one year after the date of issuance.]”~~

SECTION 13. That Paragraph 501.3.1, “Plan Review Fees,” of Subsection 501.3, “Construction Documents,” of Section 501, “General,” of Chapter 5, “Fire Service Features,” of Chapter 16, “Dallas Fire Code,” of the Dallas City Code is amended to read as follows:

**“501.3.1 Plan review fees.** Plans for fire apparatus access roads (in accordance with Section 503 and Appendix D) shall be accompanied by a nonrefundable \$200 ~~[75]~~ review fee. This shall apply to new and existing construction.

**Exception:** No plan review fee shall be charged when the plans are directly related to construction conducted on a building or premises pursuant to a valid building permit issued by the building official.

Plans for limited access gates which obstruct fire apparatus access roads (in accordance with Section L104, ‘Limited Access Gates’ of Appendix L) shall be accompanied by a nonrefundable \$200 ~~[75]~~ review fee. This plan review fee shall apply to new and existing construction.”

SECTION 14. That Subsection 901.5, "Installation Acceptance Testing," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of Chapter 16, "Dallas Fire Code," of the Dallas City Code is amended to read as follows:

**"901.5 Installation acceptance testing.** Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other *fire protection systems* and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as *approved* by the *fire code official*. *The fire code official* shall witness any required acceptance testing. A retest fee shall be charged for retesting *fire protection systems* when the testing of the system fails after the contractor has submitted to the *fire code official* a pre-test certification certifying that the system has been pre-tested and is in an *approved* condition. The retest fee shall be \$622.00 [~~500.00~~]."

SECTION 15. That Paragraph (41) of Section 18-2, "Definitions," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code is amended to read as follows:

"(41) ROLL CART. A plastic receptacle, which is furnished by the city for the collection of residential refuse and recyclable materials, that:

- (A) has two wheels and a lid;
- (B) is designed to be lifted and emptied mechanically; [~~and~~]
- (C) is too large for handling by manual means [~~-~~] ; and
- (D) is from 48 to 96 gallons."

SECTION 16. That Subsection (a), "Containers for Residences and Duplexes," of Section 18-3, "Regulating Containers for Municipal Solid Waste Materials," of Article I, "Collection and Disposal" of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code is amended to read as follows:

"(a) Containers for residences and duplexes. Every occupant of a residence or duplex shall provide the premises with a sufficient number of solid waste containers to provide for the peak output of municipal solid wastes from those premises without overloading the containers. The containers must be rollcars [~~(except that bags may be used as containers for recyclable~~

~~materials or as containers for grass cuttings collected under Section 18-8(b)(3))~~ and must meet the requirements of this subsection.

(1) ~~[At a residence or duplex, a bag used as a container for recyclable materials must be blue or clear, must have at least a 1.3 mil thickness, and must not exceed 33 gallons in capacity. The combined weight of the recyclable materials and the bag must not exceed 50 pounds.~~

(2)] At a residence or duplex, a person shall use only city owned and provided rollcars as solid waste containers, except that blue rollcars~~], clear or blue bags, or any combination of each~~] may be used as solid waste containers for recyclable materials.

(2[3]) A person shall comply with the following requirements when using a rollcart or a blue or clear recycling bag as a solid waste container:

(A) A container must not be overloaded to the point where spillage occurs from overflow, wind, or handling.

(B) A container must be closed or secured at the top to prevent spillage.

(C) Glass and other wastes that are dangerous to handle must be securely wrapped, and the container must be labeled to warn of the need for careful handling.

(D) Ashes must be cold before being placed in a container.

(E) Non-recyclable materials must not be placed in a container (rollcart ~~[or blue or clear recycling bag]~~) designated for recyclable materials. A recycling rollcart that is used for non-recyclable materials may be removed from the premises at the direction of the director of sanitation.

(3[4]) Unless otherwise specified by the director of sanitation, and in addition to the requirements of Subsection (a)(3), a person shall comply with the following requirements when using a rollcart as a solid waste container:

(A) A rollcart must be placed for collection so that there is a minimum clearance of three feet to each side of the rollcart and one and one-half feet to the rear of the rollcart from any fence, gas meter, telephone pole, utility box, tree, shrub, additional collection container, or other potential obstruction. A rollcart must be placed so that its handle faces the dwelling unit.

(B) No person shall block or cause to be blocked access to or hinder collection of a rollcart that has been placed for curbside collection.

(C) Solid waste, including recyclable materials, must be placed in a rollcart in a manner that prevents the contents from blowing out of the rollcart when being emptied.

(D) The director of sanitation must be promptly notified of any need for repair or replacement of a rollcart. Cleanliness of a rollcart is the responsibility of the occupant or owner of the premises to which the rollcart is provided.

(E) A 60 to 65 gallon rollcart may not weigh more than 200 pounds when loaded, and a 90 to 96 gallon rollcart may not weigh more than 250 pounds when loaded.

(F) Additional rollcarts for garbage may be obtained from the director of sanitation for an additional fee set forth in Section 18-9(c)(1) of this article. Additional rollcarts for recyclable materials may be obtained from the director of sanitation for no additional fee.

(G) A rollcart that is lost or damaged due to a customer's negligence may be replaced for a fee as set forth in Section 18-9(c)(8) of this article."

SECTION 17. That Subsection (b), "Containers for Apartments, Mobile Home Parks, Institutions, and Commercial Establishments," of Section 18-3, "Regulating Containers for Municipal Solid Waste Materials," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code is amended to read as follows:

"(b) Containers for apartments, mobile home parks, institutions, and commercial establishments. Every owner of an apartment, mobile home park, institution, or commercial establishment shall provide the premises with a sufficient number of solid waste containers to provide for the peak output of municipal solid wastes from those premises without overloading the containers.

(1) A container must be watertight and constructed of a solid and durable grade of metal or plastic material. Any container that is manually collected by city sanitation services employees must not exceed 96 ~~[50]~~ gallons in capacity, and the combined weight of the waste and the container must not exceed 250 ~~[50]~~ pounds. A container must not be overloaded to a point where spillage occurs from overflow, wind, or handling.

(2) All containers [~~except blue or clear recycling bags~~] must meet the following requirements:

(A) A container must be provided with suitable lifting handles on the outside and a close-fitting or other approved cover equipped with a handle.

(B) A container must not contain any inside structure, such as a band or reinforcing angle, or anything within the container to prevent the free discharge of the contents. A container that has deteriorated or become damaged to the extent that the cover will not fit securely or that has a jagged or sharp edge capable of causing injury to a sanitation services employee or other person whose duty it is to handle the container will be condemned by the city. If such a container is not replaced after notice to the owner or user, the container will be removed along with its contents.

~~[(C) The lid of a container must be close fitting and must remain in place covering the container at all times when there is any material in the container. The lid may be attached by an appropriate means to the rack upon which the container is placed or to an adjacent fence or other appropriate fixed object in order to prevent the lid from getting into the pathway of a vehicle. Except on a mechanically emptied container, the lid must not be directly attached to the container. A container that has the lid directly attached to it is a hazard to any sanitation services employee engaged in the collection of solid waste and will be condemned by the city. If such an attachment is not removed after notice to the owner or user, the container will be removed along with its contents.]~~

SECTION 18. That Section 18-9, "Specifying Charges for Sanitation Service," of Article I, "Collection and Disposal" of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code is amended to read as follows:

**"SEC. 18-9. SPECIFYING CHARGES FOR SANITATION SERVICE.**

(a) Method of charging and billing for sanitation services.

(1) A sanitation service charge for garbage and recycling will be made for the following:

(A) All dwelling units in the city that are served with water delivered under an active water account of the water utilities department of the city.

(B) All dwelling units in the city that are served with wastewater service only under an active account of the water utilities department of the city.

(C) All commercial properties in the city that can be adequately serviced with no more than 10 garbage rollcars and 10 recycling rollcars and that are served with water delivered under an active water account of the water utilities department of the city or that are served with wastewater service only under an active account of the water utilities department of the city.

(D) All commercial properties that are serviced with a single garbage rollcart. These properties have the option to receive one recycling rollcart of the same size or greater than the garbage rollcart, at no additional cost.



(E) All property that is served with sanitation services by the city and that is not specified by Subparagraphs (A), ~~(B)~~, (C), or (D) of this paragraph. The water utilities department shall bill for sanitation services in a manner that distinguishes the sanitation charges from water or wastewater charges.

(2) The water utilities department shall bill the person in whose name the water service or wastewater service account appears. If a sanitation services customer is not served with water or wastewater service by the city, the water utilities department shall bill the person in control of the premises or, if that person is unknown, the owner of the premises. Payment of the fee for sanitation services is due on or before the date stated on the face of the customer's bill and is delinquent after that date. A bill is delinquent if not paid within 15 days from the date it is rendered by the water utilities department.

(3) In addition to all other legal remedies available for the collection of a debt, the following actions and remedies are authorized for delinquent payment of the charges authorized in this article:

(A) The sanitation services may refuse to pick up and dispose of the garbage and trash (or rubbish) at the delinquent location;

(B) The water and/or wastewater service, if any, serving the delinquent premises in question may be shut off and terminated.

(C) A five percent late payment fee will be added to the total net bill.

(4) All collections by the water utilities department will be applied first to the water utilities charges, and the customer will be deemed to have paid such water utilities charges first if any question arises as to how outstanding balances should be composed and applied.

(A) All present water utilities department customers to be billed under this article will be automatically placed on the billing for sanitation services charges, regardless of whether or not a written contract exists between the city and such customers.

(B) All present water utilities guaranty deposits upon termination of wastewater service and/or water service may be applied to any amounts due either for sanitation services charges or fees of water utilities bills.

(C) All water utilities services contracts entered into between the water utilities department and the customer must contain an agreement that any guaranty deposit upon termination of wastewater service and/or water service may be applied to sanitation services fees and charges and to water utilities charges that have become due.

(b) General regulations.

(1) Establishment of service charges will be based upon the current use of the property rather than being based upon the zoning.

(2) There will be no proration of service charges for a portion of a billing period. The initial billing will be made concurrent with the initial water billing. The final billing for sanitation charges will be for a full billing period.

(3) Except as otherwise set forth in this article, collection service must be provided by the sanitation services of the city for all residences and duplexes and for all manual collection from apartments and mobile home parks, and such service may not be contracted or performed by other than the city's sanitation services.

(4) A commercial property in the city cannot receive service for more than 10 recycling rollcarts.

(A) A commercial property has the option to apply for an exemption to receive more than 10 recycling rollcarts upon written approval from the director of sanitation. Approval of the exemption will be at the discretion of the director of sanitation.

(B) The director of sanitation has the discretion to limit a commercial property to fewer than 10 recycling rollcarts if the property does not have adequate space or if the property cannot reasonably be provided with recycling service.

(5) A commercial property in the city cannot receive service for more than 10 garbage rollcarts.

(A) A commercial property has the option to apply for an exemption to receive more than 10 garbage rollcarts upon written approval from the director of sanitation. Approval of the exemption will be at the discretion of the director of sanitation.

(B) The director of sanitation has the discretion to limit a property to fewer than 10 garbage rollcarts if the property does not have adequate space or if the property cannot reasonably be provided with garbage service.

(6) Commercial establishments that are located within a 1.5-mile radius of Dallas City Hall may receive more than one garbage and recycling collection per week by sanitation services. Commercial establishments that are located outside of a 1.5-mile radius of Dallas City Hall may receive more than one garbage and recycling collection per week by the sanitation services of the city only if the director of sanitation agrees in writing.

(7) A commercial property shall comply with the following requirements when using a recycling rollcart:

(A) The rollcart must not be overloaded to the point where spillage occurs from overflow, wind, or handling.

(B) The rollcart must be closed or secured at the top to prevent spillage.

(C) Only recyclable materials may be placed in a recycling rollcart. A recycling rollcart that is used for non-recyclable materials or that contains a significant amount of non-recyclable materials may be removed from the premises at the direction of the director of sanitation.

(D) A recycling rollcart must be placed on the curb in accordance with Section 18-3(a)(4) and Section 18-4(c). A recycling rollcart that is not kept clean or that causes a nuisance may be removed from the premises at the direction of the director of sanitation.

(8) The director may provide for alternative solid waste collection service to a customer, if the director determines that the customer cannot be adequately serviced with the standard collection service.

(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 - \$22.79 [~~21.34~~] 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 - \$79.35 [~~71.17~~] 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 - \$22.79 [~~21.34~~] per apartment unit or mobile home space per month.

(B) Packout collection service for municipal solid waste - \$79.35 [~~71.17~~] 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**  
**[~~(Rear-end Loaders)~~]**

QUANTITY OF SOLID WASTE	NUMBER OF COLLECTIONS PER WEEK					
	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
60	\$37.79	\$68.76	\$93.53	\$113.77	\$138.95	\$169.70
100	\$50.18	\$93.53	\$116.24	\$147.20	\$246.31	\$412.13
200	\$85.27	\$182.31	\$235.98	\$297.92	\$351.61	\$414.96
300	\$134.83	\$246.31	\$326.83	\$407.36	\$492.00	\$594.25

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

	NUMBER OF COLLECTIONS PER WEEK*					
<u>96-gallon RollCarts</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
<u>1</u>	<u>\$59.59</u>	<u>\$88.85</u>	<u>\$118.11</u>	<u>\$147.37</u>	<u>\$176.63</u>	<u>\$205.89</u>
<u>2</u>	<u>\$119.18</u>	<u>\$177.70</u>	<u>\$236.22</u>	<u>\$294.73</u>	<u>\$353.25</u>	<u>\$411.77</u>
<u>3</u>	<u>\$178.77</u>	<u>\$266.54</u>	<u>\$354.32</u>	<u>\$442.10</u>	<u>\$529.88</u>	<u>\$617.66</u>
<u>4</u>	<u>\$238.36</u>	<u>\$355.39</u>	<u>\$472.43</u>	<u>\$589.47</u>	<u>\$706.51</u>	<u>\$823.54</u>
<u>5</u>	<u>\$297.95</u>	<u>\$444.24</u>	<u>\$590.54</u>	<u>\$736.84</u>	<u>\$883.13</u>	<u>\$1,029.43</u>
<u>6</u>	<u>\$357.54</u>	<u>\$533.09</u>	<u>\$708.65</u>	<u>\$884.20</u>	<u>\$1,059.76</u>	<u>\$1,235.32</u>
<u>7</u>	<u>\$417.13</u>	<u>\$621.94</u>	<u>\$826.75</u>	<u>\$1,031.57</u>	<u>\$1,236.39</u>	<u>\$1,441.20</u>
<u>8</u>	<u>\$476.72</u>	<u>\$710.78</u>	<u>\$944.86</u>	<u>\$1,178.94</u>	<u>\$1,413.01</u>	<u>\$1,647.09</u>
<u>9</u>	<u>\$536.31</u>	<u>\$799.63</u>	<u>\$1,062.97</u>	<u>\$1,326.30</u>	<u>\$1,589.64</u>	<u>\$1,852.98</u>
<u>10</u>	<u>\$595.90</u>	<u>\$888.48</u>	<u>\$1,181.08</u>	<u>\$1,473.67</u>	<u>\$1,766.27</u>	<u>\$2,058.86</u>

**TABLE OF MONTHLY CHARGES****(Garbage & Recycling, per Section 18-9(b)(6), once a week only)**

	<u>NUMBER OF COLLECTIONS PER WEEK</u>
<u>96-gallon RollCarts</u>	<u>1</u>
<u>1</u>	<u>\$30.33</u>
<u>2</u>	<u>\$60.66</u>
<u>3</u>	<u>\$90.99</u>
<u>4</u>	<u>\$121.32</u>
<u>5</u>	<u>\$151.65</u>
<u>6</u>	<u>\$181.98</u>
<u>7</u>	<u>\$212.31</u>
<u>8</u>	<u>\$242.64</u>
<u>9</u>	<u>\$272.97</u>
<u>10</u>	<u>\$303.30</u>

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

**TABLE OF MONTHLY CHARGES****(Recycling-Only Service, Outside of the Central Business District)**

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

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

(6[5]) Miscellaneous collection service charges will be as follows:

(A) Public housing may be charged as apartments.

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

(~~7~~[6]) The service charge for the collection and removal of grass cuttings from any premises is:

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

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

(~~8~~[7]) Packout or drive-in service for certain handicapped persons meeting uniform requirements specified by the director of sanitation will be provided at the rate for alley or curb collection service. Any applicant for a reduced rate under this subparagraph who intentionally makes any misrepresentation in any written statement required by such uniform requirements is guilty of an offense and, upon conviction, is punishable by a fine not to exceed \$500.

(~~9~~[8]) The fee for replacement of a rollcart that is lost or damaged due to a customer's negligence is \$49.59 for a garbage rollcart or \$52.94 for a recycling rollcart.

(~~10~~[9]) Large dead animals, including but not limited to horses, cattle, and other animals of similar size, will be picked up by the city for a fee of \$100 per animal.

(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."

SECTION 19. That Section 18-57, "License and Permit Fees," of Article V, "Tires," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code is amended to read as follows:

**"SEC. 18-57. LICENSE AND PERMIT FEES.**

(a) The annual fee for a tire business license is \$75 [~~345~~].

(b) The annual fee for each mobile tire repair unit permit is \$75 [~~30~~].

(c) The fee for issuing a duplicate tire business license or mobile tire repair unit permit for one that is lost, stolen, or mutilated is \$32 [~~40~~].

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

SECTION 20. That Subsection (a) of Section 27-32, "Registration Fees," of Article VII, "Registration and Inspection of Multi-Tenant Properties," of Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code is amended to read as follows:

"(a) The fee for a certificate of registration for a multi-tenant property is an amount equal to \$6.00 ~~[10.00]~~ times the total number of units in the multi-tenant property, whether occupied or unoccupied."

SECTION 21. That Subsection (c) of Section 27-42, "Property Inspections; Inspection and Reinspection Fees," of Article VII, "Registration and Inspection of Multi-Tenant Properties," of Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code is amended to read as follows:

"(c) The owner or operator of a multi-tenant property shall pay to the director the following fees for a graded inspection of the property:

(1) For a graded inspection in which the property scores 85 or higher or where Subsection (b)(3) applies to the property, no inspection fee will be charged.

(2) For a graded inspection in which the property scores lower than 85 because of substandard conditions or other premises violations existing on the property and where Subsection (b)(4) applies to the property, the inspection fee is \$46 ~~[30]~~ times the total number of units in the multi-tenant property.

(3) For a graded inspection in which the property scores lower than 85 only because of failure to have or display required documentation, including but not limited to permits, notices, licenses, records, or certificates of occupancy, and where Subsection (b)(4) applies to the property, the inspection fee is \$87 ~~[20]~~ times the total number of units in the multi-tenant property."

SECTION 22. That Subsection (e) of Section 27-42, "Property Inspections; Inspection and Reinspection Fees," of Article VII, "Registration and Inspection of Multi-Tenant Properties," of Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code is amended to read as follows:

"(e) The owner, occupant, operator, or other person responsible for the violation shall pay to the director the following fees for each reinspection after the first reinspection that must be conducted before the violation is determined to be eliminated:

(1) For a reinspection conducted inside units of a multi-tenant property, the fee is \$50 times the number of units actually reinspected.

(2) For a reinspection of the exterior and common areas of a multi-tenant property, the fee is \$20 [50] for each separate violation site reinspected.”

SECTION 23. That Subsection (a) of Section 27-62, “Registration Fees,” of Article IX, “Registration and Inspection of Non-Owner Occupied Rental Property,” of Chapter 27, “Minimum Urban Rehabilitation Standards,” of the Dallas City Code is amended to read as follows:

“(a) The annual fee for a certificate of registration for a non-owner occupied rental property is \$17 [25].”

SECTION 24. That Subsection (c) of Section 27-72, “Property Inspections; Reinspection Fees,” of Article IX, “Registration and Inspection of Non-Owner Occupied Rental Property,” of Chapter 27, “Minimum Urban Rehabilitation Standards,” of the Dallas City Code is amended to read as follows:

“(c) The owner, occupant, or other person responsible for the violation shall pay to the director \$19 [50] for each reinspection after the first reinspection that must be conducted before the violation is determined to be eliminated.”

SECTION 25. That Section 43A-3, “Inspections,” of Article I, “General Provisions,” of Chapter 43A, “Swimming Pools,” of the Dallas City Code is amended to read as follows:

**“SEC. 43A-3. INSPECTIONS AND REINSPECTIONS.”**

The director may inspect a swimming pool at any reasonable time and has authority to enter upon the premises where a pool is located to the extent necessary to make a full examination. Water samples from a pool may be taken. If a reinspection is required, the fee for the reinspection is \$43.”

SECTION 26. That Subsection (c) of Section 43A-17, “Permit and Manager of Operations Required,” of Article III, “Maintenance and Operation of Swimming Pools,” of Chapter 43A, “Swimming Pools,” of the Dallas City Code is amended to read as follows:



“(c) The director shall issue a permit to an applicant if a qualified manager of operations has been designated and the fee has been paid. The amount of the fee is \$47 [175] for [the first] each pool owned by an applicant [at one location, plus \$100 for each additional pool owned by the applicant at the same location]. The fee is due on or before the first day of March of each calendar year. If a permit is initially issued after the first day of March of a calendar year, the fee for that year will be prorated according to the number of whole months remaining in the year. No refunds will be made.”

SECTION 27. That Subsection (b) of Section 43A-18, “Certification of Manager of Operations,” of Article III, “Maintenance and Operation of Swimming Pools,” of Chapter 43A, “Swimming Pools,” of the Dallas City Code is amended to read as follows:

“(b) The certification of a manager of operations expires two years from the date of certification and a manager must repeat the training course to maintain certification. The fee for the [attending a] training course and certificate [for the purpose of managing a pool in the city] is \$47 [40; the fee for others is \$60].”

SECTION 28. That Subsection (a) of Section 48B-8, “Registration Fee and Inspection Charge,” of Article II, “Registration and Inspection of Vacant Buildings,” of Chapter 48B, “Vacant Buildings,” of the Dallas City Code is amended to read as follows:

“(a) The fee for a certificate of registration for a vacant building is \$73 [75], plus an inspection charge in an amount equal to  $\$185.64 + (\$0.009282 \times \text{total square feet of building area, excluding stairwells, elevator shafts, and mechanical rooms})$ .”

SECTION 29. That Subsection (c), “Rate Tables,” of Section 49-18.1, “Rates for Treated Water Service,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(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	<u>\$5.12</u> [4.85]
3/4-inch meter	<u>7.07</u> [6.70]
1-inch meter	<u>10.28</u> [9.74]
1-1/2-inch meter	<u>19.14</u> [18.13]

2-inch meter	<u>31.14</u> [ <del>29.50</del> ]
3-inch meter	<u>72.93</u> [ <del>69.09</del> ]
4-inch meter	<u>121.17</u> [ <del>114.79</del> ]
6-inch meter	<u>240.61</u> [ <del>227.94</del> ]
8-inch meter	<u>400.50</u> [ <del>378.85</del> ]
10-inch meter or larger	<u>614.98</u> [ <del>582.59</del> ]

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

TYPE OF USAGE

(A) Residential:

(i) Up to 4,000 gallons	<u>\$1.87</u> [ <del>1.80</del> ]
(ii) 4,001 to 10,000 gallons	<u>4.13</u> [ <del>3.91</del> ]
(iii) 10,001 to 15,000 gallons	<u>5.81</u> [ <del>5.50</del> ]
(iv) Above 15,000 gallons	<u>8.20</u> [ <del>7.63</del> ]

(B) General service:

(i) Up to 10,000 gallons	<u>3.47</u> [ <del>3.05</del> ]
(ii) Above 10,000 gallons	<u>3.71</u> [ <del>3.45</del> ]
(iii) Above 10,000 gallons and 1.4 times annual average monthly usage	<u>5.63</u> [ <del>5.00</del> ]"

SECTION 30. That Paragraph (1) of Subsection (f), "Election for Certain General Water Service Customers," of Section 49-18.1, "Rates for Treated Water Service," of Article II, "Rates, Charges and Collections," of Chapter 49, "Water and Wastewater," of the Dallas City Code is amended to read as follows:

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

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

(B) \$2,135.27 [~~2,025.00~~] per month as a usage charge on the first 1,000,000 gallons used in a billing period; and

(C) \$2.95 [~~2.75~~] per 1,000 gallons used in excess of 1,000,000 gallons per month.”

SECTION 31. That Subsection (g), “Adjusted Rates for Hidden Water Leaks,” of Section 49-18.1, “Rates for Treated Water Service,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

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

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

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

<u>TYPE OF USAGE</u>	<u>RATE PER 1,000 GALLONS</u>
(A) Residential	<u>\$1.87</u> [ <del>1.80</del> ]
(B) General service	<u>3.47</u> [ <del>3.05</del> ]
(C) Optional general service	<u>2.95</u> [ <del>2.75</del> ]
(D) Municipal service	<u>2.38</u> [ <del>2.35</del> ]

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.”

SECTION 32. That Subsection (i), “Rates for Municipal Purpose Water Service,” of Section 49-18.1, “Rates for Treated Water Service,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(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 \$2.38 [~~2.35~~] per 1,000 gallons of water used.”

SECTION 33. That Section 49-18.2, "Rates for Wastewater Service," of Article II, "Rates, Charges and Collections," of Chapter 49, "Water and Wastewater," of the Dallas City Code is amended to read as follows:

**"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

METER SIZE

RATE PER METER

5/8-inch meter	<u>\$4.58</u> [4.45]
3/4-inch meter	<u>6.27</u> [6.00]
1-inch meter	<u>9.10</u> [8.75]
1-1/2-inch meter	<u>17.52</u> [16.60]
2-inch meter	<u>27.60</u> [26.15]
3-inch meter	<u>66.72</u> [63.79]
4-inch meter	<u>106.68</u> [103.90]
6-inch meter	<u>209.97</u> [206.50]
8-inch meter	<u>350.51</u> [340.15]
10-inch meter or larger	<u>550.72</u> [525.50]

- (2) Monthly residential usage charge

\$5.20 [4.95] 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  | \$ <u>3.95</u> [ <del>3.70</del> ] per 1,000 gallons of water used                         |
| (4) | Monthly usage charge for Section 49-18.1(f) customer                                      | \$ <u>3.56</u> [ <del>3.38</del> ] per 1,000 gallons of water used                         |
| (5) | Monthly general service usage charge for wastewater separately metered                    | \$ <u>3.65</u> [ <del>3.50</del> ] per 1,000 gallons of wastewater discharged              |
| (6) | Monthly surcharge for excessive concentrations of waste                                   | An amount calculated in accordance with Sections 49-18.12, 49-48 and 49-49 of this chapter |
| (7) | Monthly surcharge for excessive concentrations of waste for wastewater separately metered | An amount calculated in accordance with Sections 49-18.12, 49-48 and 49-49 of this chapter |

(d) Where residential water service is not used. If a residential customer does not receive water service solely from the city, the director shall estimate water used per month to determine the usage charge in Subsection (c).

(e) Where general water service is not used. If a general service customer does not receive water service solely from the city, the customer must install and maintain, at the customer's expense, adequate meters that measure total water usage from other sources and that meet American Water Works Association standards. The customer must pay an additional customer charge of \$10.00 per month for each meter, regardless of size, installed under this subsection. When a meter is inaccurate, the director may estimate water usage.

(f) Rates for municipal purpose wastewater service. Wastewater service to property owned by the city of Dallas that is used solely for municipal purposes may be charged \$2.58 [~~2.55~~] per 1,000 gallons of water used."

SECTION 34. That Subsection (b), "Rate Table," of Section 49-18.4, "Rates for Wholesale Water and Wastewater Service to Governmental Entities," of Article II, "Rates, Charges and Collections," of Chapter 49, "Water and Wastewater," of the Dallas City Code is amended to read as follows:

"(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 \$0.4305 [~~0.3382~~] per 1,000 gallons of water used, and the annual water year demand charge is \$243,453 [~~223,308~~] per each mgd, as established by the highest rate of flow controller setting.

(2) If a flat rate charge for treated water is provided by contract, or in the absence of a rate of flow controller, the charge is \$1.9521 [~~1.7339~~] 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	<u>\$72.93</u> [ <del>69.09</del> ]
4-inch	<u>121.17</u> [ <del>114.79</del> ]
6-inch	<u>240.61</u> [ <del>227.94</del> ]
8-inch	<u>400.50</u> [ <del>378.85</del> ]
10-inch or larger	<u>614.98</u> [ <del>582.59</del> ]

(4) The rate for regular untreated water service to a governmental entity is \$0.8335 [~~0.5613~~] per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.4044 [~~0.2451~~] per 1,000 gallons of untreated water used.”

SECTION 35. That Subsection (e), Wholesale Wastewater Rates,” of Section 49-18.4, “Rates for Wholesale Water and Wastewater Service to Governmental Entities,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(e) Wholesale wastewater rates. The director may provide wholesale wastewater service to other governmental entities by contract, in accordance with the following rules:

(1) The monthly rate for wholesale wastewater service is \$2.2688 [~~2.3031~~] 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 11.3 [~~13.2~~] 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.”

SECTION 36. That Subsection (f), “Treatment of Water Owned By Another Governmental Entity,” of Section 49-18.4, “Rates for Wholesale Water and Wastewater Service to Governmental Entities,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(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 \$0.2994 [~~0.2982~~] per 1,000 gallons of water treated, and the annual water year demand charge is \$43,640 [~~38,177~~] per each mgd, as established by the maximum demand capacity set forth in the contract.”

SECTION 37. That Subsection (a), “Regular Rate,” of Section 49-18.5, “Rate for Untreated Water,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(a) Regular rate. The charge for untreated water is \$0.8335 [~~0.5613~~] per 1,000 gallons of water used.”

SECTION 38. That Subsection (b), “Interruptible Rate,” of Section 49-18.5, “Rate for Untreated Water,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(b) Interruptible rate. The charge for interruptible service is \$0.4044 [~~0.2451~~] per 1,000 gallons of water used.”

SECTION 39. That Subsection (a), “Water Service Installation and Connection Charge,” of Section 49-18.7, “Service Connection Charges,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

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

(1) Water Service Installation Charges.

<u>Connection Size</u>	<u>Fee</u>
3/4-inch	\$ <u>2,972</u> [ <del>2,650</del> ].00
1-inch	\$ <u>3,103</u> [ <del>2,750</del> ].00
1 1/2-inch	\$ <u>4,625</u> [ <del>3,603</del> ].00
2-inch	\$ <u>4,462</u> [ <del>3,605</del> ].00

(2) Connecting Existing Water Service.

<u>Connection Size</u>	<u>Fee</u>
3/4-inch	\$ <u>718</u> [ <del>925</del> ].00
1-inch	\$ <u>762</u> [ <del>975</del> ].00
1 1/2-inch	\$ <u>1,704</u> [ <del>1,325</del> ].00
2-inch	\$ <u>1,885</u> [ <del>1,575</del> ].00
Up to 2-inch bullhead	\$ <u>3,947</u> [ <del>2,575</del> ].00”

SECTION 40. That Subsection (b), “Wastewater Service Installation and Connection Fees” of Section 49-18.7, “Service Connection Charges,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(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              | \$ <u>2,778</u> [ <del>2,674</del> ].00 |
| (2) | For connecting existing wastewater service lines constructed by other persons | \$475.00”                               |

SECTION 41. That Section 49-18.9, “Charges for Use of Fire Hydrants,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:



**“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 \$72.93 [~~69.09~~]; 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).”

SECTION 42. That Section 50-82, “Fee,” of Article V, “Wood Vendors,” of Chapter 50, “Consumer Affairs,” of the Dallas City Code is amended to read as follows:

**“SEC. 50-82. FEE.**

The applicant shall pay an annual permit fee of \$64 [~~75~~] to the director at the time the license is issued. No refund of license fees shall be made.”

SECTION 43. That Section 50-101, “Fees,” of Article VIII, “Electronic Repairs,” of Chapter 50, “Consumer Affairs,” of the Dallas City Code is amended to read as follows:

**“SEC. 50-101. FEES.**

The annual fee for an electronic repair license is \$72 [~~175~~]. The fee for issuing a duplicate license for additional establishments or for a lost, destroyed or mutilated license is \$4. The fee is payable to the director upon issuance of a license. No refund of license fees shall be made.”

SECTION 44. That Section 50-116, “Fees,” of Article IX, “Motor Vehicle Repairs,” of Chapter 50, “Consumer Affairs,” of the Dallas City Code is amended to read as follows:

**“SEC. 50-116. FEES.**

The annual fee for a motor vehicle repair license is \$75 [~~200~~] for the first location and \$75 [~~200~~] for a duplicate license for each additional location. The fee for issuing a replacement license for one lost, destroyed, or mutilated is \$2. The fee is payable to the director upon issuance of a license. No refund of license fees will be made.”

SECTION 45. That Subsection (a) of Section 50-137, "License Fees," of Article X, "Home Repairs," of Chapter 50, "Consumer Affairs," of the Dallas City Code is amended to read as follows:

"(a) The fee for a home repair license is \$68 [~~400~~] a year."

SECTION 46. That Subsection (a) of Section 50-149, "Registration Application," of Division 2, "Registration of Credit Access Businesses," of Article XI, "Credit Access Businesses," of Chapter 50, "Consumer Affairs," of the Dallas City Code is amended to read as follows:

"(a) To obtain a certificate of registration for a credit access business, a person must submit an application on a form provided for that purpose to the director. The application must contain the following:

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

(2) The business or trade name, street address, mailing address, facsimile number, and telephone number of the credit access business.

(3) The names, street addresses, mailing addresses, and telephone numbers of all owners of the credit access business and other persons with a financial interest in the credit access business, and the nature and extent of each person's interest in the credit access business.

(4) A copy of a current, valid state license held by the credit access business.

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

(6) A non-refundable application fee of \$76 [~~50~~]."

SECTION 47. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance governing fire safety, zoning, or public health and sanitation, including dumping of refuse, is, upon conviction, punishable by a fine not to exceed \$2,000 and that a person violating any other provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 48. That Chapters 5A, 7, 15D, 16, 18, 27, 43A, 48B, 49, and 50 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 49. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 50. That a certificate of registration for high risk buildings and occupancies issued under Chapter 16 of the Dallas City Code before April 1, 2016, shall remain valid until the expiration date of that certificate.

SECTION 51. That Section 12 of this ordinance shall take effect on April 1, 2016.

SECTION 52. That the charges in the “Table of Monthly Charges (Garbage & Recycling, per Section 18-9(b)(6), once a week only)” added to Subsection (c)(3) of Section 18-9, “Specifying Charges for Sanitation Service,” of Article I, “Collection and Disposal” of Chapter 18, “Municipal Solid Wastes,” of the Dallas City Code, as indicated in Section 18 of this ordinance, shall take effect on January 1, 2016.

SECTION 53. That the charges in the “Table of Monthly Charges, (Recycling-Only Service, Outside of the Central Business District)” added to Subsection (c)(4) of Section 18-9, “Specifying Charges for Sanitation Service,” of Article I, “Collection and Disposal” of Chapter 18, “Municipal Solid Wastes,” of the Dallas City Code, as indicated in Section 18 of this ordinance, shall take effect on January 1, 2016.

SECTION 54. That all parts of Section 18 of this ordinance not specifically referenced in Sections 52 and 53 of this ordinance, and all other amendments not specifically referenced in

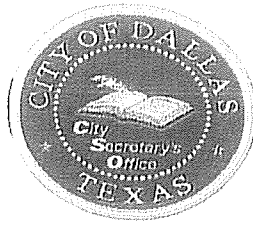
Sections 51 through 53 of this ordinance shall take effect on October 1, 2015, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By *Aleen Gouen*  
Assistant City Attorney

Passed SEP 22 2015



## PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL SEP 22 2015

ORDINANCE NUMBER 29879

DATE PUBLISHED SEP 26 2015

ATTESTED BY: