

Memorandum



CITY OF DALLAS

DATE August 5, 2022

TO Members of the Public Safety Committee
Adam McGough (Chair), Cara Mendelsohn (Vice Chair), Tennell Atkins, Jesse Moreno,
Jaime Resendez, Casey Thomas, Gay Donnell Willis

SUBJECT **Changes to Ordinance allowing Marshals to Enforce Pedestrian Safety**

The City Attorney's Office and Court & Detention Services have been coordinating on a potential amendment to Dallas City Code, Chapter 13, to address pedestrian safety in the roadway. This amendment is part of the holistic strategy for a collaborative initiative involving the City Marshal's, Office of Homeless Solutions, Crisis Intervention, Community Courts, and the Department of Transportation.

The following excerpt of the change is listed below:

An ordinance amending Chapter 13, "Courts, Fines and Imprisonments," of the Dallas City Code, by amending Section 13-10; authorizing the city marshal and his or her deputies to enforce the city's provisions regarding standing or walking on medians contained in Section 28-61.1 of the Dallas City Code.

The draft ordinance amendment is attached for your review. Staff is still working on Chapter 13 and on Chapter 28 so the two can be modified together. We will be finalizing the amendments in the coming weeks and anticipate bringing these items to City Council for consideration in October 2022. If you have any comments or questions, please contact Interim City Marshal David Pughes or Director of Transportation, Ghassan Khankarli.

Jon Fortune
Deputy City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney
Mark Swann, City Auditor
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizzor Tolbert, Deputy City Manager

Majed A. Al-Ghafry, Assistant City Manager
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Robert Perez, Assistant City Manager
Carl Simpson, 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 13, “Courts, Fines and Imprisonments,” of the Dallas City Code, by amending Section 13-10; authorizing the city marshal and his or her deputies to enforce the city’s provisions regarding standing or walking on medians contained in Section 28-61.1 of the Dallas City Code and the city’s solicitation provisions contained in Section 28-63.3 of the Dallas City Code; 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 Section 13-10, “Duties of the City Marshal,” of Article II, “Municipal Court of Record,” of Chapter 13, “Courts, Fines and Imprisonment,” of the Dallas City Code, is amended to read as follows:

“SEC. 13-10. DUTIES OF THE CITY MARSHAL.

The city marshal and his or her deputies, acting under the direction of the municipal clerk, shall perform the following duties:

- (1) execute warrants of arrest, subpoenas, and other legal process issuing out of the municipal court of record ~~[and]~~
- (2) execute other warrants of arrest, subpoenas, and legal process as determined by the municipal clerk; and
- (3) enforce Sections 28-61.1 and 28-63.3 of the Dallas City Code.”

SECTION 2. That Chapter 13 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3 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 4. 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 5. 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 _____