

11-4-21

ORDINANCE NO. 32093

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51A-9.401 and 51A-9.403; amending the petition process for four-way/all-way stop sign requests at residential intersections; amending the notice requirement for appeals; 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 Section 51A-9.401, “Application,” of Division 51A-9.400, “Four-Way/All-Way Stop Controls at Residential Intersections,” of Article IX, “Thoroughfares,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“SEC. 51A-9.401. **APPLICATION.**

(a) Prerequisites for accepting an application. An application for installation or removal of four-way/all-way stop controls at residential intersections must be filed with the traffic engineer. The traffic engineer shall not accept an application unless it has the support of at least two-thirds of the owners or tenants residing within 600 [~~900~~] feet of the intersection at issue.

(b) Calculation of votes. The following rules apply for purposes of calculating the extent to which an application has the support of owners or tenants:

(1) Lots containing no more than four dwelling units receive one application vote per unit.

(2) Lots containing more than four dwelling units receive no votes unless the application is signed by the owner or property manager, in which case the lot is allocated a number of application votes based on the following formula:

Number of votes = Length of street frontage of the lot containing the dwelling units (in feet) divided by the average single family lot width (in feet) in the area within 600 [~~900~~] feet of the intersection at issue.

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(c) Owner or manager of a residential building may sign application. The owner or manager of a residential building may sign the application on behalf of the tenants.

(d) Public meeting. The traffic engineer may supplement the petition process with a public meeting, as needed. If a public meeting is held, the traffic engineer shall post the notice of the meeting on the city or department's website not less than 10 calendar days before the meeting.

SECTION 2. That Section 51A-9.403, "Appeals," of Division 51A-9.400, "Four-Way/All-Way Stop Controls at Residential Intersections," of Article IX, "Thoroughfares," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"SEC. 51A-9.403. APPEALS.

(a) Appeal to the city plan commission. An applicant who is dissatisfied with the decision of the traffic engineer may appeal that decision to the city plan commission. A written notice of appeal must be signed by the applicant or its legal representative and filed with the traffic engineer within 30 calendar days of the date that notice of the traffic engineer's decision is given.

(b) Public hearing before the commission; notice requirements. The city plan commission shall hold a public hearing to allow interested parties to express their views regarding the appeal. The traffic engineer shall give notice of the public hearing in a newspaper of general circulation in the city at least 15 calendar [~~10~~] days before the hearing. In addition, the traffic engineer shall send written notice of the hearing to all owners of real property lying within 600 [~~900~~] feet of the intersection at issue. The notice must be given not less than 10 calendar days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.

(c) Decision of the commission. The city plan commission may reverse or affirm, in whole or in part, or modify the decision of the traffic engineer based upon testimony presented at the public hearing, technical information provided by city staff, and the standards contained in this division. The decision of the commission shall be final unless the applicant files a notice of appeal to the city council in accordance with this section.

(d) Appeal to the city council. An applicant who is dissatisfied with the decision of the city plan commission may appeal that decision to the city council. A written notice of appeal must be signed by the applicant or its legal representative and filed with the traffic engineer within 30 calendar days of the commission's decision.

(e) Public hearing before the city council; notice requirements. The city council shall hold a public hearing to allow interested parties to express their views regarding the appeal. The traffic engineer shall give notice of the public hearing in a newspaper of general circulation in the city at least 15 calendar days before the hearing. In addition, the traffic engineer shall send written

notice of the hearing to all owners of real property lying within 600 [~~900~~] feet of the intersection at issue. The notice must be given not less than 10 calendar days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.

(f) Decision of the city council. The city council may reverse or affirm, in whole or in part, or modify the decision of the city plan commission based upon testimony presented at the public hearing, technical information provided by city staff, and the standards contained in this division. The favorable vote of two-thirds of all members of the city council is required to grant an application that has been recommended for denial by the commission.”

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 
Assistant City Attorney

Passed JAN 12 2022



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 JAN 12 2022

ORDINANCE NUMBER 32093

DATE PUBLISHED JAN 15 2022

ATTESTED BY: