

7-23-24

ORDINANCE NO. 32789

An ordinance amending Sections 2-43, 2-44, and 2-49 of Chapter 2, “Administration”; amending Section 51A-4.303 of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended”; changing the name of the Department of Building Services to Department of Facilities and Real Estate Management; assigning real estate services from the Department of Public Works to the Department of Facilities and Real Estate Management; providing a saving clause; providing a severability clause; and providing an effective date.

Now, Therefore,

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

SECTION 1. That Article V-a, “Department of Building Services,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

“ARTICLE V-a.

**DEPARTMENT OF FACILITIES AND REAL ESTATE MANAGEMENT [~~BUILDING SERVICES~~].**

**SEC. 2-43. CREATED; DIRECTOR OF FACILITIES AND REAL ESTATE MANAGEMENT [~~BUILDING SERVICES~~].**

There is hereby created the department of facilities and real estate management [~~building services~~] of the city of Dallas, at the head of which shall be the director of facilities and real estate management [~~building services~~] who shall be appointed by the city manager. The director must be a person professionally competent by experience and training to manage the department. The department will be composed of the director of facilities and real estate management [~~building services~~] and other assistants and employees the city council may provide by ordinance upon recommendation by the city manager.

## SEC. 2-44.

**DUTIES OF THE DIRECTOR OF FACILITIES AND REAL ESTATE MANAGEMENT [BUILDING SERVICES].**

The director of the department of facilities and real estate management [~~building services~~] shall perform the following duties:

- (1) Supervise and administer the department of facilities and real estate management [~~building services~~].
- (2) Have responsibility for the design, construction, operation, maintenance, repair, renovation, and expansion of all public buildings belonging to or used by the city, except as otherwise provided by the city manager, the city charter, or ordinance or resolution of the city council.
- (3) Provide for the maintenance and upkeep of the grounds around all public buildings, except as otherwise provided by the city manager, the city charter, or ordinance or resolution of the city council.
- (4) Perform such other duties as may be required by the city manager or by ordinance of the city council.
- (5) Supervise the purchase and sale of all real property of the city.
- (6) Manage real property under the director's supervision including approval of short term month-to-month leases.
- (7) Determine pursuant to the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970 the public necessity for the acquisition of real property, when the property is purchased in whole or in part with community development grant funds.
- (8) Solicit proposals from independent appraisers for the furnishing of appraisals of real property when appropriate.

## SEC. 2-45.

**RESERVED.”**

SECTION 2. That Section 2-49, "Duties of the Director of Public Works," of Article V-c, "Department of Public Works," of Chapter 2, "Administration," of the Dallas City Code, is amended to read as follows:

**"SEC. 2-49. DUTIES OF THE DIRECTOR OF PUBLIC WORKS.**

The director of public works shall perform the following duties:

- (1) Supervise and administer the department of public works.
- (2) Supervise the engineering, opening, construction, and paving of all streets, boulevards, alleys, sidewalks, and public ways, except when the work is being done by a private developer.
- (3) Supervise the engineering and construction of the storm sewers and storm drainage systems associated with a paving project, except when the work is being done by a private developer.
- (4) Approve the location of equipment and facilities installed under, on, or above the public right-of-way.
- (5) Provide for the maintenance and repairs of streets, alleys, medians, and public rights-of-way, as designated by the city manager.
- (6) Provide for street hazard and emergency response.
- (7) Supervise the engineering and construction of the storm sewers and storm drainage systems associated with a paving project, except when the work is being done by a private developer.
- (8) Perform such other duties as may be required by the city manager or by ordinance of the city council.
- ~~(9) Supervise the purchase and sale of all real property of the city.~~
- ~~(10) Manage real property under the director's supervision including approval of short term month to month leases.~~
- ~~(11) Determine pursuant to the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970 the public necessity for the acquisition of real property, when the property is purchased in whole or in part with community development grant funds.~~

~~(12) Solicit proposals from independent appraisers for the furnishing of appraisals of real property when appropriate.]”~~

SECTION 3. That Paragraph (10) of Subsection (b), “Location and Design Standards,” of Section 51A-4.303, “Off-Street Loading Regulations,” of Division 51A-4.300, “Off-Street Parking and Loading Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(10) If a publicly owned off-street truck terminal presently exists, is under construction, or is funded for construction, the required off-street loading for a use that is located on a lot contiguous to or perpendicular across the street from the terminal must be provided in the publicly owned off-street truck terminal if the truck terminal is designed to accommodate the loading needs of the use, as determined by the director of facilities and real estate management [~~building services~~].”

SECTION 4. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 5. That Chapters 2 and 51A 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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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, City Attorney

By  \_\_\_\_\_  
Assistant City Attorney

Passed           AUG 14 2024



## 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 AUG 14 2024

ORDINANCE NUMBER 32789

DATE PUBLISHED AUG 17 2024

ATTESTED BY: