

# Memorandum



CITY OF DALLAS

DATE February 12, 2024

Honorable Members of the Public Safety Committee  
TO Cara Mendelsohn (Chair), Kathy Stewart (Vice Chair), Tennell Atkins, Jesse Moreno  
Gay Donnell Willis

SUBJECT **February 14, 2024, City Council Agenda Item #6; 24-79 Ordinance amending Chapter 7A  
“Anti-Litter Regulations”**

The following agenda item is scheduled to go before City Council on February 14, 2024.

## **Agenda Item #6; 24-79**

An ordinance amending Chapter 7A, “Anti-Litter Regulations,” of the Dallas City Code by amending Section 7A-2; (1) providing a revised definition for “private premises”; (2) providing a penalty not to exceed \$2,000.00; (3) providing a saving clause; (4) providing a severability clause; and (5) providing an effective date - Financing: No cost consideration to the City.

## **BACKGROUND**

Staff’s goal for this amendment is to provide a revised definition for “private premises” that will allow for a streamlined enforcement on private premises and minimize confusion for residents seeking which enforcement applies for their property type. Upon approval, all litter on private premises will be addressed under Chapter 7A-18 of the Dallas City Code. Currently, depending on the property type; the Department of Code Compliance uses two different codes to address litter on private property in the city of Dallas. This use has led to training challenges, citation errors, and dismissed liens when the use of two separate codes proves redundant. In addition, property owners have struggled to understand the differences between these two codes and, which of the codes to apply to their properties.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

The Quality of Life, Arts and Culture Committee was briefed by memorandum regarding this matter on October 16, 2023.

## **FISCAL INFORMATION**

No cost consideration to the City.

Should you have any questions or concerns please contact me at (214) 670 5299.

Jon Fortune  
Deputy City Manager  
**[Attachment]**

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C: T.C. Broadnax, City Manager  
Tammy Palomino, City Attorney  
Mark Swann, City Auditor  
Billerae Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Kimberly Bizer Tolbert, Deputy City Manager

Majed A. Al-Ghafry, Assistant City Manager  
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager  
Dr. Robert Perez, Assistant City Manager  
Jack Ireland, Chief Financial Officer  
Genesis D. Gavino, Chief of Staff to the City Manager  
Directors and Assistant Directors

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 7A, “Anti-Litter Regulations,” of the Dallas City Code by amending Section 7A-2; providing a revised definition for “private premises”; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Paragraph (11) of Section 7A-2, “Definitions,” of Chapter 7A, “Anti-Litter Regulations,” of the Dallas City Code is amended to read as follows:

“(11) PRIVATE PREMISES. Any vacant land or dwelling, house, building, or other structure designed or used either wholly or in part for private residential, commercial, industrial, governmental, or non-profit purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, grounds, walk, driveway, porch, steps, vestibule, parking lot, loading dock, or mailbox belonging or appurtenant to such dwelling, house, building, or other structure.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 3. That Chapter 7A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. 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 5. 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 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

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

Passed \_\_\_\_\_