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9/18/2009

ORDINANCE NO. 27695

An ordinance amending Section 2-168 of CHAPTER 2, "ADMINISTRATION"; amending Sections 10-17, 10-20, and 10-26 of CHAPTER 10, "BUSES AND SHUTTLES"; amending Sections 10A-17, 10A-20, and 10A-26 of CHAPTER 10A, "LIMOUSINES"; amending Sections 10B-17, 10B-20, and 10B-26 of CHAPTER 10B, "NON-MOTORIZED PASSENGER TRANSPORT VEHICLES"; adding Section 13-28.4 to CHAPTER 13, "COURTS, FINES AND IMPRISONMENTS"; amending Sections 15D-9, 15D-9.10, 15D-9.16, 15D-21, 15D-23, 15D-30, 15D-36, and 15D-58 of CHAPTER 15D, "EMERGENCY VEHICLES"; amending Sections 17-2.2 and 17-10.2 of CHAPTER 17, "FOOD ESTABLISHMENTS"; amending Section 18-9 of CHAPTER 18, "MUNICIPAL SOLID WASTES"; amending Sections 27-32 and 27-42 of CHAPTER 27, "MINIMUM URBAN REHABILITATION STANDARDS"; amending Sections 45-2.4, 45-3.2, 45-3.3, 45-3.9, and 45-7.2 of CHAPTER 45, "TAXICABS"; amending Sections 48A-6, 48A-14, and 48A-20 of CHAPTER 48A, "VEHICLE TOW SERVICE"; and amending Section 51A-1.105 of CHAPTER 51A, "DALLAS DEVELOPMENT CODE: ORDINANCE NO. 19455, AS AMENDED" of the Dallas City Code, as amended; defining terms; adjusting storm water drainage utility rates; adjusting operating authority fees for shuttle service, limousine service, and non-motorized passenger transport vehicle service; adjusting application fees for bus and shuttle service, limousine service, non-motorized passenger transport vehicle service; private ambulance service, emergency wrecker service, taxicab service, and vehicle tow service; adjusting permit and duplicate permit fees for bus and shuttle drivers, limousine drivers, non-motorized passenger transport vehicle drivers, ambulance personnel, and wrecker drivers; adjusting annual fees for emergency wrecker service licenses; adjusting inspection fees for

emergency wreckers; adjusting training course, license, and duplicate license fees for taxicab drivers; adjusting re-inspection fees for taxicabs; establishing the juvenile case manager fund and the juvenile case manager fee; adjusting certification fees for food handlers; adjusting various fees relating to fixed, mobile, and temporary food establishments and catering service; adjusting solid waste collection charges; adjusting registration and inspection fees for multi-tenant properties; adjusting fees for municipal setting designation ordinances; adjusting fees for fill permits for removal of a flood plain designation; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Subsection (a)(9) of Section 2-168, "Storm Water Drainage Utility Rates; Billing and Collection Procedures," of Article XXVIII, "Storm Water Drainage Utility," of CHAPTER 2, "ADMINISTRATION," of the Dallas City Code, as amended, is amended to read as follows:

"(9) RUNOFF COEFFICIENT means a percentage of a lot or tract of land determined to be impervious based on the use of the lot or tract in accordance with the following schedule:

TYPE OF USE	RUNOFF COEFFICIENT (percentage of impervious area)
<del>[Residential</del>	
<del>Single family/duplex</del>	45%
<del>Mobile home, individually metered</del>	45%]
Mobile home, master-metered	55%
Multifamily apartments	70%
Townhomes/condominiums	80%
Schools	70%
Churches	80%
Commercial	90%
Parking lots	95%
Cemetery/agricultural business	25%
Parks/golf courses	25%
Vacant lot/raw land	<u>20</u> [25]%"

SECTION 2. That Subsection (b) of Section 2-168, "Storm Water Drainage Utility Rates; Billing and Collection Procedures," of Article XXVIII, "Storm Water Drainage Utility," of CHAPTER 2, "ADMINISTRATION," of the Dallas City Code, as amended, is amended to read as follows:

"(b) The monthly storm water drainage charge for residential real property [~~receiving water or wastewater service from the city~~] is as follows:

<u>PROPERTY [CALCULATED DRAINAGE] AREA</u> (in square feet)	MONTHLY RATE
up to <u>6,000</u> [ <del>2,025</del> ]	<u>\$3.65</u> [ <del>2.50</del> ]
<u>6,001</u> [ <del>2,026</del> ] – <u>8,000</u> [ <del>4050</del> ]	<u>\$5.77</u> [ <del>3.99</del> ]
<u>8,001</u> [ <del>4,051</del> ] – <u>17,000</u> [ <del>9,000</del> ]	<u>\$7.77</u> [ <del>5.80</del> ]
<u>17,001</u> [ <del>9,001</del> ] – <u>215,000</u> [ <del>18,000</del> ]	<u>\$13.87</u> [ <del>10.16</del> ]
more than <u>215,000</u> [ <del>18,000</del> ]	<u>\$43.87</u> [ <del>43.06</del> ]"

SECTION 3. That Subsection (c) of Section 2-168, "Storm Water Drainage Utility Rates; Billing and Collection Procedures," of Article XXVIII, "Storm Water Drainage Utility," of CHAPTER 2, "ADMINISTRATION," of the Dallas City Code, as amended, is amended to read as follows:

"(c) The storm water drainage charge for commercial and unimproved real property is an amount equal to \$0.1589 [~~1031~~] per month for each 100 square feet of the calculated drainage area of the commercial or unimproved real property, with a minimum charge of \$5.00 per month for commercial and unimproved real property and a maximum charge of \$57.10 [~~56.15~~] per month for unimproved real property."

SECTION 4. That Subsection (b) of Section 10-17, "Fees," of Article II, "Bus and Shuttle Service Operating Authority," of CHAPTER 10, "BUSES AND SHUTTLES," of the Dallas City Code, as amended, is amended to read as follows:

"(b) The annual fee for shuttle service operating authority is:

- (1) \$520 [~~500~~] for three shuttle vehicles or less; and
- (2) \$50 for each additional shuttle vehicle authorized to operate under the operating authority."

SECTION 5. That Subsection (e) of Section 10-17, "Fees," of Article II, "Bus and Shuttle Service Operating Authority," of CHAPTER 10, "BUSES AND SHUTTLES," of the Dallas City Code, as amended, is amended to read as follows:

"(e) A \$220 [~~150~~] application fee must be paid at the time an application for operating authority is submitted to the director."

SECTION 6. That Section 10-20, "Application for Bus/Shuttle Driver's Permit; Fee," of Article III, "Bus/Shuttle Driver's Permit," of CHAPTER 10, "BUSES AND SHUTTLES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10-20. APPLICATION FOR BUS/SHUTTLE DRIVER'S PERMIT; FEE.**

To obtain a bus/shuttle driver's permit, or renewal of a bus/shuttle driver's permit, a person must file with the director a completed written application on a form provided for the purpose and a nonrefundable application fee of \$40 [~~16~~]. The director shall require each application to state such information as the director considers necessary to determine whether an applicant is qualified."

SECTION 7. That Section 10-26, "Duplicate Permit," of Article III, "Bus/Shuttle Driver's Permit," of CHAPTER 10, "BUSES AND SHUTTLES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10-26. DUPLICATE PERMIT.**

If a bus/shuttle driver's permit is lost or destroyed, the director shall issue the permittee a duplicate permit upon payment to the city of a duplicate permit fee of \$18 [~~11~~]."

SECTION 8. That Subsection (a) of Section 10A-17, "Fees," of Article II, "Limousine Service Operating Authority," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

"(a) The annual fee for limousine service operating authority is:

- (1) \$550; and
- (2) \$50 [~~30~~] for each vehicle authorized to operate under the operating authority."

SECTION 9. That Subsection (c) of Section 10A-17, "Fees," of Article II, "Limousine Service Operating Authority," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

"(c) A \$220 [150] application fee must be paid at the time an application for operating authority is submitted to the director."

SECTION 10. That Section 10A-20, "Application for Limousine Driver's Permit; Fee," of Article III, "Limousine Driver's Permit," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-20. APPLICATION FOR LIMOUSINE DRIVER'S PERMIT; FEE.**

To obtain a limousine driver's permit, or renewal of a limousine driver's permit, a person must file with the director a completed written application on a form provided for the purpose and a nonrefundable application fee of \$40 [20]. The director shall require each application to state such information as the director considers necessary to determine whether an applicant is qualified."

SECTION 11. That Section 10A-26, "Duplicate Permit," of Article III, "Limousine Driver's Permit," of CHAPTER 10A, "LIMOUSINES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10A-26. DUPLICATE PERMIT.**

If a limousine driver's permit is lost or destroyed, the director shall issue the permittee a duplicate permit upon payment to the city of a duplicate permit fee of \$18 [11]."

SECTION 12. That Subsection (a) of Section 10B-17, "Fees," of Article II, "Non-Motorized Passenger Transport Service Operating Authority," of CHAPTER 10B, "NON-MOTORIZED PASSENGER TRANSPORT VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

"(a) The annual fee for operating authority for a non-motorized passenger transport service that operates pedicabs is:

- (1) \$360; and
- (2) \$50 [20] for each vehicle authorized to operate under the operating authority."

SECTION 13. That Subsection (b) of Section 10B-17, "Fees," of Article II, "Non-Motorized Passenger Transport Service Operating Authority," of CHAPTER 10B, "NON-MOTORIZED PASSENGER TRANSPORT VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

"(b) The annual fee for operating authority for a non-motorized passenger transport service that operates horse-drawn carriage is:

- (1) \$500; and
- (2) \$50 [~~25~~] for each vehicle authorized to operate under the operating authority."

SECTION 14. That Subsection (d) of Section 10B-17, "Fees," of Article II, "Non-Motorized Passenger Transport Service Operating Authority," of CHAPTER 10B, "NON-MOTORIZED PASSENGER TRANSPORT VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

"(d) An application fee of \$250 [~~100~~] for a pedicab service and \$250 [~~150~~] for a horse-drawn carriage service must be paid at the time an application for operating authority as a non-motorized passenger transport service is submitted to the director."

SECTION 15. That Section 10B-20, "Application for Non-Motorized Passenger Transport Vehicle Driver's Permit; Fee," of Article III, "Non-Motorized Passenger Transport Vehicle Driver's Permit," of CHAPTER 10B, "NON-MOTORIZED PASSENGER TRANSPORT VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10B-20. APPLICATION FOR NON-MOTORIZED PASSENGER TRANSPORT VEHICLE DRIVER'S PERMIT; FEE.**

To obtain a non-motorized passenger transport vehicle driver's permit, or renewal of a non-motorized passenger transport vehicle driver's permit, a person must file with the director a completed written application on a form provided for the purpose and a nonrefundable application fee of \$40 [~~16~~]. The director shall require each application to state such information as the director considers necessary to determine whether an applicant is qualified."

SECTION 16. That Section 10B-26, "Duplicate Permit," of Article III, "Non-Motorized Passenger Transport Vehicle Driver's Permit," of CHAPTER 10B, "NON-MOTORIZED PASSENGER TRANSPORT VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 10B-26. DUPLICATE PERMIT.**

If a non-motorized passenger transport vehicle driver's permit is lost or destroyed, the director shall issue the permittee a duplicate permit upon payment to the city of a duplicate permit fee of \$18 [11]."

SECTION 17. That Article II, "Municipal Court of Record," of CHAPTER 13, "COURTS, FINES AND IMPRISONMENTS," of the Dallas City Code, as amended, is amended by adding Section 13-28.4, entitled "Municipal Court Juvenile Case Manager Fund," to read as follows:

**"SEC. 13-28.4. MUNICIPAL COURT JUVENILE CASE MANAGER FUND.**

(a) In this section:

(1) CONVICTED has the meaning given that term in Article 102.0174(e) of the Texas Code of Criminal Procedure, as amended.

(2) FEE means the juvenile case manager fee established under this section.

(3) FUND means the municipal court juvenile case manager fund established under this section.

(4) JUVENILE CASE MANAGER means a municipal court employee that:

(A) assists in administering the juvenile docket of the municipal court of record;

(B) supervises court orders in juvenile cases; and

(C) works primarily on cases brought under Sections 25.093 and 25.094 of the Texas Education Code, as amended.

(b) Pursuant to Article 102.0174 of the Texas Code of Criminal Procedure, as amended, there is hereby established the municipal court juvenile case manager fund, which will be a separate fund in the city treasury to be administered by or under the direction of the city council.

(c) Each defendant convicted of a fine-only misdemeanor offense in the municipal court of record shall pay a municipal court juvenile case manager fee of \$5, in addition to any other fines, penalties, or court costs required by city ordinance or state or federal law. A separate fee must be paid for each separate conviction of a fine-only misdemeanor offense.

(d) The judge of the municipal court of record may waive the municipal court juvenile case manager fee required under Subsection (c) of this section if the judge finds that paying the fee would result in financial hardship to the defendant.

(e) The municipal clerk shall collect the fee and pay it to the city treasury for deposit in the fund. The fund may be used only to finance the salary and benefits of juvenile case managers employed by the municipal court of record of the city under Article 45.056 of the Texas Code of Criminal Procedure, as amended."

SECTION 18. That Subsection (a)(13) of Section 15D-9, "Application for License," of Division 3, "Private Ambulance Service License," of Article I, "Ambulances," of CHAPTER 15D, "EMERGENCY VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

"(13) a nonrefundable application processing fee of \$250 [~~100~~]."

SECTION 19. That Section 15D-9.10, "Application for Ambulance Personnel Permit," of Division 4, "Ambulance Personnel Permit," of Article I, "Ambulances," of CHAPTER 15D, "EMERGENCY VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 15D-9.10. APPLICATION FOR AMBULANCE PERSONNEL PERMIT.**

To obtain an ambulance personnel permit or renewal of an ambulance personnel permit, a person must file with the director a completed written application on a form provided for that purpose and a nonrefundable application fee of \$40 [~~17~~]. The director shall require each application to state any information the director considers necessary to determine whether an applicant is qualified."

SECTION 20. That Section 15D-9.16, "Duplicate Permit," of Division 4, "Ambulance Personnel Permit," of Article I, "Ambulances," of CHAPTER 15D, "EMERGENCY VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

**“SEC. 15D-9.16. DUPLICATE PERMIT.**

If an ambulance personnel permit is lost, destroyed, or mutilated, the director may issue the permittee a duplicate permit upon receiving payment of a duplicate permit fee of \$18 [~~14~~].”

SECTION 21. That Subsection (a) of Section 15D-21, “License Application; Change of Zone,” of Division 2, “Emergency Wrecker Service License,” of Article II, “Emergency Wreckers,” of CHAPTER 15D, “EMERGENCY VEHICLES,” of the Dallas City Code, as amended, is amended to read as follows:

“(a) A person desiring to engage in emergency wrecker service in the city shall file with the director a written application upon a form provided for that purpose, accompanied by a nonrefundable application processing fee of \$250 [~~50~~]. The application must be signed by an individual who will own, control, or operate the proposed emergency wrecker service. The application must be verified and include the following information:”

SECTION 22. That Subsection (c) of Section 15D-23, “License Issuance; Fee; Display; Transferability; Expiration,” of Division 2, “Emergency Wrecker Service License,” of Article II, “Emergency Wreckers,” of CHAPTER 15D, “EMERGENCY VEHICLES,” of the Dallas City Code, as amended, is amended to read as follows:

“(c) The annual fee for an emergency wrecker service license is \$520 [~~500~~], prorated on the basis of whole months. The fee for issuing a duplicate license for one lost, destroyed, or mutilated is \$5. The fee is payable to the director upon issuance of a license. No refund of a license fee will be made.”

SECTION 23. That Section 15D-30, “Application for Wrecker Driver’s Permit; Fee,” of Division 3, “Wrecker Driver’s Permit,” of Article II, “Emergency Wreckers,” of CHAPTER 15D, “EMERGENCY VEHICLES,” of the Dallas City Code, as amended, is amended to read as follows:

**“SEC. 15D-30. APPLICATION FOR WRECKER DRIVER'S PERMIT; FEE.**

To obtain a wrecker driver's permit, or renewal of a wrecker driver's permit, a person must file with the director a completed written application on a form provided for the purpose and a nonrefundable application fee of \$15 [~~10~~]. The director shall require each application to state such information as the director reasonably considers necessary to determine whether an applicant is qualified.”

SECTION 24. That Section 15D-36, "Duplicate Permit," of Division 3, "Wrecker Driver's Permit," of Article II, "Emergency Wreckers," of CHAPTER 15D, "EMERGENCY VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

**"SEC. 15D-36. DUPLICATE PERMIT.**

If a wrecker driver's permit is lost or destroyed, the director shall issue the permittee a duplicate permit upon payment to the city of a duplicate permit fee of \$15 [~~10~~]."

SECTION 25. That Subsection (b) of Section 15D-58, "Vehicles and Equipment," of Division 7, "Vehicles and Equipment," of Article II, "Emergency Wreckers," of CHAPTER 15D, "EMERGENCY VEHICLES," of the Dallas City Code, as amended, is amended to read as follows:

"(b) An inspection fee of \$30 [~~23~~] must be paid for each wrecker that is used in the emergency wrecker service. Upon inspection and approval of each vehicle, the director shall issue a decal to the applicant or licensee. The decal must be affixed securely to the lower left corner of the front windshield of the inspected wrecker."

SECTION 26. That Subsection (d)(5) of Section 17-2.2, "Additional Requirements," of Article II, "Management and Personnel," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(5) Food handler certification fees. An applicant shall pay a nonrefundable fee of \$55 [~~25~~] for a food handler certificate. The fee for replacing a lost, stolen, or damaged certificate is \$5."

SECTION 27. That Subsection (d)(2) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(2) The applicant shall pay a nonrefundable fee according to the following schedule:

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	<u>Fixed Facility</u>	<u>Mobile Food Preparation Vehicle</u>
Cessation of operation of existing facility or vehicle for 12 or more months	\$300	\$315
Change of ownership of existing facility or vehicle	\$300	\$315
Change of ownership of newly constructed facility or vehicle or extensively remodeled facility	\$300	\$315
Newly constructed facility or vehicle or extensively remodeled facility under same ownership	\$300	\$315
Reinstatement fee after lapse of permit for failure to pay annual inspection fee by due date: existing facility or vehicle under same ownership	\$ <u>110</u> [ <del>400</del> ]	\$ <u>110</u> [ <del>400</del> ]"

SECTION 28. That Subsection (e)(1) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(1) A person shall not begin constructing a fixed facility or a mobile food preparation vehicle, or extensively remodeling a fixed facility, intended for use in the operation of a food establishment (other than a temporary food service establishment) before a copy of plans and specifications of the construction or remodeling are approved, in writing, by the director. A request for approval of plans and specifications must be accompanied by a nonrefundable plans review fee of \$250 [~~200~~] for a fixed facility or \$250 [~~25~~] for a mobile food preparation vehicle."

SECTION 29. That Subsection (f)(4) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(4) Periodic inspections. The director shall periodically inspect each separate and distinct facility and vehicle from which a food establishment operates to determine whether the establishment complies with this chapter and other applicable city ordinances and state and federal law. The director shall conduct the periodic inspection as often as the director considers necessary to enforce this chapter or other applicable law, but at least once each six-month period. Whenever a food establishment is inspected by the director and a violation of this chapter or other applicable law is found, the director shall, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, reinspect the food establishment to determine that the violation has been eliminated. A \$380 [~~400~~] fee will be charged for each reinspection that must be conducted before the violation is determined to be eliminated."

SECTION 30. That Subsection (g) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(g) Annual inspection fees: catering services and mobile food establishments.

(1) Catering service. A catering service shall pay the city a nonrefundable annual inspection fee of \$130 [~~100~~] for each vehicle used to operate the service inside the city.

(2) Mobile food establishment.

(A) A food establishment that operates a mobile food establishment inside the city shall pay the city a nonrefundable annual inspection fee in accordance with the following schedule:

<u>Type of Operation</u>	<u>Each Vehicle</u>
General service	\$150
Limited service	<u>\$130</u> [ <del>100</del> ]
Vegetable or fruit vendor	<u>\$130</u> [ <del>100</del> ]
Mobile food preparation vehicle	\$150

(B) An additional nonrefundable \$100 fee will be charged for each vehicle requested by a food establishment to be inspected at a location other than a location designated by the director."

SECTION 31. That Subsection (h) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

“(h) Annual inspection fee: fixed facilities.

(1) Requisite. A food establishment shall pay the city a nonrefundable annual inspection fee for each separate and distinct, fixed facility inside the city from which the establishment is operated. If a building contains multiple facilities, a separate fee will be calculated for each facility required to be permitted under Section 17-10.2(c).

(2) Amount. The amount of the fee for each facility is determined by the floor area of the facility. In determining the floor area, the director shall include each interior part of the facility used to manufacture or process, store, package, prepare, distribute, sell, or serve food. The fees are as prescribed in the following schedule:

(A) For facilities not included in Section 17-10.2(h)(2)(B):

<u>Area in square feet</u>	<u>Annual fee</u>
1 to 2,000	\$ <del>390</del> [350]
2,001 or more	\$425

(B) If a food establishment is being operated from more than one separate and distinct facility in the same building, for each facility in excess of one:

<u>Area in square feet</u>	<u>Annual fee</u>
1 to 2,000	\$ <del>390</del> [300]
2,001 or more	\$400

(3) No later than December 31 of each year, a food establishment shall pay the annual inspection fee for the following calendar year.

(4) The annual inspection fee for a new food establishment will be prorated from the calendar month in which operations begin to the end of the calendar year.

(5) Exceptions. Section 17-10.2(h) does not apply to:

(A) a temporary food service establishment permitted under this chapter; or

(B) a wholesale produce dealer permitted under Chapter 29 of this code.”

SECTION 32. That Subsection (i) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

“(i) Temporary food service fee.

(1) Before the director issues a permit to a temporary food service establishment, the applicant for the permit shall pay the city a nonrefundable permit fee of \$190 [~~150~~], plus \$5 for each day of operation for each facility from which the establishment is operated. A maximum nonrefundable annual fee of \$100 for each facility will be collected from concessionaires operating under contract with the city park and recreation department or the municipal produce market. A maximum nonrefundable annual fee of \$200 for each facility will be collected from concessionaires operating at a school stadium.

(2) Section 17-10.2(i)(1) does not apply to a temporary food service establishment that:

- (A) does not serve potentially hazardous food; and
- (B) the weekly gross income of which does not exceed \$100.”

SECTION 33. That Subsection (j) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

“(j) Registration of food establishments outside the city; fee.

(1) A food establishment operating from a facility located outside the city that sells, distributes, or transports food inside the city may not conduct operations inside the city unless the establishment annually:

- (A) registers with the director on a form provided for the purpose;
- (B) pays to the city a nonrefundable registration fee of \$40 [~~25~~] and other applicable fees; and
- (C) furnishes the department with:
  - (i) a certificate from a health authority with jurisdiction over the establishment indicating that the establishment complies with applicable public health laws; and
  - (ii) other information that the director determines is necessary to enable the director to implement or enforce this chapter or otherwise protect the public health or safety.

(2) The director may inspect the operations of a food establishment specified in Section 17-10.2(j)(1) that are conducted inside the city to determine if the operations comply with applicable requirements of this chapter or other law.

(3) This subsection does not affect the liability of a food establishment specified in Section 17-10.2(j)(1) for payment of any other fee imposed under this article.”

SECTION 34. That Subsection (l) of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of CHAPTER 17, “FOOD ESTABLISHMENTS,” of the Dallas City Code, as amended, is amended to read as follows:

“(1) Service fees.

(1) If a food establishment changes its name, continuing under the same ownership, the establishment shall inform the director in writing of the change and pay the city a service fee of \$65 [~~50~~], not more than seven days after the change.

(2) To obtain from the director a detailed, written survey of an existing food establishment, a prospective operator must:

(A) present to the director written permission for the survey from the owner of the food establishment; and

(B) pay to the city a nonrefundable service fee of \$200 [~~100~~].”

SECTION 35. That Subsection (c)(1) of Section 18-9, “Specifying Charges for Sanitation Service,” of Article I, “Collection and Disposal,” of CHAPTER 18, “MUNICIPAL SOLID WASTES,” of the Dallas City Code, as amended, is amended to read as follows:

“(1) The collection service charge for a residence or duplex is as follows:

(A) Alley or curb collection service for municipal solid waste - \$20.34 [~~20.98~~] per dwelling unit per month for bags or for one rollcart (whichever is required by the director of sanitation to be used in the particular area), plus \$10.54 [~~11.86~~] per month for each additional garbage rollcart requested by the owner or occupant of the premises.

(B) Packout or drive-in collection service for municipal solid waste - \$70.11 [~~72.34~~] per dwelling unit per month.”

SECTION 36. That Subsection (c)(2) of Section 18-9, “Specifying Charges for Sanitation Service,” of Article I, “Collection and Disposal,” of CHAPTER 18, “MUNICIPAL SOLID WASTES,” of the Dallas City Code, as amended, is amended to read as follows:

“(2) The collection service charge for an apartment or a mobile home park that receives manual collection service from the sanitation services of the city is as follows:

(A) Alley, curb, or drive-in collection service for municipal solid waste - \$20.34 [~~20.98~~] per apartment unit or mobile home space per month.

(B) Packout collection service for municipal solid waste - \$70.11 [~~72.31~~] per apartment unit or mobile home space per month.”

SECTION 37. That Section 27-32, “Registration Fees,” of Article VII, “Registration and Inspection of Multi-Tenant Properties,” of CHAPTER 27, “MINIMUM URBAN REHABILITATION STANDARDS,” of the Dallas City Code, as amended, is amended to read as follows:

**“SEC. 27-32. REGISTRATION FEES.**

(a) The fee for a certificate of registration for a multi-tenant property is an amount equal to \$6 [~~2~~] times the total number of units in the multi-tenant property, whether occupied or unoccupied.

(b) No refund of a registration fee will be made.”

SECTION 38. That Subsection (c) of Section 27-42, “Property Inspections; Inspection and Reinspection Fees,” of Article VII, “Registration and Inspection of Multi-Tenant Properties,” of CHAPTER 27, “MINIMUM URBAN REHABILITATION STANDARDS,” of the Dallas City Code, as amended, is amended to read as follows:

“(c) The owner or operator of a multi-tenant property shall pay to the director the following fees for a graded inspection of the property:

(1) For a graded inspection in which the property scores 85 or higher or where Subsection (b)(3) applies to the property, no inspection fee will be charged.

(2) For a graded inspection in which the property scores lower than 85 because of substandard conditions or other premises violations existing on the property and where Subsection (b)(4) applies to the property, the inspection fee is \$30 [~~25~~] times the total number of units in the multi-tenant property.

(3) For a graded inspection in which the property scores lower than 85 only because of failure to have or display required documentation, including but not limited to permits, notices, licenses, records, or certificates of occupancy, and where Subsection (b)(4) applies to the property, the inspection fee is \$20 [~~15~~] times the total number of units in the multi-tenant property.”

SECTION 39. That Subsection (e) of Section 27-42, "Property Inspections; Inspection and Reinspection Fees," of Article VII, "Registration and Inspection of Multi-Tenant Properties," of CHAPTER 27, "MINIMUM URBAN REHABILITATION STANDARDS," of the Dallas City Code, as amended, is amended to read as follows:

"(e) The owner, occupant, operator, or other person responsible for the violation shall pay to the director the following fees for each reinspection after the first reinspection that must be conducted before the violation is determined to be eliminated:

(1) For a reinspection conducted inside units of a multi-tenant property, the fee is \$50 [~~45~~] times the number of units actually reinspected.

(2) For a reinspection of the exterior and common areas of a multi-tenant property, the fee is \$50 [~~45~~] for each separate violation site reinspected."

SECTION 40. That Subsection (a) of Section 45-2.4, "Application for Franchise or Annual Permit," of Article II, "Operating Authority," of CHAPTER 45, "TAXICABS," of the Dallas City Code, as amended, is amended to read as follows:

"(a) To obtain a franchise or annual permit, a person shall make application to the city council in the manner prescribed by this section. The applicant must be the person who will own, control, or operate the proposed taxicab service. An applicant shall file with the director a written, verified application statement, to be accompanied by a nonrefundable application fee of \$250 [~~150~~], containing the following:"

SECTION 41. That Subsection (g) of Section 45-3.2, "Qualification for Taxicab Driver's License," of Article III, "Taxicab Driver's License," of CHAPTER 45, "TAXICABS," of the Dallas City Code, as amended, is amended to read as follows:

"(g) Whenever a new applicant or a taxicab driver attends a training course under Subsection (d)(2), (e), or (f), the holder employing or contracting with the applicant or the driver shall pay to the city \$25 [~~12~~] for the training course."

SECTION 42. That Section 45-3.3, "Application; Fee," of Article III, "Taxicab Driver's License," of CHAPTER 45, "TAXICABS," of the Dallas City Code, as amended, is amended to read as follows:

**“SEC. 45-3.3. APPLICATION; FEE.**

To obtain a taxicab driver’s license or renewal of a taxicab driver’s license, a person must file with the department a nonrefundable application fee of \$50 [30] and a completed written application on a form provided for the purpose. The director shall require each application to state such information as he considers necessary to determine whether an applicant is qualified.”

SECTION 43. That Section 45-3.9, “Duplicate License,” of Article III, “Taxicab Driver’s License,” of CHAPTER 45, “TAXICABS,” of the Dallas City Code, as amended, is amended to read as follows:

**“SEC. 45-3.9. DUPLICATE LICENSE.**

If a taxicab driver's license is lost or destroyed, the director shall issue the licensee a duplicate license upon payment to the city of a duplicate license fee of \$18 [14].”

SECTION 44. That Subsection (c) of Section 45-7.2, “Vehicle Requirements and Inspections,” of Article VII, “Vehicles and Equipment,” of CHAPTER 45, “TAXICABS,” of the Dallas City Code, as amended, is amended to read as follows:

“(c) A holder, owner, or driver shall make a taxicab available for inspection when ordered by the director. If, upon inspection, the director determines that a taxicab is not in compliance with this chapter or rules or regulations of the director, the director shall order the taxicab to be brought into compliance within a reasonable period of time and require it to be reinspected. The owner shall pay to the director \$40 [25] for each reinspection of a taxicab that is required before it is brought into compliance.”

SECTION 45. That Subsection (b)(9) of Section 48A-6, “License Required; Application,” of Article II, “Vehicle Tow Service License,” of CHAPTER 48A, “VEHICLE TOW SERVICE,” of the Dallas City Code, as amended, is amended to read as follows:

“(9) a nonrefundable application processing fee of \$250 [50].”

SECTION 46. That Section 48A-14, “Application for Wrecker Driver’s Permit; Fee,” of Article III, “Wrecker Driver’s Permit,” of CHAPTER 48A, “VEHICLE TOW SERVICE,” of the Dallas City Code, as amended, is amended to read as follows:

**“SEC. 48A-14. APPLICATION FOR WRECKER DRIVER'S PERMIT; FEE.**

To obtain a wrecker driver's permit, or renewal of a wrecker driver's permit, a person must file with the director a completed written application on a form provided for the purpose and a nonrefundable application fee of \$15 [~~10~~]. The director shall require each application to state such information as the director reasonably considers necessary to determine whether an applicant is qualified.”

SECTION 47. That Section 48A-20, “Duplicate Permit,” of Article III, “Wrecker Driver’s Permit,” of CHAPTER 48A, “VEHICLE TOW SERVICE,” of the Dallas City Code, as amended, is amended to read as follows:

**“SEC. 48A-20. DUPLICATE PERMIT.**

If a wrecker driver's permit is lost or destroyed, the director shall issue the permittee a duplicate permit upon payment to the city of a duplicate permit fee of \$15 [~~10~~].”

SECTION 48. That Subsection (c)(4) of Section 51A-1.105, “Fees,” of Article I, “General Provisions,” of CHAPTER 51A, "DALLAS DEVELOPMENT CODE: ORDINANCE NO. 19455, AS AMENDED,” of the Dallas City Code, as amended, is amended to read as follows:

“(4) Fee schedule.

<u>Type of Application</u>	<u>Application Fee</u>	<u>Area of Notification for Hearing</u>
Fill permit for land within the Trinity River or Elm Fork flood plains	\$ <u>6,500.00</u> [ <del>3,500.00</del> ]	<u>500</u> [ <del>200</del> ] feet
Fill permit in all other applications	\$ <u>6,500.00</u> [ <del>5,300.00</del> ]	<u>500</u> [ <del>200</del> ] feet
Single family	\$ <u>6,500.00</u> [ <del>1,400.00</del> ]	<u>500</u> [ <del>200</del> ] feet”

SECTION 49. That Subsection (t) of Section 51A-1.105, “Fees,” of Article I, “General Provisions,” of CHAPTER 51A, "DALLAS DEVELOPMENT CODE: ORDINANCE NO. 19455, AS AMENDED,” of the Dallas City Code, as amended, is amended to read as follows:

**“(t) Fee for municipal setting designation ordinance.**

(1) An application will not be accepted until the initial filing fee has been paid. An application will not be placed on a city council agenda until the additional processing fee has been paid.

(2) The applicant shall pay the fees to the director. The director shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(3) No refund of the fees may be made.

(4) The initial filing fee for a municipal setting designation ordinance is \$3,000 [~~2,500~~]. The director shall not mail notices or advertise the public meeting until the estimated cost of mailing notices and advertising the public meeting is paid. The director shall not place a municipal setting designation ordinance on a city council agenda until an additional processing fee of \$6,000 [~~5,000~~] is paid.

(5) The city council may, by resolution, waive or reimburse the initial filing fee when the city council finds that payment of the fee would result in substantial financial hardship to the applicant.”

SECTION 50. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance governing fire safety, zoning, or public health and sanitation, including dumping of refuse, is, upon conviction, punishable by a fine not to exceed \$2,000 and that a person violating any other provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 51. That CHAPTERS 2, 10, 10A, 10B, 13, 15D, 17, 18, 27, 45, 48A, and 51A of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 52. 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 53. That this ordinance will take effect October 1, 2009, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By Andrea Maxwell  
Assistant City Attorney

Passed SEP 23 2009

RM/DCC/000019