

ORDINANCE NO. _____

An ordinance amending Chapter 27, “Minimum Property Standards,” of the Dallas City Code by amending Sections 27-46 and 27-53; adding violations of provisions of Article III of Chapter 27 to the habitual nuisance properties program; changing the annual fee for habitual criminal and nuisance properties to a monthly fee; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date. Now, Therefore,

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

SECTION 1. That Paragraph (3) of Section 27-46, “Definitions,” of Article VIII, “Habitual Criminal and Nuisance Properties,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code is amended to read as follows:

“(3) CODE VIOLATIONS means violations of the following provisions of the Dallas City Code:

(A) Section 107.6, “Overcrowding,” of Chapter 16, “Dallas Fire Code.”

(B) Subsections (c) through (j) of Section 27-11, “Minimum Property Standards; Responsibilities of Owner,” of Chapter 27, “Minimum Property Standards.”

(C) Section 30-1, “Loud and Disturbing Noises and Vibrations,” of Chapter 30, “Noise.”

(D[€]) Section 30-4, “Loudspeakers and Amplifiers,” of Chapter 30, “Noise.”

(E[Đ]) Sections 43-126.9, 43-126.10, and 43-126.11 of Division 3, “Valet Parking Services,” of Article VI, “License for the Use of Public Right-of-Way,” of Chapter 43, “Streets and Sidewalks.”

(F[È]) Section 51A-6.102, “Noise Regulations,” of Article VI, “Environmental Performance Standards,” of Chapter 51A, “Dallas Development Code.”

DRAFT

(G[F]) Conditions in planned development or specific use permit ordinances regulating outdoor live music, outdoor patios, the operation of outdoor speakers and amplification, and hours of operation of a use.”

SECTION 2. That Section 27-53, “Fees,” of Article VIII, “Habitual Criminal and Nuisance Properties,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code is amended to read as follows:

“SEC. 27-53. FEES.

For a property that has been finally determined to satisfy the presumptions in Section 27-48, the owner shall pay a monthly [an ~~annual~~] fee to the city according to the table below for each month [~~year~~] that the presumptions in Section 27-48 are satisfied. In this section, residential and nonresidential refer to those uses as defined in the Dallas Development Code, as amended. The fees are not refundable in whole or in part.

RESIDENTIAL (by number of dwelling units)	<u>MONTHLY</u> [ANNUAL] FEE
0-2	<u>\$268</u> [\$3,211]
3-20	<u>\$449</u> [\$5,387]
21-59	<u>\$557</u> [\$6,679]
60-250	<u>\$717</u> [\$8,606]
251-500	<u>\$943</u> [\$11,315]
501-1,000	<u>\$936</u> [\$11,229]
1,001 or more	<u>\$1,054</u> [\$12,643]

NONRESIDENTIAL (by square footage of largest improvement)	<u>MONTHLY</u> [ANNUAL] FEE
0-4,999	<u>\$454</u> [\$5,449]
5,000-9,999	<u>\$552</u> [\$6,623]
10,000-59,999	<u>\$682</u> [\$8,180]
60,000-99,999	<u>\$890</u> [\$10,680]
100,000 or more	<u>\$949</u> [\$11,384 ”]

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

DRAFT

SECTION 4. That Chapter 27 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. 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 6. 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 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By _____
Assistant City Attorney

Passed _____