

9-22-21

ORDINANCE NO. 32003

An ordinance amending Section 2-168 of Chapter 2, "Administration"; amending Section 6A-5 of Chapter 6A, "Amusement Centers"; amending Section 9A-4 of Chapter 9A, "Billiard Halls"; amending Sections 13-28.1 and 13-28.3 of Chapter 13, "Courts, Fines and Imprisonments"; amending Section 14-4 of Chapter 14, "Dance Halls"; amending Section 105 of Chapter 16, "Dallas Fire Code"; amending Sections 17-2.2 and 17-10.2 of Chapter 17, "Food Establishments"; amending Section 18-19 and 18-11 of Chapter 18, "Municipal Solid Wastes"; amending Section 41A-6 of Chapter 41A, "Sexually Oriented Business"; amending Sections 49-18.1, 49-18.2, 49-18.3, 49-18.4, 49-18.5, 49-18.7, 49-18.9, 49-18.11, 49-18.12 of Chapter 49, "Water and Wastewater"; and amending Section 51A-1.105 of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended"; amending the stormwater fee structure; amending the annual fee for amusement center licenses; amending the annual fee per billiard table; amending requirements for consolidating certain court costs and other court related costs, fines, and fees; adjusting fees for dance hall licenses and late-hour permits; amending fees for food service manager registrations; adjusting fees for food establishment permits; amending the plans review fee for mobile food preparation vehicles; amending the fees for periodic inspections of food establishments; adjusting fees for annual inspection of fixed facilities; amending annual inspection fees for catering services and mobile food establishments; amending fees for temporary food service; amending fees for sanitation collection services; amending fees for sexually oriented business licenses; adding a permit fee for foster homes with five children or fewer; adjusting rates and charges for treated water service, wastewater service, wholesale water, and wastewater service

to governmental entities, additional water meters, untreated water service, service connections, fire hydrant usage, and industrial surcharge rate formula for excessive concentrations; providing fees for Landmark Commission applications; 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	\$4.44 [4.25]
2,001 - 3,500	\$7.06 [6.76]
3,501 - 5,500	\$10.57 [10.11]
more than 5,500	\$17.28 [16.53]

(2) The stormwater drainage charge for all other benefitted properties not defined as residential-benefitted property is an amount equal to \$2.39 [2.29] per month for each 1,000 square feet, or parts thereof, of impervious area of the benefitted property, with a minimum charge of \$6.82 [6.53] per month for non-residential-benefitted property.

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

SECTION 2. That Section 6A-5, "Fee," of Chapter 6A, "Amusement Centers," of the Dallas City Code is amended to read as follows:

"SEC. 6A-5. FEE.

The annual fee for an amusement center license is \$39 [48] for each coin-operated amusement device located in the center. Amusement center licenses expire one year from the date of issuance. The fee for issuing a replacement license for one lost, destroyed, or mutilated is \$2. The fee is payable to the city upon approval of the license by the chief of police. No refund of license fees will be made."

SECTION 3. That Section 9A-4, "Fees," of Chapter 9A, "Billiard Halls," of the Dallas City Code is amended to read as follows:

"SEC. 9A-4. FEES.

A nonrefundable fee of \$52 [75] per billiard table will be charged annually."

SECTION 4. That Subsection (b) of Section 13-28.1, "Local Consolidated Fee," of Article II, "Municipal Court of Record," of Chapter 13, "Courts, Fines and Imprisonments," of the Dallas City Code is amended to read as follows:

"(b) The local consolidated fee collected under this section must be deposited [~~in the general fund of the city~~] and allocated in accordance with Section 134.103(b) of the Texas Local Government Code as follows: [-]

(1) Municipal court building security fund. Funds may only be used for security personnel services, and items related to buildings that house the operation of municipal court. A non-exhaustive list of potential uses included in Article 102.017(c) of the Texas Code of Criminal Procedure.

(2) Local truancy prevention and diversion fund. Per Section 134.156 of the Texas Local Government Code, funds may only be used to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses relating to the position of juvenile case manager. Funds may not be used to supplement the income of an employee whose primary role is not as a juvenile case manager.

(3) Municipal court technology fund. Funds may only be used to finance the purchase of or to maintain technological enhancements for a municipal court. A non-exhaustive list of potential uses is included in Article 102.0172(b) of the Texas Code of Criminal Procedure.

(4) Municipal jury fund. Per Section 134.154 of the Texas Local Government Code, funds may only be used for juror reimbursement and to otherwise fund finance jury services.”

SECTION 5. That Section 13-28.3, “Reimbursement Fee for Certain Payments Through the Internet or an Interactive Voice Response Telephone System,” of Article II, “Municipal Court of Record,” of Chapter 13, “Courts, Fines and Imprisonments,” of the Dallas City Code is amended to read as follows:

“SEC. 13-28.3. REIMBURSEMENT FEE FOR CERTAIN PAYMENTS THROUGH THE INTERNET OR AN INTERACTIVE VOICE RESPONSE TELEPHONE SYSTEM.

(a) Pursuant to Chapter 132 of the Texas Local Government Code, as amended, the municipal clerk may ~~shall~~ collect a reimbursement fee up to an amount not to exceed five percent of the amount of the fee, fine, court cost, or other charge being paid ~~[of \$3.50]~~ for each payment of fines, penalties, court costs, or other fees assessed by the municipal court made through:

- (1) the internet, when the payment is made by check, debit card, or credit card;
- or
- (2) an interactive voice response telephone system, when the payment is made by credit card.

(b) The reimbursement fee collected under this section must be deposited in the general fund of the city or the municipality must approve any fee charged by a vendor under a contract authorized to provide services through the internet.”

SECTION 6. That Subsection (a) of Section 14-4, “Fees,” of Chapter 14, “Dance Halls,” of the Dallas City Code is amended to read as follows:

“(a) The following nonrefundable fees will be charged for each license issued under the terms of this chapter:

- (1) For a Class A dance hall, the annual license fee is \$526 ~~[854]~~.
- (2) For a Class B dance hall, the annual license fee is \$526 ~~[854]~~.
- (3) For a Class C dance hall, the daily license fee is \$526 ~~[852]~~.
- (4) For a Class E dance hall, the annual license fee is \$526 ~~[926]~~.

(5) For a late-hours permit, the annual fee is \$526 [926] in addition to the license fee for a Class A, B, or C dance hall, whichever is applicable.”

SECTION 7. That Paragraph 42 of Subsection 105.8, “Fees and Permits Schedule,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Subchapter 1, “Scope and Administration,” of Chapter 16, “Dallas Fire Code,” of the Dallas City Code is amended to read as follows:

“42. State licensed facilities	
(child care facility 35 children or fewer), annual	\$300.00
(child care facility more than 35 children), annual	\$400.00
(residential care facility), annual	\$350.00
<u>(foster home five children or fewer), annual</u>	<u>\$50.00</u>
(small assisted living), annual	\$640.00
(adult day care facility), annual	\$700.00”

SECTION 8. That Paragraph (6), “Food Service Manager Registration Fees,” of Subsection (c), “Registered Food Service Managers,” of Section 17-2.2, “Additional Requirements,” of Article II, “Management and Personnel,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(6) Food service manager registration fees. An applicant shall pay a nonrefundable fee of \$63 [39] per year for a food service manager registration.”

SECTION 9. That Paragraph (2) of Subsection (d), “Permit Application Fee,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(2) The applicant shall pay a nonrefundable fee according to the following schedule:

	Fixed Facility	Mobile Food Preparation Vehicle
Application Fee	<u>\$197</u> [424]	<u>\$481</u> [286]

Reinstatement fee after lapse of permit for failure to pay annual inspection fee by due date: existing facility or vehicle under same ownership	\$ <u>199</u> [444]	[\$444]"
---	----------------------------------	-----------------------

SECTION 10. That Paragraph (1) of Subsection (e), "Plans and Specifications," of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of Chapter 17, "Food Establishments," of the Dallas City Code is amended to read as follows:

"(1) A person shall not begin constructing a fixed facility or constructing a mobile food preparation vehicle (whether by manufacturing, retrofitting, or converting), or extensively remodeling a fixed facility, intended for use in the operation of a food establishment (other than a temporary food service establishment) before a copy of plans and specifications of the construction or remodeling are approved, in writing, by the director. A request for approval of plans and specifications must be accompanied by a nonrefundable plans review fee of \$562 [~~205~~] for a mobile food preparation vehicle."

SECTION 11. That Paragraph (4), "Periodic Inspections," of Subsection (f), "Inspections," of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of Chapter 17, "Food Establishments," of the Dallas City Code is amended to read as follows:

"(4) Periodic inspections. The director shall periodically inspect each separate and distinct facility and vehicle from which a food establishment operates to determine whether the establishment complies with this chapter and other applicable city ordinances and state and federal law. The director shall conduct the periodic inspection as often as the director considers necessary to enforce this chapter or other applicable law, but at least once each six-month period for risk level three establishments, once a year for risk level two establishments, and every other year for risk level one establishments. Whenever a food establishment is inspected by the director and a violation of this chapter or other applicable law is found, the director shall, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, reinspect the food establishment to determine that the violation has been eliminated. A \$191 [~~74~~] fee will be charged for each reinspection that must be conducted before the violation is determined to be eliminated."

SECTION 12. That Subsection (g), “Annual Inspection Fees: Catering Services and Mobile Food Establishments,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(g) Annual inspection fees: catering services and mobile food establishments.

(1) Catering service. A catering service shall pay the city a nonrefundable annual inspection fee of \$311 [~~425~~] for each vehicle used to operate the service inside the city.

(2) Mobile food establishment.

(A) A food establishment that operates a mobile food establishment inside the city shall pay the city a nonrefundable annual inspection fee in accordance with the following schedule:

Type of Operation	Each Vehicle
General service	<u>\$408</u> [240]
<u>General service (mobile kiosk/coffee carts)</u>	<u>\$404</u>
Limited service (produce trucks, ice cream carts, grocery trucks)	<u>\$382</u> [238]
Mobile food preparation vehicle	<u>\$330</u> [185]

SECTION 13. That Paragraph (2), “Amount,” of Subsection (h), “Annual Inspection Fee: Fixed Facilities,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(2) Amount. The amount of the fee for each facility is determined by the floor area of the facility. In determining the floor area, the director shall include each interior part of the facility used to manufacture or process, store, package, prepare, distribute, sell, or serve food. The fees are as prescribed in the following schedule:

(A) For facilities not included in Section 17-10.2(h)(2)(B):

32003

Risk Level One Establishment:

Area in square feet	Annual fee
1 to 2,000	\$ <u>141.00</u> [77]
2,001 or more	\$ <u>155</u> [87]

Risk Level Two Establishment:

Area in square feet	Annual fee
1 to 2,000	\$ <u>283</u> [155]
2,001 or more	\$ <u>308</u> [174]

Risk Level Three Establishment:

Area in square feet	Annual fee
1 to 2,000	\$468 [280]
2,001 or more	\$ <u>513</u> [318]

(B) If a food establishment is being operated from more than one separate and distinct facility in the same building, for each facility in excess of one:

Risk Level One Establishment:

Area in square feet	Annual fee
1 to 2,000	\$ <u>141.00</u> [77]
2,001 or more	\$ <u>155</u> [87]

Risk Level Two Establishment:

Area in square feet	Annual fee
1 to 2,000	\$ <u>283</u> [155]
2,001 or more	\$ <u>308</u> [174]

Risk Level Three Establishment:

Area in square feet	Annual fee
1 to 2,000	\$468 [280]
2,001 or more	\$ <u>513</u> [318]”

SECTION 14. That Paragraph (3) of Subsection (h), “Annual Inspection Fee: Fixed Facilities,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(3) No later than December 31 of each year, a food establishment shall pay the annual inspection fee for the following calendar year. Failure to pay all fees by December 31 of the year can result in the establishment being subject to the preclosure process. Food establishments subject to the preclosure process shall pay the city a nonrefundable fee of \$158 [87] and may receive citations for operating without a valid permit.”

SECTION 15. That Subsection (i), “Temporary Food Service Fee,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(i) Temporary food service fee.

(1) Before the director issues a permit to a temporary food service establishment, the applicant for the permit shall pay the city a nonrefundable permit fee of \$217 [124], plus \$28 [13] for each day of operation for each facility from which the establishment is operated.

(2) A temporary food service establishment that offers only prepackaged foods from the manufacturer that are non-time and temperature controlled and with minimum handling and preparation may request a limited service food permit. The applicant for the food permit shall pay the city a nonrefundable permit fee of \$204 [74], plus \$28 [13] for each day of operation for each facility from which the establishment is operated.

(3) A maximum nonrefundable annual fee of \$356 [187] for each facility will be collected from concessionaires operating under contract with the city park and recreation department. A maximum nonrefundable annual fee of \$388 [75] for each facility will be collected from concessionaires operating at a school stadium. A maximum nonrefundable annual fee of \$270 [100] for each booth or stall valid at a single market location or at more than one market location will be collected from a vendor operating at a neighborhood market permitted under Chapter 42A of this code, as amended.

(4) Section 17-10.2(i)(1) does not apply to a temporary food service establishment that:

(A) does not serve time/temperature control for safety food; and

(B) the weekly gross income of which does not exceed \$100.”

SECTION 16. That Paragraph (1) of Subsection (l), “Service Fees,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(1) If a food establishment changes its name, continuing under the same ownership, the establishment shall inform the director in writing of the change and pay the city a service fee of \$220 [~~127~~], not more than seven days after the change.”

SECTION 17. That Paragraph (1) of Subsection (s), “Variances,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(1) A food establishment may apply to the director for a variance modifying or waiving the requirements of the Texas Food Establishment Rules or the requirements of this chapter. The food establishment shall apply for the variance on a form provided by the director and shall include in the application all of the information required by Subsection 228.243I(2) of the Texas Food Establishment Rules. The application must be accompanied by a nonrefundable application fee of \$591 [~~264~~].”

SECTION 18. 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 - \$34.30 [~~30.52~~] per dwelling unit per month for one roll-cart, plus \$13.27 [~~11.81~~] per month for each additional garbage roll-cart requested by the owner or occupant of the premises.

(B) Packout or drive-in collection service for municipal solid waste - \$119.47 [~~106.30~~] per dwelling unit per month for one roll-cart, plus \$13.27 for each additional garbage roll-cart requested by the owner or occupant of the premises.”

SECTION 19. 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 - \$34.30 [~~30.52~~] per apartment unit or mobile home space per month.

(B) Packout collection service for municipal solid waste - \$119.47 [~~106.30~~] per apartment unit or mobile home space per month."

SECTION 20. That Paragraph (3) 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:

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

TABLE OF MONTHLY CHARGES

(Garbage & Recycling, per Section 18-9(b)(6), more than once a week). A multiplier will be used for multiple carts.

NUMBER OF COLLECTIONS PER WEEK*							
[96-gallon RollCarts]	1	2	3	4	5	6	7
96-gallon RollCarts	<u>\$35.66</u>	<u>\$71.32</u>	<u>\$106.98</u>	<u>\$142.64</u>	<u>\$178.30</u>	<u>\$213.96</u>	<u>\$249.62</u>
1	\$30.33	\$59.59	\$88.85	\$118.11	\$147.37	\$176.63	\$205.89
2	<u>\$60.66</u>	\$119.18	\$177.70	\$236.22	\$294.73	\$353.25	\$411.77
3	<u>\$90.99</u>	<u>\$178.77</u>	\$266.54	\$354.32	\$442.10	<u>\$529.88</u>	\$617.66
4	<u>\$121.32</u>	<u>\$238.36</u>	<u>\$355.39</u>	\$472.43	\$589.47	\$706.51	\$823.54
5	<u>\$151.65</u>	<u>\$297.95</u>	<u>\$444.24</u>	<u>\$590.54</u>	<u>\$736.84</u>	<u>\$883.13</u>	\$1,029.43
6	<u>\$181.98</u>	<u>\$357.54</u>	<u>\$533.09</u>	<u>\$708.65</u>	<u>\$884.20</u>	<u>\$1,059.76</u>	\$1,253.32
7	<u>\$212.31</u>	<u>\$417.13</u>	<u>\$621.94</u>	<u>\$826.75</u>	<u>\$1,031.57</u>	<u>\$1,236.39</u>	\$1,441.20
8	<u>\$242.64</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>
9	<u>\$272.97</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>
10	<u>\$303.30</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>

SECTION 21. That Paragraph (4) 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:

“(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). A multiplier will be used for multiple carts.

NUMBER OF COLLECTIONS PER WEEK							
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
<u>96-gallon RollCarts</u>	<u>\$23.18</u>	<u>\$46.36</u>	<u>\$69.54</u>	<u>\$92.72</u>	<u>\$115.90</u>	<u>\$139.07</u>	<u>\$162.25</u>

NUMBER OF 96-GALLON RECYCLING ROLL CARTS									
<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>

SECTION 22. That Paragraph (10) 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:

“(10) Large dead animals, including but not limited to horses, cattle, and other animals of similar size, will be picked up by the city for a fee of \$125 [~~100~~] per animal.”

SECTION 23. That Paragraph (5) of Subsection (a) 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:

“(5) Except as provided in Subsection (a)(6), the charge for all materials accepted at the transfer station is \$58.65 [~~54~~] per ton based on the transfer station weighing system, with a minimum charge of \$58.65 [~~54~~] for any load that is less than one ton.”

SECTION 24. That Paragraph (6) of Subsection (a) 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:

"(6) Whenever the transfer station weighing system is inoperable, the following fees will be charged for materials accepted at the transfer station:

(A) Passenger cars, station wagons, and pickups that are used by persons other than Dallas city residents to haul their own waste from their residences to the station - \$59.34 [~~\$1.60~~] per load.

(B) Commercial pickups - \$59.34 [~~\$1.60~~] per load.

(C) Trucks or trailers with a cargo bed length of less than 15 feet - \$233.45 [~~203~~] per load.

(D) Trucks or trailers with a cargo bed length of not less than 15 feet but less than 25 feet - \$292.10 [~~254~~] per load."

SECTION 25. 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 \$34.88 [~~\$4.20~~] per ton based on the landfill weighing system, with a minimum charge of \$34.88 [~~\$4.20~~] for any load that is less than one ton. Each ton shall be assessed an additional \$2.00 per ton customer processing fee for each individual load paid and processed by a cashier upon entering the landfill."

SECTION 26. That Paragraph (3) 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:

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

(A) Passenger cars, station wagons, and pickups that are used by persons other than Dallas city residents to haul their own waste from their residences to a city landfill site - \$52.63 [~~\$1.60~~] per load.

- (B) Commercial pickups - \$52.63 [~~51.60~~] per load.
- (C) Trucks or trailers with a cargo bed length of less than 15 feet - \$122.40 [~~120.00~~] per load.
- (D) Trucks or trailers with a cargo bed length of 15 feet or greater - \$262.55 [~~257.40~~] per load.
- (E) Roll-off containers, whether open top or compactor - \$280.30 [~~274.80~~] per load.
- (F) Compactor trucks - \$350.06 [~~343.20~~] per load."

SECTION 27. That Paragraph (2) of Subsection (c) 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) The disposal service contract must provide for a guaranteed annual tonnage of solid waste of not less than 5,000 [~~10,000~~] tons to be disposed of at the landfill. The contractor shall not exceed the contracted guaranteed annual tonnage by more than 25 percent; this will be the contractor's maximum annual tonnage limit. Notwithstanding Subsection (b)(3) of this section, if the landfill weighing system is inoperable during a delivery of solid waste under the contract, the tonnage will be estimated by the city on the basis of the full capacity of the vehicle delivering the solid waste."

SECTION 28. That Subsection (a) of Section 41A-6, "Fees," of Chapter 41A, "Sexually Oriented Business," of the Dallas City Code is amended to read as follows:

"(a) The annual fee for a sexually oriented business license is \$696 [~~1,097~~]."

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.

METER SIZE	RATE PER METER
5/8-inch meter	\$ <u>5.46</u> [5.38]
3/4-inch meter	\$ <u>7.58</u> [7.47]
1-inch meter	\$ <u>11.05</u> [10.89]
1-1/2-inch meter	\$ <u>20.50</u> [20.20]
2-inch meter	\$ <u>33.36</u> [32.87]
3-inch meter	\$ <u>78.93</u> [77.77]
4-inch meter	\$ <u>129.79</u> [127.89]
5-inch meter	\$ <u>257.74</u> [253.96]
6-inch meter	\$ <u>429.01</u> [422.72]
7-inch meter	\$ <u>658.74</u> [649.09]

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

TYPE OF USAGE			
(A)	Residential:		
	(i)	Up to 4,000 gallons	\$ <u>1.90</u> [1.88]
	(ii)	4,001 to 10,000 gallons	\$ <u>4.11</u> [4.05]
	(iii)	10,001 to 20,000 gallons	\$ <u>6.70</u> [6.59]
	(iv)	20,001 to 30,000 gallons	\$ <u>9.55</u> [9.40]
	(v)	Above 30,000 gallons	\$ <u>11.10</u> [10.86]
(B)	General service:		
	(i)	Up to 10,000 gallons	\$ <u>4.43</u> [4.22]
	(ii)	Above 10,000 gallons	\$ <u>4.83</u> [4.60]
	(iii)	Above 10,000 gallons and 1.4 times annual average monthly usage	\$ <u>7.38</u> [7.02]

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 as provided in Subsection (c);

(B) \$2,684.47 [~~2,534.11~~] per month as a usage charge on the first 1,000,000 gallons used in a billing period; and

(C) \$4.00 [~~3.89~~] 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,” 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:

TYPE OF USAGE		RATE PER 1,000 GALLONS
(A)	Residential	<u>\$1.90</u> [1.88]
(B)	General Service	<u>\$4.43</u> [4.22]
(C)	Optional general service	<u>\$4.00</u> [3.89]
(D)	Municipal service	<u>\$2.88</u> [2.83]

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 \$2.88 [~~2.83~~] per 1,000 gallons of water used.”

SECTION 33. That Paragraph (1) 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:

“(1) Monthly customer charges.

METER SIZE	RATE PER METER
5/8-inch meter	\$4.83
3/4-inch meter	\$ <u>6.63</u> [6.62]
1-inch meter	\$ <u>9.55</u> [9.54]
1-1/2-inch meter	\$18.48
2-inch meter	\$28.79
3-inch meter	\$70.20
4-inch meter	\$112.53
6-inch meter	\$221.50
8-inch meter	\$369.75
10-inch meter	\$580.96”

SECTION 34. That Subsection (b), “Customer Charge,” of Section 49-18.3, “General Service; Separate Billing,” 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) Customer charge. A customer who chooses to be billed under this section must pay an additional customer charge of \$60.00 [~~40.00~~] per month for each meter installed pursuant to this section, regardless of the size of the meter.”

SECTION 35. 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 \$0.4480 [~~0.3959~~] per 1,000 gallons of water used, and the annual water year demand charge is \$312,607 [~~291,422~~] 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 \$2.4121 [~~2.2107~~] per 1,000 gallons of treated water used.

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

Size of Connection	Monthly Standby Fee
3-inch	<u>\$78.93</u> [77.77]
4-inch	<u>\$129.79</u> [127.89]
6-inch	<u>\$257.74</u> [253.96]
8-inch	<u>\$429.01</u> [422.72]
10-inch or larger	<u>\$658.74</u> [649.09]

(4) The rate for regular untreated water service to a governmental entity is \$1.0323 [~~0.8915~~] per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.4272 [~~0.3894~~] per 1,000 gallons of untreated water used.”

SECTION 36. 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 \$3.1433 [~~3.0679~~] per 1,000 gallons of wastewater discharged. The director is authorized to compensate those governmental entities located within the boundaries of the city for the city’s use of integrated facilities owned by those governmental entities.

(2) An infiltration and inflow adjustment factor of 15.0 [~~21.6~~] percent will be added to the average water consumption for the months of December, January, February, and March to determine billable volume for a governmental entity with unmetered wholesale wastewater service.

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

SECTION 37. 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 \$0.3169 [~~0.3324~~] per 1,000 gallons of water treated, and the annual water year demand charge is \$46,388 [~~44,814~~] per each mgd, as established by the maximum demand capacity set forth in the contract.”

SECTION 38. 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 \$1.0323 [~~0.8954~~] per 1,000 gallons of water used.”

SECTION 39. 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 \$0.4272 [~~0.3894~~] per 1,000 gallons of water used.”

SECTION 40. 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.

Connection Size	Fee
3/4-inch	\$ <u>3,870.00</u> [3,790.00]

1-inch	\$ <u>4,070.00</u> [4,200.00]
1 1/2-inch	\$ <u>5,070.00</u> [5,580.00]
2-inch	\$ <u>5,570.00</u> [6,270.00]

(2) Connecting Existing Water Service.

Connection Size	Fee
3/4-inch	\$ <u>1,080.00</u> [890.00]
1-inch	\$ <u>1,080.00</u> [950.00]
1 1/2-inch	\$ <u>2,280.00</u> [1,830.00]
2-inch	\$ <u>2,280.00</u> [1,940.00]
Up to 2-inch bullhead	\$ <u>2,880.00</u> [2,590.00]"

SECTION 41. 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>4,120.00</u> [4,060.00]
(2)	For connecting existing wastewater service lines constructed by other persons	\$475.00”

SECTION 42. 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 the use of water from a fire hydrant pursuant to Section 49-27 shall pay the following application charges:

(1) a deposit of \$2,150 [~~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 \$78.93 [~~77.77~~]; and

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

SECTION 43. That Section 49-18.11, “Evaluated Cost Tables for Oversize, Side, or Off-Site Facilities,” 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. 49-18.11. EVALUATED COST TABLES FOR OVERSIZE, SIDE, OR OFF-SITE FACILITIES.

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

WATER MAINS AND APPURTENANCES		
ITEM	UNITS	
4-inch pipe	linear foot	\$55.00
6-inch pipe	linear foot	60.00
8-inch pipe	linear foot	65.00
12-inch pipe	linear foot	75.00
16-inch pip	linear foot	120.00
20-inch pipe	linear foot	130.00
24-inch pipe	linear foot	140.00
30-inch pipe	linear foot	150.00
36-inch pipe	linear foot	165.00
39-inch pipe	linear foot	170.00
42-inch pipe	linear foot	175.00
45-inch pipe	linear foot	190.00
48-inch pipe	linear foot	200.00
4-inch valve	each	700.00
6-inch valve	each	900.00
8-inch valve	each	1,200.00
12-inch valve	each	2,200.00
16-inch valve	each	4,100.00
20-inch valve	each	7,350.00
24-inch valve	each	9,700.00

30-inch valve	each	16,000.00
36-inch valve	each	21,000.00
42-inch valve	each	43,000.00
48-inch valve	each	64,000.00
Fire hydrant	each	3,000.00
3/4-inch copper deadhead	each	<u>820.00</u> [890.00]
1-inch copper deadhead	each	<u>910.00</u> [950.00]
1 1/2-inch copper deadhead	each	1,830.00
2-inch copper deadhead	each	<u>1,830.00</u> [1,940.00]
3/4-inch water service, meter box and transfer for others	each	1,110.00
1-inch water service, meter box and transfer for others	each	1,170.00
1 1/2-inch water service, meter box, and transfer for others	each	1,560.00
2-inch water service, meter box and transfer for others	each	2,130.00
Cut and plug water main for others	each	735.00
Remove fire hydrant for others	each	540.00
Reconnect existing service for others	each	700.00
Disposal of heavily chlorinated water	contract	1,500.00
3/4-inch air relief	each	1,485.00
1-inch air relief	each	3,450.00
2-inch air relief	each	4,350.00
Bore for 6-inch water	linear foot	145.00
Bore for 8-inch water	linear foot	165.00
Bore for 12-inch water	linear foot	180.00
Bore for 16-inch water	linear foot	195.00
Bore for 20-inch water	linear foot	230.00
Bore for 24-inch water	linear foot	245.00
Bore for 36-inch water	linear foot	265.00
Bore for 39-inch water	linear foot	270.00
Bore for 42-inch water	linear foot	275.00
Bore for 45-inch water	linear foot	280.00
Bore for 48-inch water	linear foot	285.00

SANITARY SEWER MAINS AND APPURTENANCES

ITEM	UNITS	
6-inch pipe	linear foot	\$55.00

8-inch pipe	linear foot	65.00
10-inch pipe	linear foot	70.00
12-inch pipe	linear foot	75.00
15-inch pipe	linear foot	85.00
18-inch pipe	linear foot	100.00
21-inch pipe	linear foot	110.00
24-inch pipe	linear foot	120.00
27-inch pipe	linear foot	130.00
30-inch pipe	linear foot	140.00
33-inch pipe	linear foot	160.00
36-inch pipe	linear foot	190.00
39-inch pipe	linear foot	200.00
42-inch pipe	linear foot	210.00
48-inch pipe	linear foot	230.00
Lateral	each	900.00
Lateral for others	each	1,200.00
Reconnect existing lateral for others	each	700.00
Cleanout	each	460.00
Wastewater access device	each	2,200.00
4-foot diameter manhole	each	5,800.00
5-foot diameter manhole	each	6,000.00
6-foot diameter manhole	each	6,400.00
Type "S" manhole	each	7,000.00
Bore for 6-inch sewer	linear foot	135.00
Bore for 8-inch sewer	linear foot	160.00
Bore for 10-inch sewer	linear foot	220.00
Bore for 12-inch sewer	linear foot	240.00
Bore for 15-inch sewer	linear foot	260.00
Bore for 18-inch sewer	linear foot	270.00
Bore for 21-inch sewer	linear foot	275.00
Bore for 24-inch sewer	linear foot	290.00
Bore for 27-inch sewer	linear foot	295.00
Bore for 30-inch sewer	linear foot	300.00
Bore for 33-inch sewer	linear foot	305.00
Bore for 36-inch sewer	linear foot	310.00
Bore for 39-inch sewer	linear foot	315.00
Bore for 42-inch sewer	linear foot	320.00
Bore for 48-inch sewer	linear foot	325.00
Abandon existing manhole for others	Each	700.00

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

NOTE:

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

SECTION 44. That Section 49-18.12, “Industrial Surcharge Rate Formula for Excessive Concentrations,” 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. 49-18.12. INDUSTRIAL SURCHARGE RATE FORMULA FOR EXCESSIVE CONCENTRATIONS.

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

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

(A) Surcharge for excessive concentrations:

Payment rate per 1,000 gallons:

$$\frac{\$2.37020[\cancel{2.33520}](BOD-250)}{1,000} + \frac{\$1.43910[\cancel{1.41780}](SS-250)}{1,000}$$

(B) Surcharge for excessive concentrations for wastewater metered separately:

Payment rate per 1,000 gallons:

$$\frac{\$2.63090[\cancel{2.59206}](BOD-250)}{1,000} + \frac{\$1.56070[\cancel{1.57376}](SS-250)}{1,000}$$

BOD = Average concentrations of BOD in mg/l, determined from sampling the waste as described in Section 49-52

SS = Average concentrations of suspended solids in mg/l, as determined from sampling the waste as described in Section 49-52.

(2) The rate for each user may be calculated once every 12 months.”

SECTION 45. That 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 by adding a new Subsection (aa), “Fees for Landmark Commission Applications,” to read as follows:

“(aa) Fees for landmark commission applications.

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

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

(3) The city controller shall refund 75 percent of the filing fee to the applicant if the applicant withdraws the application prior to the case being advertised for hearing. After the case is advertised, no refund of the filing fee may be made.

(4) Fee schedule.

Type of Application	Application Fee
Certificate of appropriateness for new construction	\$500
Certificate for demolition or removal	\$400
Certificate of appropriateness/certificate of demolition or removal for unauthorized work	\$600

(5) The applicant shall pay a single filing fee for each certificate of appropriateness or certificate for demolition or removal requested.

(6) The landmark commission may waive the filing fee if the landmark commission finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may request that the issue of financial hardship be placed on the landmark commission's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not file the application until the merits of the request for waiver have been determined by the landmark commission. In making this determination, the landmark commission may require the production of financial documents."

SECTION 46. 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 47. That Chapters 2, 6A, 9A, 13, 14, 16, 17, 18, 41A, 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 48. 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 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 this ordinance shall take effect on October 1, 2021, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By 
Assistant City Attorney

Passed SEP 22 2021



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 2021

ORDINANCE NUMBER 32003

DATE PUBLISHED SEP 25 2021

ATTESTED BY: