

5-25-22

ORDINANCE NO. 32213

An ordinance amending Chapter 42A, “Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners,” of the Dallas City Code by amending Section 42A-22 and 42A-28.2; providing an exception for conducting a neighborhood market within a single family, duplex, or townhouse zoning district; providing that all permits issued under the street seats program expire on July 31, 2023; providing a penalty not to exceed \$500; 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 42A-22, “Location of a Neighborhood Market,” of Article III, “Neighborhood Market,” of Chapter 42A, “Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners,” of the Dallas City Code is amended to read as follows:

“SEC. 42A-22. LOCATION OF A NEIGHBORHOOD MARKET.

- (a) A neighborhood market may not be conducted:
- (1) in the central business district;
 - (2) in a single family, duplex, or townhouse zoning district as defined in the Dallas Development Code, except if the location has a valid certificate of occupancy for a non-residential use or by a waiver granted by the director in accordance with subsection (b);
 - (3) within one mile of another neighborhood market permitted under this chapter that has the same or overlapping operating dates and times;
 - (4) at any location where one or more neighborhood markets have already been conducted a total of 28 days during the particular calendar year;
 - (5) at any location other than the one listed in the permit application;
 - (6) at a public park; or

(7) on a sidewalk.

(b) The director may grant a waiver to subsection (a)(2) if the director finds that there will be no adverse impact on the surrounding neighborhood.

SECTION 2. That Paragraph (2) of Subsection (a) of Section 42A-28.2, “Application; Issuance,” of Article IV, “Dallas Street Seats Pilot Program,” of Chapter 42A, “Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners,” of the Dallas City Code is amended to read as follows:

“(2) All permits issued under the street seats program will expire on July 31, 2023 [~~2022~~].”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 4. That Chapter 42A 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.

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APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By  _____
Assistant City Attorney

Passed MAY 25 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 MAY 25 2022

ORDINANCE NUMBER 32213

DATE PUBLISHED MAY 28 2022

ATTESTED BY: