

ORDINANCE NO. 30236

An ordinance amending Chapter 27, "Minimum Urban Rehabilitation Standards," of the Dallas City Code, as amended, by repealing Article VIII and IX; repealing and reserving Sections 27-34, 27-35, 27-36, 27-37, and 27-41; amending the title of Chapter 27; amending Article VII; amending Sections 27-3, 27-3.1, 27-4, 27-5, 27-11, 27-12, 27-15, 27-15.1, 27-16, 27-16.3, 27-16.4, 27-16.8, 27-16.13, 27-16.14, 27-16.15, 27-16.16, 27-16.17, 27-16.18, 27-16.19, 27-16.20, 27-16.22, 27-16.23, 27-24, 27-27, 27-29, 27-30, 27-31, 27-32, 27-33, 27-38, 27-39, 27-40, 27-42, 27-43, and 27-44; adding Sections 27-42.1 and 27-44.1; clarifying definitions; describing the code enforcement official's powers to render interpretations of this chapter and obtain warrants; providing that an occupant may request a written lease in his or her primary language if the language is English, Spanish or Vietnamese; adjusting the penalty provisions; amending the minimum property standards in Section 27-11 for structures, construction materials, roofs, chimneys and towers, foundations, floors, shower enclosures, countertops and backsplashes, interior walls, ceilings, surfaces, doors, exterior windows and skylights, security devices, ventilation, balconies, landings, porches, decks, walkways, handrails and guardrails, steps and stairways, fencing, retaining walls, barriers, appliances, heating, plumbing, electricity, lighting, and health provisions; changing the requirements and defense to prosecution concerning air conditioning and heating equipment; conforming the occupancy load limits with state law requirements; setting out what a red placard must state; deleting the relocation provisions under Section 27-16.3; deleting the requirement that a photograph and mail notice must be forwarded to the municipal court clerk in certain instances; providing that a person must answer an administrative citation no later than 31 days after issuance; removing the option to file a written

SECTION 2. That Section 27-3, "Definitions," of Article I, "General Provisions," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 27-3. DEFINITIONS.

In this chapter:

- (1) ~~[BASEMENT means the portion of a structure that is partly underground and has more than one half its height, measured from clear floor to ceiling, above the average finished grade of the ground adjoining a structure.~~
- (2) BATHROOM means an enclosed space containing one or more bathtubs, showers, or both, and which may also include toilets, lavatories, or fixtures serving similar purposes.
- (2) BUILDING means a structure for the support or shelter of any use or occupancy.
- (3) ~~[CELLAR means the lowermost portion of a structure partly or totally underground having one half or more of its height, measured from clear floor to ceiling, below the average finished grade of the adjoining ground.~~
- (4) ~~CERTIFICATE OF REGISTRATION means a certificate of registration issued by the director under Article VII of this chapter to the owner or operator of a multi-tenant property or under Article IX of this chapter to the owner of a non-owner-occupied rental property, whichever is applicable.~~
- (5) CITY ATTORNEY means the city attorney of the city of Dallas and includes the assistants and other authorized representatives of the city attorney.
- (4) CONDOMINIUM has the meaning assigned in Chapter 82 of the Texas Property Code, as amended.
- (5) CONDOMINIUM ASSOCIATION means a corporation whose members are condominium unit owners in a condominium and who are charged with governing, operating, managing, or overseeing a condominium or its common elements.
- (6) CONSTRUCTION CODES means the Dallas Building Code, Chapter 53 of the Dallas City Code, as amended; Dallas Plumbing Code, Chapter 54 of the Dallas City Code, as amended; Dallas Mechanical Code, Chapter 55 of the Dallas City Code, as amended; Dallas Electrical Code, Chapter 56 of the Dallas City Code, as amended; Dallas One- and Two-Family Dwelling Code, Chapter 57 of the Dallas City Code, as amended; Dallas Existing Building Code, Chapter 58 of the Dallas City Code, as amended; Dallas Fuel Gas Code, Chapter 59, Dallas

~~[foyers, hallways, utility rooms, heater rooms, boiler rooms, and basement or cellar recreation rooms].~~

(15) HOUSING STANDARDS MANUAL means the manual by that title and which is kept on file in the office of the city secretary.

(16) INFESTATION means the presence, within or contiguous to a structure or premises, of insects, rodents, vectors, or other pests.

~~(17[6])~~ KITCHEN means an area [a space, 60 square feet or more in floor area with a minimum width of five feet,] used, or designated to be used, for cooking or preparation of food.

~~(17)~~ KITCHENETTE means a space, less than 60 square feet in floor area, used for cooking or preparation of food.]

(18) LANDLORD has the same meaning as in Chapter 92 of the Texas Property Code, as amended.

(19[8]) MULTIFAMILY DWELLING [PROPERTY] means a multifamily use as defined in Section 51A-4.209(b)(5) of the Dallas Development Code, as amended, or, for purposes of this chapter, three or more single dwelling units on the same premises and which are under common ownership.

(20[19]) MULTITENANT [MULTI-TENANT] PROPERTY means property containing any of the following uses:

(A) A multifamily dwelling ~~[property]~~ as defined in ~~[Subsection (18) of]~~ this section.

(B) A lodging or boarding house as defined in Section 51A-4.205(2) of the Dallas Development Code, as amended.

(C) A group residential facility as defined in Section 51A-4.209(b)(3) of the Dallas Development Code, as amended.

(D) An extended stay hotel or motel as defined in Section 51A-4.205(1.1) of the Dallas Development Code, as amended.

(E) A residential hotel as defined in Section 51A-4.209(b)(5.1) of the Dallas Development Code, as amended.

~~(20) NON-OWNER OCCUPIED RENTAL PROPERTY~~ means a single family, duplex, townhouse, or condominium dwelling that is leased or rented to one or more persons other than the owner of the property, regardless of whether:

~~(A) the lease or rental agreement is oral or written; or~~

(27[6]) **PLUMBING FIXTURES** means gas pipes, water pipes, toilets, lavatories, urinals, sinks, laundry tubs, dishwashers, garbage disposal units, clothes-washing machines, catch basins, wash basins, bathtubs, shower baths, sewer pipes, sewage system, septic tanks, drains, vents, traps, and other fuel-burning or water-using fixtures and appliances, together with all connections to pipes.

(28[7]) **PREMISES** or **PROPERTY** means a lot, plot, or parcel of land, including any structures on the land.

(29[8]) **PROPERTY MANAGER** means a person who, for compensation, has managing control of real property, including an on-site manager of a building or structure.

(30[29]) **PUBLIC SEWER** means a sewer operated by a public authority or public utility and available for public use.

(31[9]) **REGISTRANT** means a person submitting a rental property [issued a certificate of] registration or renewal application or a person whose application the director deems complete [for a multi-tenant property] under Article VII of this chapter [or for a non-owner occupied rental property under Article IX of this chapter, whichever is applicable].

(32) **RENTAL PROPERTY** means a multitenant property or a single dwelling unit that is leased or rented to one or more persons other than the owner of the property, regardless of whether the lease or rental agreement is oral or written, or the compensation received by the lessor for the lease or rental of the property is in the form of money, services, or any other thing of value.

(33[4]) **SANITARY** means any condition of good order and cleanliness that precludes the probability of disease transmission.

(34) **SECURITY DEVICE** has the definition given that term in Chapter 92 of the Texas Property Code, as amended.

(35) **SHORT-TERM RENTAL** has the definition given that term in Section 156.001(b) of the Texas Tax Code, as amended.

(36) **SINGLE DWELLING UNIT** means a single family or duplex, as defined in the Dallas Development Code, as amended, or a condominium dwelling unit.

(37) **SOLID WASTE** means:

(A) industrial solid waste as defined in Section 18-2(22) of the Dallas City Code, as amended; or

(B) municipal solid waste as defined in Section 18-2(28) of the Dallas City Code, as amended.

official deems necessary to clarify the application of this chapter. Such interpretations, rules, and regulations must be in conformity with the purpose of this chapter.

(c) The code enforcement official has ~~[shall have]~~ the power to obtain:

(1) search warrants for the purpose of investigating [allowing the inspection of any specified premises to determine the presence of a health hazard or unsafe building condition, including but not limited to any structural, property, or utility hazard, or] a violation of a[ny] health [hazard] and safety or nuisance abatement, including an urban nuisance, [building] regulation, statute, or ordinance; and

(2) seizure warrants for the purpose of securing, removing, or demolishing an offending property and removing the debris from the premises."

SECTION 4. That Section 27-4, "Violations; Penalty," of Article II, "Administration," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 27-4. VIOLATIONS; PENALTY.

(a) A person who violates a provision of this chapter, or who fails to perform an act required of him by this chapter, commits an offense. A person commits a separate offense each day ~~[or portion of a day]~~ during which a violation is committed, permitted, or continued.

(b) Criminal penalties.

(1) An offense under this chapter is punishable by a fine not to exceed \$2,000; except, that an offense under Section 27-5.2 and 27-25 of this chapter is punishable by a fine not to exceed \$500.

(2) An offense under this chapter is punishable by a fine of not less than:

(A) \$150 [200] for a first conviction of a violation of Section 27-11(c)(1), (c)(2), or (c)(6); Section 27-11(d)(2), (d)(3)(A), (d)(4), (d)(5), (d)(6), (d)(7), (d)(9)(A), (d)(9)(C), (d)(9)(D), (d)(10)(A), (d)(11), (d)(13), (d)(15)(A), or (d)(16)(C); Section 27-11(e)(1)(B), (e)(1)(C), or (e)(3); Section 27-11(f)(1)(A), (f)(1)(B), (f)(3)(C), (f)(3)(F), or (f)(4)(C); Section 27-11(g)(5); Section 27-11(i)(1)(B), (i)(3), (i)(4)(i), (i)(4)(ii), (i)(4)(iii), (i)(6)(A), or (i)(6)(B); Section 27-11(j); Section 27-12(1), (2), (3), or (5) [(a)(1), (3), or (4), 27-11(b)(1), (2), (3), (4), (6), (7), (8), (9), or (10), Section 27-60, or Article VIII of this chapter]; and

(B) \$500 for a first conviction of a violation of Section 27-11(d)(1), (d)(9)(B), (d)(12), (d)(14)(A), (d)(14)(B), (d)(15)(B), (d)(15)(C), (d)(16)(A), or (d)(16)(B); Section 27-11(e)(1)(A) or (e)(2)(A); Section 27-11(f)(2), (f)(3)(A), (f)(3)(B), (f)(3)(D), (f)(3)(E), (f)(3)(G), (f)(4)(A), (f)(4)(B), (f)(4)(D), (f)(4)(E) or (f)(4)(F); Section 27-11(g)(1) or (g)(2);

for an offense under this chapter. The alternative administrative penalty range for an offense is the same as is prescribed for a criminal offense in Subsection (b)."

SECTION 5. That Section 27-5, "Inspection," of Article II, "Administration," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 27-5. INSPECTION.

(a) For the purpose of ascertaining whether violations of this chapter or other city ordinances exist, the director is authorized, at a reasonable time, to inspect:

(1) the exterior of a structure and premises that [which] do not contain a [an] structure; and

(2) the interior of a structure, if ~~[the permission of]~~ the owner, occupant, or person in control gives his permission to the director [is given].

(b) Nothing in this section limits the director's ability to seek and obtain an administrative search warrant authorizing an interior or exterior inspection of a structure or a vacant premises."

SECTION 6. That Section 27-11, "Minimum Standards; Responsibilities of Owner," of Article III, "Minimum Standards," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 27-11. MINIMUM PROPERTY STANDARDS; RESPONSIBILITIES OF OWNER.

(a) In general.

(1) The regulations in this article are minimum property standards for vacant and occupied buildings, properties, and structures. In addition to the minimum property standards, all buildings, properties, and structures must comply with all federal, state, and local laws and regulations, including the construction codes.

(2) The minimum property standards are intended to complement existing laws and regulations. If any provision of this chapter is less restrictive than another applicable law or regulation, the more restrictive law or regulation shall apply.

(3) An owner who enters into a written lease shall, upon the occupant's request, provide the occupant with a written lease in the occupant's primary language, if the primary language is English, Spanish, or Vietnamese.

(4) Chimneys and towers. An owner shall maintain chimneys, cooling towers, smoke stacks, and similar appurtenances in operating condition.

(5) Foundations. An owner shall maintain foundations and foundation components in operating condition, and keep all foundation components securely fastened.

(6) Floors. An owner shall maintain all flooring in operating condition, free from holes, cracks, decay, and trip hazards.

(7) Shower enclosures. An owner shall maintain shower enclosure floors and walls in operating condition, free of holes, cracks, breaches, decay, rust, and rot.

(8) Countertops and backsplashes. An owner shall maintain kitchen and bathroom countertops and backsplashes surrounding kitchen sinks and lavatory sinks in operating condition free of decay, rust, and rot.

(9) Interior walls, ceilings, and surfaces; doors. An owner shall:

(A) maintain all interior walls and ceilings in operating condition;

(B) keep all interior walls and ceilings securely fastened to eliminate collapse hazards;

(C) maintain all interior surfaces, including windows and doors, in operating condition;

(D) repair, remove, or cover all peeling, chipping, flaking, or abraded paint; and

(E) repair all cracked or loose plaster, wood, or other defective surface conditions.

(10) Exterior windows and skylights. An owner shall maintain the glass surfaces of exterior windows and skylights so that they are weather tight and in operating condition.

(11) Exterior doors. An owner shall maintain exterior doors so that they are weather tight and in operating condition.

(12) Security devices. An owner shall maintain any bars, grilles, grates, and security devices in operating condition.

(13) Ventilation. An owner shall maintain all natural and mechanical ventilation in habitable rooms in operating condition.

(14) Balconies, landings, porches, decks, and walkways. An owner shall maintain:

(ii) serves as a retaining wall.

~~[protect the exterior surfaces of a structure that are subject to decay by application of paint or other coating;~~

~~(2) fill hollow masonry supporting piers, if used, with concrete and anchor the piers to concrete footings with a 5/8 inch steel dowel;~~

~~(3) provide and maintain railings for stairs, steps, balconies, porches, and elsewhere as specified in the Dallas Building Code;~~

~~(4) repair holes, cracks, and other defects reasonably capable of causing injury to a person in stairs, porches, steps, and balconies;~~

~~(5) maintain a structure intended for human occupancy and a structure used as an accessory to a structure intended for human occupancy in a weather tight and water tight condition;~~

~~(6) maintain floors, walls, ceilings, and all supporting structural members in a sound condition, capable of bearing imposed loads safely;~~

~~(7) provide cross ventilation of not less than 1 1/2 square feet for each 25 lineal feet of wall in each basement, cellar, and crawl space;~~

~~(8) repair or replace chimney flue and vent attachments that do not function properly;~~

~~(9) repair holes, cracks, breaks, and loose surface materials that are health or safety hazards in or on floors, walls, and ceilings; and~~

~~(10) maintain any fence on the property in compliance with the following standards:~~

~~(A) maintain a fence so that it is not out of vertical alignment more than one foot from the vertical, measured at the top of the fence, for a fence over four feet high, or more than six inches from the vertical, measured at the top of the fence, for a fence not more than four feet high, except that this provision does not apply to a masonry wall unless the wall encloses:~~

~~(i) a multi-tenant property; or~~

~~(ii) a single family or duplex property where the wall is not shared with another property;~~

~~(B) repair or replace rotted, fire-damaged, or broken wooden slats and support posts;~~

(B) It is a defense to prosecution under this paragraph that at least one habitable room is 68° F. at a point three feet above the floor and two feet from exterior walls if the outside temperature is under 40° F.

(3) Appliances. If appliances are provided in a rental dwelling unit, the owner shall maintain those appliances, including portable heating units, portable air conditioning units, cook stoves, refrigerators, dishwashers, garbage disposals, ventilation hoods, washing machines, and clothes dryers, and appliance connections, in operating condition.

(f) Plumbing standards.

(1) Plumbing systems. An owner shall maintain:

(A) all plumbing pipes, fittings, and valves necessary to supply and conduct natural fuel gases, sanitary drainage, storm drainage, or potable water in operating condition; and

(B) all plumbing fixtures free of cross-connections and conditions that permit backflow into the potable water supply.

(2) Fuel gas distribution systems. An owner shall maintain distribution systems that carry fuel gas or liquefied petroleum gas in leak-free condition in accordance with the construction codes. If such a distribution system has been compromised, an owner shall have the system pressure-tested and repaired in accordance with the Dallas Fuel Gas Code, Chapter 60 of the Dallas City Code, as amended.

(3) Plumbing fixtures. An owner shall:

(A) provide each dwelling unit with:

(i) a kitchen equipped with a kitchen sink; and

(ii) a minimum of one toilet; a lavatory sink; and either a bathtub or shower, or a combination of bathtub and shower;

(B) keep all plumbing fixtures connected to an approved potable water supply system;

(C) connect and maintain all plumbing fixtures in operating condition;

(D) equip toilets and urinals with cold potable water under pressure necessary for safe and sanitary operation;

(E) keep all plumbing fixtures connected to a public sewer system or to an approved private sewage disposal system;

(A) An owner shall not wire lighting in common areas into individual dwelling units.

(B) An owner shall maintain overall illumination of four footcandles for exterior lighting on the premises, measured in accordance with the Housing Standards Manual.

(2) Exterior lighting.

(A) An owner shall maintain illumination from dusk until dawn:

(i) along pedestrian pathways; in plazas, courtyards, building entrances, parking areas, including carports and driveway areas; and other outdoor spaces commonly used.

(ii) at stairwells, landings, and areas under the lower landing.

(iii) along breezeways, and transitional lighting must be maintained at all entries to a breezeway.

(iv) at cluster or gang mailboxes.

(B) An owner shall maintain exterior lighting so that it to reduces conflicts or obstructions between building design and landscape treatments and provides appropriate crime prevention.

~~(1) provide and maintain in operating condition connections to discharge sewage from a structure or land into a public sewer system where available;~~

~~(2) provide and maintain in operating condition a toilet connected to a water source and to a public sewer, where available, in each structure intended for human habitation;~~

~~(3) provide and maintain in operating condition connections and pipes to supply potable water at adequate pressure to a structure intended for human occupancy;~~

~~(4) provide and maintain in operating condition a device to supply hot water of a minimum temperature of 120°F. within each structure intended for human habitation;~~

~~(5) provide and connect a kitchen sink, bathtub or shower, and lavatory to a cold and hot water source in each structure intended for human habitation;~~

~~(6) connect plumbing fixtures and heating equipment that the owner supplies in accordance with the Dallas Plumbing Code and Dallas Mechanical Code;~~

~~(7) provide and maintain heating equipment in operating condition so that it is capable of maintaining a minimum inside temperature of 68°F. from November 16 through March 15 in each room of a structure intended for human occupancy;~~

(iii) Fences or other barriers enclosing swimming pools, spas, ponds, and fountains must be maintained in operating condition.

(iv) Pool yard enclosures, as defined in Chapter 757 of the Texas Health and Safety Code, as amended, shall be maintained in operating condition and must comply with the standards in Chapter 757 of the Texas Health and Safety Code, as amended.

(4) Sewage overflow. An owner shall sanitize all areas contaminated by sewage overflow immediately after servicing is completed.

(5) Vacant dwelling units.

(A) An owner shall maintain the interiors of all vacant dwelling units free of solid waste.

(B) The owner of a vacant dwelling unit must store any swimming pool chemicals, cleaning chemicals, pesticides, herbicides, rodenticides, fertilizers, paints, solvents, gasoline, gasoline-powered equipment, or combustible materials of any kind in accordance with the construction codes and the Dallas Development Code, as amended.

~~[eliminate rodents and vermin in or on the land;~~

~~(2) provide a structure intended for human habitation with a screen for keeping out insects at each opening of the structure if the structure is not cooled with refrigerated air;~~

~~(3) maintain the interior of a vacant structure or vacant portion of a structure free from rubbish and garbage; and~~

~~(4) keep the interior of a structure free from insects, rodents, and vermin, except as specified in Section 27-12(b).]~~

~~(j[e]) Security standards. An owner [or operator] of a multifamily dwelling [property], other than one exempt from registration under [Section 27-30(b)(2) of] this chapter, shall [:~~

~~(1) provide and maintain security devices in each dwelling unit as required by Sections 92.153, 92.154, and 92.155 of the Texas Property Code, as amended [; and~~

~~(2) if the multifamily property has 20 or more dwelling units, provide security lighting that adequately illuminates all parking areas, walkways, stairs and steps, doorways, and garbage storage areas so that persons moving in or around these areas can be easily seen].~~

~~(k[f]) It is a defense to prosecution under Subsection (a) of this section that the premises [concerned] is the site of new construction and reasonable and continuous progress is being made to complete the construction.~~

"SEC. 27-12. RESPONSIBILITIES OF OCCUPANT.

~~[(a)]~~ An occupant shall:

(1) maintain the interior and exterior ~~[these]~~ portions of the person's dwelling unit ~~[interior of a structure under his control]~~ free from accumulations of solid waste ~~[rubbish, garbage,]~~ and other conditions that would encourage an infestation ~~[of insects, rodents, or vermin];~~

(2) remove any animal ~~[or animals]~~ from a structure if the presence of the animal ~~[or animals]~~ is a health hazard to an occupant;

(3) connect plumbing fixtures and heating equipment that the occupant supplies in accordance with the construction codes ~~[Dallas Plumbing Code and the Dallas Mechanical Code].~~

(4) provide solid waste receptacles or containers when required by Chapter 18 of this code; and

(5) not alter a structure or its facilities so as to create a nonconformity with Section 27-11 or this section.

~~[(b)] The tenant occupant of a single-family residential structure shall keep the interior of the structure free from insects, rodents, and vermin if the owner can show that the structure was treated to eliminate insects, rodents, and vermin by a person licensed under the Texas Structural Pest Control Act:~~

~~(1) within two weeks before the date the tenant took occupancy; or~~

~~(2) once within the preceding six months if there has been more than one tenant during the preceding six months]."~~

SECTION 8. That Section 27-15, "Occupancy Load Limits," of Article IV, "Vacation, Reduction of Occupancy Load, and Securing of Structures and Relocation of Occupants," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 27-15. OCCUPANCY [LOAD] LIMITS.

An owner shall not allow a [A] structure or dwelling unit to exceed [is overcrowded if] the occupancy limits in Texas Property Code Section 92.010, as amended ~~[following standards are not met:~~

~~(1) Floor space per person. Each structure or dwelling unit must contain at least 150 square feet of habitable floor space for the first occupant and at least 100 square feet of additional habitable floor space for each additional occupant.~~

~~IV a of this chapter, on the dangerous condition of the structure and the need to vacate any occupants of the structure. Before the 11th day after the director placards the structure, the director shall give notice of the hearing to each owner, lienholder, or mortgagee of the affected property in accordance with the notice requirements of Section 27-16.5].~~

(c) A person commits an offense if he:

(1) without authority from the director, removes or destroys a red placard placed by the director;

(2) occupies a structure or dwelling unit on which the director has placed a red placard; or

(3) ~~[as owner of a structure or dwelling unit,]~~ authorizes a person to occupy a structure or dwelling unit on which the director has placed a red placard.

~~[(d) It is a defense to prosecution under Subsection (c)(2) that:~~

~~(1) the person had lawfully and continuously occupied the structure or dwelling unit before and after the structure was placarded; and~~

~~(2) the structure or dwelling unit had not been ordered vacated by the municipal court.~~

~~(e) It is a defense to prosecution under Subsection (c)(3) that:~~

~~(1) the person authorized by the owner to occupy the structure or dwelling unit had lawfully and continuously occupied the structure or dwelling unit before and after the structure was placarded; and~~

~~(2) the structure or dwelling unit had not been ordered vacated by the municipal court.]”~~

SECTION 10. That Section 27-16, “Securing of a Structure by the Director,” of Article IV, “Vacation, Reduction of Occupancy Load, and Securing of Structures and Relocation of Occupants,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 27-16. SECURING OF A STRUCTURE BY THE DIRECTOR.

(a) The requirements of this section are in addition to any other requirements of this chapter governing securing of a structure. Any hearing before the municipal court pursuant to this section concerning the securing of a structure must comply with all notice and procedural requirements contained in Article IV-a of this chapter for hearings before the municipal court.

present evidence of the need to secure the structure, and the owner may testify or present witnesses or written information about any matter relating to the director's securing of the structure.

(f[g]) The municipal court shall uphold the director's action in securing a structure if it finds the structure or a portion of the structure was an urban nuisance [~~open and potentially dangerous to the health, safety, or welfare of the public~~].

(g[h]) An unoccupied structure that is closed pursuant to an order of the director, the municipal court, or the fire marshal, or that is closed by the owner of the structure without an official order, must be secured in compliance with the Dallas Fire Code, as amended.

(h[i]) A structure intended for residential use or occupancy that, pursuant to an order of the director, the municipal court, or the fire marshal, is closed by the owner through sealing the doors or windows with boards, or equivalent materials, may be referred by the director to the city attorney for appropriate action under Article IV-a of this chapter, if the structure:

(1) remains boarded up for 180 days or more without being occupied by the owner or a lawful tenant; and

(2) has at least one visible violation of this chapter.

(i[j]) The city's cost of securing a structure under this section constitutes a lien against the real property on which the structure stands, as provided in Section 27-16.8(e)."

SECTION 11. That Subsection (b) of Section 27-16.3, "Municipal Court Jurisdiction, Powers, and Duties Relating to Urban Nuisances," of Article IV-a, "Municipal Court Jurisdiction Over Urban Nuisances," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, as amended, is amended to read as follows:

"(b) The municipal court of record has the following powers and duties:

(1) To require the reduction in occupancy load of a [an overcrowded] structure that exceeds the limits set out in this chapter or the vacation of a structure found to be an urban nuisance.

(2) To require the repair of a structure found to be an urban nuisance.

(3) To require the demolition of a structure found to be an urban nuisance.

(4) To require the removal of personalty from a structure ordered vacated or demolished. Removal may be accomplished by use of city forces or a private transfer company if the owner of the personalty is not known, or the whereabouts of the owner cannot be ascertained, or the owner fails to remove the personalty. Costs of any removal and storage are the responsibility of the owner of the personalty.

27, "Minimum Property Standards," of the Dallas City Code, as amended, is amended to read as follows:

"(c) [~~The proceeding will be styled "City of Dallas, Plaintiff v. (Property Description), Defendant."~~] The municipal court shall set the matter for a hearing not less than 30 days nor more than 60 days after the filing of the petition."

SECTION 13. That Subsection (d), "Assessment of Civil Penalties," of Section 27-16.8 "Noncompliance with Court Orders; Civil Penalties; Liens," of Article IV-a, "Municipal Court Jurisdiction Over Urban Nuisances," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, as amended, is amended to read as follows:

"(d) Assessment of civil penalties.

(1) If the city attorney or the director determines that the owner, lienholder, or mortgagee of a structure has not timely complied with a municipal court order issued under Section 27-16.7, the city attorney may file an action in municipal court for the assessment of a civil penalty against the property and property owner. The city attorney or the director shall promptly give notice to each owner, lienholder, and mortgagee of the hearing to assess a civil penalty. The notice must include:

(A) an identification, which is not required to be a legal description, of the structure and the property on which it is located;

(B) an identification of the court order affecting the property;

(C) a description of each violation of minimum standards found by the court to be present on the property when the court order was issued;

(D) a description of any work ordered by the court to correct each violation on the property;

(E) a statement that the city attorney or the director has determined that an owner, lienholder, or mortgagee has not timely complied with the court order and a description of the provisions of the court order that still require compliance; and

(F) a statement that the court will conduct a hearing to consider assessment of a civil penalty against [øæ] the property and property owner and the date, time, and place of the hearing.

(2) The notice required under Subsection (d)(1) for a municipal court hearing to consider the assessment of a civil penalty against the [øæ] property and property owner subject

“(a) An administrative citation issued under this article must:

- (1) notify the person charged with violating the ordinance that the person has the right to a hearing;
- (2) provide information as to the time and place to appear before [øf] the hearing officer;
- (3) include the nature, date, and location of the violation;
- (4) notify the person charged with violating the ordinance of the amount of the administrative penalty for which the person may be liable and provide instructions and the due date for paying the administrative penalty;
- (5) notify the person charged that any request to have the inspector who issued the citation present at the administrative hearing must be in writing and must be received by the hearing officer at least five calendar days before the scheduled hearing date and that the failure to timely request the presence of the inspector constitutes a waiver of the person’s right to require the inspector to be present at the hearing;
- (6) notify the person charged that failure to timely appear at the time and place of the hearing as set forth in the citation or, if the hearing is continued or postponed, at any subsequent hearing, is considered an admission of liability for the violation charged; and
- (7) contain a return of service signed by the inspector indicating how the administrative citation was served on the person charged.”

SECTION 16. That Section 27-16.14, “Service of an Administrative Citation,” of Article IV-b, “Administrative Adjudication Procedure for Premises, Property, and Certain Other Violations,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 27-16.14. SERVICE OF AN ADMINISTRATIVE CITATION.

(a) An attempt must be made to personally serve an administrative citation by handing it to the person charged if the person is present at the time of service or by leaving the citation at the person’s usual place of residence with any person residing at such residence who is 16 years of age or older and informing that person of the citation’s contents.

(b) If an attempt to personally serve the citation fails, the administrative citation must then be served upon the person charged by posting the citation on either:

- (1) the front door or front gate of the premises or property; or

corporation or a business entity, the corporation or business entity must be represented by an attorney who has a license to practice law in Texas, which is in good standing.

~~[(3) By filing a written answer, either personally or through counsel, at least seven calendar days prior to the hearing date set forth in the citation, except that the filing of a written answer does not relieve the person charged from the duty to personally appear before the hearing officer on the date and location set forth in the citation and on any subsequent hearing date.]”~~

SECTION 18. That Section 27-16.16, “Failure to Appear at an Administrative Hearing,” of Article IV-b, “Administrative Adjudication Procedure for Premises, Property, and Certain Other Violations,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 27-16.16. FAILURE TO APPEAR AT AN ADMINISTRATIVE HEARING.

(a) A person ~~[issued an administrative citation]~~ who fails to answer an administrative citation as required by Section 27-16.15 of this chapter ~~[appear at a hearing authorized under this article]~~ is considered to have admitted liability for the violation charged. Upon proof of service by the city, t[F]he hearing officer shall issue, in writing, an administrative order of liability and assess against the person charged with the violation an appropriate amount of administrative penalties, fees, and court costs.

(b) The hearing officer shall assess an additional \$36 administrative penalty for each violation (other than a violation of Section 49-21.1 of this code) for which a person is found liable, which amount will be placed in the Dallas Tomorrow Fund or the Dallas Animal Welfare Fund, as applicable. In no case may the total amount of administrative penalties assessed against a person for a violation exceed the maximum penalty established by city ordinance for the particular violation, and in no case may the total amount of administrative penalties, including the \$36 administrative penalty, assessed against a person for a violation be less than the minimum penalty established by city ordinance for the particular violation.

(c) Within seven calendar days after the hearing officer files [filing] the administrative order of liability with the municipal court clerk, the municipal court clerk [hearing officer] shall send a copy of the order to the person charged with the violation. The copy of the order must be sent by regular United States mail to the person’s last known address as defined in Section 27-16.14(c). The administrative order must include a statement:

- (1) of the amount of the administrative penalties, fees, and court costs;
- (2) of the right to appeal to municipal court before the 31st calendar day after the date the hearing officer’s order is filed with the municipal court clerk;

"SEC. 27-16.18. HEARING FOR DISPOSITION OF AN ADMINISTRATIVE CITATION; CITATION AS REBUTTABLE PROOF OF OFFENSE.

(a) Every hearing for the adjudication of an administrative citation under this article must be held before a hearing officer. A hearing cannot be held without the presence of the person charged or the person's attorney.

(b) At a hearing under this article, the administrative citation is rebuttable proof of the facts that it states. Evidence of compliance with the ordinance after the administrative citation was issued can be taken into consideration by the hearing officer when assessing a reasonable administrative penalty, but the evidence is not considered rebuttal evidence nor does it refute or contradict the allegations made in the citation.

(c) The formal rules of evidence do not apply to the hearing, and any relevant evidence will be deemed admitted if the hearing officer finds it competent and reliable [~~regardless of the existence of any common law or statutory rule to the contrary~~]. The hearing officer shall make a decision based upon a preponderance of the evidence presented at the hearing, after giving due weight to all rebuttable proof established by this article or other applicable law.

(d[e]) Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues, and to rebut evidence; except that, if the person charged fails to make a timely, written request to have the inspector who issued the citation present at the hearing, the person charged will be deemed to have waived the right to call and examine that inspector.

(e[d]) The hearing officer may examine any witness and may consider any evidence offered by a witness or person charged with a violation, giving due weight to all testimony and evidence offered.

(f[e]) If requested by the hearing officer or any party to the hearing prior to commencement of the hearing, [~~the proceedings of~~] the administrative hearing [~~limited to pre-hearing motions and testimony,~~] will be recorded electronically. Failure to timely request that the administrative hearing be electronically recorded constitutes a waiver of the right to have a record of the hearing. The person charged may, at his expense, have a court reporter present in the hearing room during the proceedings.

(g[f]) After hearing all the evidence, the hearing officer shall immediately issue an order in writing, either:

(1) finding the person charged liable for the violation, assessing the applicable administrative penalties, fees, and court costs, and notifying the person of the right of appeal to municipal court; or

(2) finding the person charged not liable for the violation. [~~or~~]

~~(k) Any recording of an administrative hearing must be kept and stored for not less than 45 calendar days beginning the day after the last day of the administrative hearing. Any administrative hearing that is appealed must be transcribed from the recording by a court reporter or other person authorized to transcribe court of record proceedings. The court reporter or other person transcribing the recorded administrative hearing is not required to have been present at the administrative hearing.~~

~~(l) The person found liable for the violation shall pay for any transcription of the recorded administrative hearing unless the hearing officer finds, pursuant to Section 27-16.19, that the person is unable to pay or give security for the transcription.~~

~~(m) Before the recorded proceedings are transcribed, the person found liable for the violation shall, unless found by the hearing officer to be unable to pay for the transcription, post a cash deposit with the municipal clerk for the estimated cost of the transcription. The cash deposit will be based on the length of the proceedings, as indicated by the amount of tape used to electronically record the proceedings, and the costs of the court reporter, typing, and other incidental services. The municipal court clerk shall post a current schedule of charges for transcription fees, including deposits. If the cash deposit exceeds the actual cost of the transcription, the municipal court clerk shall refund the difference to the person charged. If the cash deposit is insufficient to cover the actual cost of the transcription, the person charged must pay the additional amount before being given the transcription. If a case is reversed on appeal, the municipal court clerk shall refund to the person charged any amounts paid for a transcription.]”~~

SECTION 21. That Subsection (e) of Section 27-16.19, “Financial Inability to Comply with an Administrative Order, Pay For Transcription of a Record, or Post an Appeal Bond,” of Article IV-b, “Administrative Adjudication Procedure For Premises, Property, and Certain Other Violations,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code, as amended, is amended to read as follows:

“(e) After receiving a claim that a person found liable for a violation under this article is financially unable to comply with an administrative order, to pay for a transcription of the record, and/or to post an appeal bond, the hearing officer shall [may] set the matter for hearing and notify all parties of the hearing date by regular United States mail. The hearing officer shall [may] order the person found liable for a violation to bring to the hearing documentary evidence to support the person’s claim of financial inability. The hearing officer’s determination of whether the person found liable for a violation is financially unable to comply with the administrative order, to pay for a transcription of the record, and/or to post an appeal bond must be based on all information provided to the hearing officer by the person found liable or by the city attorney in opposition to the claim of financial inability. If the hearing officer determines that the person found liable for a violation does not have the financial ability to bring the property or premises into compliance with the administrative order, to pay for a transcription of the record, and/or to post an appeal bond, then the hearing officer shall enter that finding in writing.”

(b) If a person found liable for a violation does not timely appeal the hearing officer's administrative order, the order will become a final judgment. If the administrative penalties, fees, and court costs assessed in the final judgment are not paid within 31 calendar days after the date the hearing officer's order is filed with the municipal court clerk, the administrative penalties, fees, and court costs may be referred to a collection agency and the cost to the city for the collection services will be assessed as costs, at the rate agreed to between the city and the collection agency, and added to the judgment. The city may enforce the hearing officer's administrative order by filing a civil suit for collection of the administrative penalties, fees, and court costs and/or by obtaining an injunction to prohibit specific conduct that violates the administrative order or to require specific conduct necessary for compliance with the administrative order.

(c) Any recording of an administrative hearing must be kept and stored for not less than 45 calendar days beginning the day after the last day of the administrative hearing. Any administrative hearing that is appealed must be transcribed from the recording by a court reporter or other person authorized to transcribe court of record proceedings. The court reporter or other person transcribing the recorded administrative hearing is not required to have been present at the administrative hearing.

(d) The person found liable for the violation shall pay for any transcription of the recorded administrative hearing unless the hearing officer finds, pursuant to Section 27-16.19, that the person is unable to pay or give security for the transcription.

(e) Before the recorded proceedings are transcribed, the person found liable for the violation shall, unless found by the hearing officer to be unable to pay for the transcription, post a cash deposit with the municipal clerk for the estimated cost of the transcription. The cash deposit will be based on the length of the proceedings, and the costs of the court reporter, typing, and other incidental services. If the cash deposit exceeds the actual cost of the transcription, the municipal court clerk shall refund the difference to the person charged. If the cash deposit is insufficient to cover the actual cost of the transcription, the person charged must pay the additional amount before being given the transcription. If a case is reversed on appeal, the municipal court clerk shall refund to the person charged any amounts paid for a transcription.

(f) Upon receipt of an appeal petition, the municipal court clerk or deputy clerk shall cause a record of the case to be prepared from the transcript and the statement of facts, which must conform to the provisions relating to the preparation of a statement of facts in the Texas Rules of Appellate Procedure. The appellant shall pay for the statement of facts. If the person found liable for a violation failed to timely request that the administrative hearing be electronically recorded, then that person has waived the right to appeal the administrative order. If the person found liable for a violation timely requested that the administrative hearing be electronically recorded and, through no fault of the person, the recording of the hearing is either unavailable or cannot be transcribed, then the municipal judge shall reverse the hearing officer's order and remand the matter to the hearing officer for a new administrative hearing.

(g[e]) Upon receiving the record of the administrative hearing, the municipal judge shall review the record and may grant relief from the administrative order only if the record reflects that the appellant's substantial rights have been prejudiced because the administrative order is:

obtaining an injunction to prohibit specific conduct that violates the ruling or to require specific conduct necessary for compliance with the ruling.”

SECTION 24. That Section 27-16.22, “Dallas Tomorrow Fund,” of Article IV-b, “Administrative Adjudication Procedure for Premises, Property, and Certain Other Violations,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 27-16.22. DALLAS TOMORROW FUND.

(a) The Dallas Tomorrow Fund is composed of:

(1) all Dallas Tomorrow Fund penalties collected under Section 27-16.21(b) of this article;

(2) 30 percent of all civil ~~penalties~~ [fines] collected by the city for civil lawsuits filed in the municipal court under Subchapter B, Chapter 54 of the Texas Local Government Code, as amended, or under Chapter 214 of the Texas Local Government Code, as amended; and

(3) any funds donated by an individual or entity, any of which donations may be refused by a majority vote of the city council.

(b) The Dallas Tomorrow Fund must be used for the sole purpose of rehabilitating and~~for~~ repairing properties and premises in the city for persons who:

(1) ~~are found by the Dallas Tomorrow Fund administrator to be~~ financially unable to comply with a notice of violation issued by the director under this chapter [an administrative order of a hearing officer under Section 27-16.19; and

(2) ~~do not qualify for other home repair or rehabilitation assistance available through the city].”~~

SECTION 25. That Section 27-16.23, “Administration of the Dallas Tomorrow Fund,” of Article IV-b, “Administrative Adjudication Procedure for Premises, Property, and Certain Other Violations,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 27-16.23. ADMINISTRATION OF THE DALLAS TOMORROW FUND.

(a) The city manager shall appoint an administrator of the Dallas Tomorrow Fund. The administrator shall adopt policies and procedures consistent with this article for the administration of the fund.

(f) If the person continues with the request, the person must indemnify the city against any liability resulting from the project, any damages that may occur related to the project, and any damages resulting from any early termination of the project.

(g[~~f~~]) The administrator shall comply with state law in procuring a contractor to rehabilitate and/or repair the property or premises in accordance with the project plan [~~and the administrative order~~].

(h[~~g~~]) The [~~person who filed the request with the Dallas Tomorrow Fund and the~~] contractor selected by the Dallas Tomorrow Fund administrator [~~that person shall each have~~] has the right to terminate the project at any time pursuant to their contractual agreement and [~~or~~] pursuant to policies and procedures adopted by the administrator. Any termination notice must be in writing. The city has no obligation, and is not liable, for any subsequent rehabilitation and/or repair of the property or premises as a result of the termination.

(i[~~h~~]) If the project is terminated prior to completion for any reason, the administrator may disburse money from the Dallas Tomorrow Fund to pay the contractor for work completed by the contractor [~~completion of work approved by the administrator~~].

(j[~~i~~]) Once the administrator certifies that the project is completed, the administrator shall notify the code officer who wrote the notice of violation and the officer's district manager [~~hearing officer~~] in writing. The project must then be inspected by the city for the sole purpose of determining whether the property or premises complies with the notice of violation [~~administrative order~~]. ~~If the property or premises complies with the administrative order, then the city inspector shall send a notification of compliance to the hearing officer, who shall then dismiss the administrative citation.~~ If the city inspector determines that the property or premises does not comply with the notice of violation [~~administrative order~~], then the city inspector shall send written notice to the administrator that the project is not completed and describe the work that is required before the project will be considered completed. At that point, the administrator shall ensure that the selected contractor will continue the project until once again certifying that the project is completed, at which time the project will again be inspected by the city for the sole purpose of determining whether the property or premises complies with the notice of violation [~~administrative order~~].

(k[~~j~~]) The administrator may only initiate project plans for projects costing \$20,000 [~~10,000~~] or less. No project plan may be initiated by the administrator unless the project cost is less than or equal to the amount in the Dallas Tomorrow Fund at any one time. The administrator shall produce a biannual report of available funds and appropriated funds in the Dallas Tomorrow Fund. If the fund is temporarily out of money, the administrator may not initiate a project plan until such time as there are additional funds equal to or exceeding the amount of the project's cost. If during work on the project, additional funds [~~change orders~~] are needed in order to ensure that the property or premises complies with the notice of violation [~~administrative order~~], the administrator may approve additional funds, not to exceed 25 percent of the maximum project amount allowed by this subsection, for work that was necessary to bring the property or premises into compliance with the notice of violation [~~administrative order~~], but that was not anticipated in

SEC. 27-29. AUTHORITY OF DIRECTOR.

The director shall implement and enforce this article and may by written order establish such rules, regulations, or procedures, not inconsistent with this article, as the director determines are necessary to discharge any duty under or to effect the policy of this article.

SEC. 27-30. REGISTRATION AND POSTING REQUIREMENTS [REQUIRED]; DEFENSES.

(a) The owner of a rental property located in the city commits an offense if he operates the rental property or otherwise allows a dwelling unit in a rental property to be occupied or leased without first submitting a rental registration application or annual renewal application that fully complies with Section 27-31 of this article.

(b) A condominium association commits an offense if it governs, operates, manages, or oversees a condominium or its common elements without first submitting a rental registration application or annual renewal application that fully complies with Section 27-31 of this article.

(c) A person commits an offense if he, as a landlord or property manager, allows a dwelling unit in a rental property to be occupied or leased without first submitting a rental registration application or annual renewal application that fully complies with Section 27-31 of this article.

(d) A person commits an offense if he, as an owner, landlord, or property manager of [owns or operates] a multitenant [multi-tenant] property or condominium association, fails to post, in a conspicuous place in a common area of the property or as otherwise approved by the director:

(1) the certificate of inspection; and

(2) the property's score from its most recent graded inspection as well as an information sheet explaining how the graded inspection is scored [in the city without a valid certificate of registration issued under this article].

(e) A person commits an offense if he, as an owner, landlord, or property manager of a multitenant property, fails to provide each tenant, upon request, with a copy of the rules of the multitenant property.

(f) A person commits an offense if he, as an owner, landlord, or property manager of a multitenant property, operates that property or otherwise allows a dwelling unit in that property to be occupied or leased without employing a full-time manager to oversee the day-to-day operations of the property, if the property has 60 or more units.

(g[~~b~~]) It is a defense to prosecution under this section that:

(g) A registrant shall keep the information contained in its registration application current and accurate. If there is any change in the application information, the registrant shall promptly notify the director in writing of the changes information.

(h) A registration may be renewed by making application for a renewal in accordance with this article on a form provided by the director. In the application for renewal the registrant shall certify that all information in the then-current registration application is still accurate as of the date of the renewal application or correct any information that is not accurate as of the date of the renewal application. The registrant shall also submit a new, current affidavit certifying the matters identified in Subsection 27-32(b) of this article.

~~[To obtain a certificate of registration for a multi-tenant property, a person must submit an application on a form provided for that purpose to the director. The applicant must be the person who will own, control, or operate the multi-tenant property. The application must contain the following information:~~

- ~~(1) the name, address, and telephone number of the applicant or the applicant's authorized agent;~~
- ~~(2) the name, all legal addresses, and the main telephone number, if any, of the multi-tenant property.~~
- ~~(3) the name, address, and telephone number of a person or persons to contact in an emergency as required by Section 27-39 of this article;~~
- ~~(4) the form of business of the applicant and, if the business is a corporation or association, a copy of the documents establishing the business;~~
- ~~(5) the number of units, buildings, and swimming pools located on the multi-tenant property and the total number of bedrooms located on the property (a unit with no separate bedroom will be counted as one bedroom);~~
- ~~(6) documentary evidence of payment of ad valorem taxes owed in connection with the multi-tenant property;~~
- ~~(7) the names, addresses, and telephone numbers of any lien holders and insurance carriers for the multi-tenant property;~~
- ~~(8) the names, addresses, and telephone numbers of all owners, operators, property managers, and other persons in control of the multi-tenant property and of any other persons designated to attend meetings as required by Section 27-44 of this article;~~
- ~~(9) the current occupancy rate of the multi-tenant property (expressed as a percentage);~~

(2) if the property being registered is part of a multitenant property or a condominium:

(A) the name, all legal addresses comprising the property, and the main telephone number, if any, of the property;

(B) the number of dwelling units, buildings, and swimming pools located on the property and the total number of bedrooms located on the property (a dwelling unit with no separate bedroom will be counted as one bedroom); and

(C) the name, mailing address, telephone number and e-mail address for any condominium association applicable to the property;

(3) if the owner of the rental property is not a natural person, the form of the entity, including, but not limited to, a corporation, general partnership, limited partnership, trust, or limited liability company, and the state or foreign jurisdiction of organization and registration, if other than the State of Texas, as well as the name and mailing address for each principal officer, director, general partner, trustee, manager, member, or other person charged with the operation, control, or management of the entity;

(4) the location of business records pertaining to the rental property or condominium association required to be maintained by Section 27-38 of this article;

(5) the official recording information (e.g., volume, page, and county of recording) for the owner's deed and any other instruments evidencing ownership of the rental property or creation and governance of the condominium association being registered;

(6) a list of all businesses, whether for-profit or non-profit, operating out of the property and offering goods or services to persons residing at or visiting the property;

(7) a copy of the owner's current driver's license or other government-issued personal identification card containing a photograph of the owner, if the owner is a natural person; and

(8) any additional information the registrant desires to include or that the director deems necessary to aid in the determination of whether the registration application will be deemed complete.

(b) In addition to the application containing the information enumerated above, the owner must also provide an affidavit certifying that the following statements are true:

(1) there are no outstanding and unpaid ad valorem taxes or city liens applicable to the rental property being registered;

(2) operation of the rental property as currently configured does not violate the city's zoning ordinance;

(4) ~~operation of the multi-tenant property would not violate the city's zoning ordinances.~~

(b) ~~If the director determines that the requirements of Subsection (a) have not been met, the director shall deny a certificate of registration to the applicant.~~

(e) ~~If the director determines that an applicant should be denied a certificate of registration, the director shall notify the applicant in writing that the application is denied and include in the notice the reason for denial and a statement informing the applicant of the right of appeal.~~

(d) ~~A certificate of registration issued under this section must be displayed to the public in a manner and location approved by the director. The certificate of registration must be presented upon request to the director or to a peace officer for examination].~~

SEC. 27-34. RESERVED. [REVOCAION OF CERTIFICATE OF REGISTRATION.

(a) ~~The director shall revoke any certificate of registration for a multi-tenant property if the director determines that:~~

(1) ~~the registrant failed to comply with any provision of this chapter, any other city ordinance, or any state or federal law applicable to the operation of a multi-tenant property;~~

(2) ~~the registrant intentionally made a false statement as to a material matter in the application or in a hearing concerning the certificate of registration;~~

(3) ~~the registrant failed to pay a fee required by this article or Article VIII of this chapter at the time it was due; or~~

(4) ~~operation of the multi-tenant property violates the city's zoning ordinances.~~

(b) ~~Before revoking a certificate of registration under Subsection (a), the director shall notify the registrant in writing that the certificate of registration is being considered for revocation. The notice must include the reason for the proposed revocation, action the registrant must take to prevent the revocation, and a statement that the registrant has 10 days to comply with the notice.~~

(e) ~~If, after 10 days from receipt of the notice required in Subsection (b), the registrant has not complied with the notice, the director shall revoke the certificate of registration and notify the registrant in writing of the revocation. The notice must include the reason for the revocation, the date the director orders the revocation, and a statement informing the registrant of the right of appeal.]~~

(6[4]) the crime prevention addendum for each tenant of the property, as required under Section 27-43 of this article;

(7[5]) records of attendance at four crime watch [safety] meetings in the last calendar year, ~~[and mandatory crime prevention and safety meetings sponsored by the city of Dallas]~~ as required by Section 27-44 of this article, unless the property has not been operated as a rental property during part of the last calendar year; [and]

(8) a record of each tenant complaint, describing the complaint and how the complaint was resolved, and which record can only be viewed by the current tenant of the unit complained of and by the city, upon the city's request;

(9) a copy of the inspection report described in Section 27-32(b)(5) of this article; and

(10[6]) any other records deemed necessary by the director for the administration and enforcement of this article.

SEC. 27-39. REQUIRED EMERGENCY RESPONSE [INFORMATION].

(a) An owner ~~[or operator]~~ of a rental [multi-tenant] property and a condominium association shall provide the director with the name, address, and telephone number of a person or persons who can be contacted 24 hours a day, seven days a week in the event of an emergency condition on the property. An emergency condition includes any fire, natural disaster, collapse hazard, burst pipe, lack of working utilities, serious police incident, or other condition that requires an immediate response to prevent harm to the property, the occupants of the property, or the public.

(b) The owner ~~[or operator]~~ of the rental [multi-tenant] property and a condominium association shall notify the director within 10 days of any change in the emergency response information.

(c) The owner ~~[or operator]~~ of a rental [multi-tenant] property or condominium association, or an authorized agent thereof, must arrive at the property within one hour after the contact person named in the registration application [under this section] is notified by the city or emergency response personnel that an emergency condition has occurred on the property.

SEC. 27-40. FAILURE TO PAY AD VALOREM TAXES.

A registrant, excluding a condominium association, ~~[or an applicant for a certificate of registration]~~ for a [multi-tenant] property subject to registration under this article shall not allow the payment of ad valorem taxes owed in connection with the [multi-tenant] property to become delinquent.

SEC. 27-41. RESERVED. [NOTIFICATION OF CHANGE OF INFORMATION.

~~(3) If the multi-tenant property scores 85 or higher on the supplemental graded inspection and the director determines that all substandard conditions and other premises violations specifically listed in the report for the original graded inspection have been corrected, then no inspection fee will be charged under Subsection (e) to the owner or operator of the property.~~

~~(4) If the multi-tenant property scores lower than 85 on the supplemental graded inspection or the director determines that all substandard conditions and other premises violations specifically listed in the report for the original graded inspection have not been corrected, then inspection fees for the original graded inspection will be charged to the owner or operator of the property in accordance with Subsection (e)(2) or (e)(3), whichever applies.]~~

(c) The inspections conducted pursuant to this section are in addition to any inspections conducted under Section 27-5 of this chapter. [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 \$46 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 \$87 times the total number of units in the multi-tenant property.]

(d) The director may use a property condition assessment tool to determine the frequency and the scope of graded inspections. If a property fails its graded inspection, or if the graded inspection reveals a condition that the director determines to be a nuisance, the owner will be assessed fees for all subsequent inspections of the property conducted for the purposes of determining whether the owner has abated the nuisance or cured the deficiencies noted in the graded inspection. Inspection fees will be assessed as follows: [Whenever a multi-tenant property is inspected by the director and a violation of this code is found, the building or premises will, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, be reinspected by the director to determine that the violation has been eliminated.]

(1) For a multitenant property, a re-inspection of the exterior and any common area(s): \$20 for each separate structure inspected.

(2) For a multitenant property, a re-inspection of the interior: \$46 for each unit actually re-inspected.

(3) For an initial inspection of a single dwelling unit rental property: \$110 per single dwelling unit rental property.

(c) The crime prevention addendum must include the following information:

(1) The name, date of birth, driver's license number (or, if the person does not have a driver's license, the number on any other government-issued personal identification card containing a photograph of the person), and signature of the tenant [applicant] named in the lease or rental agreement and, if the tenant [applicant] will not be occupying the rental [multi-tenant] property, the name, date of birth, driver's license number (or, if the person does not have a driver's license, the number on any other government-issued personal identification card containing a photograph of the person), and signature of the tenant or tenants who will be occupying the property. The signatures required on the crime prevention addendum must be separate and apart from the signatures used to execute other provisions of the lease or rental agreement.

(2) A statement advising the [applicant and] tenant or tenants that the owner [or operator] of the rental [multi-tenant] property will initiate eviction proceedings if the [applicant or] tenant, or any guest or co-occupant of the [applicant or] tenant, engages in any abatable criminal activity on the premises of the rental [multi-tenant] property, as described in Subsection (d) of this section.

(d[e]) For purposes of this section, an abatable criminal activity includes robbery or aggravated robbery; aggravated assault; murder; prostitution; criminal gang activity; discharge of firearms; gambling; illegal manufacture, sale, or use of drugs; [and] illegal manufacture or sale of alcoholic beverages; and other crimes listed in Chapter 125 of the Texas Civil Practice and Remedies Code, as amended.

(e) It is a defense to prosecution under Subsection (a) of this section that the owner of the multitenant property used a Texas Apartment Association lease contract for the lease or lease renewal.

SEC. 27-44. ATTENDANCE AT CRIME WATCH SAFETY MEETINGS [AND MANDATORY CRIME PREVENTION AND SAFETY MEETINGS SPONSORED BY THE CITY].

(a) The owner [~~operator, or other person in control~~] of a multitenant [multi-tenant] property shall attend [~~a total of~~] at least four [eff. 1-1-15] crime watch meetings each calendar year. The meetings attended must be held by crime watch [safety] organizations consisting of business owners, single-family residential property owners, or managers, employees, or tenants of multifamily dwelling [~~properties~~], or any combination of those groups, gathered for the purpose of improving the quality of life in and around the properties, promoting crime prevention, reducing criminal opportunity, and encouraging cooperation with the Dallas Police [~~and Fire-Rescue~~] Department[s]. The meetings must be attended in the neighborhood in which the multitenant [multi-tenant] property is located or, if that neighborhood has no crime watch [safety] organization, then in the nearest neighborhood that does. A crime watch attendance certificate [~~written statement~~], signed by a crime watch [safety] chair, verifying that the crime watch [safety] meeting was attended by the owner [~~operator, or other person in control~~] of the multitenant [multi-tenant]

submitted to the city must bear the original signatures of the affiant and the authority who administered the oath.

(h) Any affidavits required in connection with this article must be made by a natural individual having personal knowledge of the matters certified and duly signed and sworn to under oath before an authority authorized to administer oaths."

SECTION 29. That Article VIII, "Mandatory Crime Reduction Program for Designated Apartment Complexes," of Chapter 27, "Minimum Property Standards," of the Dallas City Code, as amended, is deleted as follows:

~~"[ARTICLE VIII.~~

~~MANDATORY CRIME REDUCTION PROGRAM FOR DESIGNATED APARTMENT COMPLEXES.~~

~~SEC. 27-45. PURPOSE.~~

~~(a) A correlation exists between high crime rates at an apartment complex and an apartment complex's failure to meet minimum property standards. High crime rates contribute to the deterioration, decay, disrepair, and substandard appearance and condition of the structures and premises of an apartment complex. The purpose of this article is to protect the health, safety, morals, and welfare of the occupants of apartment complexes and other citizens of the city of Dallas by obtaining greater compliance with minimum property standards through the establishment of a mandatory crime reduction program for apartment complexes. Reducing the crime rate at an apartment complex is essential to making the apartment complex safe, sanitary, and fit for human use and habitation.~~

~~(b) This article does not create a private cause of action (other than one brought by the city) or expand existing tort liability against an owner, operator, property manager, or other person in control of an apartment complex that is designated for participation in a mandatory crime reduction program.~~

~~SEC. 27-46. DEFINITIONS.~~

~~In this article:~~

~~(1) APARTMENT COMPLEX means a multifamily property that contains 10 or more dwelling units that are leased or offered for lease and are not independently owned.~~

~~(2) CHAPTER 125 CRIMES means murder; capital murder; sexual assault; aggravated sexual assault; aggravated assault; robbery; aggravated robbery; unlawfully carrying a weapon; prostitution; gambling; delivery, possession, manufacture, or use of a controlled substance; discharging a firearm in a public place; reckless discharge of a firearm; engaging in~~

SEC. 27-48. COMMUNITY PER-CAPITA CRIME INDEX.

(a) ~~The chief of police shall calculate on a monthly basis the community per capita crime index for each registered apartment complex in the city.~~

(b) ~~The community per capita crime index for an apartment complex is calculated as follows:~~

(1) ~~Determine the total number of bedrooms in the apartment complex as designated in the most recent multi-tenant property registration application filed with the director for the property;~~

(2) ~~Multiply the number of bedrooms by two (two occupants counted for each bedroom) to produce the ideal occupancy number for the property;~~

(3) ~~Multiply the ideal occupancy number by the percent of units in the apartment complex that are occupied (as designated in the most recent multi-tenant property registration application filed with the director for the property) to produce the actual occupancy number;~~

(4) ~~Divide the number of Part I crimes occurring on the property within the preceding 12 months by the actual occupancy number and multiply the result by 100 to produce the community per capita crime index for Part I crimes;~~

(5) ~~Divide the number of Part II crimes occurring on the property within the preceding 12 months by the actual occupancy number and multiply the result by 100 to produce the community per capita crime index for Part II crimes.~~

(6) ~~Divide the number of Chapter 125 crimes occurring on the property within the preceding 12 months by the actual occupancy number and multiply the result by 100 to produce the community per capita crime index for Chapter 125 crimes.~~

(c) ~~Example of calculation of community per capita crime index.~~

Apartment size:	100 units
Apartment occupancy rate:	90% occupied
Apartment crime in 12-month period:	10 Part I crimes; 20 Part II crimes; 15 Chapter 125 crimes
Apartment unit mix:	70 one bedrooms; 30 two bedrooms

Average crime index for Part I crimes = $120 \div 10 = 12$

Average squared deviation = $278 \div 10 = 27.8$

Standard deviation = $\sqrt{27.8} = 5.27$

Crime risk threshold for Part I crimes = $12 + 5.27 = 17.27$

(Note: To calculate the crime risk threshold for Part II crimes and Chapter 125 crimes, repeat the formula using the crime indexes for Part II crimes and then for Chapter 125 crimes.)

SEC. 27-50. ~~MANDATORY CRIME REDUCTION PROGRAM; WHEN REQUIRED.~~

(a) ~~An apartment complex must participate in a mandatory crime reduction program, whenever the apartment complex has:~~

(1) ~~a crime index for Part I crimes that is greater than the crime risk threshold for Part I crimes for all registered apartment complexes in the city and a crime index for Part II crimes that is greater than the crime risk threshold for Part II crimes for all registered apartment complexes in the city; or~~

(2) ~~a crime index for Chapter 125 crimes that is greater than the crime risk threshold for Chapter 125 for all registered apartment complexes in the city.~~

(b) ~~An apartment complex must remain in the mandatory crime reduction program for six months or until the apartment complex's crime index falls below the crime risk threshold for the applicable types of crime, whichever occurs later.~~

SEC. 27-51. ~~NOTICE OF DESIGNATION TO PARTICIPATE IN PROGRAM.~~

(a) ~~The chief of police shall provide written notice to the owner, operator, or property manager of each apartment complex designated to participate in the mandatory crime reduction program.~~

(b) ~~The notice must include the following information:~~

(1) ~~The name and address of the apartment complex.~~

(2) ~~A statement that the apartment complex is required to participate in a mandatory crime reduction program, including a description of the fee and other requirements of the program.~~

(3) ~~The community per capita crime index and crime risk threshold used to calculate the apartment complex's qualification for the mandatory crime reduction program.~~

(4) ~~The actual occupancy number used to calculate the apartment complex's crime index.~~

~~(d) A hearing by the board may proceed if a quorum of the board is present. The board shall hear and consider evidence offered by any interested person. The formal rules of evidence do not apply. Any dispute of fact must be decided on the basis of a preponderance of the evidence presented at the hearing.~~

~~(e) In deciding the appeal, the permit and license appeal board is limited to the issue of whether the apartment complex's crime index is greater than the crime risk threshold calculated for all registered apartment complexes in the city for the particular types of crime that qualified the apartment complex for designation under Section 27-50(a). The board shall affirm the decision of the chief of police if the board finds that the apartment complex's crime index exceeds the applicable crime risk threshold and shall reverse the chief of police's decision if the board finds that the crime index does not exceed the applicable crime risk threshold.~~

~~(f) The board's decision must be by a majority vote. Failure to reach a majority vote will leave the decision of the chief of police unchanged. The decision of the permit and license appeal board is final, and no rehearing may be granted.~~

SEC. 27-54. PROPERTY INSPECTIONS.

~~(a) After an apartment complex has been designated to participate in the mandatory crime reduction program, the chief of police shall inspect the apartment complex to:~~

~~(1) determine whether the apartment complex is in compliance with applicable city ordinances and state laws relating to public safety and security, including but not limited to requirements for locks, door viewers, signage, building numbering, and crime prevention addenda;~~

~~(2) evaluate what changes and improvements to the premises and operations of the apartment complex will assist in reducing the occurrence of crimes at the apartment complex; and~~

~~(3) determine whether the apartment complex is in compliance with this article.~~

~~(b) The chief of police is authorized at a reasonable time to inspect:~~

~~(1) the exterior of the apartment complex; and~~

~~(2) the interior of the apartment complex, if the permission of the owner, operator, property manager, or other person in control is given or a search warrant is obtained.~~

~~(c) The chief of police shall inspect a designated apartment complex at least twice during each period that the apartment complex is required to participate in the mandatory crime reduction program. The first inspection must be conducted for the purposes of Subsections (a)(1) and (a)(2), and the second inspection must be conducted for the purposes of Subsection (a)(3). Other inspections may be conducted as the chief of police deems necessary to the administration and enforcement of this article.~~

SEC. 27-57. MANDATORY REQUIREMENTS.

~~(a) Within 30 days after receiving notice of being a designated apartment complex, the apartment complex must meet all of the requirements of this section, except Subsection (h) (fencing requirements). Subsection (h) (fencing requirements) must be met within 60 days after receiving notice of being a designated apartment complex. The chief of police may extend the deadlines of this subsection, in increments not exceeding 30 days each, upon a showing that the work cannot be performed within the required time period because of its scope and complexity.~~

~~(b) Trespass affidavits.~~

~~(1) An owner, operator, or property manager of the apartment complex shall execute a trespass affidavit, on a form provided by the chief of police for that purpose, that authorizes the police department to enforce, on behalf of the apartment complex, all applicable trespass laws on the premises of the apartment complex.~~

~~(2) A true and correct copy of the trespass affidavit must be posted at the apartment complex in a manner and location so that it is clearly visible to the public at all times.~~

~~(c) Background checks.~~

~~(1) A current official criminal history report (issued by the Texas Department of Public Safety within the preceding 12 months) must be obtained on all current and prospective employees of the apartment complex.~~

~~(2) A current official criminal history report (issued by the Texas Department of Public Safety within the preceding 12 months) must be obtained on all prospective tenants 18 years of age or older who apply for occupancy in the apartment complex on or after February 1, 2009.~~

~~(3) A current credit report must be obtained on all prospective tenants 18 years of age or older who apply for occupancy in the apartment complex on or after February 1, 2009.~~

~~(4) All records maintained on an employee or tenant in compliance with this subsection must be retained at the apartment complex for at least 90 days following the date of any termination of the employee's employment or the tenant's occupancy at the apartment complex.~~

~~(5) The owner, operator, or property manager of the apartment complex shall make all records maintained under this subsection available for inspection by a police officer at reasonable times upon request.~~

~~(d) Lighting.~~

~~(1) Security lighting must be provided, maintained, and operated so that it adequately illuminates all parking areas, walkways, stairs, steps, doorways, and garbage storage~~

(j) Crime watch meetings.

(1) ~~At least one crime watch meeting must be held each month on the premises of the apartment complex.~~

(2) ~~The chief of police must be given at least 10 days advance notice of the meeting.~~

(k) Residential security survey.

(1) ~~An owner, operator, or property manager of the apartment complex shall distribute a residential security survey, on a form provided by the chief of police, to each tenant of the apartment complex who is 18 years of age or older.~~

(2) ~~The owner, operator, or property manager of the apartment complex shall file all returned surveys with the chief of police within 30 days after distribution.~~

SEC. 27-58. MODIFICATION OF FENCING REQUIREMENTS.

(a) ~~The owner, operator, or property manager of a designated apartment complex may request a modification of the fencing requirements set forth in Section 27-57(h) by filing a written request with the city secretary not later than 10 days after receiving notice of:~~

(1) ~~being designated for participation in a mandatory crime reduction program under Section 27-57; or~~

(2) ~~having a previously granted fencing modification revoked by the chief of police under Subsection (f) of this section.~~

(b) ~~If a written request is filed under Subsection (a) with the city secretary within the 10-day limit, the permit and license appeal board shall consider the request. The city secretary shall set a date for the hearing within 45 days after the date the written request is filed.~~

(c) ~~A hearing by the board may proceed if a quorum of the board is present. The board shall hear and consider evidence offered by any interested person. The formal rules of evidence do not apply. Any dispute of fact must be decided on the basis of a preponderance of the evidence presented at the hearing.~~

(d) ~~The permit and license appeal board shall grant the request for a fencing modification if it finds that:~~

(1) ~~an existing fence or other barrier, or a proposed fence or other barrier, on the premises of the apartment complex will serve to deter and reduce crime at the apartment complex to the same extent as the fence required under Section 27-57(h); and~~

~~(a) A person commits an offense if he owns a non-owner occupied rental property in the city without a valid certificate of registration issued under this article.~~

~~(b) If a person owns more than one non-owner occupied rental property in the city, a separate registration is required for each property. If both dwelling units of a duplex qualify as non-owner occupied rental properties, then each dwelling unit must be registered separately, even if under a common ownership.~~

~~(c) If three or more townhouses or condominiums in the same complex are under a common ownership and are leased or offered for lease, they must be registered as a multi-tenant property under Article IV of this chapter instead of as non-owner occupied rental properties under this article.~~

~~(d) It is a defense to prosecution under Subsection (a) that the non-owner occupied rental property had been leased or rented for less than the 60-day period preceding the date of the violation.~~

SEC. 27-61. REGISTRATION APPLICATION.

~~To obtain a certificate of registration for a non-owner occupied rental property, a person must submit an application on a form provided for that purpose to the director. The applicant must be the owner of the non-owner occupied rental property. If the owner is not an individual, an authorized officer or agent of the owner must file the form. The application must contain the following information:~~

~~(1) The name, street address, mailing address, and telephone number of the applicant (owner of the property).~~

~~(2) The name, street address, mailing address, telephone number, and position of the authorized officer or agent filing the form on behalf of the applicant, if the applicant for the non-owner occupied rental property is not an individual.~~

~~(3) The form of business of the applicant; the name, street address, mailing address, and telephone number of a high managerial agent of the business; and, if the business is a corporation or association, a copy of the documents establishing the business.~~

~~(4) The street address of the non-owner occupied rental property.~~

~~(5) The name, street address, mailing address, and telephone number of a person or persons to contact in an emergency as required by Section 27-69 of this article.~~

~~(6) Documentary evidence of payment of ad-valorem taxes owed in connection with the non-owner occupied rental property.~~

~~(d) A certificate of registration issued under this section must be displayed on the premises of the non-owner occupied rental property in a manner and location approved by the director. The certificate of registration must be presented upon request to the director or to a peace officer for examination.~~

SEC. 27-64. REVOCATION OF CERTIFICATE OF REGISTRATION.

~~(a) The director shall revoke any certificate of registration for a non-owner occupied rental property if the director determines that:~~

~~(1) the registrant failed to comply with any provision of this chapter, any other city ordinance, or any state or federal law applicable to the operation of a non-owner occupied rental property;~~

~~(2) the registrant intentionally made a false statement as to a material matter in the application or in a hearing concerning the certificate of registration; or~~

~~(3) the registrant failed to pay a fee required by this article at the time it was due.~~

~~(b) Before revoking a certificate of registration under Subsection (a), the director shall notify the registrant in writing that the certificate of registration is being considered for revocation. The notice must include the reason for the proposed revocation, action the registrant must take to prevent the revocation, and a statement that the registrant has 10 days to comply with the notice.~~

~~(c) If, after 10 days from receipt of the notice required in Subsection (b), the registrant has not complied with the notice, the director shall revoke the certificate of registration and notify the registrant in writing of the revocation. The notice must include the reason for the revocation, the date the director orders the revocation, and a statement informing the registrant of the right of appeal.~~

SEC. 27-65. APPEALS.

~~If the director denies issuance or renewal of a certificate of registration or revokes a certificate of registration issued pursuant to this article, this action is final unless the applicant or registrant files an appeal with a permit and license appeal board in accordance with Section 2-96 of this code.~~

SEC. 27-66. EXPIRATION AND RENEWAL OF CERTIFICATE OF REGISTRATION.

~~(a) A certificate of registration for a non-owner occupied rental property expires one year after the date of issuance.~~

~~A registrant shall notify the director within 10 days of any material change in the information contained in the application for a certificate of registration for a non-owner occupied rental property, including any changes in ownership of the property.~~

~~SEC. 27-72. PROPERTY INSPECTIONS; REINSPECTION FEES.~~

~~(a) The director may inspect any non-owner occupied rental property in the city for code violations in accordance with Section 27-5 of this chapter.~~

~~(b) Whenever a non-owner occupied rental property is inspected by the director and a violation of this code is found, the building or premises will, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, be reinspected by the director to determine that the violation has been eliminated.~~

~~(c) The owner, occupant, or other person responsible for the violation shall pay to the director \$19 for each reinspection after the first reinspection that must be conducted before the violation is determined to be eliminated.]”~~

SECTION 31. 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 is, upon conviction, punishable by a fine not to exceed \$2,000; and a person violating any other provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 32. That Chapter 27 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 33. 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 34. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 35. That Sections 11 through 14 shall take effect immediately from and after its passage and publication in accordance with the provisions of the Dallas City Charter.



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 28 2016

ORDINANCE NUMBER 30236

DATE PUBLISHED OCT 01 2016

ATTESTED BY: