

9-23-20

ORDINANCE NO. 31707

An ordinance amending Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Section 51A-5.104; prohibiting manufactured homes and recreational vehicle camping and parking locations from being placed in the flood plain; requiring electrical, heating, ventilation, plumbing, air-conditioning equipment, and other mechanical service facilities be located at least three feet above the design flood elevation; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Paragraph (6), "Manufactured Homes," Subsection (b), "Improvements Permitted," of Section 51A-5.104, "Uses and Improvements Permitted," of Division 51A-5.100, "Flood Plain Regulations," of Article V, "Flood Plain and Escarpment Zone Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(6) Manufactured homes. Manufactured homes may not be placed [~~in manufactured home parks, courts, or subdivisions~~] within a flood plain area. Recreational vehicle camping and parking locations are not permitted within a flood plain area. [~~s unless all of the following requirements are met:~~

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- (A) ~~No manufactured home may be placed within a floodway.~~
- (B) ~~The manufactured home park, court, or subdivision where the manufactured home is to be placed must have been an existing development prior to March 16, 1983, the effective date of the original City of Dallas Flood Insurance Rate Map.~~
- (C) ~~All manufactured homes to be placed within a flood plain area in accordance with Subparagraph (B) must be installed using methods and practices that minimize flood damage.~~
- (D) ~~The lowest floor of a manufactured home must be elevated one foot above the design flood elevation, and the home must be anchored to resist flotation, collapse, or lateral movement. An acceptable method of anchoring includes but is not limited to the use of over the top frame ties to ground anchors. Applicable state anchoring requirements for resisting wind forces must be met. A registered land surveyor shall submit a certification to the director of water utilities stating that elevation requirements are satisfied.~~
- (E) ~~The manufactured home's chassis must be supported by reinforced piers or other foundation elements that are less than 36 inches in height above grade. The chassis must be securely anchored to a foundation system to resist flotation, collapse, and lateral movement.~~
- (F) ~~Enclosure of areas below the lowest floor of a manufactured home placed within an FP area must be designed to automatically equalize hydrostatic floor forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement must be certified by a licensed professional engineer and satisfy the following criteria:~~
- ~~(i) At least two openings must be provided which have a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.~~
 - ~~(ii) The bottom of all openings must be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.]”~~

SECTION 2. That Paragraph (5) of Subsection (c), “Construction Standards,” of Section 51A-5.104, “Uses and Improvements Permitted,” of Division 51A-5.100, “Flood Plain Regulations,” of Article V, “Flood Plain and Escarpment Zone Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

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“(5) Electrical, heating, ventilation, plumbing, air-conditioning equipment, and other mechanical service facilities must be designed and located at least three feet above the design flood elevation to prevent water from entering or accumulating in the components during flooding.”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 4. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. 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.

SECTION 6. 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 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By Casey Burgess
Assistant City Attorney

Passed NOV 11 2020



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 NOV 11 2020

ORDINANCE NUMBER 31707

DATE PUBLISHED NOV 14 2020

ATTESTED BY: