

8-29-18

30993

ORDINANCE NO. _____

An ordinance amending Section 2-168 of Chapter 2, "Administration"; amending Section 15D-57 of Chapter 15D, "Emergency Vehicles"; amending Sections 18-9 and 18-11 of Chapter 18, "Municipal Solid Wastes"; amending Section 28-26 of Chapter 28, "Motor Vehicles and Traffic"; amending Sections 49-18.1, 49-18.2, 49-18.4, 49-18.5, and 49-18.7 of Chapter 49, "Water and Wastewater"; amending Section 51A-1.105 of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended"; amending the stormwater fee structure; amending the fees for wrecker services; amending the fees for disposal of solid waste; amending the fees for a sign installation application and sign installations; amending rates and charges for treated water service, wastewater service, wholesale water, wastewater service to governmental entities, untreated water service, installation of water service, connection of water service, installation of wastewater service, and connection of wastewater service; amending the fees for a thoroughfare plan amendment; amending the fees for a municipal setting designation; and providing 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 Subsection (b), "Stormwater Drainage Utility Rates," of Section 2-168, "Definitions; Stormwater Drainage Utility Rates; Exemptions; Incentives for Residential-Benefitted Properties; Billing and Collection Procedures," of Article XXVIII, "Stormwater Drainage Utility," of Chapter 2, "Administration," of the Dallas City Code is amended to read as follows:

“(b) Stormwater drainage utility rates.

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

| IMPERVIOUS AREA (in square feet) | MONTHLY RATE |
|---------------------------------------------|--------------------------------------|
| up to 2,000 | \$ <u>3.73</u> [3.57] |
| 2,001 - 3,500 | \$ <u>5.94</u> [5.68] |
| 3,501 - 5,500 | \$ <u>8.89</u> [8.51] |
| more than 5,500 | \$ <u>14.54</u> [13.91] |

(2) The stormwater drainage charge for all other benefitted properties not defined as residential-benefitted property is an amount equal to \$2.01 [~~1.92~~] per month for each 1,000 square feet, or parts thereof, of impervious area of the benefitted property, with a minimum charge of \$5.74 [~~5.49~~] per month for non-residential-benefitted property.

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

SECTION 2. That Subsection (a) of Section 15D-57, “Maximum Fee Schedule For Emergency Wrecker Service,” of Division 6, “Fee Schedule,” of Article II, “Emergency Wreckers,” of Chapter 15D, “Emergency Vehicles,” of the Dallas City Code is amended to read as follows:

“(a) The following fees are authorized for providing emergency wrecker service to vehicles (except for vehicles owned by the city):

(1) \$139 [~~121~~] for towage of a vehicle with a manufacturer’s gross vehicle weight rating of not more than 10,000 pounds, plus a fee of \$73 [~~64~~] for each hour over two hours that is required to complete the tow, with partial hours paid in quarter hour increments.

(2) \$219 [~~191~~] for towage of a vehicle with a manufacturer’s gross vehicle weight rating of more than 10,000 pounds but not more than 26,000 pounds, plus a fee of \$109 [~~95~~] for each hour over two hours that is required to complete the tow, with partial hours paid in quarter hour increments.

(3) \$509 [~~445~~] for towage of a vehicle with a manufacturer’s gross vehicle weight rating of more than 26,000 pounds, plus a fee of \$182 [~~159~~] for each hour over two hours that is required to complete the tow, with partial hours paid in quarter hour increments.

(4) ~~\$73~~ [64] for any service a wrecker operator or driver performs that renders a vehicle operable, including, but not limited to, removing or straightening a bumper or fender, or another similar service.

(5) When dispatched by the chief of police to a location more than 100 yards outside the corporate limits of the city to tow a vehicle from the dispatched location to a location inside the corporate limits of the city, ~~\$4~~ [3] for each loaded one-way mile that the wrecker travels, measured from the dispatched location to the nearest point of the corporate limits of the city using the most direct and expeditious route.

(6) When dispatched by the chief of police to a location inside the corporate limits of the city to tow a vehicle to a location more than 100 yards outside the corporate limits of the city, ~~\$4~~ [3] for each loaded one-way mile that the wrecker travels, measured from the nearest point of the corporate limits of the city to the vehicle delivery location using the most direct and expeditious route.

(7) No additional fee may be charged for linkage of a vehicle prior to a tow or for the use of towing dollies, go-jacks, winching, or air bags.”

SECTION 3. That Paragraph (1) of Subsection (c), “Schedule of Service Charges,” 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 is amended to read as follows:

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

(A) Alley or curb collection service for municipal solid waste - ~~\$25.18~~ [25.18] per dwelling unit per month for one rollcart, plus \$10.56 per month for each additional garbage rollcart requested by the owner or occupant of the premises.

(B) Packout or drive-in collection service for municipal solid waste - ~~\$95.04~~ [87.69] per dwelling unit per month.”

SECTION 4. That Paragraph (2) of Subsection (c), “Schedule of Service Charges,” 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 is amended to read as follows:

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

(A) Alley, curb, or drive-in collection service for municipal solid waste - ~~\$27.29~~ [25.18] per apartment unit or mobile home space per month.

(B) Packout collection service for municipal solid waste - \$95.04 [~~87.69~~] per apartment unit or mobile home space per month.”

SECTION 5. That Paragraph (2) of Subsection (b) of Section 18-11, “Specifying Charges for Disposal of 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:

“(2) Except as provided in Subsection (b)(3), the charge for all materials accepted at a city landfill site is \$26.25 [~~25.00~~] per ton based on the landfill weighing system, with a minimum charge of \$26.25 [~~25.00~~] for any load that is less than one ton.”

SECTION 6. That Subsection (f) of Section 28-26, “Parking Designations; Authority to Install,” of Article V, “Traffic Control Devices,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code is amended to read as follows:

“(f) The traffic engineer may, upon application by a person whose property abuts a [~~residential~~] roadway, install or remove signs prohibiting or restricting parking on one or both sides of the roadway. The application must be made on a form provided by the traffic engineer and accompanied by a nonrefundable application fee of \$240 [~~50~~]. The traffic engineer may approve or deny the application in accordance with departmental policy. If an application for the installation of signs is approved, the applicant must pay a fee of \$197 [~~25~~] for each sign installed.”

SECTION 7. That Paragraph (2), “Usage Charge – Rate Per 1,000 Gallons,” of 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:

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

TYPE OF USAGE

(A) Residential:

- (i) Up to 4,000 gallons \$1.86 [~~1.92~~]
- (ii) 4,001 to 10,000 gallons \$4.00 [~~4.34~~]
- (iii) 10,001 to 20,000 [~~15,000~~] gallons \$6.50 [~~6.20~~]

- | | | |
|----------------------|-----------------------------------------------------------------------|------------------------------------|
| (iv) | <u>20,001 to 30,000 gallons</u> | <u>\$9.30</u> |
| (v) | Above <u>30,000</u> [15,000] gallons | <u>\$10.70</u> [8.75] |
| (B) General Service: | | |
| (i) | Up to 10,000 gallons | <u>\$3.73</u> [3.76] |
| (ii) | Above 10,000 gallons | <u>\$4.05</u> [4.08] |
| (iii) | Above 10,000 gallons and 1.4 times annual average monthly usage | <u>\$6.15</u> [6.20]" |

SECTION 8. 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 as provided in Subsection (c);
- (B) \$2,287.29 [~~2,231.50~~] per month as a usage charge on the first 1,000,000 gallons used in a billing period; and
- (C) \$3.24 [~~3.15~~] per 1,000 gallons used in excess of 1,000,000 gallons per month."

SECTION 9. That Subsection (g), "Adjusted Rates for Hidden Water Leaks," of Section 49-18.1, "Rates for Treated Water Service," 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>1.86</u> [1.92] |
| (B) General Service | \$ <u>3.73</u> [3.76] |
| (C) Optional general service | \$ <u>3.24</u> [3.15] |
| (D) Municipal service | \$ <u>2.51</u> [2.47] |

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 10. 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 \$2.51 [~~2.47~~] per 1,000 gallons of water used.”

SECTION 11. That Paragraph (2) of Subsection (c), “Rate Tables,” of 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:

“(2) Monthly residential use charge: \$5.36 [~~5.38~~] per 1,000 gallons of the average water consumption billed in the months of December, January, February, and March or of the actual m[~~M~~]onth’s water consumption, whichever is less, up to a maximum charge of 40,000 gallons per month.”

SECTION 12. That Paragraph (3) of Subsection (c), “Rate Tables,” of 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:

“(3) Monthly general service usage charge: \$4.11 [4.17] per 1,000 gallons of water used.”

SECTION 13. That Paragraph (4) of Subsection (c), “Rate Tables,” of 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:

“(4) Monthly usage charge for Section 49-18.1(f) customer: \$3.86 [3.75] per 1,000 gallons of water used.”

SECTION 14. That Paragraph (5) of Subsection (c), “Rate Tables,” of 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:

“(5) Monthly general service usage charge for wastewater separately metered: \$3.91 [3.80] per 1,000 gallons of wastewater discharged.”

SECTION 15. That Subsection (f), “Rates for Municipal Purpose Wastewater Service,” of 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:

“(f) Rates for municipal purpose wastewater service. Wastewater service to property owned by the city of Dallas that is used solely for municipal purposes may be charged \$2.74 [2.65] per 1,000 gallons of water used.”

SECTION 16. 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 \$0.3650 [0.4565] per 1,000 gallons of water used, and the annual water year demand charge is \$276,434 [280,458] 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 flow controller, the charge is \$2.0749 [~~2.2094~~] per 1,000 gallons of treated water used.

(3) A monthly readiness-to-serve charge will be assessed for any standby service point. The monthly fee, based on size of connection, is as follows:

| <u>Size of Connection</u> | <u>Monthly Standby Fee</u> |
|---------------------------|----------------------------|
| 3-inch | \$77.00 |
| 4-inch | 126.62 |
| 6-inch | 251.45 |
| 8-inch | 418.53 |
| 10-inch or larger | 642.66 |

(4) The rate for regular untreated water service to a governmental entity is \$0.8572 [~~1.0225~~] per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.3440 [~~0.4761~~] per 1,000 gallons of untreated water used.”

SECTION 17. 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 \$2.8601 [~~2.7451~~] per 1,000 gallons of wastewater discharged. The director is authorized to compensate those governmental entities located within the boundaries of the city for the city’s use of integrated facilities owned by those governmental entities.

(2) An infiltration and inflow adjustment factor of 3.1 [~~5.3~~] percent will be added to the average water consumption for the months of December, January, February, and March to determine billable volume for a governmental entity with unmetered wholesale wastewater service.

(3) If the BOD or suspended solids concentration of waste discharged exceeds 250 mg/L, the governmental entity must pay a surcharge calculated in accordance with Section 49-18.12(1)(A) or (B), whichever applies.”

SECTION 18. 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 \$0.3118 [~~0.3005~~] per 1,000 gallons of water treated, and the annual water year demand charge is \$36,781 [~~36,062~~] per each mgd, as established by the maximum demand capacity set forth in the contract."

SECTION 19. 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 \$0.8572 [~~1.0225~~] per 1,000 gallons of water used."

SECTION 20. 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 \$0.3440 [~~0.4761~~] per 1,000 gallons of water used."

SECTION 21. That Subsection (c), "Reservoir Supply Permits," 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:

"(c) Reservoir supply permits. The director may authorize contracts with owners of property abutting water supply lakes or streams for the domestic use of untreated water. A contract under this subsection may not allow withdrawal of untreated water in excess of 10 acre-feet per year. 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 contract or contract renewal under this subsection must be accompanied by a nonrefundable processing fee of \$210[~~95~~]."

SECTION 22. 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 connection at the following rates:

(1) Water Service Installation Charges.

| <u>Connection Size</u> | <u>Fees</u> |
|------------------------|------------------------------------|
| 3/4-inch | \$3,600.00 [3,420.00] |
| 1-inch | \$3,750.00 [3,520.00] |
| 1 1/2-inch | \$4,800.00 [4,520.00] |
| 2-inch | \$5,400.00 [4,820.00] |

(2) Connecting Existing Water Service.

| <u>Connection Size</u> | <u>Fees</u> |
|------------------------|------------------------------------|
| 3/4-inch | \$820.00 |
| 1-inch | \$910.00 [900.00] |
| 1 1/2-inch | \$1,830.00 [2,120.00] |
| 2-inch | \$1,830.00 [1,820.00] |
| Up to 2-inch bullhead | \$2,580.00 [2,180.00] |

SECTION 23. 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 | \$3,110.00 [3,000.00] |
|----------------------------------------------------------------------|------------------------------------|

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- (2) For connecting existing wastewater service lines constructed by other persons \$475.00.”

SECTION 24. That Paragraph (4) of Subsection (c), “Fees for Fill Permits for Removal of a Flood Plain Designation,” of Section 51A-1.105, “Fees,” of Article I, “General Provisions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

- “(4) Fee schedule.

| <u>Type of Application</u> | <u>Application Fee</u> | <u>Area of Notification for Hearing</u> |
|------------------------------------------------------------------------|------------------------------------------|-----------------------------------------|
| Fill permit for land within the Trinity River or Elm Fork flood plains | \$ <u>8,150.00</u> [6,500.00] | 500 feet |
| Fill permit for land within the interior drainage areas | \$ <u>1,436.00</u> [1,000.00] | |
| Fill permit in all other applications | \$ <u>8,150.00</u> [6,500.00] | 500 feet |
| Single family | \$ <u>8,150.00</u> [6,500.00] | 500 feet” |

SECTION 25. That Paragraph (4) of Subsection (j), “Fees for Thoroughfare Plan Amendments,” of Section 51A-1.105, “Fees,” of Article I, “General Provisions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

- “(4) Fee schedule for thoroughfare plan amendment:

| <u>Length of Roadway</u> | <u>Application Fee</u> |
|--------------------------|---------------------------------------------------------|
| 0-.25 miles | \$ <u>2,660.00</u> [1,115.00] |
| Longer than .25 | \$ <u>2,660.00</u> [1,115.00] plus \$.87 per |

miles linear foot”

SECTION 26. That Paragraph (4) of Subsection (t), “Fees for Municipal Setting Designation Ordinance,” of Section 51A-1.105, “Fees,” of Article I, “General Provisions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(4) The initial filing fee for a municipal setting designation ordinance is \$4,000 [~~3,000~~]. The director shall not mail notices or advertise the public meeting until the estimated cost of mailing notices and advertising the public meeting is paid. The director shall not place a municipal setting designation ordinance on a city council agenda until an additional processing fee of \$8,550 [~~6,000~~] is paid.”

SECTION 27. 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, is, upon conviction, is 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 28. That Chapters 2, 15D, 18, 28, 49, and 51A of the Dallas City Code, as amended, shall 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 29. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

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SECTION 30. 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 31. That this ordinance shall take effect on October 1, 2018, and it is accordingly so ordained.

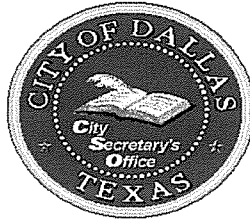
APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By


Assistant City Attorney

Passed SEP 18 2018



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 18 2018

ORDINANCE NUMBER 30993

DATE PUBLISHED SEP 22 2018

ATTESTED BY: