

9-13-24

ORDINANCE NO. 32864

An ordinance amending Sections 2-48, 2-49, 2-139.1, 2-139.2, 2-142, and 2-143 of Chapter 2, “Administration”; amending Section 5-21 of Chapter 5, “Aircraft and Airports”; amending Section 14B-5 of Chapter 14B, “Emergency Management”; amending Section 20A-24 of Chapter 20A, “Fair Housing and Mixed Income Housing”; amending Section 27-17 of Chapter 27, “Minimum Property Standards”; amending Sections 28-19, 28-24, 28-29, 28-103, 28-130, 28-130.2, 28-130.5, 28-130.12, 28-194, and 28-201 of Chapter 28, “Motor Vehicles and Traffic”; amending Section 30-2 of Chapter 30, “Noise”; amending Section 36-45 of Chapter 36, “Poles and Wires”; amending Section 39-4 of Chapter 39, “Railroads”; amending Sections 42A-6, 42A-28.2, 42A-28.8, 42A-28.9, and 42A-40 of Chapter 42A, “Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners”; amending Sections 43-63, 43-121, 43-126.5, 43-126.16, and 43-135 of Chapter 43, “Streets and Sidewalks”; amending Section 45-7 of Chapter 45, “Temporary Inclement Weather Shelter Program”; amending Section 49-27 of Chapter 49, “Water and Wastewater”; amending Sections 51-2.102, 51-4.206, 51-4.217, and 51-4.803 of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended”; amending Sections 51A-2.102, 51A-4.217, 51A-4.502, 51A-4.908, 51A-4.909, 51A-4.1002, 51A-4.1103, 51A-4.1105, 51A-4.1107, 51A-5.209, 51A-6.108, 51A-7.212, 51A-7.1608, 51A-7.1720, 51A-8.201, 51A-8.507, 51A-8.508, 51A-8.601, 51A-8.607, 51A-8.608, 51A-8.615, 51A-8.620, 51A-9.305, 51A-9.507, 51A-10.140, 51A-12.201, 51A-12.203, 51A-12.204, 51A-12.305, 51A-13.502, and 51A-13.503 of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended”; amending Sections 301.4.5.1.2, 303.5.3, 605.1, and 608.2 of Chapter 52, “Administrative

Procedures for Construction Codes”; consolidating the Department of Public Works and the Department of Transportation into one department to be known as the Department of Transportation and Public Works; changing the name of the Department of Housing & Neighborhood Revitalization to the Department of Housing and Community Development; consolidating the Office of Emergency Management and the Office of Integrated Public Safety Solutions into one office to be known as the Office of Emergency Management and Crisis Response; changing the name of the Department of Aviation – Transportation Regulation to the Department of Transportation and Public Works – Transportation Regulation; providing a penalty not to exceed \$2,000; 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-c, “Department of Public Works,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

**“ARTICLE V-c**

**DEPARTMENT OF TRANSPORATION AND PUBLIC WORKS.**

**SEC. 2-48.                      CREATED; DIRECTOR OF TRANSPORATION AND PUBLIC WORKS.**

(a) There is hereby created the department of transportation and public works of the city of Dallas, at the head of which shall be the director of transportation and public works who shall be appointed by the city manager. The director must be a person professionally competent by experience and training to manage the department, and be an engineer registered to practice in the State of Texas or registered in another state with reciprocal rights, a planner, or possess an equivalent combination of education and experience. The department will be composed of the director of transportation and public works and such other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager.

(b) Whenever the director or department of public works and transportation is referred to in this code or any other city ordinance, rule, or regulation, the term means the director or

department of transportation and public works, or any other director or department of the city to which certain former public works and transportation functions or duties have been transferred by the city council or city manager.

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

The director of transportation and public works shall perform the following duties:

- (1) Supervise and administer the department of transportation and 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) Provide for the maintenance and repair of traffic control devices and street lights, as designated by the city manager.
- (9) Manage neighborhood traffic calming, construction zone traffic, and block parties.
- (10) Plan, design, construct, maintain, and operate, by contract or with city employees, the public lighting system that illuminates highways, streets, and other public ways in the city, except as provided otherwise by the city manager, the city charter, or ordinance or resolution of the city council.
- (11) Supervise the engineering, planning, and construction, of all traffic signals, school flashers, dynamic message signs, striping, and signing on public rights-of-way.

(12) Develop and recommend to the city manager a comprehensive transportation plan for the city.

(13) Review and make recommendations regarding proposed actions implementing the transportation plan.

(14) Coordinate with DART, TxDOT, and other entities for the planning, construction, and maintenance of all transportation-related improvements within the city.

(15) Supervise the Thoroughfare Plan amendment process and supervise the implementation of the Dallas Bike Plan.

(16) Supervise the coordination of engineering and construction of traffic signals, streetlights, and associated transportation operations elements when the work is being done by a private developer.

(17) Perform such other duties as may be required by the city manager or by ordinance of the city council."

SECTION 2. That Article XVII-a, "Department of Transportation," of Chapter 2, "Administration," of the Dallas City Code, is amended to read as follows:

**"ARTICLE XVII-a**

**RESERVED. [DEPARTMENT OF TRANSPORTATION.**

**SECS. 2-139.1. THRU 2-139.2. RESERVED. [CREATED; — DIRECTOR — OF TRANSPORTATION.**

~~There is hereby created the department of transportation of the city of Dallas, at the head of which shall be the director of transportation who shall be appointed by the city manager. The director must be a person professionally competent by experience and training to manage the department, and must be an engineer registered to practice in the State of Texas, a planner, or possess an equivalent combination of education and experience. The department will be composed of the director of transportation and other assistants and employees as the city council may provide by ordinance upon recommendation of the city manager.~~

**SEC. 2-139.2. DUTIES OF THE DIRECTOR OF TRANSPORTATION.**

~~The director of the department of transportation shall perform the following duties:~~

- ~~(1) Supervise and administer the department of transportation.~~
- ~~(2) Provide for the maintenance and repair of traffic control devices and street lights, as designated by the city manager.~~

(3) ~~Manage neighborhood traffic calming, construction zone traffic, and block parties.~~

(4) ~~Plan, design, construct, maintain, and operate, by contract or with city employees, the public lighting system that illuminates highways, streets, and other public ways in the city, except as provided otherwise by the city manager, the city charter, or ordinance or resolution of the city council.~~

(5) ~~Supervise the engineering, planning, and construction, of all traffic signals, school flashers, dynamic message signs, striping, and signing on public rights of way.~~

(6) ~~Develop and recommend to the city manager a comprehensive transportation plan for the city.~~

(7) ~~Review and make recommendations regarding proposed actions implementing the transportation plan.~~

(8) ~~Coordinate with DART, TxDOT, and other entities for the planning, construction, and maintenance of all transportation-related improvements within the city.~~

(9) ~~Supervise the Thoroughfare Plan amendment process and supervise the implementation of the Dallas Bike Plan.~~

(10) ~~Perform such other duties as may be required by the city manager or by ordinance of the city council.~~

(11) ~~Supervise the coordination of engineering and construction of traffic signals, streetlights, and associated transportation operations elements when the work is being done by a private developer.]”~~

SECTION 3. That Article XIX, “Department of Housing & Neighborhood Revitalization,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

**“ARTICLE XIX.**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT [& NEIGHBORHOOD REVITALIZATION].**

**SEC. 2-142.**

**CREATED; DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT [& NEIGHBORHOOD REVITALIZATION].**

There is hereby created the department of housing and community development [& neighborhood revitalization] of the city, the head of which shall be the director of housing and

community development [~~& neighborhood revitalization~~] who shall be appointed by the city manager. The department will be composed of the director of housing and community development [~~& neighborhood revitalization~~] and such other assistants and employees as the city council may provide upon recommendation of the city manager.

**SEC. 2-143. DUTIES OF THE DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT [~~& NEIGHBORHOOD REVITALIZATION~~].**

The director of housing and community development [~~& neighborhood revitalization~~] shall perform the following duties:

(1) Supervise and administer the department of housing and community development [~~& neighborhood revitalization~~].

(2) Perform such other duties as may be required by the city manager or by ordinance of the city council.

**SECS. 2-144 THRU 2-146. RESERVED.”**

SECTION 4. That Section 5-21, “Definitions,” of Article II, “Transportation Services,” of Chapter 5, “Aircraft and Airports,” of the Dallas City Code, is amended to read as follows:

**SEC. 5-21. DEFINITIONS.**

In this article, unless the context requires otherwise,

(1) AVI TAG means a nontransferable electronic vehicle identification tag issued by the North Texas Tollway Authority that is registered with the department of transportation and public works - [~~aviation's~~] Transportation Regulation Division and may be used to charge trip fees for transportation services at the airport.

(2) CERTIFICATE OF REGISTRATION means a certificate authorizing a company to provide transportation services at the airport.

(3) CHARTERED BUS means a bus service for the transport of persons belonging to a specified group at the airport that is:

(A) offered only upon a prearranged basis, the prearrangement being made at least one hour in advance of the time the transportation is to begin; and

(B) operated from locations within the city to locations either inside or outside of the city.

(4) CONCESSION CONTRACT means a contractual agreement between the city and another entity for car rental and/or parking services at the airport, under which the city receives a minimum monthly payment or percentage of the gross revenues received by the contractor for the services.

(5) COURTESY VEHICLE means any vehicle used to offer or provide courtesy vehicle services.

(6) COURTESY VEHICLE SERVICE means free transportation to and from the airport for customers by or for a business as an accessory to the main activities of the business.

(7) DECAL means a distinct adhesive sticker issued under this article authorizing the operation of a courtesy vehicle and chartered bus.

(8) DIRECTOR means the director of transportation and public works, including any subordinate specifically authorized to act on his behalf.

(9) DRIVER means an individual who drives or otherwise controls the physical movements of a transportation service vehicle.

(10[9]) HOLDER means a person who has been granted a certificate of registration to operate a transportation service at the airport, and includes any person with an ownership interest in the transportation service.

(11[10]) LAWFUL ORDER means a verbal or written directive issued by the director, or his appointee, in the performance of his official duties relative to the enforcement of this article and any rules or regulations promulgated under this article.

(12[11]) OPERATE means:

(A) to be in the care, custody, or control of a transportation vehicle at the airport; or

(B) to own or be in control of a transportation service provided at the airport.

(13[12]) OPERATING AUTHORITY means a person who is granted operating authority under Chapter 47A to provide transportation-for-hire services.

(14[13]) OPERATOR means:

(A) the owner or driver of a transportation vehicle; or

(B) the holder of operating authority to perform transportation services at the airport.

(15[14]) OWNER means a person:

- (A) who is the legal owner of a motor vehicle;
- (B) to whom a motor vehicle is registered by the state; or
- (C) with whom a motor vehicle is in the care, custody, or control.

(16[15]) TRANSPORTATION-FOR-HIRE SERVICE means the business of offering or providing transportation of persons for compensation under Chapter 47A.

(17[16]) TRANSPORTATION-FOR-HIRE VEHICLE means any vehicle used to offer or provide transportation-for-hire services.

(18[17]) TRANSPORTATION SERVICE means a business that operates a courtesy vehicle, transportation-for-hire vehicle, or chartered bus at the airport for the purpose of dropping off or picking up passengers on airport property.

(19[18]) TRANSPORTATION VEHICLE means a courtesy vehicle, transportation-for-hire vehicle, or chartered bus that is used for performing transportation service at the airport.

(20[19]) TRIP means each time a transportation vehicle accesses the curb space where passengers are picked up or dropped off at the airport.

(21[20]) TRIP FEE means the monetary amount charged per trip to the owner or operator of a transportation vehicle in accordance with Section 5-26."

SECTION 5. That Section 14B-5, "Director of the Office of Management Services – Powers and Duties," of Chapter 14B, "Emergency Management," of the Dallas City Code, is amended to read as follows:

**"SEC. 14B-5. DIRECTOR OF THE OFFICE OF MANAGEMENT SERVICES – POWERS AND DUTIES.**

The director shall coordinate the office of emergency management and crisis response. The director's duties include, but are not limited to:

- (1) coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the city for emergency management purposes;
- (2) developing and coordinating emergency plans for the immediate use of all of the facilities, equipment, manpower, and other resources of the city for the purpose of minimizing or preventing damage to persons and property in the event of a disaster, and for the



purpose of protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare in the event of a disaster;

(3) negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of those buildings or property for emergency management purposes and designating suitable buildings as public shelters;

(4) through public informational programs, educating the civilian population as to actions necessary and required for the protection of persons and property in case of impending or present disaster;

(5) conducting rehearsals of emergency plans to ensure the efficient operation of the emergency management forces and to familiarize residents with emergency management regulations, procedures, and operations;

(6) coordinating the activity of all other public and private agencies engaged in any disaster activity within the city; and

(7) administering federal and state disaster assistance programs related to emergency management.”

SECTION 6. That Paragraph (6) of Section 20A-24, “Definitions and Interpretations,” of Article II, “Mixed-Income Housing,” of Chapter 20A, “Fair Housing and Mixed Income Housing,” of the Dallas City Code, is amended to read as follows:

“(6) DEPARTMENT means the department of housing and community development [~~neighborhood revitalization~~].”

SECTION 7. That Paragraph (10) of Section 20A-24, “Definitions and Interpretations,” of Article II, “Mixed-Income Housing,” of Chapter 20A, “Fair Housing and Mixed Income Housing,” of the Dallas City Code, is amended to read as follows:

“(10) DIRECTOR means the director of the department of housing and community development [~~neighborhood revitalization~~] and includes representatives, agents, or department employees designated by the director.”

SECTION 8. That Subsection (a) of Section 27-17, "Public Safety Nuisance," of Article V, "Public Safety Nuisance," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, is amended to read as follows:

"(a) An unsafe property is a public safety nuisance and subject to abatement in accordance with Section 31-10. For purposes of this section, UNSAFE PROPERTY means any property that:

(1) either:

(A) has received a citation in the previous 12 months for violating Sections 27-11(c)(6), (d)(12), (d)(17), (h), or (j); or

(B) qualifies as a habitual criminal property or a habitual nuisance property as defined in Article VIII; and

(2) is located in an area identified by the office of emergency management and crisis response ~~[integrated public safety solutions]~~ as being elevated risk by the risk terrain model. RISK TERRAIN MODEL means the risk assessment technique and diagnostic method for identifying the spatial attractors of criminal behavior and environmental factors that are conducive to crime."

SECTION 9. That Subsection (a) of Section 28-19, "Parking Enforcement Officers," of Article III, "Enforcement and Obedience to Traffic Regulations," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code, is amended to read as follows:

"(a) There is hereby created in the department of transportation and public works, under the direction of the director, a division known as parking enforcement and management, which will be an organized auxiliary division to the department of transportation and public works."

SECTION 10. That Section 28-24, "Authority to Install," of Article V, "Traffic-Control Devices," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code, is amended to read as follows:

**"SEC. 28-24. AUTHORITY TO INSTALL.**

(a) The traffic engineer shall conduct studies and investigations of the public streets and highways within the city and shall determine those places on public streets and highways where a particular danger or hazard exists to motor vehicle traffic and pedestrian traffic and shall place and maintain traffic control signs, signals, and devices in accordance with these studies and

determinations as required under this chapter and other traffic laws. In addition, the city manager, the director of transportation and public works, the chief of police, the chief of fire-rescue, or personnel acting under their authority, and public contractors or their employees performing work pursuant to any federal, state, county, road district, or city contract, may place and maintain barricades, detour signs, or other warning devices at places where danger becomes apparent as a result of hazards caused by the weather or natural phenomena, defects, or obstructions in or near streets, alleys, sidewalks, parkways, parks, or other public places, as a result of building construction or demolition, or where street, alley, or sidewalk construction or repair is underway.

(b) The traffic engineer shall conduct studies and investigations of the public streets and highways within the city and, in accordance with these studies, recommend to the city council those places on public streets and highways where permanent traffic diverters should be located. After the city council approves a location, the department of transportation and public works is authorized to install and maintain permanent traffic diverters at the approved location.”

SECTION 11. That Section 28-29, “Existing Devices Affirmed and Ratified,” of Article V, “Traffic-Control Devices,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code, is amended to read as follows:

**“SEC. 28-29. EXISTING DEVICES AFFIRMED AND RATIFIED.**

Traffic control signs, signals, devices, and markings previously placed or erected by the police department or department of transportation and public works, or any predecessor department, and now in use for the purpose of regulating, warning, or guiding traffic are affirmed, ratified, and declared to be official traffic control devices, provided that these traffic control devices are not inconsistent with the provisions of state law or this chapter.”

SECTION 12. That Section 28-103, “Authority to Install and Operate Paid Parking Payment Devices,” of Division 4, “Paid Parking Payment Devices,” of Article XI, “Stopping, Standing, and Parking Generally,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code, is amended to read as follows:

**“SEC. 28-103. AUTHORITY TO INSTALL AND OPERATE PAID PARKING PAYMENT DEVICES.**

For parking in city rights-of-way and other city controlled parking areas under the control of the ~~[transportation]~~ department of transportation and public works, the director of his designee is authorized to:

(1) Make recommendations to city council to establish or modify the boundaries of paid parking areas. In making these recommendations, the director may consider the facts in Section 28-103.1(b).

(2) Establish or modify the hours when paid parking is in effect in accordance with Section 28-103.2(e) and (f).

(3) Establish rates to be charged at paid parking payment devices, within the limits established by this division.

(4) Vary rates and hours that may be charged at paid parking payment devices to achieve approximately one to two parking spaces available on each block face in accordance with this division.”

SECTION 13. That Subsection (b) of Section 28-130, “General Authority and Duty of Director,” of Division 7, “Administrative Adjudication of Parking Violations,” of Article XI, “Stopping, Standing, and Parking Generally,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code, is amended to read as follows:

“(b) The director of transportation and public works shall implement and enforce the provisions of this division relating to the issuance, service, and enforcement of parking citations and the collection of fines and costs and may by written order establish such rules or regulations, not inconsistent with this division, as the director determines are necessary to discharge the duty of the director under or to effect the policy of this division.”

SECTION 14. That Subsection (b) of Section 28-130.2, “Parking Citations; Form,” of Division 7, “Administrative Adjudication of Parking Violations,” of Article XI, “Stopping, Standing, and Parking Generally,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code, is amended to read as follows:

“(b) A parking citation must be on a form prescribed by the director of transportation and public works and must include the following information:

(1) the nature, date, time, and location of the alleged parking violation and the meter number, if applicable;

(2) the state license plate number of the illegally parked vehicle, or if not visible or legible, the vehicle identification number or the brake inspection tag number;

(3) the make of the illegally parked vehicle;

(4) the date, time, and location of the administrative adjudication hearing, to be set not later than 15 calendar days after the date of issuance of the parking citation;

(5) a notification that the person charged with the parking violation has the right to an instanter hearing any business day before the scheduled administrative adjudication hearing; and

(6) a notification that failure to timely appear at either an instanter hearing or a scheduled administrative adjudication hearing is considered an admission of liability for the parking violation charge and will result in the assessment of appropriate fines, penalties, and costs and may result in the immobilization, towing, and impoundment of the vehicle for which the citation was issued.”

SECTION 15. That Section 28-130.5, “Answering a Parking Citation,” of Division 7, “Administrative Adjudication of Parking Violations,” of Article XI, “Stopping, Standing, and Parking Generally,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code, is amended to read as follows:

**“SEC. 28-130.5. ANSWERING A PARKING CITATION.**

(a) A person who has been issued a parking citation shall answer to the charge of the parking violation by the date shown on the citation. An answer may be made in any of the following ways:

(1) An admission of liability with payment of the applicable civil fine, and any additional penalties and costs.

(2) A denial of liability made before a hearing officer at an administrative adjudication hearing on a date specified in the parking citation or at an instanter hearing before that date.

(3) An admission of liability with an explanation made before a hearing officer at an administrative adjudication hearing on a date specified in the parking citation or at an instanter hearing before that date.

(4) A request for permission from a hearing officer to adjudicate by mail.

(5) A request to reset a scheduled administrative adjudication hearing from the date shown on the parking citation. A scheduled hearing may not be reset more than once unless the person charged pays to the director of transportation and public works an amount equal to the applicable civil fine for the parking violation, with any additional penalties and costs. The director of transportation and public works shall issue a receipt for any amounts paid under this paragraph.

After presentation of the receipt, all amounts paid will be refunded to the person charged if the hearing officer, or a municipal court on appeal, finds that the person is not liable for the parking violation.

(b) Payment of the civil fine and any additional penalties and costs may be made in person, by mail, or by other payment options to the director of transportation and public works. Payment of the civil fine and all penalties and costs assessed pursuant to this division shall operate as a final disposition of the parking violation charge, except when payment is made to reset a scheduled hearing or to file an appeal.”

SECTION 16. That Subsection (d) of Section 28-130.12, “Appeal from Hearing,” of Division 7, “Administrative Adjudication of Parking Violations,” of Article XI, “Stopping, Standing, and Parking Generally,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code, is amended to read as follows:

“(d) Service of notice of appeal under this section does not stay the enforcement and collection of any order of a hearing officer, unless the person filing the appeal pays to the director of transportation and public works an amount equal to all civil fines, penalties, and costs assessed against the person charged. The director of transportation and public works shall issue a receipt for any amounts paid under this subsection. After presentation of the receipt, all amounts paid will be refunded if the hearing officer's order is overturned on appeal.”

SECTION 17. That Section 28-194, “Authority of the Director of Transportation,” of Article XVII, “Streetcar Regulations,” of Chapter 28, “Motor Vehicles and Traffic,” of the Dallas City Code, is amended to read as follows:

**“SEC. 28-194. AUTHORITY OF THE DIRECTOR OF TRANSPORTATION AND PUBLIC WORKS.”**

The director of transportation and public works shall administer and enforce this article and otherwise exercise direction and control over the operation of all streetcars in the city in accordance with city ordinances, the city charter, and other applicable law and with any license issued to a streetcar company by the city.”

SECTION 18. That Subsection (c) of Section 28-201, "Operation of Vehicles in the Transitway Mall and Transit Corridor," of Article XVIII, "Light Rail Transit System," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code, is amended to read as follows:

"(c) It is a defense to prosecution under Subsection (b)(1) or (2) of this section that the vehicle was:

- (1) being operated by an employee of the city or DART in the performance of official duties;
- (2) an authorized emergency vehicle;
- (3) a department of transportation and public works, maintenance, utility, or service vehicle authorized by the city and DART to operate within the transit mall or transit corridor; or
- (4) being operated in compliance with a valid permit issued by the city and approved by DART."

SECTION 19. That Section 30-2, "Loud and Disturbing Noises and Vibrations Presumed Offensive," of Chapter 30, "Noise," of the Dallas City Code, is amended to read as follows:

**"SEC. 30-2. LOUD AND DISTURBING NOISES AND VIBRATIONS PRESUMED OFFENSIVE.**

The following loud and disturbing noises and vibrations are presumed to be offensive to the ordinary sensibilities of the inhabitants of the city:

- (1) The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar, or other vehicle, except as a danger signal, as required by state law.
- (2) The playing of any radio, phonograph, television, or musical instrument with such volume as to disturb the peace, quiet, comfort, or repose of persons in any dwelling, apartment, hotel, or other type of residence.
- (3) The continuous barking, howling, crowing, or making of other loud noises by an animal for more than 15 minutes near a private residence that the animal's owner or person in control of the animal has no right to occupy.
- (4) The loud grating, grinding, or rattling noise caused by the use of any automobile, motorcycle, bus, streetcar, or vehicle that is out of repair or poorly or improperly loaded.

(5) The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of danger.

(6) The discharge into the open air of the exhaust of any stationary steam engine, stationary internal combustion engine, or motor boat engine, except through a muffler or other device that will effectively and efficiently prevent loud and disturbing noises or vibrations.

(7) The discharge into the open air of the exhaust from any motor vehicle, except through a muffler or other device that will effectively and efficiently prevent loud and disturbing noises or vibrations.

(8) Any construction activity related to the erection, excavation, demolition, alteration, or repair of any building on or adjacent to a residential use, as defined in the Dallas Development Code, other than between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 7:00 p.m. on Saturdays and legal holidays, except that the director of transportation and public works may issue a written permit to exceed these hours in the case of urgent necessity in the interest of public safety or for other reasons determined by the director of transportation and public works to be necessary for the public health, safety, or welfare. For purposes of this paragraph, "legal holidays" include New Year's Day (January 1), Memorial Day (observed date), Fourth of July (July 4), Labor Day (observed date), Thanksgiving Day (observed date), and Christmas Day (December 25).

(9) The shouting and crying of peddlers, hawkers, and vendors that disturb the quiet and peace of the neighborhood.

(10) The use of any drum or other instrument or sound amplifying equipment for the purpose of attracting attention by the creation of noise, to any performance, show, sale, or display of merchandise as to attract customers to any place of business.

(11) The use of mechanical loudspeakers or sound amplifiers on trucks or other moving vehicles for the purpose of advertising any show, sale, or display of merchandise.

(12) The collection of garbage, waste, or refuse between the hours of 10:00 p.m. and 7:00 a.m. on or within 300 feet of any residential use, as defined in the Dallas Development Code.

(13) The operation of sound equipment, including a car stereo, in a motor vehicle in such a manner that the noise is so audible or causes such a vibration as to unreasonably disturb the peace, quiet, or comfort of another person."



SECTION 20. That Section 36-45, “Inspection of Poles and Wires; Notice to Remove, Replace, or Alter,” of Article II, “Poles and Wires – Reports, Records, and Inspections,” of Chapter 36, “Poles and Wires,” of the Dallas City Code, is amended to read as follows:

**“SEC. 36-45. INSPECTION OF POLES AND WIRES; NOTICE TO REMOVE, REPLACE, OR ALTER.**

The police chief, fire-rescue chief, and director of transportation and public works, or their designated representatives, shall each have the power and duty to examine and inspect from time to time all poles and every wire or cable in the streets, alleys, highways, or public places within the city when such wire is designed to carry an electric current. They shall notify each person owning or using such poles when any pole is unsafe, and notify each person owning or operating any such wire or cable whenever its attachments, insulation, supports, or appliances are unsuitable or unsafe, and require that such poles, wires, or cables must be properly replaced, renewed, altered, or constructed. They shall require the owner of any pole or wire abandoned for use to remove the pole or wire.”

SECTION 21. That Subsection (a), “Creation of Railroad Subcommittee,” of Section 39-4, “The Subcommittee,” of Article II, “Enforcement, Decision Making, Reporting Duties,” of Chapter 39, “Railroads,” of the Dallas City Code, is amended to read as follows:

“(a) Creation of the railroad subcommittee. The chair of the committee is authorized to form a railroad subcommittee to provide better communication between the railroad companies and the city. If formed, the committee chair is authorized to appoint a representative from each railroad company and from the police department, fire-rescue department, and department of transportation and public works of the city to serve as ex officio members of the subcommittee.”

SECTION 22. That Paragraph (1) of Subsection (g), “Additional City Department Related Fees When Applicable,” of Section 42A-6, “Fees,” of Article I, “General Provisions,” 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:

“(1) A fee of \$1,500 for the required activation of the office of emergency management and crisis response for a planned permitted activity where the expected attendance is 30,000 or more.”

SECTION 23. That Subsection (g) 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 Dallas City Code, is amended to read as follows:

"(g) An application may be cancelled if there is a scheduled utility repair/installation, street improvement, adjacent development project, parking space reassignment, or other restoration project, or if the location is deemed inappropriate by the director of transportation and[;] public works[;] or office of special events. The applicant may be given the option to proceed with a shorter-term permit or to delay installation."

SECTION 24. That Subsection (b) of Section 42A-28.8, "Street Seat Removal," of Article IV, "Dallas Street Seats 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:

"(b) If at any time the directors of the office of special events or the department[s] of transportation and public works [~~or transportation~~], require the removal of the street seat, the permit holder shall promptly remove the street seat within three business days in order to conform to the requirement, without any cost to the city."

SECTION 25. That Section 42A-28.9, "Denial or Revocation," of Article IV, "Dallas Street Seats 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:

**"SEC. 42A-28.9. DENIAL OR REVOCATION.**

(a) The director shall deny a street seats permit if:

(1) the applicant fails to meet any of the requirements outlined and defined in the guidebook;

(2) the applicant fails to provide proof that the applicant possesses or is able to obtain a license or permit required by another city ordinance or other applicable law for the conduct of all activities included as part of the street seat;

(3) the applicant has had a street seats permit revoked within the preceding 14 months;

(4) the applicant has received, within the preceding 14 months, two or more notices of violation or citations related to a provision of a street seat permit or this chapter;

(5) the director of transportation and[,] public works, office of special events, the chief of the police department, or the chief of the fire-rescue department, determines that the street seat would pose a serious threat to the public health, safety, or welfare;

(6) the applicant or any other person responsible for the conduct or sponsorship of the street seat is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant or other person;

(7) the applicant has a history of conducting or sponsoring street seats in a disorderly, unsafe, unsanitary, or fiscally irresponsible manner;

(8) the director is notified of any code violation on the abutting property; or

(9) a street seat will interfere with the rights of nearby residents to the quiet, peaceable, and undisturbed enjoyment of their property.

(10) A street seat interferes with other curb uses including but not limited to:

- (i) Fire hydrant.
- (ii) Valet operation.
- (iii) Bus stop or transit station.
- (iv) Loading zone.
- (v) Taxi zones.
- (vi) Handicapped-access parking spaces.
- (vii) Other specially designated zones.
- (viii) Licensing to another establishment.

(b) The director shall revoke a street seats permit if:

(1) the applicant fails to comply with, or the street seat is in violation of, any provision of the street seats permit, a city ordinance, or any other applicable law;

(2) the permit holder made a false statement or omission of material fact on an application for a street seat permit;

(3) the director of transportation and[;] public works, office of special events, or the chief of the police department or the chief of the fire-rescue department determines that the street seat would pose a serious threat to the public health, safety, or welfare;

(4) the permit holder fails to maintain public order in and around the street seat;

(5) the permit holder failed to pay any outstanding fees assessed under Section 42A-6 of this chapter for the proposed street seat or for a past street seat;

(6) the director is notified that the permit holder or any other person responsible for the conduct or sponsorship of the street seats is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the permit holder or other person; or

(7) the director is notified of any code violations on the abutting property.”

SECTION 26. That Subsection (d) of Section 42A-40, “Offenses,” of Article VII, “Enforcement,” 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:

“(d) This chapter may be enforced by the director of the office of special events, the director of code compliance, the chief of police, the fire chief, the director of mobility, and the director of transportation and public works, or their designated representatives.”

SECTION 27. That Section 43-63, “Repair of Defective Sidewalks or Driveways by Abutting Property Owners,” of Subdivision I, “In General,” of Division 1, “Generally,” of Article III, “Construction and Repair of Sidewalks, Curbs and Driveway Approaches,” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code, is amended to read as follows:

**“SEC. 43-63. REPAIR OF DEFECTIVE SIDEWALKS OR DRIVEWAYS BY ABUTTING PROPERTY OWNERS.**

(a) When a sidewalk, driveway, or any appurtenance to a sidewalk or driveway becomes defective, unsafe, or hazardous, the abutting property owner shall reconstruct or repair the sidewalk, driveway, or appurtenance, and the expense of such work must be borne by the abutting property owner.

(b) When a sidewalk, driveway, or appurtenance to a sidewalk or driveway is found to be defective, unsafe or hazardous, the director of transportation and public works or the director

of code compliance shall notify the owner of the abutting property to reconstruct or repair the sidewalk, driveway, or appurtenance.

(c) Any owner who fails to reconstruct or repair a defective, unsafe, or hazardous condition within 30 days after the date of the written notice from the director of transportation and public works or the director of code compliance to do so, or any owner who fails to begin such reconstruction or repair within 15 days after the date of such notice, is guilty of an offense.”

SECTION 28. That Subsection (c) of Section 43-121, “License Required; Application; Issuance,” of Division 2, “Bicycle Parking Devices,” of Article VI, “License for the Use of the Public Right-of-Way,” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code, is amended to read as follows:

“(c) The director shall forward a copy of any completed application to the departments of transportation and public works, sanitation services, code compliance, and planning and development, and to any utility company that might be affected by the proposed installation and operation of a bicycle parking device. Each department, and any utility company notified, shall review the application and return it, with any comments, to the director within 30 days of receipt.”

SECTION 29. That Subsection (d) of Section 43-126.5, “License Required; Application; Issuance,” of Division 3, “Valet Parking Services,” of Article VI, “License for the Use of the Public Right-of-Way,” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code, is amended to read as follows:

“(d) The director shall forward a copy of any completed application to any person required to be notified under Subsection (c)(7) and to the departments of transportation and public works, sanitation services, code compliance, planning and development, and risk management, and to any other department that might be affected by the proposed operation of a valet parking service. Each department, and any other notified persons, shall review the application and return it, with any comments, to the director within 30 days of receipt.”

SECTION 30. That Paragraph (5) of Section 43-126.16, “Definitions,” of Division 4, “Newsracks,” of Article VI, “License for the Use of the Public Right-of-Way,” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code, is amended to read as follows:

“(5) DIRECTOR means the director of transportation and public works, or a designee.”

SECTION 31. That Paragraph (9) of Section 43-135, "Definitions," of Article VIII, "Certain Uses of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, is amended to read as follows:

"(9) DIRECTOR means the director of transportation and public works or any designated representative."

SECTION 32. That Section 45-7, "Exemption," of Article I, "General Provisions," of Chapter 45, "Temporary Inclement Weather Shelter Program," of the Dallas City Code, is amended to read as follows:

**"SEC. 45-7. EXEMPTION.**

The provisions of this chapter do not apply to a shelter established as disaster relief operated by the office of emergency management and crisis response."

SECTION 33. That Subsection (a), "Permission to Use," of Section 49-27, "Fire Hydrants," of Article III, "Water and Wastewater Generally," of Chapter 49, "Water and Wastewater," of the Dallas City Code, is amended to read as follows:

"(a) Permission to use. Fire hydrants are used in extinguishing fires and are to be opened only by authorized employees of the department and the city's fire department, department of transportation and public works, and department of sanitation services. Any other person who wishes to use a fire hydrant must seek written permission from the director under the following conditions:

(1) A person requesting use of a fire hydrant must make written application for a permit and must pay charges in accordance with Section 49-18.9.

(2) The permittee must:

(A) use a water meter furnished by the department;

(B) connect the meter directly to the fire hydrant and include in the connection an approved reduced pressure zone backflow prevention device provided by the department;

(C) make the meter readily available for reading by the department each month it is used; and

(D) return the meter immediately after finishing use of the hydrant or upon request of the director.

(3) If water is to be hauled from the hydrant, the permittee must display a decal issued by the department on each vehicle used in hauling water from the hydrant.

(4) A permittee authorized to open a fire hydrant must only use an approved spanner wrench and must replace the caps on the outlets when not in use."

SECTION 34. That Paragraph (19) of Section 51-2.102, "Definitions," of Article II, "Interpretations and Definitions," of Chapter 51, "Dallas Development Code; Ordinance No. 10962, as amended," of the Dallas City Code, is amended to read as follows:

"(19) CENTER LINE means a line running midway between the bounding right-of-way lines of a street or alley. Where the bounding right-of-way lines are irregular, the center line shall be determined by the director of transportation and public works [~~and transportation~~]."

SECTION 35. That Romanette (v), "Distance Extension with Shuttle Service," of Subparagraph (C) of Paragraph (1), "Church," of Section 51-4.206, "Religious Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code; Ordinance No. 10962, as amended," of the Dallas City Code, is amended to read as follows:

"(v) Distance extension with shuttle service. A remote parking lot for a church may be located up to one and one-half miles (including streets and alleys) from the lot occupied by the church if a shuttle service is provided to transport persons between the church and the remote parking lot. The shuttle service must be approved by the director of transportation and public works [~~and transportation~~]."

SECTION 36. That Romanette (i) of Subparagraph (E) of Paragraph (8), “Private Street or Alley,” of Subsection (b), “Specific Accessory Uses,” of Section 51-4.217, “Accessory Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code; Ordinance No. 10962, as amended,” of the Dallas City Code, is amended to read as follows:

“(i) Private streets and alleys must be constructed and maintained to the standards for public rights-of-way and must be approved by the director of transportation and public works [~~and transportation~~]. Sidewalks are required and must be constructed and maintained to the standards for sidewalks in the public right-of-way. Water and sanitary sewer mains must be installed in accordance with the applicable ordinances.”

SECTION 37. That Romanette (iv) of Subparagraph (E) of Paragraph (8), “Private Street or Alley,” of Subsection (b), “Specific Accessory Uses,” of Section 51-4.217, “Accessory Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code; Ordinance No. 10962, as amended,” of the Dallas City Code, is amended to read as follows:

“(iv) Street lights comparable with those required on public rights-of-way must be provided. Street lighting design plans must be approved by the director of transportation and public works [~~and transportation~~].”

SECTION 38. That Romanette (iii) of Subparagraph (E) of Paragraph (20), “Temporary Inclement Weather Shelter,” of Subsection (b), “Specific Accessory Uses,” of Section 51-4.217, “Accessory Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code; Ordinance No. 10962, as amended,” of the Dallas City Code, is amended to read as follows:

“(iii) Except at the Kay Bailey Hutchison Convention Center and other city-owned and city-leased facilities, this accessory use may not operate within 0.5 mile of the central business district. The Office of Homeless Solutions and the Office of Emergency Management and Crisis Response shall brief a city council committee on this provision by May 24, 2025.”



SECTION 39. That Paragraph (1) of Subsection (e), "Review by the Director," of Section 51-4.803, "Site Plan Review," of Division 51-4.800, "Development Impact Review," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code; Ordinance No. 10962, as amended," of the Dallas City Code, is amended to read as follows:

"(1) Upon the filing of a complete application for review of a site plan and a complete site plan submission, the director shall promptly forward one copy of each to the directors of transportation and public works and health and human services for their review and comments. The directors of transportation and public works and health and human services shall review the application and submission and return written recommendations to the director within 15 calendar days of the filing date."

SECTION 40. That Subparagraph (A) of Paragraph (2), "Infrastructure Standards," of Subsection (f), "Grounds for Denial," of Section 51-4.803, "Site Plan Review," of Division 51-4.800, "Development Impact Review," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code; Ordinance No. 10962, as amended," of the Dallas City Code, is amended to read as follows:

"(A) Except as otherwise provided in Subsection (g), the director shall deny a site plan under this section if:

(i) the provisions for vehicular loading and unloading or parking, or for vehicular or pedestrian circulation, will create hazards to safety or will impose a significant burden upon public facilities which can be avoided or substantially mitigated by reasonable modifications in the plan, or

(ii) the owner of the lot refuses to comply with one or more of the following development related infrastructure cost-sharing requirements:

(aa) The owner shall pay for a proportion of the cost of traffic signal upgrade for an intersection within a distance of 250 feet of the lot according to the following ratio:

$$\frac{A}{A + B}$$

Where A represents projected traffic using the intersection generated by the owner's development, and B represents current traffic counts at the intersection. Values for both A and B are determined by the director of transportation and public works.

3 2 8 6 4

2 4 1 3 5 1

(bb) The owner shall pay for a proportion of the cost of constructing right and left turn lanes and bus turnouts that are in part necessitated by his development according to the following ratio:

$$\frac{C}{C + D}$$

Where C represents projected demand for the lanes and turnouts generated by the development, and D represents current demand for the lanes and turnouts. Values for both C and D are determined by the director of transportation and public works.

(cc) The owner shall pay the entire construction cost of those stacking lanes which the director of transportation and public works determines are necessitated by his development.

(dd) The owner shall grant to the city easements for those right and left turn lanes, stacking lanes, and bus turnouts which the director of transportation and public works determines are necessitated by his development.”

SECTION 41. That Paragraph (20) of Section 51A-2.102, “Definitions,” of Article II, “Interpretations and Definitions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(20) CENTER LINE means a line running midway between the bounding right-of-way lines of a street or alley. Where the bounding right-of-way lines are irregular, the center line shall be determined by the director of transportation and public works.”

SECTION 42. That Romanette (iii) of Subparagraph (E) of Paragraph (11.1), “Temporary Inclement Weather Shelter,” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use 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:

“(iii) Except at the Kay Bailey Hutchison Convention Center and other city-owned and city-leased facilities, this accessory use may not operate within 0.5 mile of the central business district. The Office of Homeless Solutions and the Office of Emergency Management and Crisis Response shall brief a city council committee on this provision by May 24, 2025.”

SECTION 43. That Paragraph (6), “Departmental Review,” of Subsection (e), “Site Plan Process,” of Section 51A-4.502, “Institutional Overlay District,” of Division 51A-4.500, “Overlay and Conservation District 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:

“(6) Departmental review. The director shall forward the information to the department of planning and development, transportation and public works, sanitation services, water utilities, and code compliance, and to any other appropriate departments. Within 30 days following receipt of a completed application for site plan approval, or for a longer time agreed to by the applicant, the departments shall review the proposed development and forward their comments, if any, in writing to the director. Upon conclusion of the departmental review, the director shall forward to the commission the application for site plan approval and the written information provided by the departments.

(A) The directors of the departments of transportation and public works~~[-transportation]~~ and water utilities shall prepare a written statement evaluating the impact of the proposed institutional uses on public facilities including sewers, water utilities, and streets.

(B) The director of water utilities shall prepare a written statement describing any known drainage or topography problems.”

SECTION 44. That Section 51A-4.908, “Affordable Housing Instrument Required,” of Division 51A-4.900, “Affordable Housing,” 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:

**“SEC. 51A-4.908. AFFORDABLE HOUSING INSTRUMENT REQUIRED.**

(a) Requisites of instrument. If the application for a density bonus is approved, an affordable housing instrument must be executed and filed in accordance with this section on a form provided by the city. The instrument must:

- (1) be signed by all owners of the lot(s) affected;
- (2) be signed by all lienholders, other than taxing entities, that have either an interest in the lot(s) affected or an improvement on one or more of those lot(s);

(3) contain a lot and block description of the lot(s) on which the SAH unit(s) will be located;

(4) specify the number of the SAH units;

(5) be a covenant running with the land;

(6) state that all signatories agree to defend, indemnify, and hold harmless the city of Dallas from and against all claims or liabilities arising out of or in connection with the instrument;

(7) state that it may only be amended or terminated by a subsequent written instrument that is:

(A) signed by the owner(s) of the lot(s) affected by the affordable housing instrument and by all lienholders, other than taxing entities, that have an interest in lot(s) or an improvement on the lot(s);

(B) approved by the director of housing and community development [~~neighborhood services~~];

(C) approved as to form by the city attorney; and

(D) filed and made a part of the deed records of the county or counties in which the lots are located;

(8) state that the owner agrees to comply with all the requirements of this division, including the submission of an annual report and full cooperation with audits of the affordable housing program conducted by the city;

(9) state that it may be enforced by the city of Dallas;

(10) state that it shall be governed by the laws of the State of Texas; and

(11) be approved by the director of housing and community development [~~neighborhood services~~] and approved as to form by city attorney.

(b) Instrument must be filed. A true and correct copy of the approved affordable housing instrument must be filed in the deed records of the county or counties in which the lots affected are located. The instrument shall not be considered effective until it is filed in the deed records in accordance with this section. After the instrument is filed in the deed records, two file-marked copies of the instrument must be filed with the director of housing and community development [~~neighborhood services~~].

(c) Termination or amendment of instrument. A recorded affordable housing instrument may be terminated or amended to reduce the number of SAH units on a lot if a corresponding number of SAH units are provided on one or more other lots. An instrument terminating or amending a recorded affordable housing instrument must be:

(1) signed by the owner of the lot(s) affected by the affordable housing instrument and by all lienholders, other than taxing entities, that have an interest in the lot(s) or of an improvement on the lot(s);

(2) approved by the director of housing and community development [~~neighborhood services~~] as to compliance with this division;

(3) approved as to form by the city attorney; and

(4) filed and made a part of the deed records of the county or counties in which the lot(s) are located by the owner of the lot(s).

The director of housing and community development [~~neighborhood services~~] shall not approve a termination or amendment that would cause the total number of SAH units to be reduced below the number required under this division, or that would otherwise cause this division to be violated.”

SECTION 45. That Subsection (d) of Section 51A-4.909, “Operation of Affordable Housing Program,” of Division 51A-4.900, “Affordable Housing,” 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:

“(d) The director of housing and community development [~~neighborhood services~~] shall randomly, regularly, and periodically select a sample of families occupying SAH units for the purpose of income verification. Any information received pursuant to this subsection shall remain confidential and shall be used only for the purpose of verifying income in order to determine eligibility for occupation of the SAH units. All prospective tenants of an SAH unit must agree to provide or to allow the director to obtain sufficient information to enable income verification as contemplated in this subsection as a condition to leasing the unit. A person commits an offense if he or she, with the intent to lease or occupy an SAH unit, misrepresents the gross annual family income of its tenant or prospective tenant to the lessor or the city of Dallas with knowledge of its falsity. A person who commits the offense described in this subsection shall be guilty of a separate offense for each day or portion of a day that the unit is leased or occupied based on the misrepresentation.”

SECTION 46. That Subsection (c), "Waivers," of Section 51A-4.1002, "Applicability," of Division 51A-4.1000, "Park Land Dedication," 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:

"(c) Waivers. Only developments that are enrolled in a program administered by the housing and community development [~~neighborhood revitalization~~] department and authorized by the city council, that furthers the public purposes of the city's housing policy may be eligible to have some or all of these requirements waived."

SECTION 47. That Paragraph (13) of Subsection (a), "Definitions," of Section 51A-4.1103, "Definitions and Interpretations," of Division 51A-4.1100, "Mixed-Income Housing," 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:

"(13) PEDESTRIAN SCALE LIGHTING means lighting that emanates from a source that is no more than 14 feet above the grade of the sidewalk or an equivalent pedestrian light fixture approved by the director of transportation and public works."

SECTION 48. That Paragraph (3) of Subsection (d), "Minimum Units Required," of Section 51A-4.1105, "Procedures to Obtain a Development Bonus," of Division 51A-4.1100, "Mixed-Income Housing," 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:

"(3) A development using a development bonus in this division must reserve no more than 50 percent of the dwelling units in each development for households at or below 80 percent of area median family income. This maximum percentage of reserved dwelling units may be waived for developments that are enrolled in a program administered by the department of housing and community development [~~neighborhood revitalization~~] and authorized by the city council that furthers the public purposes of the city's housing policy and affirmatively furthers fair housing."

SECTION 49. That Paragraph (2) of Subsection (f), "Certificate of Occupancy," of Section 51A-4.1105, "Procedures to Obtain a Development Bonus," of Division 51A-4.1100, "Mixed-Income Housing," 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:

"(2) A letter from the director of housing and community development [~~neighborhood revitalization~~] certifying that the development complies with the mixed-income restrictive covenant."

SECTION 50. That Subparagraph (B) of Paragraph (5), "Passenger Loading," of Subsection (c), "Off-Street Parking and Loading," of Section 51A-4.1107, "Design Standards," of Division 51A-4.1100, "Mixed-Income Housing," 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:

"(B) On-street passenger loading zones, if provided, must be constructed in compliance with Architectural Barrier Act accessibility standards and must be approved by the director and by the director of transportation and public works."

SECTION 51. That Subparagraph (B), "Pedestrian Scale Lighting," of Paragraph (2), "Lighting," of Subsection (e), "Sidewalk, Lighting, and Driveway Standards," of Section 51A-4.1107, "Design Standards," of Division 51A-4.1100, "Mixed-Income Housing," 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:

"(B) Pedestrian scale lighting. For a development greater than 20,000 square feet of floor area, pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 foot candles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director of transportation and public works. Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting."

SECTION 52. That Subsection (a) of Section 51A-5.209, "Escarpment Area Review Committee," of Division 51A-5.200, "Escarpment Regulations," of Article V, "Floodplain and Escarpment Zone Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

"(a) In order to assist the director and the board of adjustment in the administration and interpretation of these escarpment regulations, and to establish an efficient forum for city input and review of proposed developments in geologically similar areas, an escarpment area review committee ("the committee") shall be established. The committee shall be advisory in nature and be comprised of at least one representative from the departments of planning and development, parks and recreation, and transportation and public works. Members of the committee shall be appointed by the heads of the departments they represent. At least two representatives must be present to constitute a quorum."

SECTION 53. That Paragraph (1) of Subsection (e), "Staff Review," of Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

"(1) The director shall distribute a copy of the complete application to the city attorney, the department of planning and development, the office of management services, the park and recreation department, the department of transportation and public works, and the Dallas water utilities department for review and comment. The director shall also send a copy of the application to the TCEQ."

SECTION 54. That Paragraph (2) of Subsection (a), "Definitions," of Section 51A-7.212, "Street Construction Alleviation Signs," of Division 51A-7.200, "Provisions for all Zoning Districts," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

"(2) DIRECTOR means the director of transportation and public works of the city or the director's designated representative, including but not limited to the city's traffic engineer."



SECTION 55. That Paragraph (3) of Subsection (d), "District Identification Signs," of Section 51A-7.1608, "Special Provisions for the Market Center Sign Subdistrict," of Division 51A-7.1600, "Farmers Market Sign District," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

"(3) Minimum clearance for a district identification sign located over and spanning across a right-of-way must be determined by the director of the department of transportation and public works before a district identification sign permit may be issued."

SECTION 56. That Paragraph (2) of Subsection (a), "Definitions," of Section 51A-7.1720, "Street Construction Alleviation Signs," of Division 51A-7.1700, "Provisions for Victory Sign District," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

"(2) DIRECTOR means the director of transportation and public works of the city or his or her designated representative."

SECTION 57. That Paragraph (33) of Section 51A-8.201, "Definitions," of Division 51A-8.200, "Definitions," of Article VIII, "Plat Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

"(33) NONSTANDARD MATERIALS mean any materials not specified in the Standard Construction Details of the department of transportation and public works or the North Central Texas Standard Specifications for Public Works Construction of the North Central Texas Council of Governments."

SECTION 58. That Paragraph (8) of Subsection (b), “Regulations,” of Section 51A-8.507, “Alleys,” of Division 51A-8.500, “Subdivision Layout and Design,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(8) Alleys must be designed and constructed according to the requirements of the Street Design Manual and the Standard Details for Public Works Construction of the department of transportation and public works.”

SECTION 59. That Subsection (b), “Proper Access,” of Section 51A-8.508, “Parks and Common Areas,” of Division 51A-8.500, “Subdivision Layout and Design,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(b) Proper access. Land reserved for recreation sites and parks is considered to have proper access and visibility if:

(1) the property has frontage of at least 100 feet on an improved public street;  
or

(2) the property has a high degree of visibility and has paved public vehicular access to an improved public street. The paved access must be at least 20 feet in width and must comply with the construction standards of the department of transportation and public works.”

SECTION 60. That Paragraph (8) of Subsection (b) of Section 51A-8.601, “General Standards,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(8) The Standard Construction Details of the department of transportation and public works.”

SECTION 61. That Subsection (a), “Generally,” of Section 51A-8.607, “Median Openings, Extra Lanes, and Driveways,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(a) Generally. All median openings, driveway approaches, driveways, and extra lanes including left turn lanes, right turn lanes, acceleration/deceleration lanes, and other extra lanes must be located, designed, and constructed in accordance with the current standards of the department of transportation and public works.”

SECTION 62. That Section 51A-8.608, “Street Appurtenances,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

**“SEC. 51A-8.608. STREET APPURTENANCES.**

(a) Generally. Installation of the following items is required at the time the municipal infrastructure additions or improvements are constructed:

- (1) Street lights.
- (2) Traffic signals.
- (3) Traffic signs and street name blades.
- (4) Pavement markings.
- (5) Temporary traffic control devices for use during construction.

(b) Street lights. The engineering, material, installation, and activation of street lights must be provided as required by the approved street lighting plans. All plan approvals, construction scheduling, and reimbursements must be coordinated through the director of transportation and public works.

(c) Traffic signals. When the area being platted adds a driveway or street approach to an existing signal, the signal hardware must be modified to serve the development. The engineering, material, and construction of the upgrade to the existing signal must be provided.

(d) Traffic signs and street name blades. All of the required traffic signs and street name blades must be provided as determined by the traffic engineer. All signs must meet the standards of the department of transportation and public works and may be obtained from the department of transportation and public works or any other source if city standards are met. All necessary posts, hardware, and concrete required to complete the sign assembly installation must be provided as determined by the director of transportation and public works. A maintenance bond sufficient in amount to maintain all developer installed traffic signs and street name blades for one year must be posted by the owner.

(e) Pavement markings. Pavement markings must be provided as necessary to serve the property being platted in accordance with the approved plans.

(f) Traffic control during construction. The owner is responsible for installing and maintaining all necessary barricades, temporary signs, pavement transitions, and pavement markings to safely convey traffic through the construction area in accordance with the Texas Manual on Uniform Traffic Control Devices, State Department of Highways and Public Transportation, and the Barricade Manual of the department of transportation and public works. The owner is also responsible for the removal of all barricades, temporary signs, pavement transitions, and pavement markings.”

SECTION 63. That Section 51A-8.615, “Nonstandard Materials,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

**“SEC. 51A-8.615. NONSTANDARD MA[-]TERIALS.**

(a) Generally. Nonstandard materials may be used in the public right-of-way for paving, parkway, sidewalk, driveway, and other street enhancement if the criteria in this section are met.

(b) Plans. Plans indicating the nonstandard materials must be approved by the director of transportation and public works.

(c) Samples. Samples of each material used for a walking or traveling surface in the public right-of-way must be submitted to and approved by the director of transportation and public works.

(d) Standards. All street paving, sidewalk, driveway, curb, and gutter construction must conform to the Standard Construction Details and the Standard Specifications for Public Works Construction of the department of transportation and public works.

(e) Sidewalks. Sidewalks must be designed barrier-free to the handicapped.

(f) Landscaping. Proposed landscaping in the public right-of-way must conform to the park and recreation beautification plan or be approved by the director of transportation and public works, and must not interfere with utilities or any authorized use of the public right-of-way.

(g) Central business district. If the proposed plat is within the central business district, the nonstandard materials must meet all provisions of the Dallas Central Business District Pedestrian Facilities Plan Update.

(h) Written approval. Written approval must be obtained from the director of transportation and public works before any work is done.

(i) Liability. The responsibility and liability for all claims or damages resulting from injury or loss due to the use or presence of nonstandard work or materials is governed by Sections 43-33 and 43-34 of the Dallas City Code, as amended, and no liability is assumed by the city for approving plans including nonstandard materials.

(j) Agreements required. A written agreement must be executed between the owner of the property to be platted and the city for the use of nonstandard materials in the public right-of-way. The agreement must be executed before the construction of any improvement consisting of nonstandard materials. If the nonstandard material is to be located in a street or alley, or is otherwise intended for vehicular travel, a covenant agreement is required which provides a plan of perpetual maintenance at no cost to the city. If the nonstandard material is for a driveway, a sidewalk, or for another surface outside of the area between street curbs, or is not intended for vehicular travel, a written agreement is required between the owner of the property to be platted and the city. The owner is responsible for securing all required sidewalk, driveway, or street cut permits.

(k) Maintenance of nonstandard material in public rights-of-way. All improvements in the public rights-of-way exist at the pleasure of the city and must be maintained to the satisfaction of the city. The owner of the property to be platted is responsible for all maintenance and replacement of nonstandard materials and all preparatory work, including subgrade and base maintenance and replacement necessary due to work performed by the city or utility companies in the discharge of their responsibilities. Failure to maintain and replace defective nonstandard materials and workmanship constitutes just cause for the city to remove any portion or all of the nonstandard work and replace it with standard materials.”

SECTION 64. That Section 51A-8.620, “Retaining Walls,” of Division 51A-8.600, “Infrastructure Design and Construction,” of Article VIII, “Plat Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

**“SEC. 51A-8.620. RETAINING WALLS.**

All retaining walls located on private property along public rights-of-way or easements must be constructed of reinforced concrete or other materials determined to be sufficiently durable by the director. Retaining wall design must be approved by the director of transportation and public works to ensure site conditions are adequately addressed by the design. Engineer certification and building permits may be required by other applicable regulations.”

SECTION 65. That Subsection (a) of Section 51A-9.305, “Review of Application,” of Division 51A-9.300, “Street Naming and Name Change Process,” 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:

“(a) Within 10 working days after receipt of a complete application for a street name change, the subdivision administrator shall request comment regarding the potential impacts of the name change on the operations of the following departments and other affected entities:

- (1) Department of transportation and public works.
- (2) ~~[Department of public works.~~
- ~~(3)]~~ Office of budget and management services.
- ~~(3[4])~~ Fire-rescue department.
- ~~(4[5])~~ Department of development services.
- ~~(5[6])~~ Police department.
- ~~(6[7])~~ Water utilities department.
- ~~(7[8])~~ Department of sanitation services.
- ~~(8[9])~~ Department of code compliance.

(9[+0]) Contiguous municipalities if any property abutting the street is within the contiguous municipality.

(10[+1]) Dallas County Historical Commission.

(11[+2]) TXU Electric, or its successor.

(12[+3]) TXU Gas, or its successor.

(13[+4]) Southwestern Bell Telephone Company, or its successor.

(14[+5]) U.S. Postal Service.”

SECTION 66. That Subsection (a), “Installataion,” of Section 51A-9.507, “Installation and Replacement,” of Division 51A-9.500, “Ceremonial Street Naming,” 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:

“(a) Installation. The director of the transportation and public works department is responsible for the fabrication and installation of the ceremonial street name toppers.”

SECTION 67. That Subsection (b) of Section 51A-10.140, “Criminal Responsibility, and Defenses to Prosecution,” of Division 51A-10.130, “Urban Forest Conservation,” of Article X, “Landscape and Tree Conservation Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(b) It is a defense to prosecution under this section that the act is included in one of the enumerated categories listed in this section. A tree removal application or tree replacement is not required if the tree:

(1) was dead and the death was not caused by an intentional or negligent act of the owner or an agent of the owner;

(2) had a disease or injury that threatened the life of the tree and was not caused by an intentional act of the owner or an agent of the owner;

(3) was in danger of falling or had partially fallen and the danger or the fall was not due to an intentional act of the owner or an agent of the owner;

(4) was in a visibility triangle (unless the owner was legally required to maintain the tree there) or obstructed a traffic sign;

(5) interfered with service provided by a public utility within a public right-of-way;

(6) threatened public health or safety, as determined by one of the following city officials:

(A) the chief of the police department;

(B) the chief of the fire-rescue department;

(C) the director of transportation and public works;

(D) ~~[the director of transportation;~~

~~(E)]~~ the director of sanitation services;

~~(E[F])~~ the director of code compliance;

~~(F[G])~~ the director of park and recreation;

~~(G[H])~~ the director of planning and development; or

~~(H[I])~~ the director of aviation.

(7) was designated for removal without replacement in a landscape plan approved by the city council, city plan commission, or board of adjustment;

(8) interfered with construction or maintenance of a public utility or public right-of-way;

(9) was removed or seriously injured to allow construction, including the operation of construction equipment in a normal manner, in accordance with infrastructure engineering plans approved under Article V of Chapter 49 or street paving and grading in a public right-of-way, storm drainage easement, detention or retention pond designation, or bridge construction, for private development; or

(10) was specifically listed as a vulnerable or threatened tree species, or species subject to quarantine, as determined by the Texas Department of Agriculture, and was in imminent threat of infestation.”



SECTION 68. That Paragraph (5) of Subsection (a), "In General," of Section 51A-12.201, "Seismic Survey Permit," of Division II, "Gas Drilling," of Article XII, "Gas Drilling and Production," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

"(5) Seismic survey activities within public rights-of-way must be conducted in accordance with a traffic control plan approved by the director of the department of transportation and public works."

SECTION 69. That Subsection (h), "Road Repair Security Instrument," of Section 51A-12.203, "Insurance and Security Instruments," of Division II, "Gas Drilling," of Article XII, "Gas Drilling and Production," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

"(h) Road repair security instrument. Before issuance of a gas well permit, the operator shall give the gas inspector a road repair performance bond or an irrevocable letter of credit approved as to form by the city attorney. The road repair security instrument is in addition to the performance bond or irrevocable letter of credit required by Section 51A-12.203(g).

(1) A bonding or insurance company authorized to do business in Texas and acceptable to the city must issue the performance bond. A bank authorized to do business in Texas and acceptable to the city must issue the irrevocable letter of credit.

(2) The performance bond or irrevocable letter of credit must list the operator as principal and be payable to the city.

(3) The performance bond or irrevocable letter of credit must remain in effect for at least six months after the department of transportation and public works completes the final inspection of the right-of-way.

(4) The department of transportation and public works shall determine the amount of the performance bond or irrevocable letter of credit based upon, among other factors, the estimated cost to the city of restoring the right-of-way.

(5) Cancellation of the performance bond or irrevocable letter of credit does not release the operator from the obligation to meet all requirements of this article, the gas well permit, and the SUP. If the performance bond or irrevocable letter of credit is cancelled, the gas well permit shall be suspended on the date of cancellation and the operator shall immediately cease operations until the operator provides the gas inspector with a replacement performance bond or irrevocable letter of credit that meets the requirements of this article."

SECTION 70. That Subsection (p), "Rights-of-Way," of Section 51A-12.204, "Operations," of Division II, "Gas Drilling," of Article XII, "Gas Drilling and Production," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code, is amended to read as follows:

(p) Rights-of-way. For purposes of this subsection, rights-of-way means those rights-of-way located along the truck routes shown on the operator's approved transportation plan and incorporated by reference into the gas well permit.

(1) Periodic inspections. The operator shall periodically inspect the rights-of-way to determine if damage has occurred.

(2) City notifying operator. If the department of transportation and public works determines that the rights-of-way have been damaged, the gas inspector shall notify the operator in writing of the damage.

(3) Repairs. The operator shall repair the damage to the rights-of-way within 10 days after discovering or receiving notice of the damage. Repairs must be made in accordance with the current standards of the department of transportation and public works. At least two days before making the repairs, the operator shall notify the department of transportation and public works of the operator's intent to begin repairs. The operator shall have all necessary permits before repairing the rights-of-way.

(4) City making repairs and invoicing operator.

(A) If the operator fails to make repairs within 10 days after discovering or receiving notice of the damage, the director of transportation and public works may make the necessary repairs and invoice the operator. The operator shall pay the amount due within 30 days after the invoice date.

(B) If the director of transportation and public works determines that the damages to the rights-of-way affect the immediate health and safety of the public, the director of transportation and public works may make the repairs without first requesting that the operator make the repairs. The director of transportation and public works shall invoice and the operator shall pay the amount due within 30 days after the invoice date.

(C) If required by state law, the director of transportation and public works shall employ a competitive bidding process before making the repairs to the rights-of-way.

(5) Final inspection. After the gas inspector approves the abandonment and restoration of the operation site, the operator shall notify the director of transportation and public works and request an inspection of the rights-of-way. After inspection, the director of

transportation and public works shall notify the operator of any needed repairs. Repairs must be made in accordance with this article.”

SECTION 71. That Paragraph (2) of Subsection (a) of Section 51A-12.305, “Markers,” of Division III, “Regulated Pipelines,” of Article XII, “Gas Drilling and Production,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(2) The top of all marker signs must be a minimum of four feet above ground level; the support post must be sufficient to support the marker sign; and the markers must be painted yellow or another color approved by the director of the department of transportation and public works.”

SECTION 72. That Paragraph (1), “General,” of Subsection (b), “Street Cross-Sections,” of Section 51A-13.502, “New Minor Streets,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

**“(1) General.**

Alternative on-street parking configuration other than those shown (including reverse angle parking) and travel lane increases, up to 10 percent, may be approved by the director of transportation and public works [~~and transportation~~].”

SECTION 73. That Paragraph (2) of Subsection (c), “Bump-Outs Required,” of Section 51A-13.502, “New Minor Streets,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(2) The width and depth of the bump-out will be determined by the director of transportation and public works [~~and transportation~~] by balancing the needs for vehicular access with those of pedestrian accessibility.”

SECTION 74. That Subsection (d), “Modification of Standards,” of Section 51A-13.502, “New Minor Streets,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

**“(d) Modification of Standards.**

Modifications to the street standards may be allowed by the director of transportation and public works ~~[and transportation]~~ where necessary to address specific conditions. The modifications must be the minimum necessary to address specific conditions, while preserving the integrity of the street and minimizing impacts on the pedestrian experience, and are limited to the following:

- (A) adding turn lanes to respond to critical traffic needs;
- (B) adding medians when such medians enhance pedestrian safety, or address critical traffic needs;
- (C) prohibiting on-street parking during peak periods;
- (D) adding or deleting lanes adjacent to public open spaces to enhance access or encourage pedestrian usage; or
- (E) eliminating bump-outs when adding needed turn lanes or prohibiting on-street parking during peak hours to respond to critical traffic needs.”

SECTION 75. That Subparagraph (B) of Paragraph (1), “In General,” of Subsection (c), “Indented Parking,” of Section 51A-13.503, “Existing Streets,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(B) Alternative angles other than those shown (including reverse angle) may be approved by the director of transportation and public works ~~[and transportation]~~.”

SECTION 76. That Subparagraph (B) of Paragraph (1), “In General,” of Subsection (d), “Multi-Way Boulevards,” of Section 51A-13.503, “Existing Streets,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code, is amended to read as follows:

“(B) Alternative angles other than shown (including reverse angle) may be approved by the director of transportation and public works [~~and transportation~~].”

SECTION 77. That Item 301.4.5.1.2, “Department of Public Works Standard Construction Details,” of Subparagraph 301.4.5.1, “Paving or Grading Work in the Public Right-of-Way,” of Paragraph 301.4.5, “Paving and Grading Work,” of Subsection 301.4, “Application for Permits,” of Section 301, “Permits,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, is amended to read as follows:

**“301.4.5.1.2 Department of transportation and public works standard construction details. All paving or grading work in a public right-of-way must comply with the department of transportation and public works standard construction details, File 251D-1.”**

SECTION 78. That Paragraph 303.5.3, “Barricade Fees,” of Subsection 303.5, “Other Fees,” of Section 303, “Fees,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, is amended to read as follows:

**303.5.3 Barricade fees.** If construction necessitates the closure of public property or public right-of-way, a barricade application must be submitted to the director of transportation and public works on a form provided by the department transportation and of public works. A barricade application fee of \$40.00 must be paid upon submission of the barricade application. In addition to the barricade application fee, barricade permit fees must be paid in accordance with the chart below. Barricade permit fees are calculated by multiplying the area of useable public property or public right-of-way enclosed within and occupied by any barricade, fence, covered walkway, or tunnel or otherwise used by the contractor by the number of days the

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useable public property or public right-of-way is barricaded, with a minimum fee of \$200.00 for each permit.

	Number of Days Closed	Fees Per Square Foot Per Day
*Sidewalk and up to one lane closure	0-60	\$0.012
	61-120	\$0.024
	121-180	\$0.048
	181 or more	\$0.096
*Two or more land closures	0-60	\$0.036
	61-120	\$0.072
	121-180	\$0.144
	181 or more	\$0.288

*\*Barricade permit fees are based on the entire project length. Permit extensions that cause the rate per day to increase will retroactively apply to the entire project.*

The director of transportation and public works shall charge a double fee for each day of occupancy of useable public property or public right-of-way without a permit, with a minimum charge for two days. Fees are charged by the day, and any fraction of a day is charged as a full day.”

SECTION 79. That Subsection 605.1, “General,” of Section 605, “Construction Truck Traffic,” of Subchapter 6, “Construction Site Management,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, is amended to read as follows:

**605.1 General.** A contractor shall limit and regulate construction truck traffic to, from, and around the construction site in accordance with regulations established by the director of transportation and public works relating to the following:

1. Truck routes to and from the nearest major thoroughfare.
2. Truck ingress, egress, and on-street loading and unloading locations.
3. Truck parking or staging locations, including restrictions on the number of vehicles authorized at any given time of day.
- 4[3]. Special restrictions based on vehicle weight, vehicle length, street width, and general traffic requirements as necessary to limit damage to public property and to avoid impeding traffic flow in the general vicinity of the construction site.”

SECTION 80. That Subsection 608.2, “Dewatering,” of Section 608, “Drainage and Dewatering,” of Subchapter 6, “Construction Site Management,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, is amended to read as follows:

**608.2 Dewatering.** Ground water or ponded surface water may be removed from a construction site by discharging directly into an available storm sewer inlet, or by other means when approved in writing by the director of transportation and public works.”

SECTION 81. 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 \$2,000 for violations governing fire safety, zoning, or public health and sanitation and \$500 for all other violations.

SECTION 82. That Chapters 2, 5, 14B 20A, 27, 28, 30, 36, 39, 42A, 43, 45, 49, 51, 51A, and 52 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 83. 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 84. 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 85. 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 SEP 18 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 SEP 18 2024

ORDINANCE NUMBER 32864

DATE PUBLISHED SEP 21 2024

ATTESTED BY: