

6-26-23

ORDINANCE NO. 32485

An ordinance amending Chapter 42A, "Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the Dallas City Code by retitling Article IV and amending Sections 42A-28.2 and 42A-28.3; deleting the expiration date for the street seats program; providing that street seats must comply with NACTO parklet guidelines; providing a penalty not to exceed \$2,000 for a violation governing fire safety, zoning, or public health and sanitation, and \$500 for all other violations; 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 Article IV, "Dallas Street Seats Pilot Program," of Chapter 42A, "Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners," of the City of Dallas Code, is retitled as "Dallas Street Seats Program."

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

"(a) A person desiring to host a street seat shall submit an online application with the office of special events. A complete application must be filed a minimum of 90 days before the proposed street seat opening date or a minimum of 60 days before the proposed construction start date. A Phase II permit issued under the street seats program will expire two years after issuance. An applicant may apply for a new Phase II permit 60 days before the expiration date listed on the permit. All Phase II permit processing fees apply.

~~[(1) Applications for a street seats permit will be accepted starting on February 4, 2021; and~~

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

SECTION 3. That Subsection (d) of Section 42A-28.3, “Location, Design, and Operations,” of Article IV, “Dallas Street Seats Program,” of Chapter 42A, “Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners,” of the City of Dallas Code, is amended to read as follows:

“(d) The design submitted with the application must be approved by all applicable city departments and must ~~[Applicants shall select from one of the pre-approved designs provided by the city which]~~ comply with NACTO parklet guidelines.”

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That Chapter 42A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. 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 7. 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.

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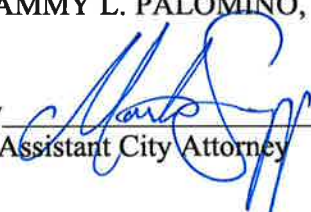
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SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, Interim City Attorney

By


Assistant City Attorney

Passed

JUN 28 2023