

**JANUARY 11, 2023 CITY COUNCIL AGENDA  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated January 11, 2023. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

  
\_\_\_\_\_  
T.C. Broadnax  
City Manager

01/06/2023

  
\_\_\_\_\_

Date

  
\_\_\_\_\_  
Jack Ireland  
Chief Financial Officer

01/06/2023

  
\_\_\_\_\_

Date





# Memorandum



CITY OF DALLAS

DATE January 6, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **January 11, 2023 City Council FINAL Agenda – Additions/Revisions/Deletions Memorandum**

On December 30, 2022, a DRAFT City Council Agenda for January 11, 2023, was provided for your review. This memorandum outlines any additions, revisions or deletions made to the FINAL agenda after the distribution of the DRAFT agenda. In addition, we have highlighted agenda items which have been briefed to the City Council and/or Committee by briefing memorandums.

Additional items and deletions to the DRAFT agenda are outlined below, including *revisions* to the FINAL agenda are underlined in blue and *deletions* are strikethrough in red. A brief explanation for revisions along with staff's contact information is provided.

## **Additions:**

30. 23-98 Authorize the amendment of the South Dallas/Fair Park Opportunity Fund Program to increase the not to exceed grant amount for human development contracts from \$100,000.00 to \$200,000.00 and update to 2020 Census Tract - Financing: This action has no cost consideration to the City (see Fiscal Information)
35. 23-239 Discuss, consider, and take all appropriate actions pursuant to the performance review and evaluation of City Attorney Chris Caso (This item was deferred on August 23, 2022)

## **Revisions:**

23. 23-28 Authorize a three-year service price agreement for the purchase and installation, monitoring, and maintenance of citywide alarms systems and annual fire alarm inspections - Communicon, Inc. dba Communication Concepts, only proposer - Estimated amount of \$1,820,547 - Financing: General Fund (~~\$1,475,181~~ \$1,468,181), Dallas Water Utilities Fund (\$163,018) Aviation Fund (\$140,206), Sanitation Operation Fund (\$22,142), ~~and~~ Equipment and Fleet Management Fund (\$20,000), and WIC Program-Women, Infants, and Children Grant Fund (\$7,000) (subject to annual appropriations)
- This item is being revised to update funding information in the Subject and Fiscal Information section. Please contact Danielle Thompson, Director, Office of Procurement Services, at 214-670-3874, for more information.**

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In Addition, Agenda Item No. 30 File ID 23-98 is an Addition item placed under Consent that have caused a renumbering for Agenda Item Nos. 30-34 and Agenda Item No. 31 File ID 23-4 has been revised to update the M/WBE Goal and Overall Participation \$ section.

**Deletions:**

13. 23-15 Authorize a construction services contract for the 2023 Annual Street Resurfacing Contract - Johnson Bros. Corporation, a Southland Company, lowest responsible bidder of two - Not to exceed \$49,982,822.75 - Financing: 2023 Certificate of Obligation Bond Fund (subject to annual appropriations)

**This item is being deleted to be brought back at a later date. Please contact Alireza Hatefi, Director, Department of Public Works, at 214-948-4688, for more information.**

- PH5. 23-132 A public hearing to receive comments regarding the fourth extension of the Public/Private Partnership Program Guidelines and Criteria (PPP Guidelines), for the period January 1, 2023 through June 30, 2023 and upon closure of the public hearing authorize approval of the PPP Guidelines (Exhibit A) for the period January 1, 2023 through June 30, 2023 - Financing: No cost consideration to the City.

**This item is being deleted at the request of the City Manager's Office. Please contact Robin Bentley, Director, Office of Economic Development, at 214-671-8958, for more information.**

**Memorandums:**

A memorandum was previously provided to Committee and/or City Council regarding the following items. A link to the memorandums is attached for more information.

16. 23-29 An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code by: **(1)** adopting with certain changes the 2021 Edition of the International Fire Code published by the International Code Council; **(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 (see Fiscal Information)

[The Public Safety Committee was briefed by memorandum regarding this matter on August 8, 2022.](#)

17. 23-21 Authorize a letter amendment to the Lease between the City of Dallas ("City") and Foremost Family Health Centers ("Foremost") to allow Foremost to accept grant funding from the Health Resources and Services Administration ("HRSA") American Rescue Plan to renovate Building B of the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Blvd. ("the premises") in accordance with grant requirements,

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SUBJECT **January 11, 2023 City Council FINAL Agenda - Additions/Revisions/Deletions**

including a City grant of federal interest in the improvements to HRSA - Financing: No cost consideration to the City

[The Workforce, Education and Equity Committee was briefed by memorandum regarding this matter on December 12, 2022.](#)

28. 23-19 Authorize the **(1)** application for and acceptance of a grant from the U.S. Department of Justice for the 2022 FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Grant (Federal/State Award ID. No. 15JCOPS-22-GG-04555-PPSE, CFDA No. 16.710) in the amount of \$250,000.00 passed through the Dallas Police Department for the purpose of funding two staff members dedicated to proving compliance with 168 Texas law enforcement best practices for two years for the period September 1, 2022 through August 31, 2024; **(2)** establishment of appropriations in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; **(4)** addition of one Administrative Specialist and Supervisor; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the agreement - Not to exceed \$250,000.00 - Financing: U.S. Department of Justice Grant Funds  
The Public Safety Committee will be briefed by memorandum regarding this matter on January 9, 2023.
29. 23-20 Authorize the **(1)** application for and acceptance of a grant from the Office of the Governor, Criminal Justice Division for the Digital Forensic Lab Grant (Grant No. 4536301, CFDA No. 16.738) in the amount of \$99,998.08 to provide more modern crime fighting response with respect to data and digital currency for the period October 1, 2021 through June 30, 2023; **(2)** establishment of appropriations in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement with the Office of the Governor, Criminal Justice Division - Not to exceed \$99,998.08 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds  
The Public Safety Committee will be briefed by memorandum regarding this matter on January 9, 2023.
30. 23-98 Authorize the amendment of the South Dallas/Fair Park Opportunity Fund Human Development Grant from \$100,000.00 to \$200,000.00 – Financing: This action has no cost consideration to the City (see Fiscal Information)  
[The Economic Development Committee was briefed by memorandum regarding this matter on December 5, 2022.](#)

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SUBJECT **January 11, 2023 City Council FINAL Agenda - Additions/Revisions/Deletions**

Please feel free to reach out to me or Kimberly Bizer Tolbert, Deputy City Manager if you have questions or should you require additional information at this time.



T.C. Broadnax  
City Manager

c: Chris Caso, City Attorney  
Mark Swann, City Auditor  
Billieae Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Kimberly Bizer Tolbert, Deputy City Manager  
Jon Fortune, 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



**RECEIVED**

**2023 JAN -6 PM 5: 13**

**CITY SECRETARY  
DALLAS, TEXAS**

**City of Dallas**

*1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201*



**Public Notice**

**2 3 0 0 3 4**

**POSTED** CITY SECRETARY  
DALLAS, TX

**COUNCIL AGENDA**

**January 11, 2023  
9:00 AM**

(For General Information and Rules of Courtesy, Please See Opposite Side.)

(La Información General Y Reglas De Cortesía Que Deben Observarse

Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

## **General Information**

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

## **Rules of Courtesy**

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to

## **Información General**

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne en el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

## **Reglas de Cortesía**

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasara o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del

act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Ayuntamiento Municipal, será expulsada de la cámara si el oficial que este presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisara al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.



## **Handgun Prohibition Notice for Meetings of Governmental Entities**

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

*"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."*

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

*"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."*

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

*"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."*

The City Council meeting will be held by videoconference and in the Council Chambers, 6th Floor at City Hall. Individuals who wish to speak in accordance with the City Council Rules of Procedure must sign up with the City Secretary's Office.

The public is encouraged to attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols.

The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the City Council meeting on Spectrum Cable Channel 16 and [bit.ly/cityofdallastv](https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m0c267fd323377a3f83a9e1d7a1a739e9):

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m0c267fd323377a3f83a9e1d7a1a739e9>

Public hearings will not be heard before 1:00 p.m.

#### INVOCATION AND PLEDGE OF ALLEGIANCE

#### OPEN MICROPHONE

#### MINUTES

Item 1

#### CONSENT AGENDA

Items 2-32

#### ADDITIONS

Item 35

#### DELETIONS

Items 13 & PH5

#### ITEMS FOR INDIVIDUAL CONSIDERATION

Items 33-34

#### ZONING

Item Z1

#### PUBLIC HEARINGS AND RELATED ACTIONS

Items PH1-PH5

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.



Invocation and Pledge of Allegiance

Agenda Item/Open Microphone Speakers

## **VOTING AGENDA**

1. [23-17](#) Approval of Minutes of the December 14, 2022 City Council Meeting

## **CONSENT AGENDA**

### **Building Services Department**

2. [23-5](#) Authorize a one-year service contract, with a one-year renewal option for emergency plumbing repairs and other services at City facilities with TDIndustries, Inc. through The National Cooperative Purchasing Alliance Contract No. 02-54 - Not to exceed \$500,000.00 - Financing: General Fund (\$400,000.00) and Capital Construction Fund (\$100,000.00) (subject to annual appropriations)

**Attachments:** [Resolution](#)

### **City Attorney's Office**

3. [23-117](#) Authorize settlement of the lawsuit styled Southwestern Bell Telephone Company d/b/a AT&T Texas v. City of Dallas, Cause No. DC-22-05352 - Not to exceed \$29,500.00 for the settlement of the property damage claims of Southwestern Bell Telephone Company d/b/a AT&T Texas - Financing: Liability Reserve Fund

**Attachments:** [Resolution](#)

### **City Secretary's Office**

4. [23-109](#) A resolution authorizing (1) an increase in the joint election agreement and election services contract between the City of Dallas and Collin County for the November 8, 2022 special election in an amount not to exceed \$5,047.47, from \$50,246.94 to \$55,294.41; and (2) a reimbursement of funding in an amount not to exceed \$5,047.47 from the Convention center Capital Construction Fund to the General Fund - Not to exceed \$5,047.47, from \$50,246.94 to \$55,294.41 - Financing: Convention Center Capital Construction Fund (see Fiscal Information)

**Attachments:** [Resolution](#)

**Department of Planning and Urban Design**

5. [23-100](#) An ordinance correcting **(1)** Specific Use Permit No. 472, amended by Ordinance No. 32030; **(2)** Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, amended by Ordinance No. 32104; and **(3)** Chapter 51A Dallas Development Code, Division 51A-4.1100 Mixed-Income Housing, amended by Ordinance No. 32210 - Financing: No cost consideration to the City

**Attachments:** [Maps](#)  
[Exhibit](#)

**Department of Public Works**

6. [23-1](#) An ordinance granting a private license to NTHP Manderville, Inc. for the use of a total of approximately 7,162 square feet of land to install, maintain, and utilize an electrical conduit, thirteen trees, seven light fixtures, five benches, and landscape and irrigation on a portion of Manderville Lane right-of-way located near its intersection with Blair Road - Revenue: General Fund \$9,939.00 annually, and \$400.00 one-time fee, plus the \$20.00 ordinance publication fee

**Attachments:** [Map](#)  
[Ordinance](#)  
[Exhibit A](#)  
[Exhibit B](#)

7. [23-14](#) Authorize an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) (CSJ No. 0261-03-070, CFDA No. 20.205) for the TxDOT Green Ribbon Program Project to provide landscape planting and irrigation improvements on U.S. Highway 67 at Camp Wisdom Road - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

8. [23-6](#) Authorize **(1)** a construction services contract for the Service Maintenance Area 1 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four; and **(2)** an increase in appropriations in an amount not to exceed \$6,400,000.00 in the Street and Alley Improvement Fund - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)

**Attachments:** [List](#)  
[Maps](#)  
[Resolution](#)

9. [23-7](#) Authorize a construction services contract for the Service Maintenance Area 2 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)

**Attachments:** [List](#)  
[Maps](#)  
[Resolution](#)

10. [23-8](#) Authorize a construction services contract for the Service Maintenance Area 3 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)

**Attachments:** [List](#)  
[Maps](#)  
[Resolution](#)

11. [23-9](#) Authorize a construction services contract for the Service Maintenance Area 4 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)

**Attachments:** [List](#)  
[Maps](#)  
[Resolution](#)

12. [23-13](#) Authorize a construction services contract for the 2023 Annual Street Maintenance Contract (list attached to the Agenda Information Sheet) - Texas Materials Group Inc., dba Texas Bit, a CRH company, lowest responsible bidder of two - Not to exceed \$48,906,741.15 - Financing: General Fund (\$27,998,850.15) and Street and Alley Improvement Fund (\$20,907,891.00) (subject to annual appropriations)

**Attachments:** [List](#)  
[Map](#)  
[Resolution](#)

- ~~13. [23-15](#) Authorize a construction services contract for the 2023 Annual Street Resurfacing Contract - Johnson Bros. Corporation, a Southland Company, lowest responsible bidder of two - Not to exceed \$40,982,822.75 - Financing: 2023 Certificate of Obligation Bond Fund (subject to annual appropriations)~~

~~**Attachments:** [List](#)  
[Map](#)  
[Resolution](#)~~

**Department of Sanitation Services**

14. [23-3](#) Ordinances granting the transfer of two franchises to Warner Alan/Waste Advantage Partners, LLC and PC Hart Waste, LLC for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code - Estimated Annual Revenue: General Fund \$76,800.00 annually (see Fiscal Information)

**Attachments:** [Ordinance - Hart Bros to PC Hart Waste](#)  
[Ordinance - Empire Disposal to Waste Advantage Partners](#)

**Department of Transportation**

15. [23-16](#) Authorize the **(1)** acceptance of Regional Toll Revenue funds from the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), for the Incident Management Freeway Blocking Equipment within the North Central Texas Council of Governments (NCTCOG) Metropolitan Planning Area Project (Agreement No. CSJ 0918-47-207) under the Incident Management and Safety Pilot Program in the amount of \$300,000.00 as state contribution to the total project cost of \$375,000.00 (State contribution from State Highway 121 Subaccount of \$300,000.00 and City of Dallas local match of \$75,000.00 totaling \$375,000.00) for three scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas; **(2)** receipt and deposit of funds in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund; **(3)** establishment of appropriations in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund; **(4)** local cash match of \$75,000.00; **(5)** disbursement of funds in the amount of \$375,000.00 from the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund (\$300,000.00) and the General Fund (\$75,000.00); and **(6)** execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the agreement - Total amount of \$375,000.00 - Financing: Texas Department of Transportation Grant Funds (\$300,000.00) and General Fund (\$75,000.00)

**Attachments:** [Resolution](#)

**Fire-Rescue Department**

16. [23-29](#) An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code by: **(1)** adopting with certain changes the 2021 Edition of the International Fire Code published by the International Code Council; **(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: This action has no cost consideration to the City (see Fiscal Information)

**Attachments:** [Ordinance](#)

**Office of Community Care**

17. [23-21](#) Authorize a letter amendment to the Lease between the City of Dallas ("City") and Foremost Family Health Centers ("Foremost") to allow Foremost to accept grant funding from the Health Resources and Services Administration ("HRSA") American Rescue Plan to renovate Building B of the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Blvd. ("the premises") in accordance with grant requirements, including a City grant of federal interest in the improvements to HRSA - Financing: No cost consideration to the City

**Attachments:** [Resolution](#)

**Office of Procurement Services**

18. [23-2](#) Authorize a three-year consultant contract for asset marketing and sponsorship consulting services for the Park & Recreation Department - The Superlative Group, Inc., most advantageous proposer of three - Estimated amount of \$249,650 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

19. [23-11](#) Authorize a two-year cooperative purchasing agreement for the purchase of network cabling installation services and equipment for the Department of Information and Technology Services with Shelby Communications, LLC through the Texas Department of Information Resources cooperative agreement - Not to exceed \$7,213,690 - Financing: Coronavirus State and Local Fiscal Recovery Fund (\$3,506,845), Data Services Fund (\$100,000), and Information Technology Equipment (\$3,606,845) (subject to annual appropriations)

**Attachments:** [Resolution](#)



20. [23-27](#) Authorize a three-year master agreement for the purchase of traffic cones, delineators, and barrels for citywide departments - Dallas Lite & Barricade, lowest responsible bidder of seven - Estimated amount of \$511,130 - Financing: General Fund (\$81,130), Dallas Water Utilities Fund (\$409,000), Aviation Fund (\$20,000) and Stormwater Drainage Management Fund (\$1,000)

**Attachments:** [Resolution](#)

21. [23-24](#) Authorize a three-year master agreement for the purchase of fire hydrant backflow preventers and parts for the Water Utilities Department - Test Gauge & Backflow Supply, Inc. in the estimated amount of \$212,000 and Fortiline, Inc. dba Fortiline Waterworks in the estimated amount of \$57,000, lowest responsible bidders of three - Total estimated amount of \$269,000 - Financing: Dallas Water Utilities Fund

**Attachments:** [Resolution](#)

22. [23-22](#) Authorize a two-year service price agreement for routine and emergency water extraction services and structure and content drying services at various City facilities for the Building Services Department - Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central in the estimated amount of \$440,045.56 and Restoration Specialists, LLC in the estimated amount of \$74,714.30, lowest responsible bidders of five - Total estimated amount of \$514,759.86 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

23. [23-28](#) Authorize a three-year service price agreement for the purchase and installation, monitoring, and maintenance of citywide alarms systems and annual fire alarm inspections - Communicon, Inc. dba Communication Concepts, only proposer - Estimated amount of \$1,820,547 - Financing: General Fund ~~(\$1,475,181)~~ [\\$1,468,181](#), Dallas Water Utilities Fund (\$163,018) Aviation Fund (\$140,206), Sanitation Operation Fund (\$22,142), ~~and~~ Equipment and Fleet Management Fund (\$20,000), and WIC Program-Women, Infants, and Children Grant Fund (\$7,000) (subject to annual appropriations)

**Attachments:** [Resolution](#)

24. [23-26](#) Authorize a five-year service price agreement for hot water and steam boilers maintenance and parts for the Water Utilities Department - Denali Construction Services, most advantageous proposer of three - Estimated amount of \$137,755 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

25. [23-25](#) Authorize the purchase of one clarifier drive unit for the Water Utilities Department - Rebuild-it Services Group, LLC, only bidder - Not to exceed \$114,862 - Financing: Water Construction Fund

**Attachments:** [Resolution](#)

26. [23-10](#) Authorize Supplemental Agreement No. 3 to exercise the first of three one-year renewal options to the service contract with Incapsulate, LLC for maintenance and support to host a customer relationship management software for the Department of Information and Technology Services - Not to exceed \$412,000 - Financing: Data Services Fund

**Attachments:** [Resolution](#)

#### **Park & Recreation Department**

27. [23-30](#) Authorize a three-year service price agreement for the provision of an annual subscription, maintenance and support service to the CivicEngage system software application for the Park & Recreation Department in the estimated amount of \$69,939.93 - CIVICPLUS dba CivicPlus, sole source - Total estimated amount of \$69,939.93 - Financing: Recreation Program Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

#### **Police Department**

28. [23-19](#) Authorize the **(1)** application for and acceptance of a grant from the U.S. Department of Justice for the 2022 FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Grant (Federal/State Award ID. No. 15JCOPS-22-GG-04555-PPSE, CFDA No. 16.710) in the amount of \$250,000.00 passed through the Dallas Police Department for the purpose of funding two staff members dedicated to proving compliance with 168 Texas law enforcement best practices for two years for the period September 1, 2022 through August 31, 2024; **(2)** establishment of appropriations in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; **(4)** addition of one Administrative Specialist and Supervisor; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the agreement - Not to exceed \$250,000.00 - Financing: U.S. Department of Justice Grant Funds

**Attachments:** [Resolution](#)  
[Schedule A](#)

29. [23-20](#) Authorize the **(1)** application for and acceptance of a grant from the Office of the Governor, Criminal Justice Division for the Digital Forensic Lab Grant (Grant No. 4536301, CFDA No. 16.738) in the amount of \$99,998.08 to provide more modern crime fighting response with respect to data and digital currency for the period October 1, 2021 through June 30, 2023; **(2)** establishment of appropriations in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement with the Office of the Governor, Criminal Justice Division - Not to exceed \$99,998.08 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

**Attachments:** [Resolution](#)  
[Schedule](#)

#### **Small Business Center Department**

30. [23-98](#) Authorize the amendment of the South Dallas/Fair Park Opportunity Fund Program to increase the not to exceed grant amount for human development contracts from \$100,000.00 to \$200,000.00 and update to 2020 Census Tract - Financing: This action has no cost consideration to the City (see Fiscal Information)

**Attachments:** [Resolution](#)  
[Exhibit A](#)

#### **Water Utilities Department**

31. [23-23](#) Authorize acquisition from heirs of Byrd B. Fisher and husband W.W. Fisher, Ballard Y. Burgher, W.L. Burgher, Cedric Burgher, Laura B. Atwell and husband Webster Atwell, and Robert S. Burgher, for the purpose of acquiring sand and gravel rights to approximately 43 acres of land for the Dallas Floodway Project - Not to exceed \$4,311.00 - Financing: Flood Protection and Storm Drainage Facilities (2006 General Obligation Bond Funds)

**Attachments:** [Map](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Resolution](#)

32. [23-4](#) Authorize Supplemental Agreement No. 5 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. to provide additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant - Not to exceed \$5,784,047.00, from \$28,279,359.00 to \$34,063,406.00 - Financing: Water Capital Improvement F Fund

**Attachments:** [Map](#)  
[Resolution](#)

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **City Secretary's Office**

33. [23-31](#) Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
34. [23-108](#) A resolution authorizing the submission by the Records Management Officer of the City of Dallas Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act form (Form SLR 508) to the director and librarian of the Texas State Library and Archives Commission on behalf of the City of Dallas; with the following exceptions for longer retention periods for: **(1)** Dallas 3-1-1 Service Requests Complaints; **(2)** Dallas Police Department Communication Tapes and Printouts; and **(3)** Election Campaign Contributions reports - Financing: No cost consideration to the City

**Attachments:** [Resolution](#)  
[Exhibit A - Retention exceptions 2023](#)

## **ADDITIONS:**

Closed Session

Attorney Briefing (Sec. 551.71 T.O.M.A.)

-Legal issues related to overdose mapping, data sharing, and a public health authority's response to drug overdoses.

## **ITEMS FOR FURTHER CONSIDERATION**

### **Mayor and City Council**

35. [23-239](#) Discuss, consider, and take all appropriate actions pursuant to the performance review and evaluation of City Attorney Chris Caso (This item was deferred on August 23, 2022)

**PUBLIC HEARINGS AND RELATED ACTIONS****Department of Planning and Urban Design****ZONING CASES - CONSENT**

- Z1. [23-92](#) A public hearing to receive comments regarding an application for and an ordinance granting a WR-3 Walkable Urban Residential District on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northwest of the intersection of Kimsey Drive and Maple Avenue  
Recommendation of Staff: Approval  
Recommendation of CPC: Approval  
Z212-231(MP)

**Attachments:** [Case Report](#)

**STREET NAME CHANGE****Development Services**

- PH1. [23-93](#) A public hearing to receive comments and to approve an ordinance granting a request to change the name of Audrey Street, between Agnes Street and Greenbay Street, to "Dimple Jackson Street" - NC212-008 - Financing: New street blades to be prepared and paid for by the City of Dallas (see Fiscal Information for potential future costs)

**Attachments:** [Map](#)  
[Map & List](#)  
[Memorandum](#)

**MISCELLANEOUS HEARINGS****Department of Housing & Neighborhood Revitalization**

- PH2. [23-99](#) A public hearing to receive comments regarding an application by Mondello Apartments, LLC, an affiliate of DevCo, Inc., (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Mondello Apartments located at 2000 Highland Road, Dallas, Texas 75228; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Mondello Apartments - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

- PH3. [23-69](#) A public hearing to receive comments regarding an application by Positano Apartments, LLC, an affiliate of DevCo, Inc. (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Positano Apartments located at 2519 John West Road, Dallas, Texas 75228;, and at the close of the public hearing adopt of a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Positano Apartments - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

- PH4. [23-70](#) A public hearing to receive comments regarding an application by Rosemont Meadow Lane Apartments, LLC, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Rosemont at Meadow Lane located at 4722 Meadow Street, Dallas, Texas 75215; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Rosemont at Meadow Lane - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

~~Office of Economic Development~~

- ~~PH5. [23-132](#) A public hearing to receive comments regarding the fourth extension of the Public/Private Partnership Program Guidelines and Criteria (PPP Guidelines), for the period January 1, 2023 through June 30, 2023 and upon closure of the public hearing authorize approval of the PPP Guidelines (**Exhibit A**) for the period January 1, 2023 through June 30, 2023 Financing: No cost consideration to the City~~

~~**Attachments:** [Resolution](#)  
[Exhibit A](#)~~

**EXECUTIVE SESSION NOTICE**

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

# Agenda Date: January 11, 2023

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	SEC	N/A	Approval of Minutes of the December 14, 2022 City Council Meeting
2.	All	C	BSD	\$500,000.00	Authorize a one-year service contract, with a one-year renewal option for emergency plumbing repairs and other services at City facilities with TDIndustries, Inc. through The National Cooperative Purchasing Alliance Contract No. 02-54 - Not to exceed \$500,000.00 - Financing: General Fund (\$400,000.00) and Capital Construction Fund (\$100,000.00) (subject to annual appropriations)
3.	N/A	C	ATT	\$29,500.00	Authorize settlement of the lawsuit styled Southwestern Bell Telephone Company d/b/a AT&T Texas v. City of Dallas, Cause No. DC-22-05352 - Not to exceed \$29,500.00 for the settlement of the property damage claims of Southwestern Bell Telephone Company d/b/a AT&T Texas - Financing: Liability Reserve Fund
4.	N/A	C	SEC	\$5,047.47	A resolution authorizing (1) an increase in the joint election agreement and election services contract between the City of Dallas and Collin County for the November 8, 2022 special election in an amount not to exceed \$5,047.47, from \$50,246.94 to \$55,294.41; and (2) a reimbursement of funding in an amount not to exceed \$5,047.47 from the Convention center Capital Construction Fund to the General Fund - Not to exceed \$5,047.47, from \$50,246.94 to \$55,294.41 - Financing: Convention Center Capital Construction Fund (see Fiscal Information)
5.	All	C	PNV	NC	An ordinance correcting (1) Specific Use Permit No. 472, amended by Ordinance No. 32030; (2) Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, amended by Ordinance No. 32104; and (3) Chapter 51A Dallas Development Code, Division 51A-4.1100 Mixed-Income Housing, amended by Ordinance No. 32210 - Financing: No cost consideration to the City
6.	13	C	PBW	REV \$10,339.00	An ordinance granting a private license to NTHP Manderville, Inc. for the use of a total of approximately 7,162 square feet of land to install, maintain, and utilize an electrical conduit, thirteen trees, seven light fixtures, five benches, and landscape and irrigation on a portion of Manderville Lane right-of-way located near its intersection with Blair Road - Revenue: General Fund \$9,939.00 annually, and \$400.00 one-time fee, plus the \$20.00 ordinance publication fee
7.	3, 8	C	PBW	NC	Authorize an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) (CSJ No. 0261-03-070, CFDA No. 20.205) for the TxDOT Green Ribbon Program Project to provide landscape planting and



ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					irrigation improvements on U.S. Highway 67 at Camp Wisdom Road - Financing: No cost consideration to the City
8.	5, 7, 8	C	PBW	\$630,404.37	Authorize (1) a construction services contract for the Service Maintenance Area 1 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four; and (2) an increase in appropriations in an amount not to exceed \$6,400,000.00 in the Street and Alley Improvement Fund - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)
9.	1, 3, 6, 8	C	PBW	\$630,404.37	Authorize a construction services contract for the Service Maintenance Area 2 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)
10.	2, 6, 13, 14	C	PBW	\$630,404.37	Authorize a construction services contract for the Service Maintenance Area 3 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)
11.	7, 9, 10	C	PBW	\$630,404.37	Authorize a construction services contract for the Service Maintenance Area 4 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)
12.	All	C	PBW	\$48,906,741.15	Authorize a construction services contract for the 2023 Annual Street Maintenance Contract (list attached to the Agenda Information Sheet) - Texas Materials Group Inc., dba Texas Bit, a CRH company, lowest responsible bidder of two - Not to exceed \$48,906,741.15 - Financing: General Fund (\$27,998,850.15) and Street and Alley Improvement Fund (\$20,907,891.00) (subject to annual appropriations)
<del>13.</del>	<del>All</del>	<del>C</del>	<del>PBW</del>	<del>\$49,982,822.75</del>	<del>Authorize a construction services contract for the 2023 Annual Street Resurfacing Contract Johnson Bros. Corporation, a Southland Company, lowest responsible bidder of two - Not to exceed \$49,982,822.75 - Financing: 2023 Certificate of Obligation Bond Fund (subject to annual appropriations)</del>
14.	N/A	C	SAN	REV \$76,800.00	Ordinances granting the transfer of two franchises to Warner Alan/Waste Advantage Partners, LLC and PC Hart Waste, LLC for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Chapter 18, Article IV, of the Dallas City Code - Estimated Annual Revenue: General Fund \$76,800.00 annually (see Fiscal Information)
15.	All	C	TRN	\$75,000.00	Authorize the (1) acceptance of Regional Toll Revenue funds from the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), for the Incident Management Freeway Blocking Equipment within the North Central Texas Council of Governments (NCTCOG) Metropolitan Planning Area Project (Agreement No. CSJ 0918-47-207) under the Incident Management and Safety Pilot Program in the amount of \$300,000.00 as state contribution to the total project cost of \$375,000.00 (State contribution from State Highway 121 Subaccount of \$300,000.00 and City of Dallas local match of \$75,000.00 totaling \$375,000.00) for three scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas; (2) receipt and deposit of funds in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund; (3) establishment of appropriations in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund; (4) local cash match of \$75,000.00; (5) disbursement of funds in the amount of \$375,000.00 from the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund (\$300,000.00) and the General Fund (\$75,000.00); and (6) execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the agreement - Total amount of \$375,000.00 - Financing: Texas Department of Transportation Grant Funds (\$300,000.00) and General Fund (\$75,000.00)
16.	All	C	DFD	NC	An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code by: (1) adopting with certain changes the 2021 Edition of the International Fire Code published by the International Code Council; (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: This action has no cost consideration to the City (see Fiscal Information)
17.	7	C	OCC	NC	Authorize a letter amendment to the Lease between the City of Dallas ("City") and Foremost Family Health Centers ("Foremost") to allow Foremost to accept grant funding from the Health Resources and Services Administration ("HRSA") American Rescue Plan to renovate Building B of the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Blvd. ("the premises") in accordance with grant requirements, including a City grant of federal interest in the improvements to HRSA - Financing: No cost consideration to the City

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
18.	N/A	C	POM	\$249,650.00	Authorize a three-year consultant contract for asset marketing and sponsorship consulting services for the Park & Recreation Department - The Superlative Group, Inc., most advantageous proposer of three - Estimated amount of \$249,650 - Financing: General Fund (subject to annual appropriations)
19.	All	C	POM	\$3,706,845.00	Authorize a two-year cooperative purchasing agreement for the purchase of network cabling installation services and equipment for the Department of Information and Technology Services with Shelby Communications, LLC through the Texas Department of Information Resources cooperative agreement - Not to exceed \$7,213,690 - Financing: Coronavirus State and Local Fiscal Recovery Fund (\$3,506,845), Data Services Fund (\$100,000), and Information Technology Equipment (\$3,606,845) (subject to annual appropriations)
20.	All	C	POM	\$511,130.00	Authorize a three-year master agreement for the purchase of traffic cones, delineators, and barrels for citywide departments - Dallas Lite & Barricade, lowest responsible bidder of seven - Estimated amount of \$511,130 - Financing: General Fund (\$81,130), Dallas Water Utilities Fund (\$409,000), Aviation Fund (\$20,000) and Stormwater Drainage Management Fund (\$1,000)
21.	All	C	POM	\$269,000.00	Authorize a three-year master agreement for the purchase of fire hydrant backflow preventers and parts for the Water Utilities Department - Test Gauge & Backflow Supply, Inc. in the estimated amount of \$212,000 and Fortiline, Inc. dba Fortiline Waterworks in the estimated amount of \$57,000, lowest responsible bidders of three - Total estimated amount of \$269,000 - Financing: Dallas Water Utilities Fund
22.	All	C	POM	\$514,759.86	Authorize a two-year service price agreement for routine and emergency water extraction services and structure and content drying services at various City facilities for the Building Services Department - Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central in the estimated amount of \$440,045.56 and Restoration Specialists, LLC in the estimated amount of \$74,714.30, lowest responsible bidders of five - Total estimated amount of \$514,759.86 - Financing: General Fund (subject to annual appropriations)
23.	All	C	POM	\$1,820,547.00	Authorize a three-year service price agreement for the purchase and installation, monitoring, and maintenance of citywide alarms systems and annual fire alarm inspections - Communicon, Inc. dba Communication Concepts, only proposer - Estimated amount of \$1,820,547 - Financing: General Fund ( <del>\$1,475,181</del> <a href="#">\$1,468,181</a> ), Dallas Water Utilities Fund (\$163,018) Aviation Fund (\$140,206), Sanitation Operation Fund

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					(\$22,142), <del>and</del> Equipment and Fleet Management Fund (\$20,000), <u>and WIC Program-Women, Infants, and Children Grant Fund (\$7,000)</u> (subject to annual appropriations)
24.	All	C	POM	\$137,755.00	Authorize a five-year service price agreement for hot water and steam boilers maintenance and parts for the Water Utilities Department - Denali Construction Services, most advantageous proposer of three - Estimated amount of \$137,755 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)
25.	6	C	POM	\$114,862.00	Authorize the purchase of one clarifier drive unit for the Water Utilities Department - Rebuild-it Services Group, LLC, only bidder - Not to exceed \$114,862 - Financing: Water Construction Fund
26.	All	C	POM	\$412,000.00	Authorize Supplemental Agreement No. 3 to exercise the first of three one-year renewal options to the service contract with Incapsulate, LLC for maintenance and support to host a customer relationship management software for the Department of Information and Technology Services - Not to exceed \$412,000 - Financing: Data Services Fund
27.	All	C	PKR	\$69,939.93	Authorize a three-year service price agreement for the provision of an annual subscription, maintenance and support service to the CivicEngage system software application for the Park & Recreation Department in the estimated amount of \$69,939.93 - CIVICPLUS dba CivicPlus, sole source - Total estimated amount of \$69,939.93 - Financing: Recreation Program Fund (subject to annual appropriations)
28.	N/A	C	DPD	GT	Authorize the (1) application for and acceptance of a grant from the U.S. Department of Justice for the 2022 FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Grant (Federal/State Award ID. No. 15JCOPS-22-GG-04555-PPSE, CFDA No. 16.710) in the amount of \$250,000.00 passed through the Dallas Police Department for the purpose of funding two staff members dedicated to proving compliance with 168 Texas law enforcement best practices for two years for the period September 1, 2022 through August 31, 2024; (2) establishment of appropriations in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; (3) receipt and deposit of funds in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; (4) addition of one Administrative Specialist and Supervisor; and (5) execution of the grant agreement and all terms, conditions, and documents required by the agreement - Not to exceed \$250,000.00 - Financing: U.S. Department of Justice Grant Funds

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
29.	N/A	C	DPD	GT	Authorize the (1) application for and acceptance of a grant from the Office of the Governor, Criminal Justice Division for the Digital Forensic Lab Grant (Grant No. 4536301, CFDA No. 16.738) in the amount of \$99,998.08 to provide more modern crime fighting response with respect to data and digital currency for the period October 1, 2021 through June 30, 2023; (2) establishment of appropriations in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; (3) receipt and deposit of grant funds in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; and (4) execution of the grant agreement and all terms, conditions, and documents required by the grant agreement with the Office of the Governor, Criminal Justice Division - Not to exceed \$99,998.08 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds
30.	All	C	SBC	NC	Authorize the amendment of the South Dallas/Fair Park Opportunity Fund Program to increase the not to exceed grant amount for human development contracts from \$100,000.00 to \$200,000.00 and update to 2020 Census Tract - Financing: This action has no cost consideration to the City (see Fiscal Information)
31.	6	C	DWU	\$4,311.00	Authorize acquisition from heirs of Byrd B. Fisher and husband W.W. Fisher, Ballard Y. Burgher, W.L. Burgher, Cedric Burgher, Laura B. Atwell and husband Webster Atwell, and Robert S. Burgher, for the purpose of acquiring sand and gravel rights to approximately 43 acres of land for the Dallas Floodway Project - Not to exceed \$4,311.00 - Financing: Flood Protection and Storm Drainage Facilities (2006 General Obligation Bond Funds)
32.	Outside	C	DWU	\$5,784,047.00	Authorize Supplemental Agreement No. 5 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. to provide additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant - Not to exceed \$5,784,047.00, from \$28,279,359.00 to \$34,063,406.00 - Financing: Water Capital Improvement F Fund
33.	N/A	I	SEC	N/A	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
34.	N/A	I	SEC	NC	A resolution authorizing the submission by the Records Management Officer of the City of Dallas Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act form (Form SLR 508) to the director and librarian of the Texas State Library and Archives Commission on behalf of the City of Dallas; with the following

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					exceptions for longer retention periods for: (1) Dallas 3-1-1 Service Requests Complaints; (2) Dallas Police Department Communication Tapes and Printouts; and (3) Election Campaign Contributions reports - Financing: No cost consideration to the City
35.	N/A	I	MCC	N/A	Discuss, consider, and take all appropriate actions pursuant to the performance review and evaluation of City Attorney Chris Caso (This item was deferred on August 23, 2022)
Z1.	2	PH	PNV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a WR-3 Walkable Urban Residential District on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northwest of the intersection of Kimsey Drive and Maple Avenue Recommendation of Staff: Approval Recommendation of CPC: Approval Z212-231(MP)
PH1.	7	PH	PNV	NC	A public hearing to receive comments and to approve an ordinance granting a request to change the name of Audrey Street, between Agnes Street and Greenbay Street, to “Dimple Jackson Street” - NC212-008 - Financing: New street blades to be prepared and paid for by the City of Dallas (see Fiscal Information for potential future costs)
PH2.	9	PH	HOU	NC	A public hearing to receive comments regarding an application by Mondello Apartments, LLC, an affiliate of DevCo, Inc., (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Mondello Apartments located at 2000 Highland Road, Dallas, Texas 75228; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Mondello Apartments - Financing: No cost consideration to the City
PH3.	7	PH	HOU	NC	A public hearing to receive comments regarding an application by Positano Apartments, LLC, an affiliate of DevCo, Inc. (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Positano Apartments located at 2519 John West Road, Dallas, Texas 75228; and at the close of the public hearing adopt of a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Positano Apartments - Financing: No cost consideration to the City
PH4.	7	PH	HOU	NC	A public hearing to receive comments regarding an application by Rosemont Meadow Lane Apartments, LLC, or its affiliates (Applicant) to

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Rosemont at Meadow Lane located at 4722 Meadow Street, Dallas, Texas 75215; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Rosemont at Meadow Lane - Financing: No cost consideration to the City
<del>PH5.</del>	<del>All</del>	<del>PH</del>	<del>ECO</del>	<del>NC</del>	<del>A public hearing to receive comments regarding the fourth extension of the Public/Private Partnership Program Guidelines and Criteria (PPP Guidelines), for the period January 1, 2023 through June 30, 2023 and upon closure of the public hearing authorize approval of the PPP Guidelines (Exhibit A) for the period January 1, 2023 through June 30, 2023 - Financing: No cost consideration to the City</del>

**TOTAL \$115,615,575.64**



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 23-17

**Item #:** 1.

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**SUBJECT**

Approval of Minutes of the December 14, 2022 City Council Meeting







## Agenda Information Sheet

**File #:** 23-5

**Item #:** 2.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Building Services Department

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize a one-year service contract, with a one-year renewal option for emergency plumbing repairs and other services at City facilities with TDIndustries, Inc. through The National Cooperative Purchasing Alliance Contract No. 02-54 - Not to exceed \$500,000.00 - Financing: General Fund (\$400,000.00) and Capital Construction Fund (\$100,000.00) (subject to annual appropriations)

### **BACKGROUND**

The Building Services Department processes an average of 3,500 plumbing-related service requests each year. This cooperative purchasing agreement will provide the City with the ability to supplement City staff with plumbing repairs and services that require special equipment, additional labor, and after-hour services on an as-needed basis, 24-hours a day, seven-days a week.

This contract ensures City facilities will have access to plumbing repairs and other services requiring specialized equipment such as: plumbing line sewer cameras for the inspection of pipes, hydro-jet machinery for high-pressure pipe cleaning, and vacuum trucks. These services will be performed at City facilities such as: fire stations, police stations, recreation centers, libraries, arts and cultural facilities, City Hall, and administrative facilities.

Texas Local Government Code, Chapter 271, Subchapter F, Section 271.102, authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Services	December 2022
Complete Services	December 2023

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	\$350,000.00	\$ 50,000.00	\$0.00
Capital Construction Fund	\$ 75,000.00	\$ 25,000.00	\$0.00
Total	\$425,000.00	\$ 75,000.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$500,000.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	\$500,000.00
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> <li>TDIndustries, Inc. - Non-local; Workforce - 8.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>Cooperative purchasing agreement enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices.</li> <li>Cooperative purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement.</li> </ul>
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**OWNER**

**TDIndustries, Inc.**  
8801 Jameel Road, Suite 100  
Houston Texas 77040

Brian Lillard, Senior Vice President

January 11, 2023

**WHEREAS**, Building Services maintains over 480 facilities that need routine and emergency plumbing repairs and other services available 24-hours per day, seven-days per week; and

**WHEREAS**, the Texas Local Government Code, Chapter 271, Subchapter F, Section 271.102, authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization; and

**WHEREAS**, it is now desirable to authorize a one-year service contract, with a one-year renewal option for emergency plumbing repairs and other services at City facilities with TDIndustries, Inc. through The National Cooperative Purchasing Alliance Contract No. 02-54, in an amount not to exceed \$500,000.00.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a one-year service contract, with a one-year renewal option with TDIndustries, Inc., approved as to form by the City Attorney, for emergency plumbing repairs and other services at City facilities through The National Cooperative Purchasing Alliance Contract No. 02-54, in an amount not to exceed \$500,000.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$500,000.00 (subject to annual appropriations), in accordance with the terms and conditions of the contract, to TDIndustries, Inc. (034034), from the applicable project fund for the individual project for which the services are being performed.

**SECTION 3.** That this contract is designated as Contract No. BSD-2023-00020751.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-117

**Item #:** 3.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Attorney's Office

**EXECUTIVE:** Christopher J. Caso

### **SUBJECT**

Authorize settlement of the lawsuit styled Southwestern Bell Telephone Company d/b/a AT&T Texas v. City of Dallas, Cause No. DC-22-05352 - Not to exceed \$29,500.00 for the settlement of the property damage claims of Southwestern Bell Telephone Company d/b/a AT&T Texas - Financing: Liability Reserve Fund

### **BACKGROUND**

Plaintiff Southwestern Bell Telephone Company d/b/a AT&T Texas ("Southwestern Bell") filed a lawsuit against the City of Dallas for alleged property damages arising on August 7, 2020, when a Dallas Water Utilities employee struck an underground telecommunications cable with a backhoe while excavating the ground to repair a water main pipe. William M. Fagan and A Nava & Glander Law Firm represent Southwestern Bell.

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

A confidential memorandum regarding this matter will be provided to the City Council on January 6, 2023.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Liability Reserve Fund	\$29,500.00	\$0.00	\$0.00

January 11, 2023

**WHEREAS**, a lawsuit styled Southwestern Bell Telephone Company d/b/a AT&T Texas v. City of Dallas, Cause No. DC-22-05352 was filed by the plaintiff, Southwestern Bell Telephone Company d/b/a AT&T Texas, seeking compensation from the City of Dallas for alleged property damage sustained on August 7, 2020, involving Dallas Water Utilities equipment; and.

**WHEREAS**, the plaintiff has agreed to a proposed settlement of its claims whereby the City will pay Southwestern Bell Telephone Company d/b/a AT&T Texas, William M. Fagan, A Nava & Glander Law Firm, and all other persons having an interest in the settlement proceeds, the total amount of \$29,500.00; and

**WHEREAS**, it is in the best interest of the City to settle this lawsuit.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the proposed settlement of the claims filed by Southwestern Bell Telephone Company d/b/a AT&T Texas in the lawsuit styled Southwestern Bell Telephone Company d/b/a AT&T Texas v. City of Dallas, Cause No. DC-22-05352, in an amount not to exceed \$29,500.00 is hereby approved.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to pay Southwestern Bell Telephone Company d/b/a AT&T Texas, William M. Fagan, A Nava & Glander Law Firm, and all other persons having an interest in the settlement proceeds, the amount of \$29,500.00 from Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor MVORM001.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-109

**Item #:** 4.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Secretary's Office

**EXECUTIVE:** Bilierae Johnson

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### **SUBJECT**

A resolution authorizing **(1)** an increase in the joint election agreement and election services contract between the City of Dallas and Collin County for the November 8, 2022 special election in an amount not to exceed \$5,047.47, from \$50,246.94 to \$55,294.41; and **(2)** a reimbursement of funding in an amount not to exceed \$5,047.47 from the Convention center Capital Construction Fund to the General Fund - Not to exceed \$5,047.47, from \$50,246.94 to \$55,294.41 - Financing: Convention Center Capital Construction Fund (see Fiscal Information)

### **BACKGROUND**

Subchapter D of Chapter 31 of the Texas Election Code provides that the City may contract with the county elections administrator for certain election services. Chapter 271 of the Texas Election Code provided that the City may enter into an agreement with other political jurisdictions that may be conducting elections on the same day in election precincts that can be served by common polling places.

The City of Dallas, Collin County, and other Collin County political jurisdictions will conduct elections on Tuesday, November 8, 2022. This action authorizes the City to hold the election jointly with jurisdictions that share common polling places and contract with the Collin County Elections Department for election services, including the selection, training and compensation of precinct election judges, subject to the approval of the City and the other contracting authorities. For any election held on the November Uniform Election Day, political jurisdictions are required to use only county polling places. Therefore, the City may only contract with Collin County Elections Department to handle only those polling places that are within their county.

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

On September 14, 2022, City Council authorized a joint election agreement and election services contract between the City of Dallas and Collin County, for the conduct of a joint election to be held Tuesday, November 8, 2022, by Resolution No. 22-1384.

**FISCAL INFORMATION**

Fund	FY 2022	FY 2023	Future Years
Convention Center Capital Construction Fund	\$5,047.47	\$0.00	\$0.00

All expenses associated with the November Election will be paid from the General Fund however the Convention Center Construction Fund will reimburse the General Fund for all costs incurred.



January 11, 2023

**WHEREAS**, the City of Dallas held a special election on Tuesday, November 8, 2022; and

**WHEREAS**, the City of Dallas contracted with the Collin County Elections Administrator for election services for the Tuesday, November 8, 2022 in accordance with Subchapter D of Chapter 31 of the Texas Election Code; and

**WHEREAS**, on September 14, 2022, City Council authorized a contract between the City of Dallas and the Collin County Elections Administrator for the estimated cost of election services in the amount of \$50,246.94 for the Tuesday, November 8, 2022 special election by Resolution No. 22-1384; and

**WHEREAS**, the Collin County Elections Administrator on December 8, 2022 notified the City Secretary's Office of additional election services costs for the Tuesday, November 8, 2022 special election in the amount of \$5,047.47; and

**WHEREAS**, it is now necessary to authorize an increase in the election services contract with the Collin County Elections Administrator for the Tuesday, November 8, 2022 Special Election in an amount not to exceed \$5,047.47.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the Chief Financial Officer is hereby authorized to pay the increase for additional election services costs to the Collin County Treasurer for deposit in the election services contract fund as the City's final costs of the Tuesday, November 8, 2022 joint election an amount not to exceed \$5,047.47, from the following appropriations: General Fund, Fund 0001, Department SEC, Appropriation Unit 0001ELE, Unit 1190, Object 3070, Encumbrance/Contract No. SEC-2022-00020288.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to transfer funds for the purpose of reimbursement not to exceed \$5,047.47, from the Convention Center Capital Construction Fund, Fund 0082, Department CCT, Unit W433, Object 3090, to General Fund, Fund 0001, Department SEC, Appropriation Unit 0001ELE, Unit 1190, Object Code 5011.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-100

**Item #:** 5.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Majed Al-Ghafry

### SUBJECT

An ordinance correcting **(1)** Specific Use Permit No. 472, amended by Ordinance No. 32030; **(2)** Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, amended by Ordinance No. 32104; and **(3)** Chapter 51A Dallas Development Code, Division 51A-4.1100 Mixed-Income Housing, amended by Ordinance No. 32210 - Financing: No cost consideration to the City

### BACKGROUND

On October 13, 2021, the City Council approved Ordinance No. 32030 for an amendment to Specific Use Permit No. 472 for a college, university, or seminary to be used as a junior college [Dallas College Mountain View Campus], on property zoned R-7.5(A) Single Family District, located on southeast corner of Keeneland Parkway and Duncanville Road. The request was to replace the SUP site plan, with a new one indicating four additional buildings on the site.

Subsequent to the passage of the ordinance it was determined that it was inadvertently omitted a change in the SUP conditions to reflect the change in maximum allowable square footage, per the newly amended SUP site plan. The change in the SUP conditions is just a clarification to ensure the correct intent of the approved site plan is reflected in the SUP conditions.

Language to be corrected:

6. FLOOR AREA: The maximum total floor area is **589,308** **733,468** square feet.

On January 12, 2022, the City Council approved Ordinance No. 32104 for an amendment to Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, to create a new subdistrict 1E, located on both sides of Main Street, between Herbert Street and Sylvan Avenue, north of West Commerce Street, west of Guest Street and east of Beaver Street, and at the terminus of Yuma Street, Topeka Avenue, and Evanston Avenue, to allow the development of the property with mixed uses to include single-family and multifamily, retail, and office uses with

modified standards primarily related to mixed-use projects, permitted uses, setbacks, lot coverage, height, and parking. The request was approved subject to conditions, a conceptual plan, and revised Exhibits 714B, 714 D, 714E, and Exhibit 714F Street Diagram to include the new proposed street cross-sections for the new subdistrict.

Subsequent to the passage of the ordinance it was determined that Exhibit 714F - Street Diagram of Ordinance No. 32104 inadvertently omitted to include all the existing street cross-sections for the other subdistricts in the PD No. 714.

The proposed correction includes the revised Exhibit 714F - Street Diagram with all street cross-sections for all subdistricts in PD No. 714.

On May 11, 2022, the City Council approved Ordinance No. 32210 amending Chapter 51A Dallas Development Code, Division 51A-4.1100, providing new definitions; modifying eligibility standards; clarifying floor area measurements; clarifying phasing and dispersal plan requirements; providing additional development bonuses; reducing minimum parking requirements.

Subsequently to the passage of the ordinance it was determined that an error occurred in the Section 51A-4.1106(f)(4).

(4) Stories bonus. This bonus applies to all uses. Any story bonus leading to a fraction of an additional story is rounded to the next higher story. Except as provided in this subsection the following bonuses apply:

<u>MVA Category</u>	<u>Tier 1</u> <u>(&lt;= 50% of AMFI)</u> <u>Minimum 3% of units</u>	<u>Tier 2</u> <u>(51 – 80% of AMFI)</u> <u>Minimum 5% of</u> <u>units</u>	<u>Tier 3</u> <u>(81 – 100% of AMFI)</u> <u>Minimum 10% of</u> <u>units</u>
<u>MVA A – F</u>	<u>Greater of 25% or an</u> <u>additional four stories</u>	<u>Greater of 15% or an</u> <u>additional three</u> <u>stories</u>	<u>Greater of 10% or an</u> <u>additional two stories</u>
<u>MVA G - I</u>	<u>Greater of 45% or an</u> <u>additional four stories</u>	<u>Greater of 35% or an</u> <u>additional three</u> <u>stories</u>	<u>Greater of 2% or an</u> <u>additional two stories</u>

Language to be corrected:

The yellow highlight: The bonus for MVA G-I, for Tier 3 (81-100% of AMFI) Minimum 10% of units, should be greater of **2% 20%** or an additional two stories.

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

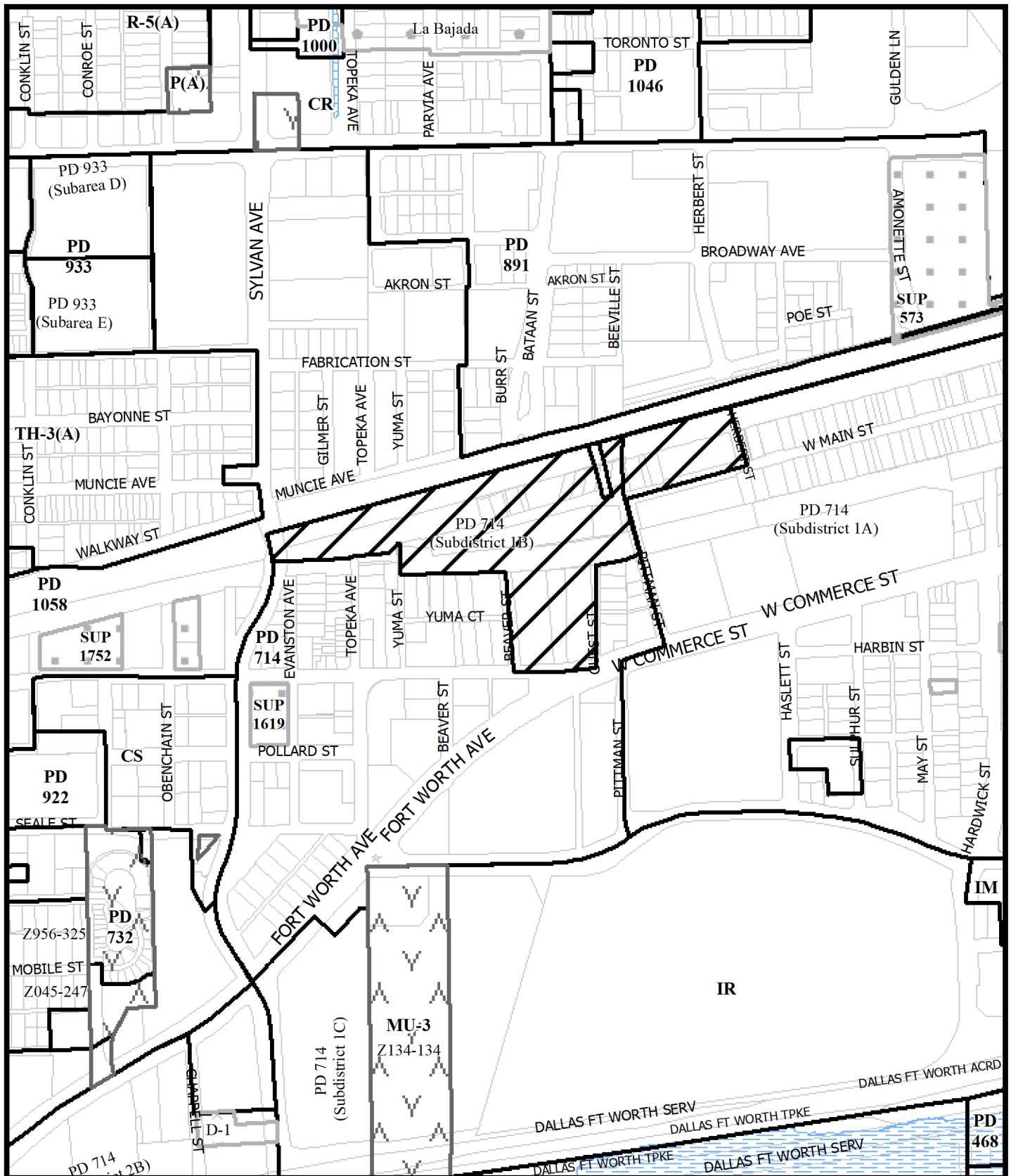
This item has no prior action.

#### **FISCAL INFORMATION**

No cost consideration to the City.

**MAPS**

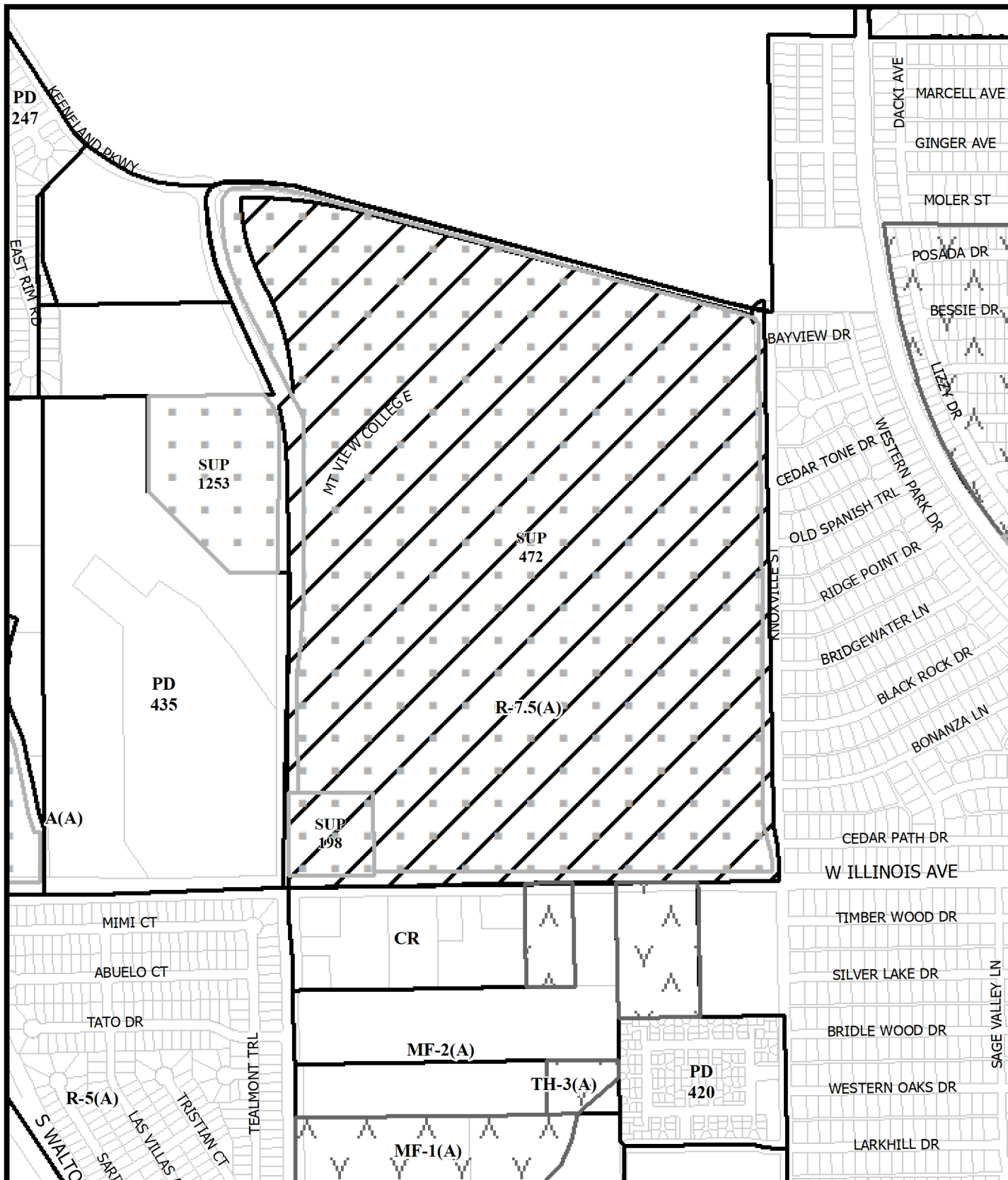
Attached



# ZONING MAP

1:6,000

Case no: **Z190-169**  
Date: **10/14/2021**



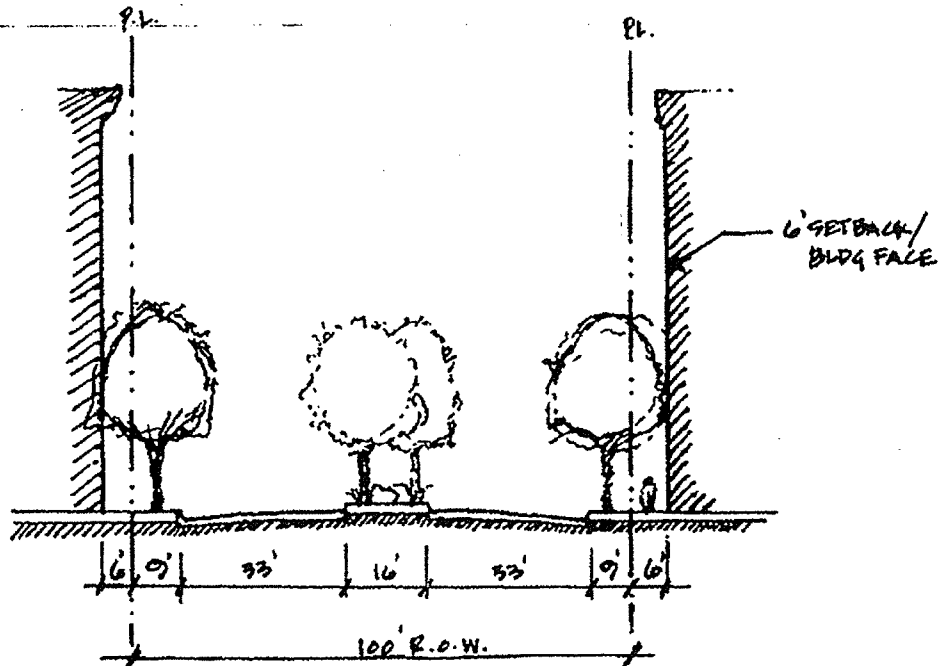
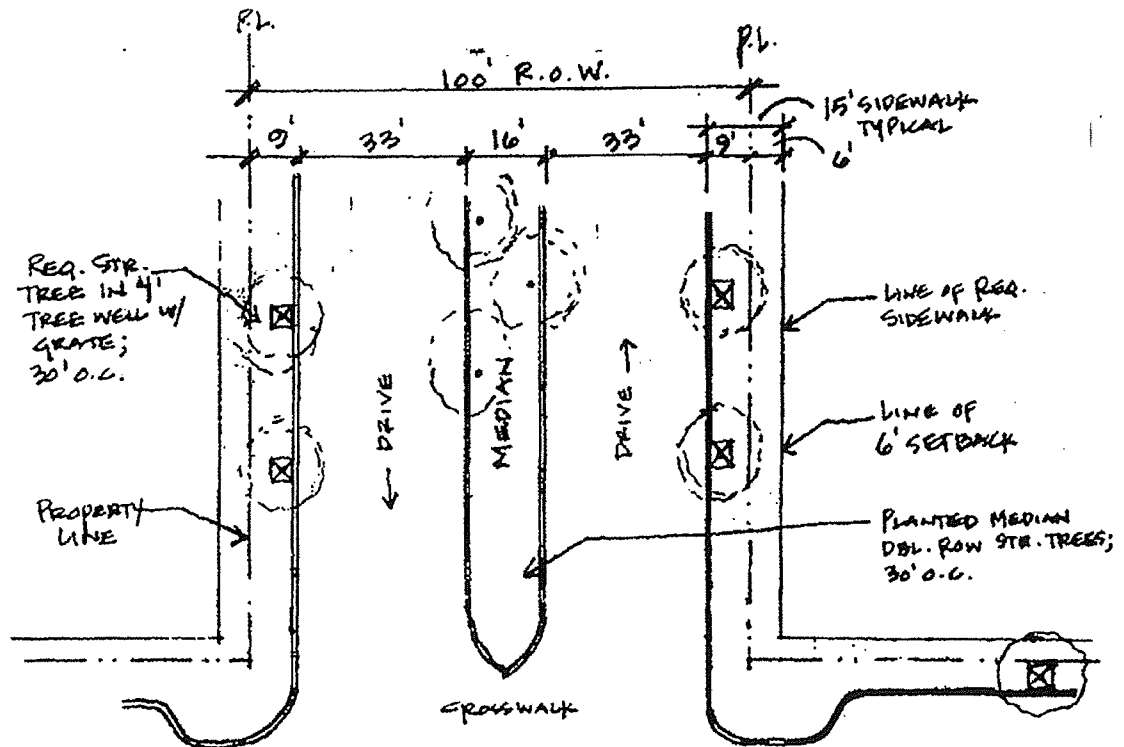
1:8,400

## ZONING MAP

Case no: **Z201-274**

Date: **7/29/2021**

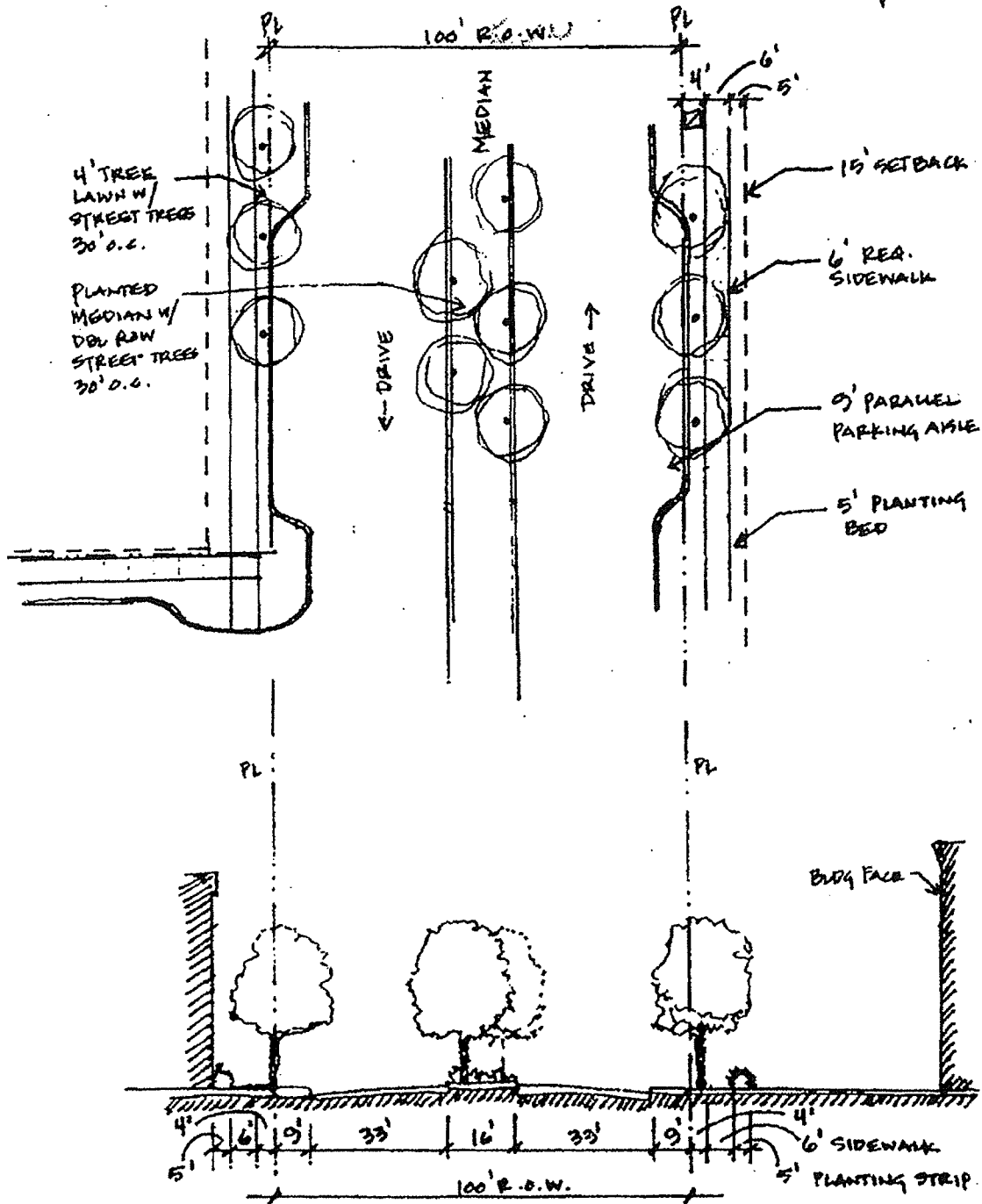
## EXHIBIT 714F - STREET DIAGRAM



100' R.O.W. @ SUBDISTRICT 1

EXHIBIT 714F

## EXHIBIT 714F - STREET DIAGRAM



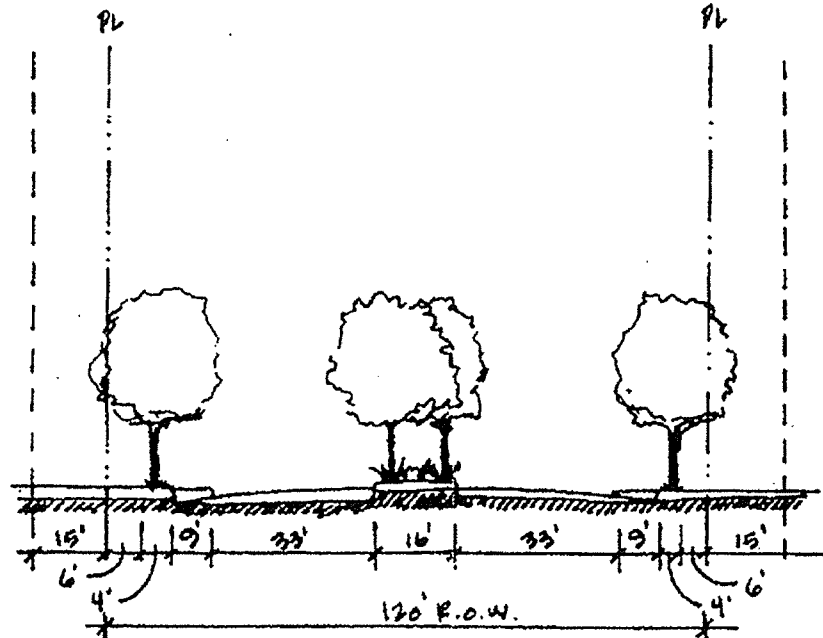
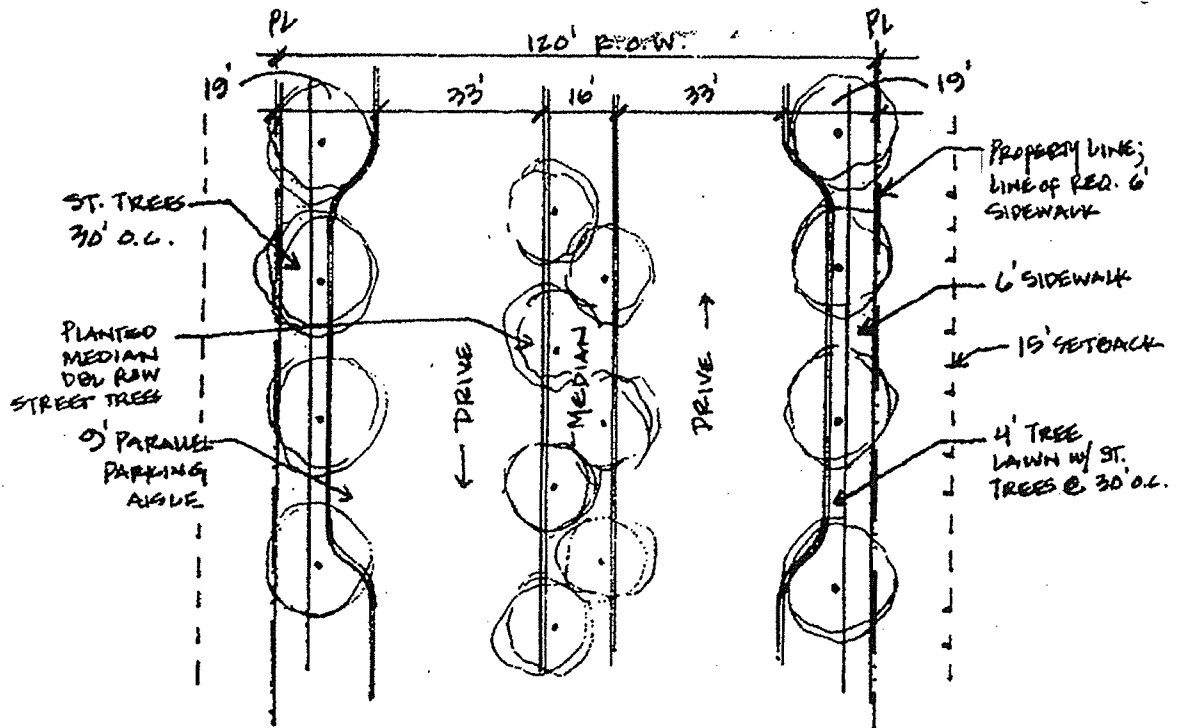
100' R.O.W @ SUBDISTRICT 2

EXHIBIT 714F

Page 2 of 23



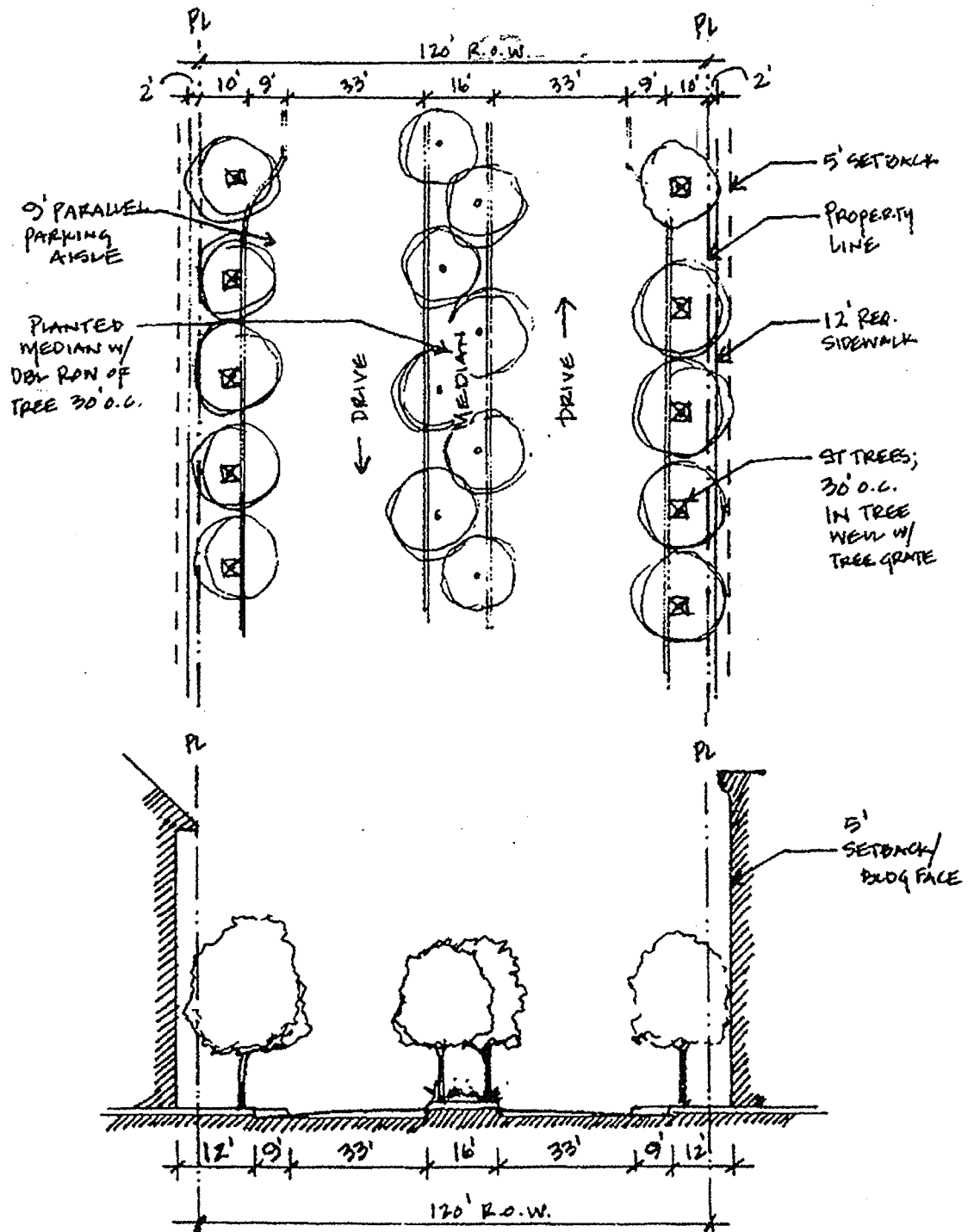
## EXHIBIT 714F - STREET DIAGRAM



120' R.O.W. @ SUBDISTRICTS 2 & 4

EXHIBIT 714F

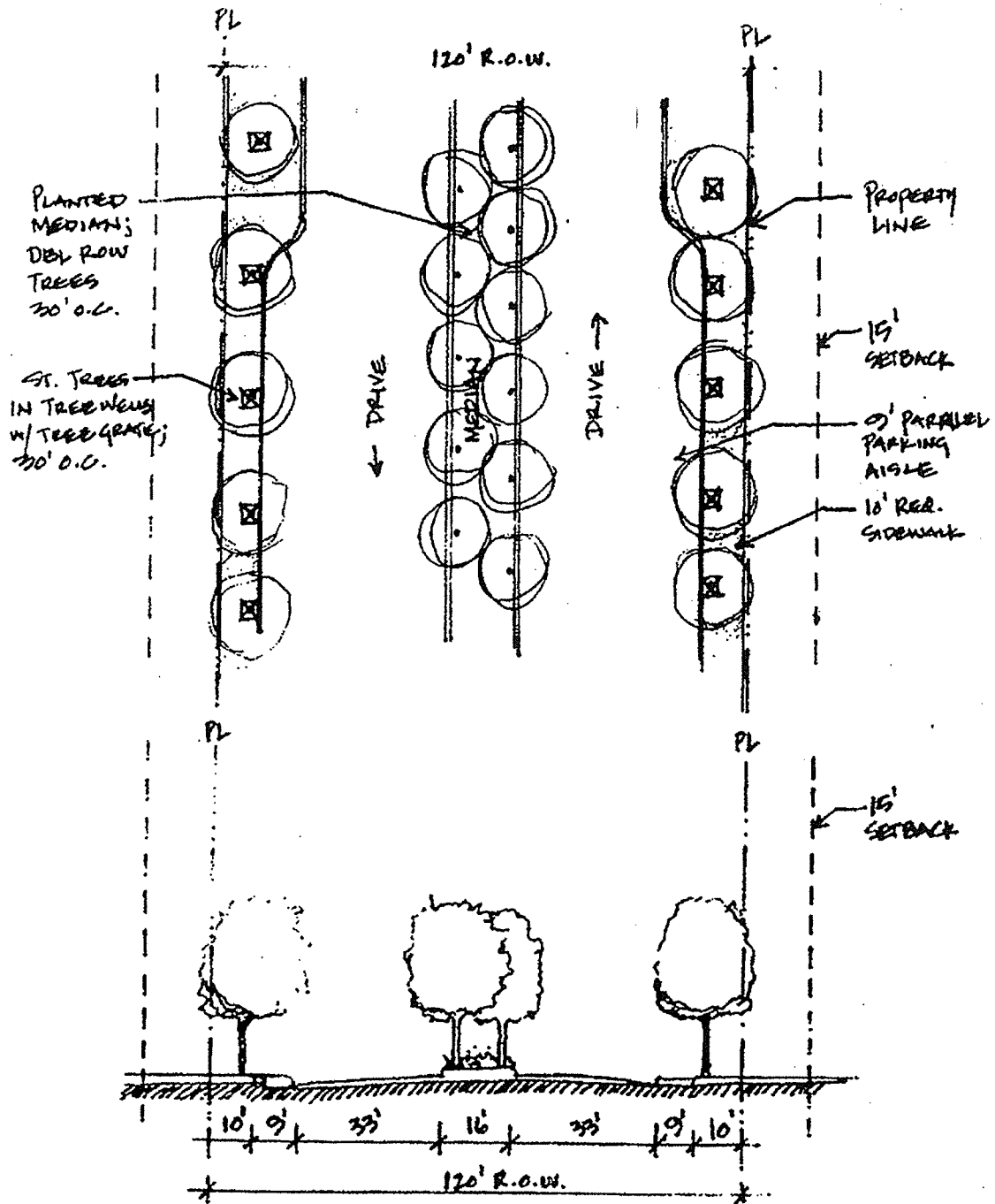
## EXHIBIT 714F - STREET DIAGRAM



120' R.O.W. @ SUBDISTRICT 3

EXHIBIT 714F

## EXHIBIT 714F - STREET DIAGRAM

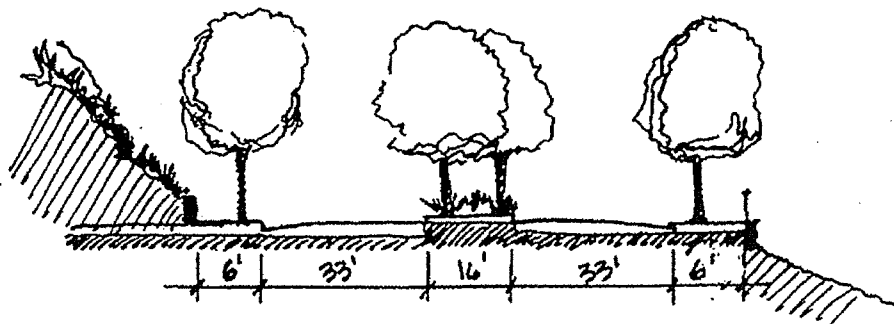
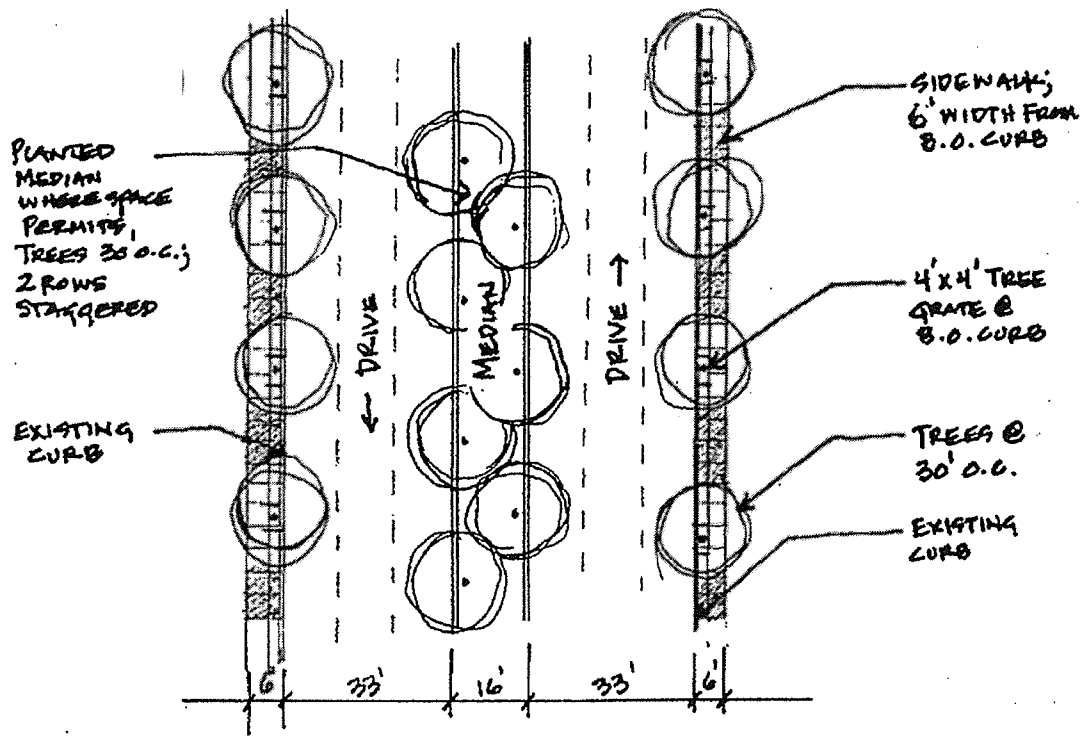


120' R.O.W. @ SUBDISTRICT 5

EXHIBIT 714F

Page 5 of 23

## EXHIBIT 714F - STREET DIAGRAM



ALTERNATE ST. CONFIG. FOR NAMED ADDRESSES

EXHIBIT 714F

## EXHIBIT 714F - STREET DIAGRAM

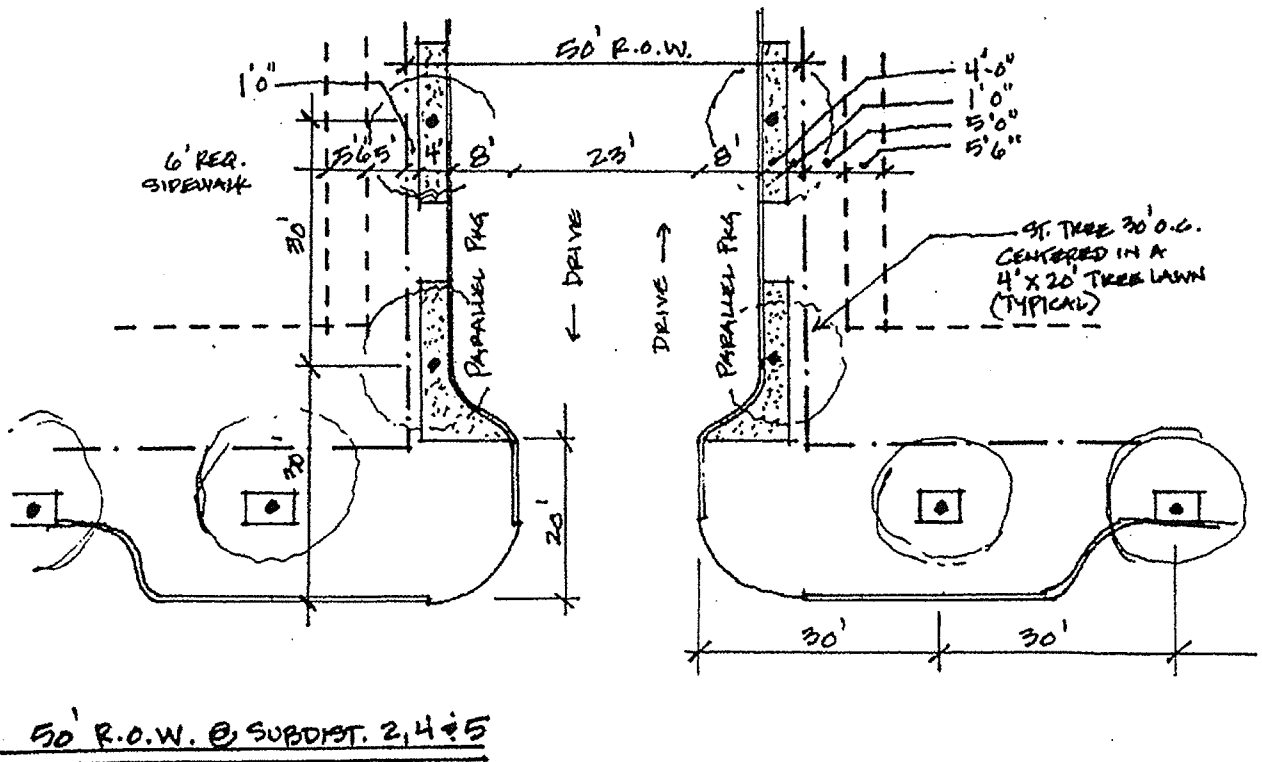
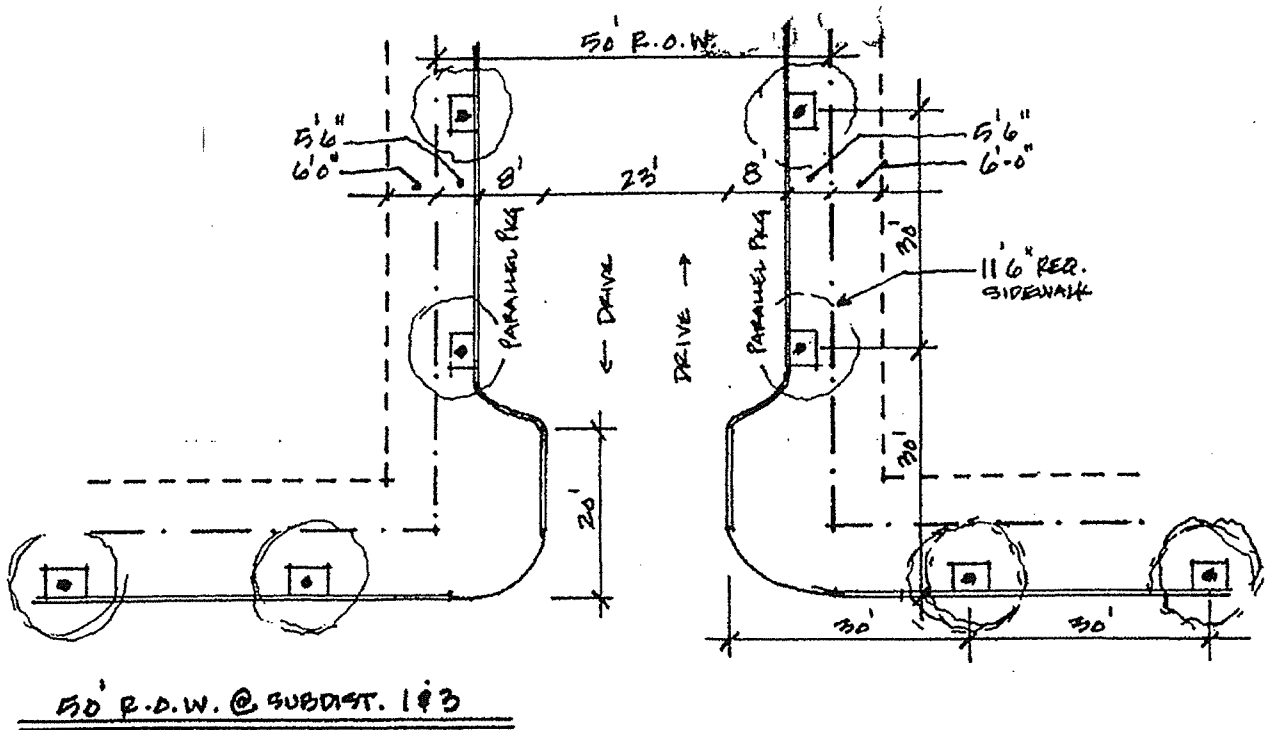
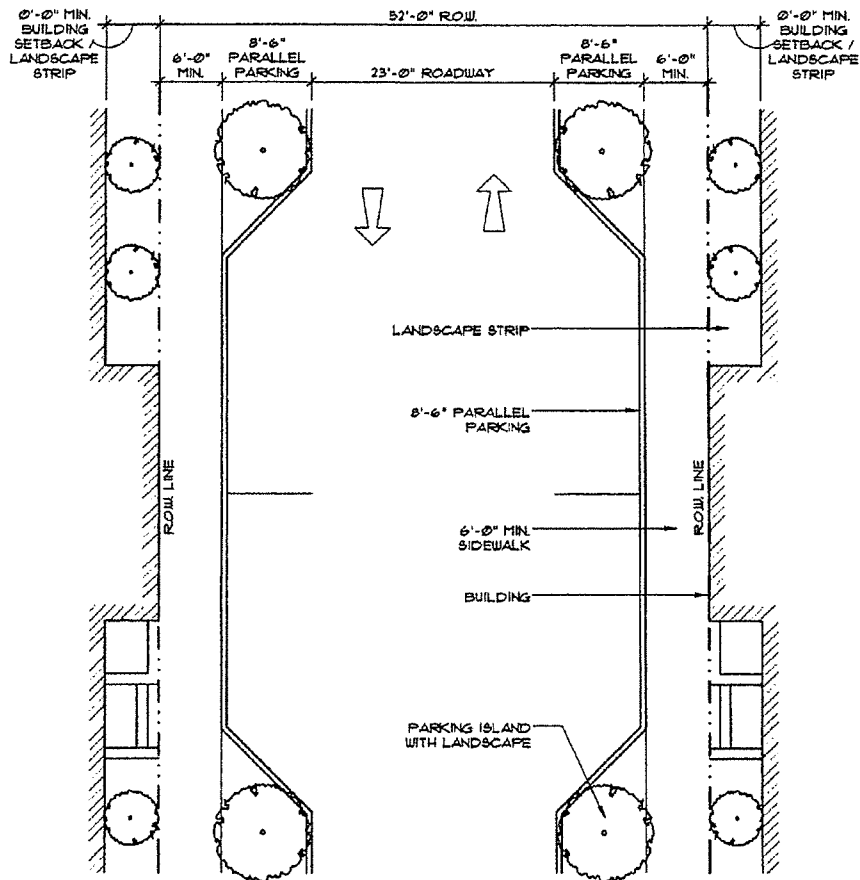
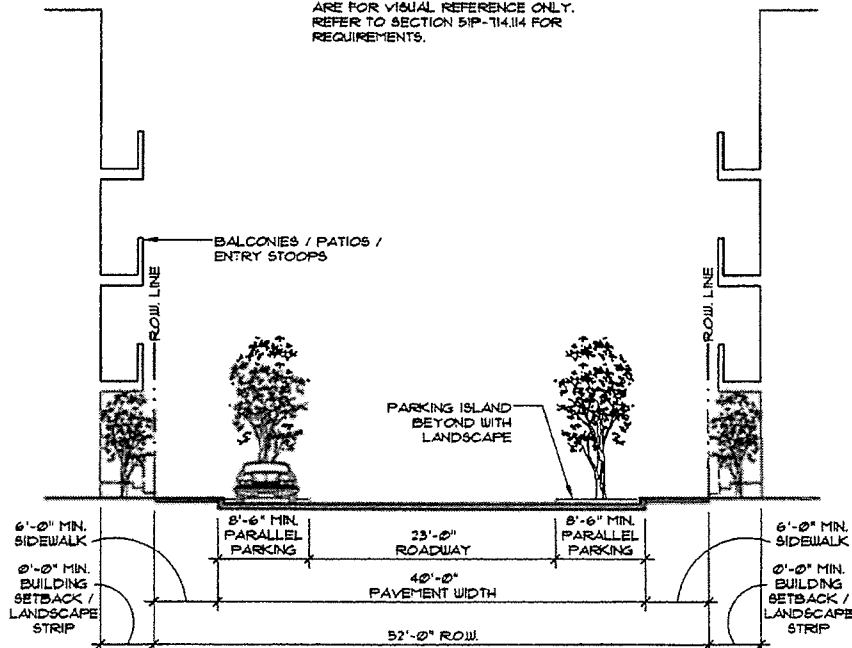


EXHIBIT 714F

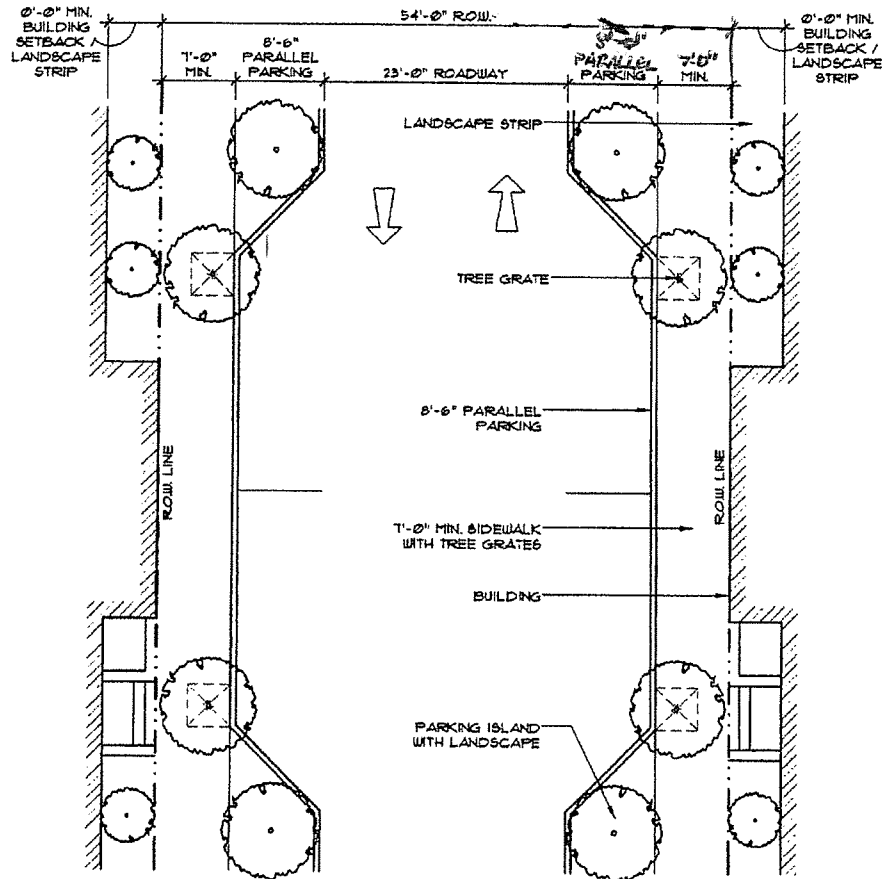


NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-T14.114 FOR  
REQUIREMENTS.

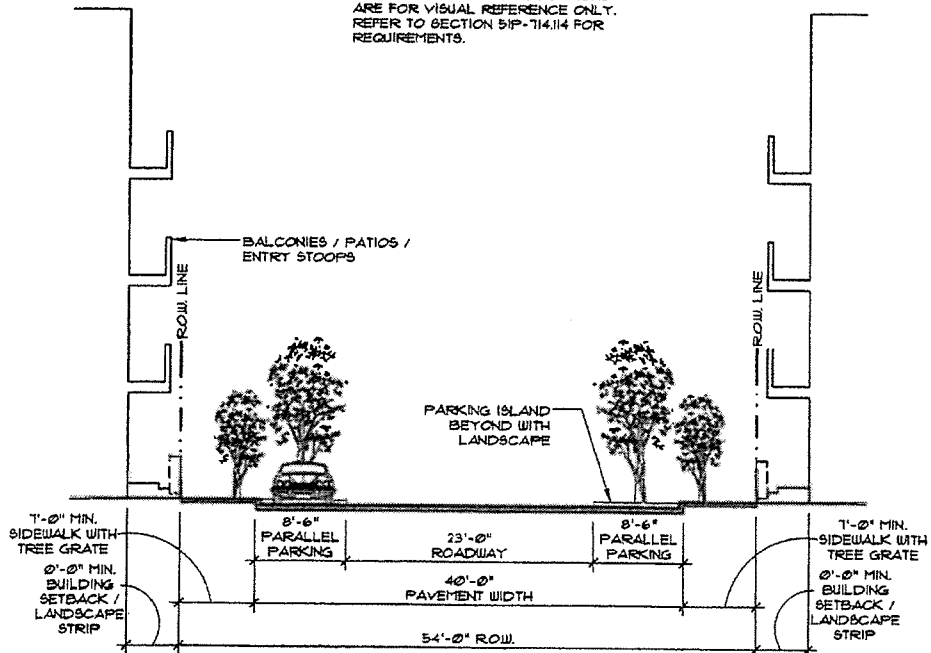


## STREET SECTION 3

SCALE: 1/16" = 1'-0"

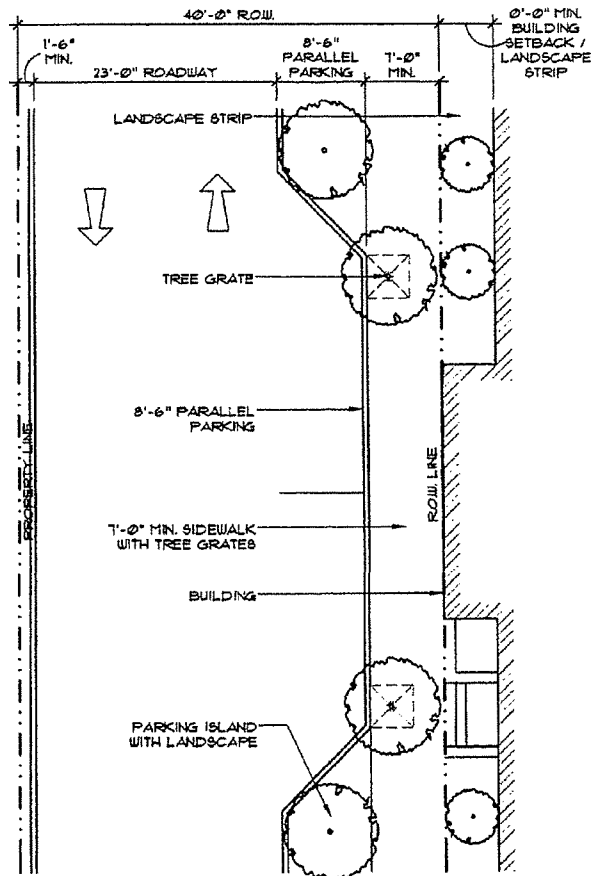


NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-714.114 FOR  
REQUIREMENTS.

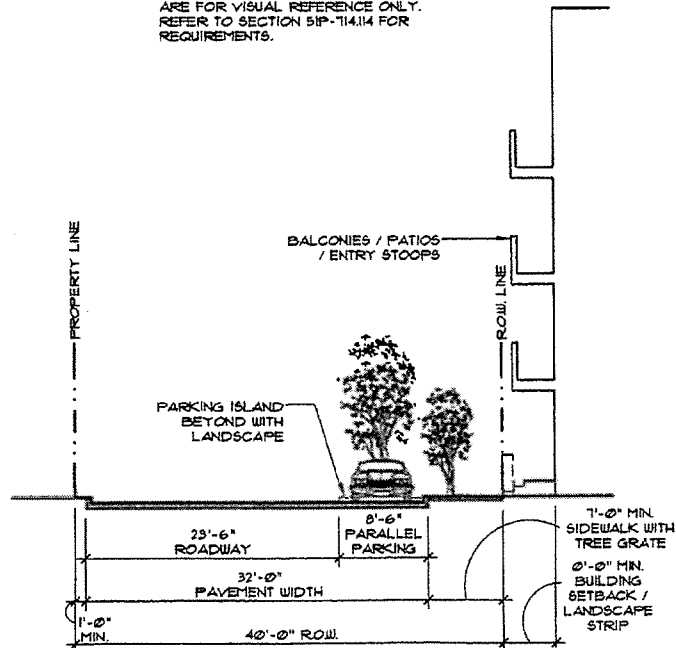


#### STREET SECTION 4

SCALE: 1/16" = 1'-0"



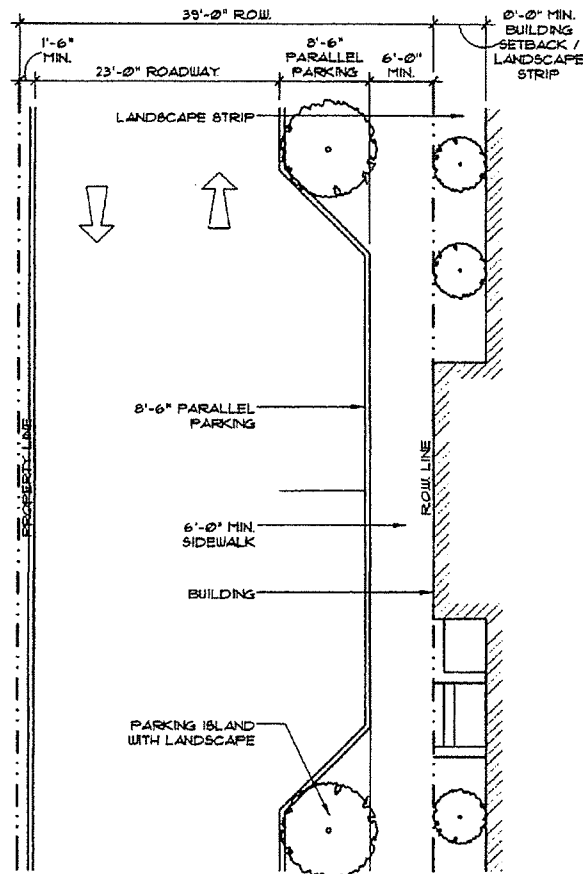
NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-114.14 FOR  
REQUIREMENTS.



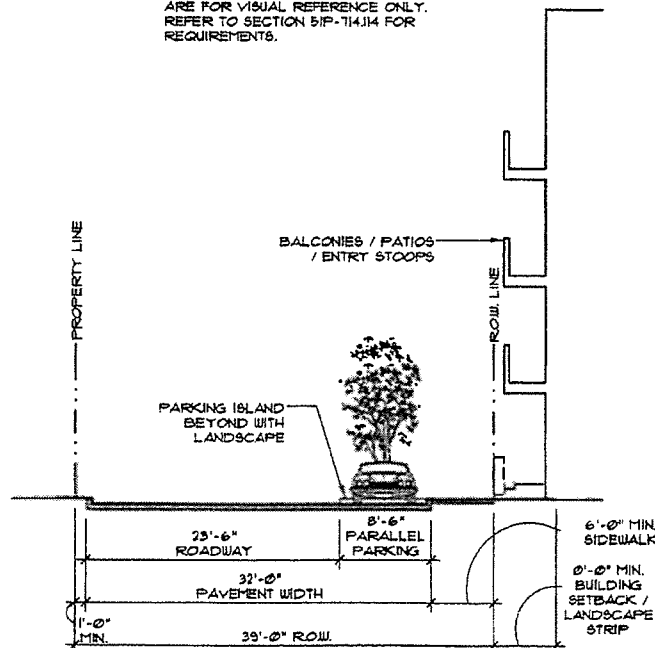
**STREET SECTION 5**

SCALE: 1/16" = 1'-0"



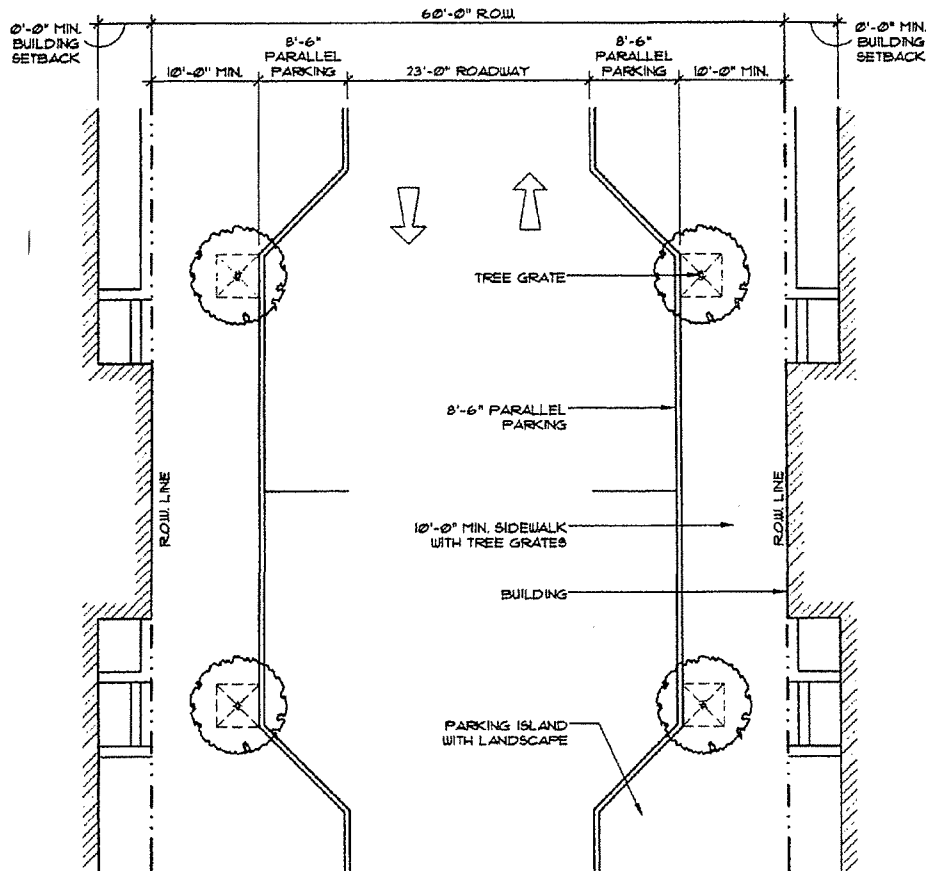


NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-114.14 FOR  
REQUIREMENTS.

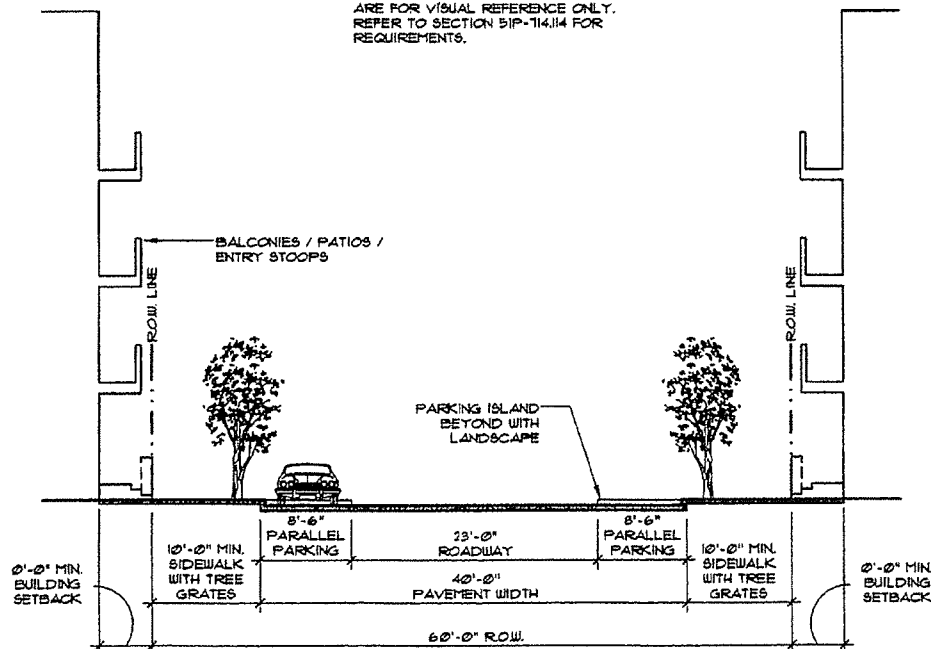


# STREET SECTION 6

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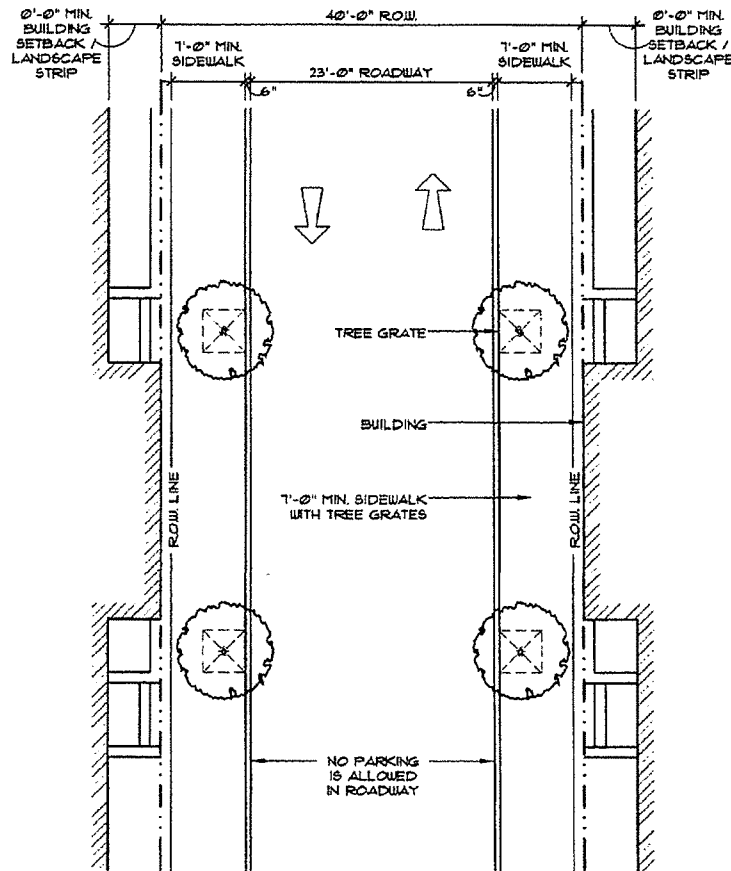


NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-114.114 FOR  
REQUIREMENTS.

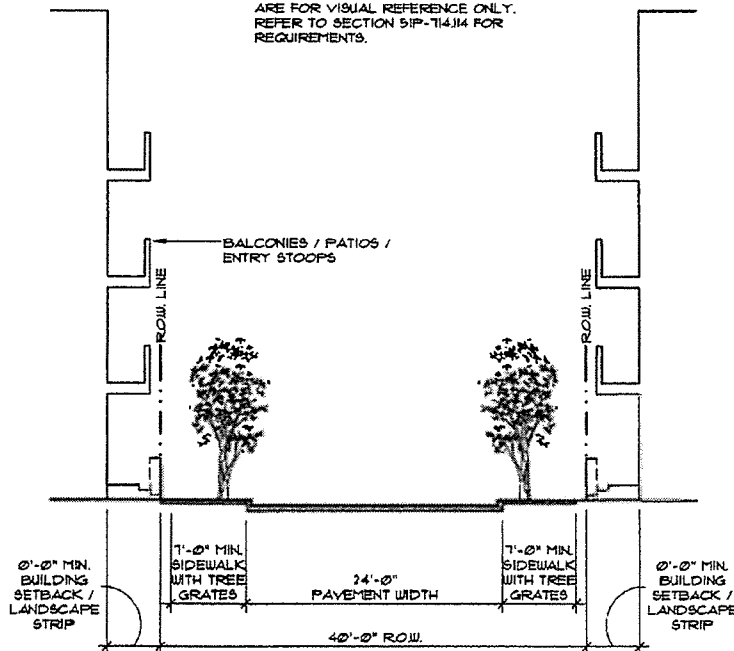


**STREET SECTION 1**

SCALE: 1/16" = 1'-0"

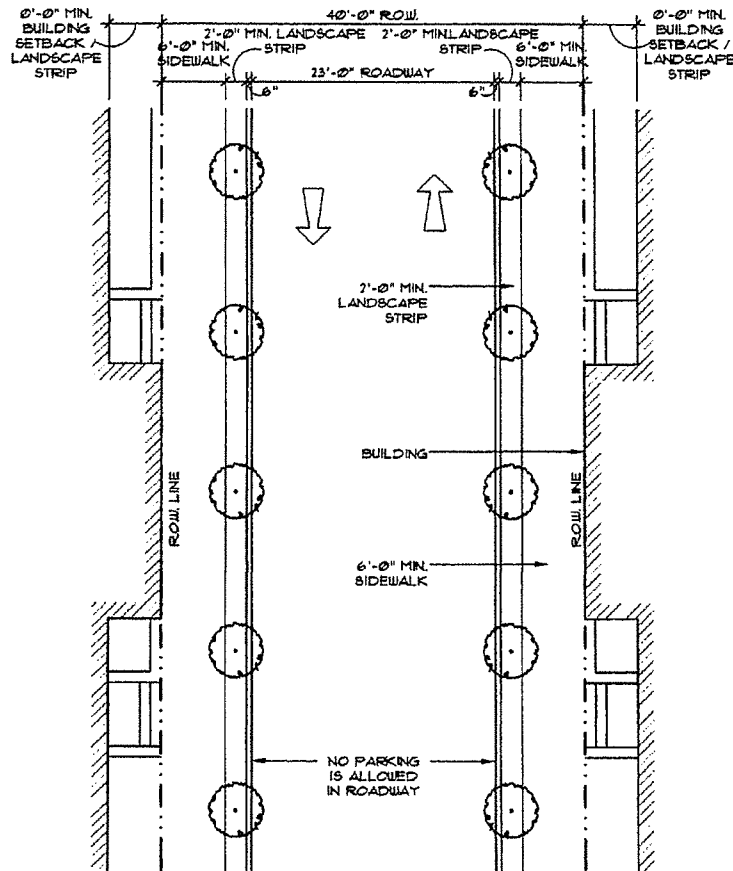


NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-T14J14 FOR  
REQUIREMENTS.

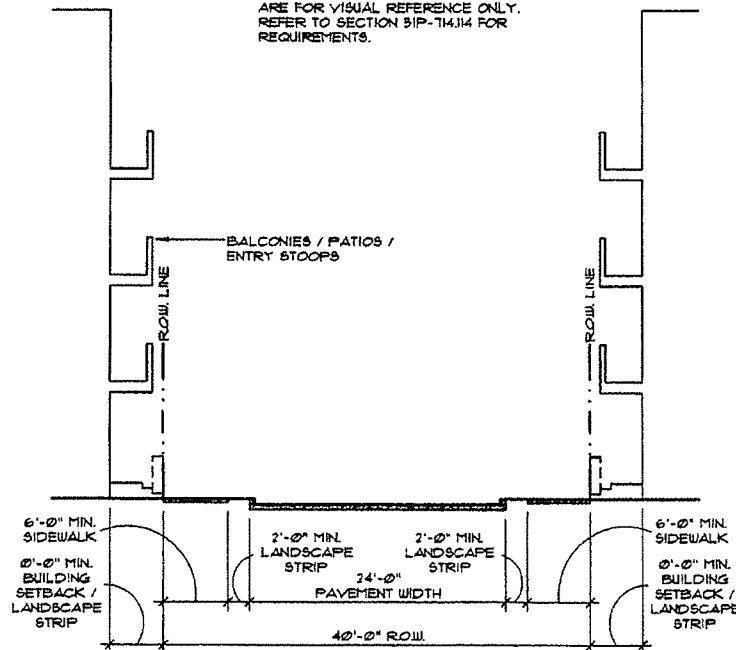


### STREET SECTION 8

SCALE: 1/16" = 1'-0"



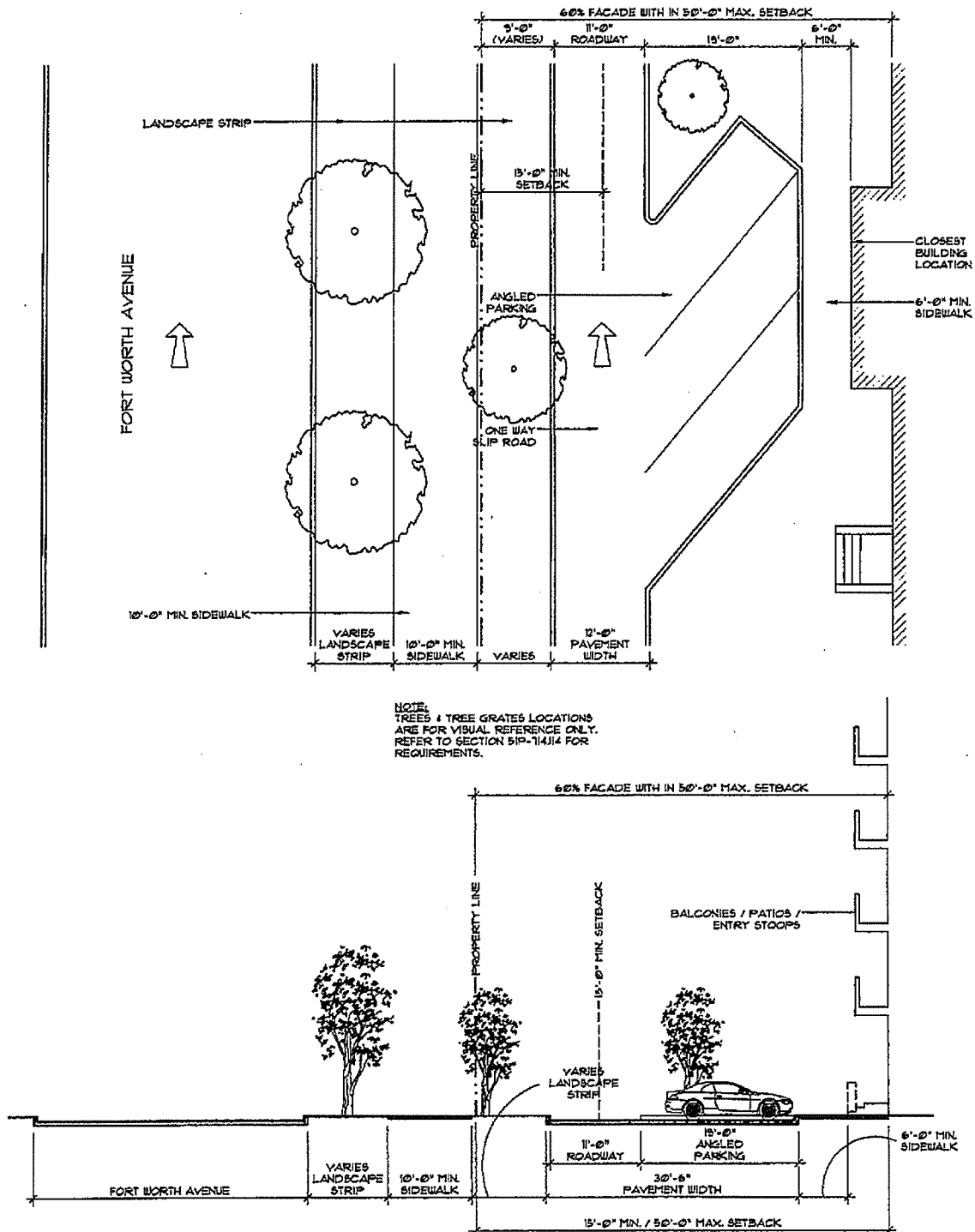
NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-T14.114 FOR  
REQUIREMENTS.



**STREET SECTION 9**

SCALE: 1/16" = 1'-0"

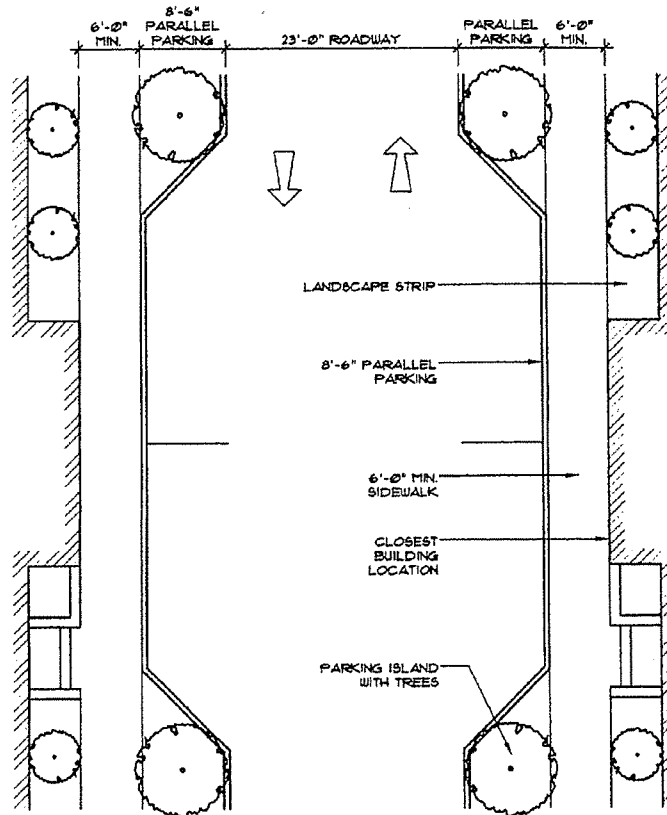
## EXHIBIT 114F - SUBDISTRICT 4A



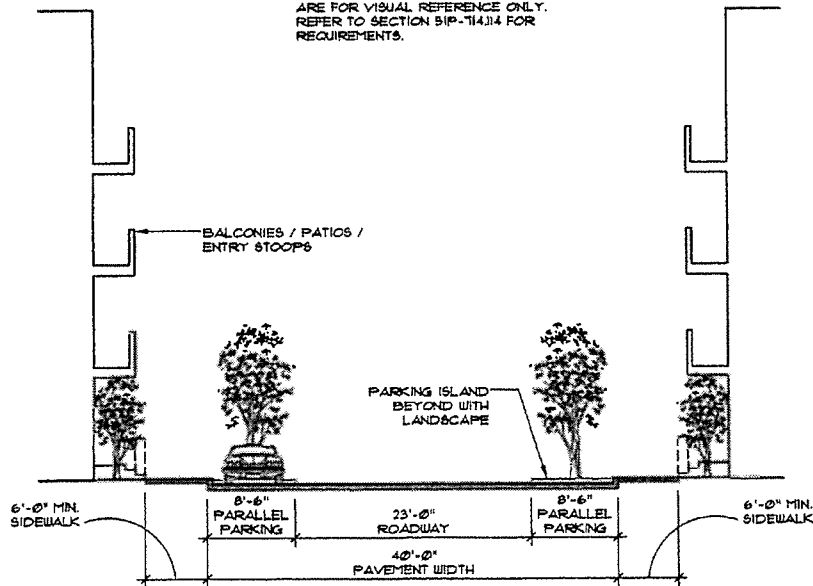
## DRIVE SECTION 1

SCALE: 1/16" = 1'-0" FORT WORTH AVENUE SUBDISTRICT 4A

## EXHIBIT 714F - SUBDISTRICT 4A



NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-714.14 FOR  
REQUIREMENTS.



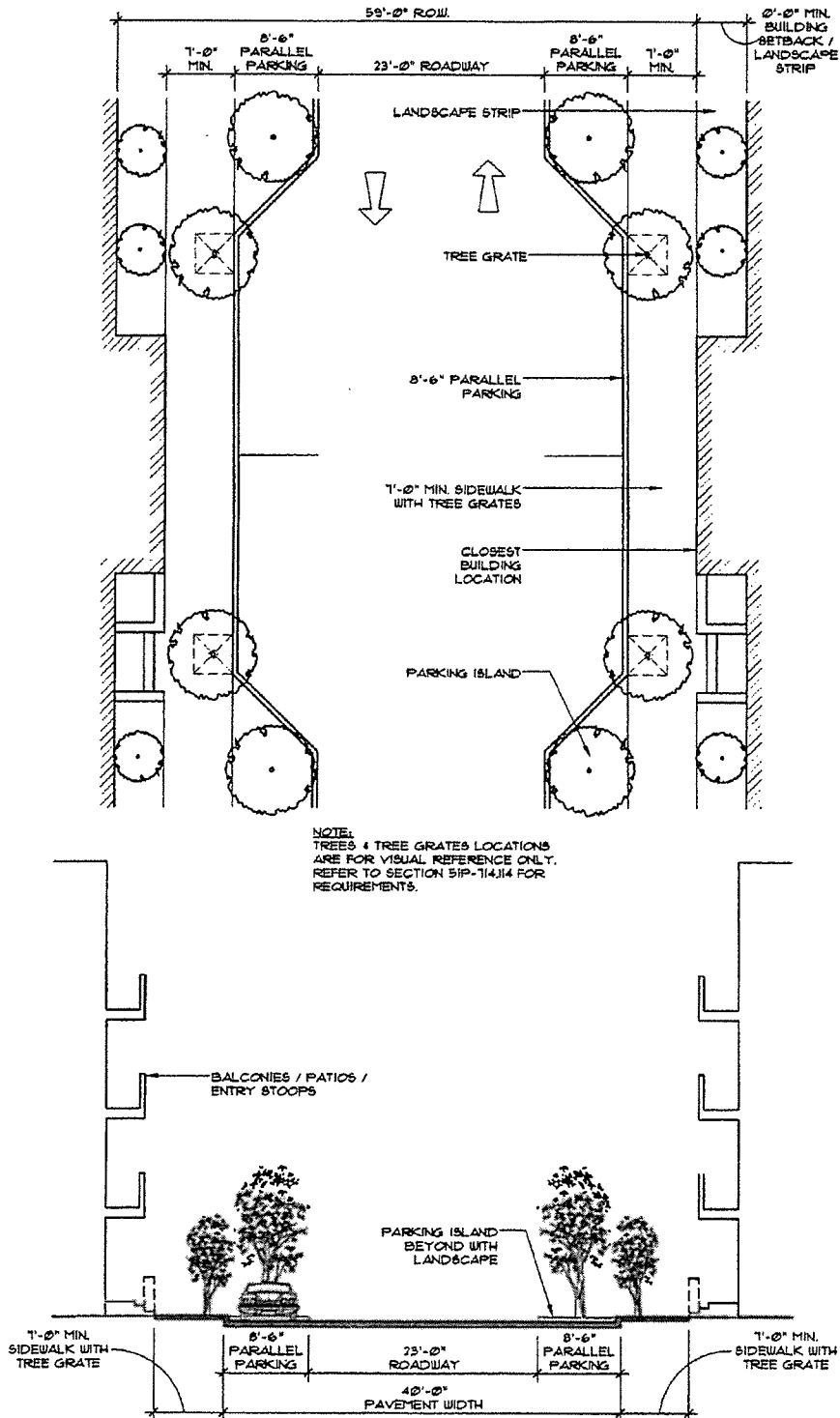
## DRIVE SECTION 3

SCALE: 1/16" = 1'-0"

Page 17 of 23

Approved  
City Plan Commission  
February 4, 2010

## EXHIBIT 114F - SUBDISTRICT 4A



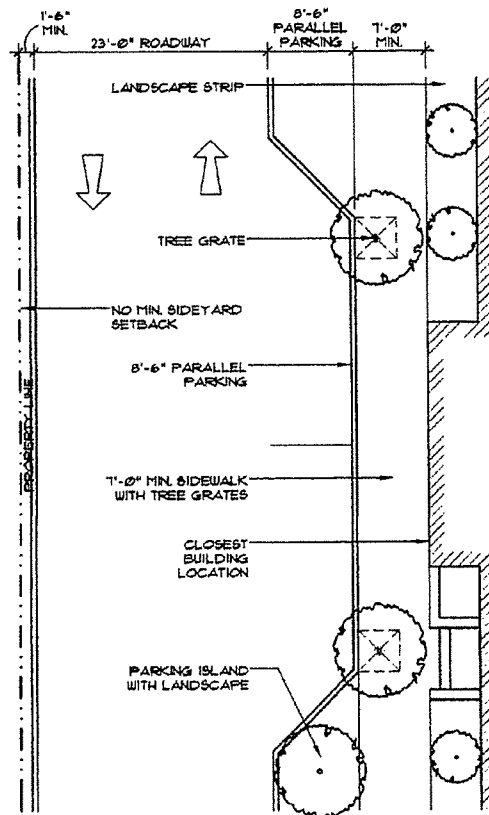
## DRIVE SECTION 4

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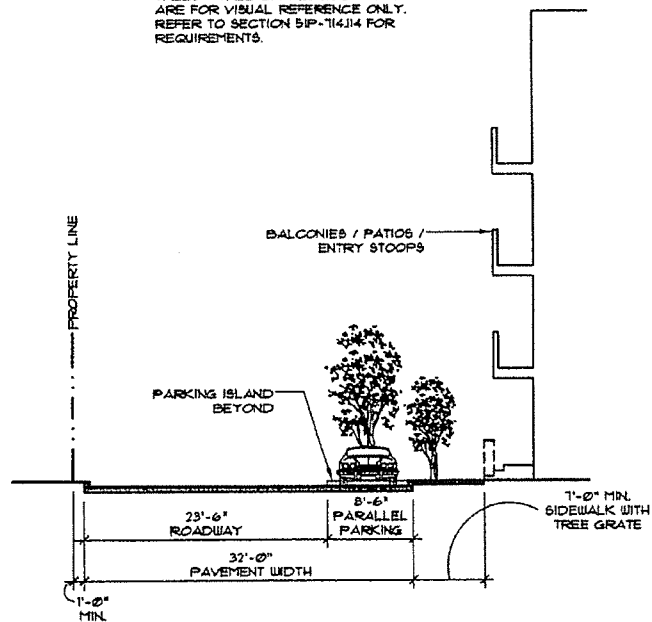
Page 18 of 23

Approved  
City Plan Commission  
February 4, 2010

## EXHIBIT 114F - SUBDISTRICT 4A



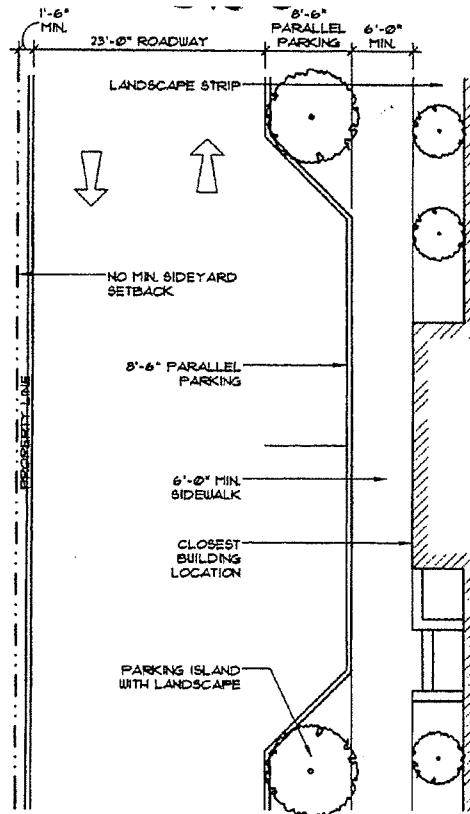
NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-114J14 FOR  
REQUIREMENTS.



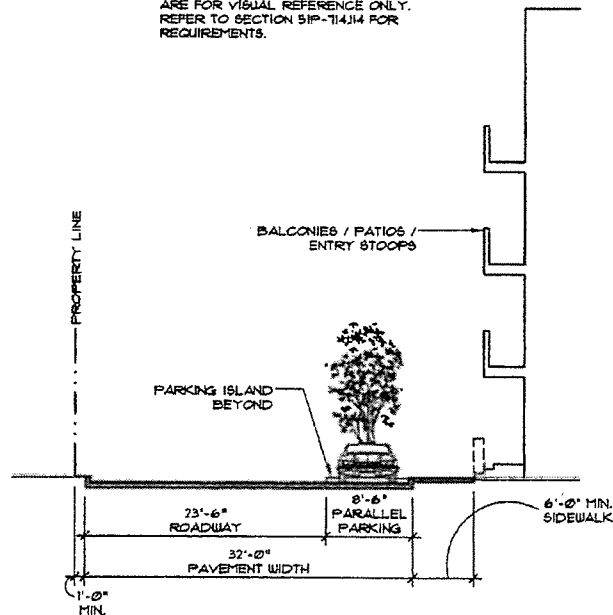
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SCALE: 1/16" = 1'-0"



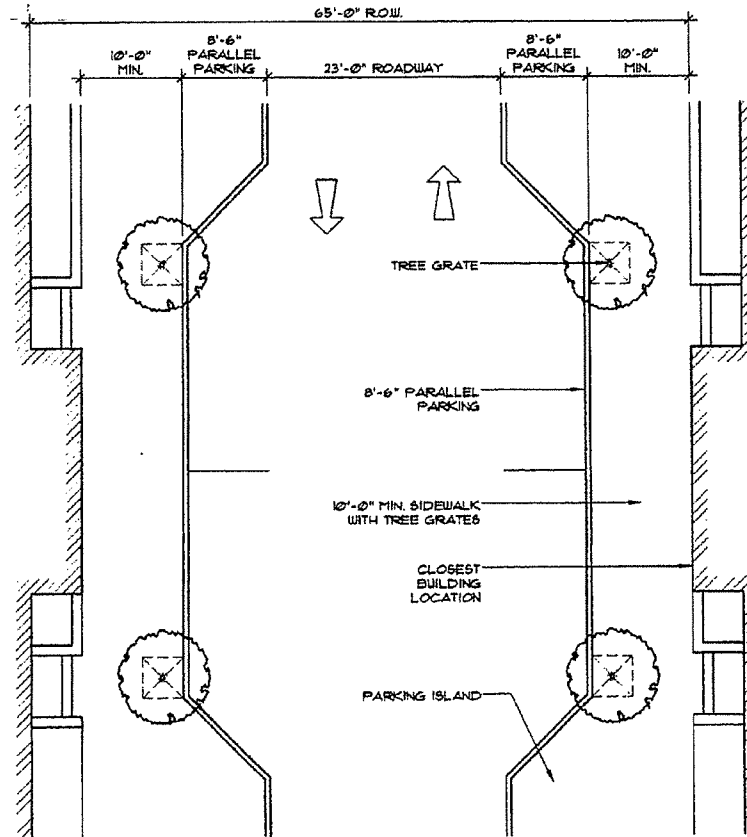


NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-714.14 FOR  
REQUIREMENTS.

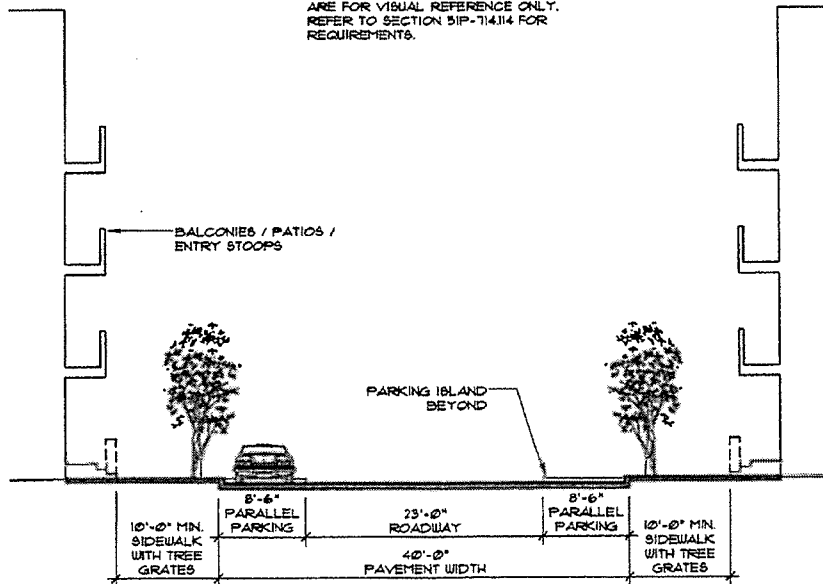


DRIVE SECTION 6

SCALE: 1/16" = 1'-0"

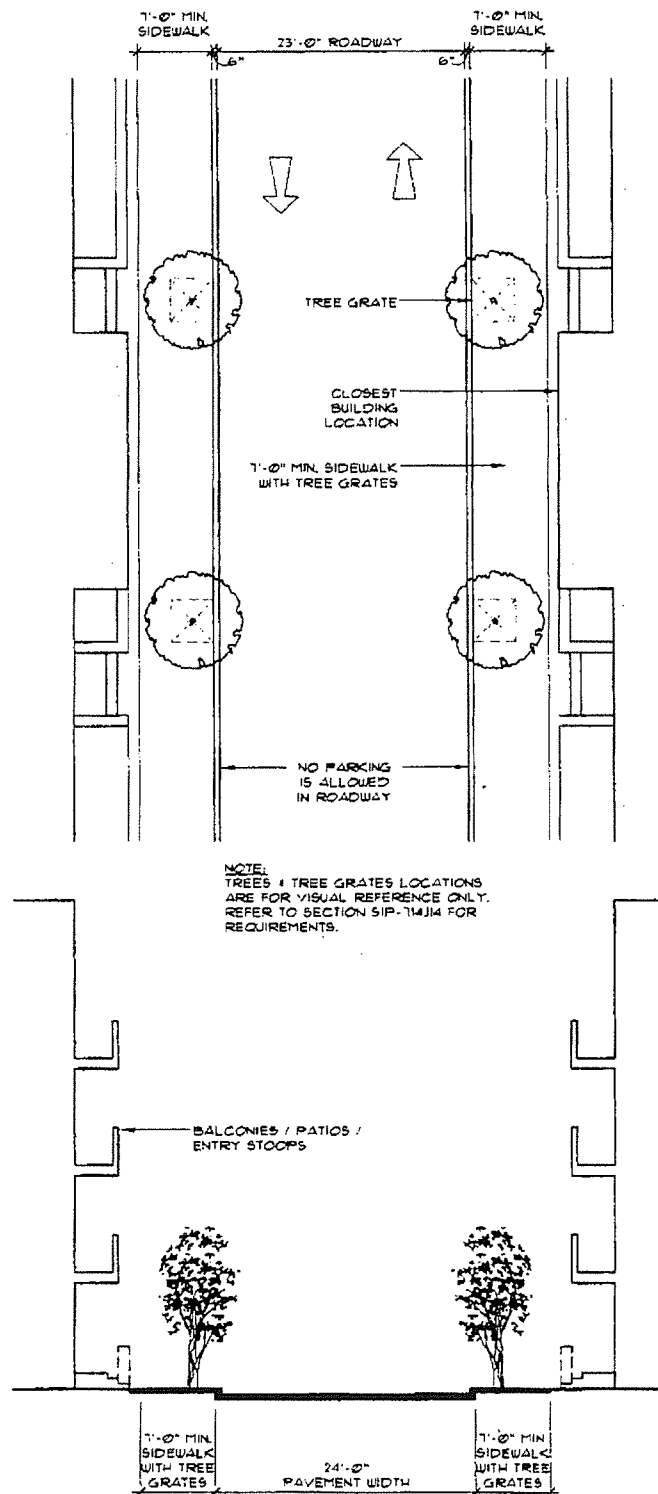


NOTE:  
TREES & TREE GRATES LOCATIONS  
ARE FOR VISUAL REFERENCE ONLY.  
REFER TO SECTION 51P-714.114 FOR  
REQUIREMENTS.



DRIVE SECTION 7

SCALE: 1/16" = 1'-0"

EXHIBIT 714F - SUBDISTRICT 4A

Page 22 of 23

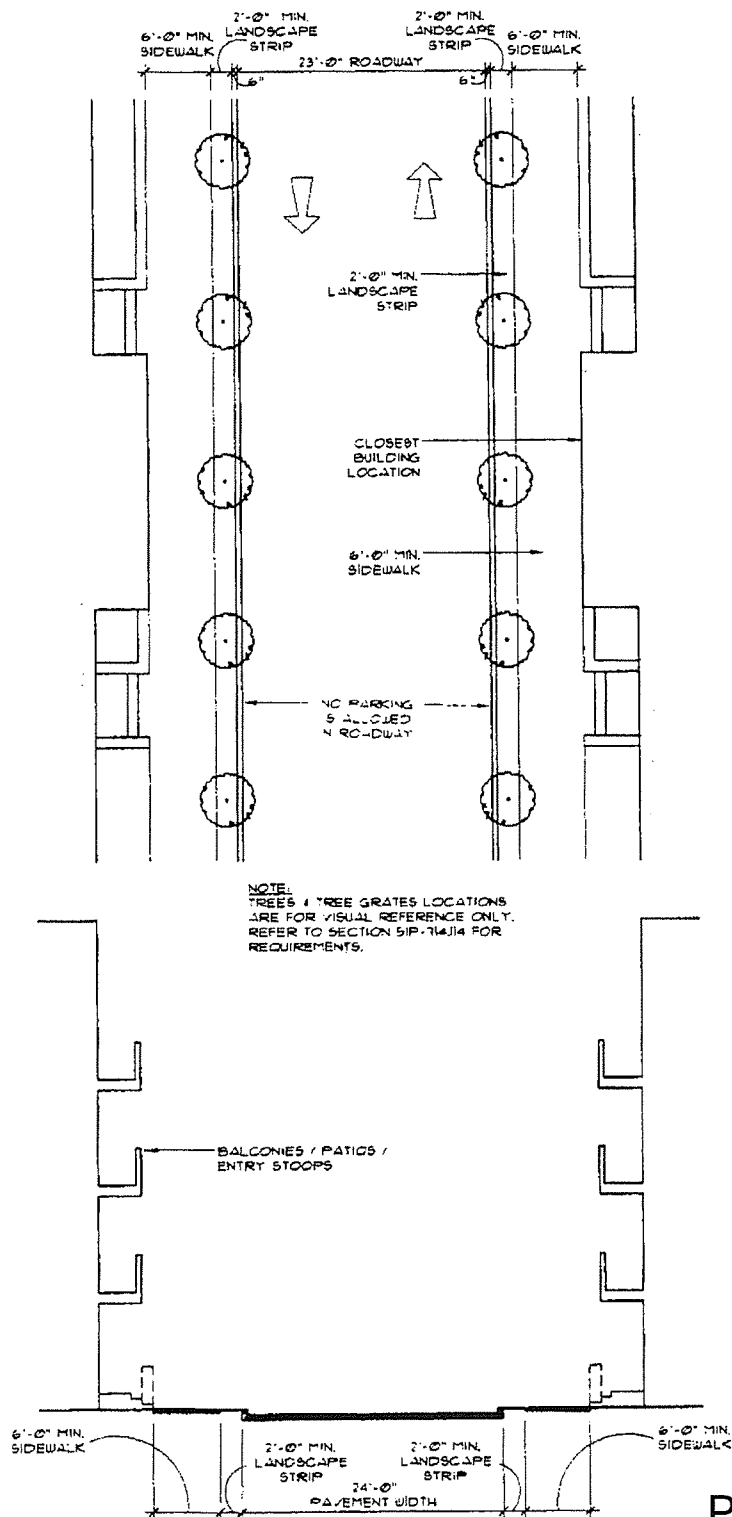
DRIVE SECTION 8

SCALE: 1/16" = 1'-0"

Approved  
City Plan Commission  
February 4, 2010

30491

170958

EXHIBIT 714F - SUBDISTRICT 4A

Page 23 of 23

DRIVE SECTION 9

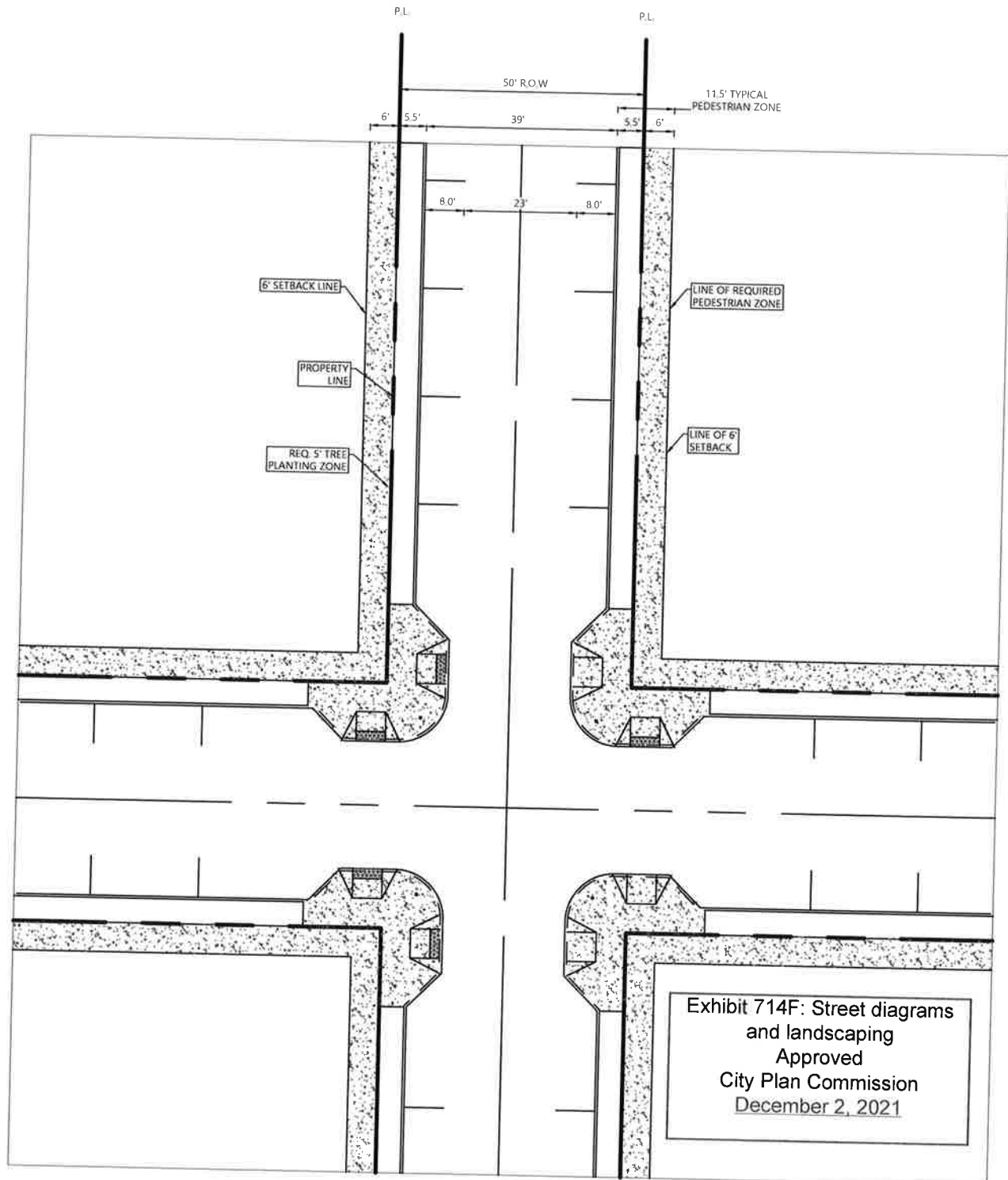
SCALE: 1/16" = 1'-0"

Approved  
City Plan Commission  
February 4, 2010

32104

220180

EXHIBIT 714F  
STREET DIAGRAMS AND LANDSCAPING  
SUBDISTRICT 1E

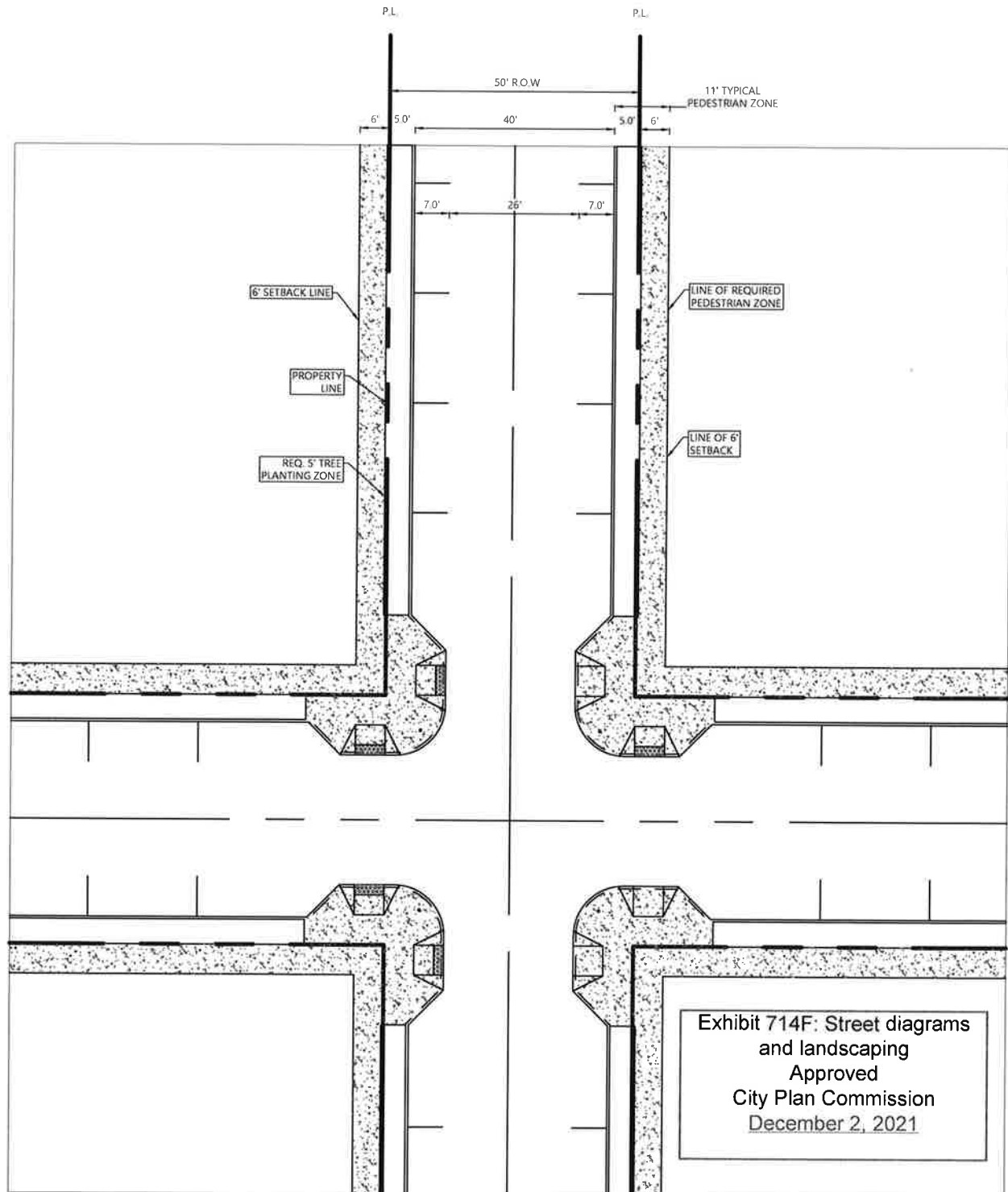


50' R.O.W. @ SUBDISTRICT 1E

32104

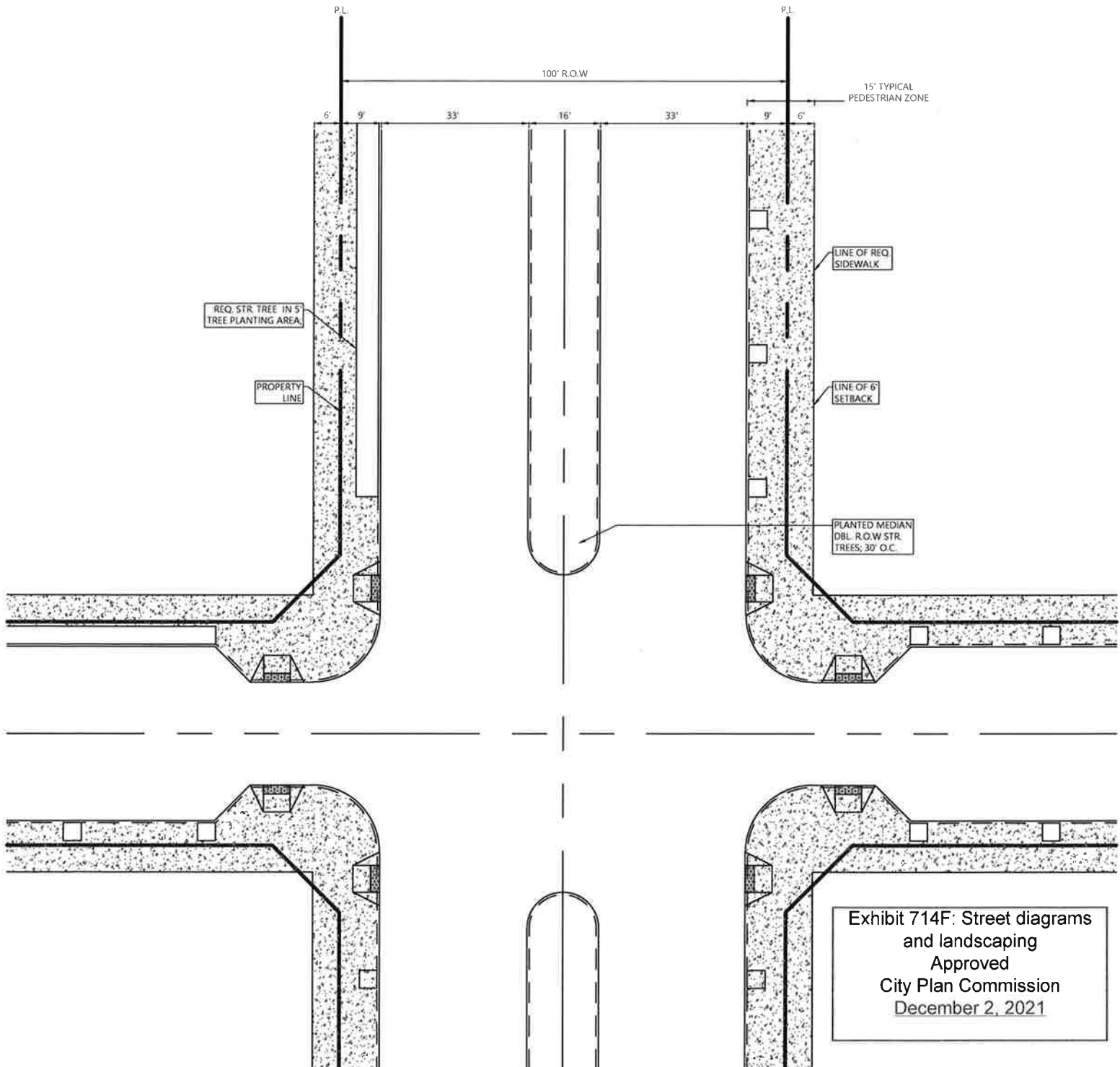
220180

EXHIBIT 714F  
STREET DIAGRAMS AND LANDSCAPING  
SUBDISTRICT 1E



50' R.O.W. @ SUBDISTRICT 1E ALTERNATE  
(FIRE PROTECTION AREAS)

EXHIBIT 714F  
STREET DIAGRAMS AND LANDSCAPING  
SUBDISTRICT 1E



100' R.O.W. @ SUBDISTRICT 1E



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 23-1

**Item #:** 6.

---

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 13

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

---

### **SUBJECT**

An ordinance granting a private license to NTHP Manderville, Inc. for the use of a total of approximately 7,162 square feet of land to install, maintain, and utilize an electrical conduit, thirteen trees, seven light fixtures, five benches, and landscape and irrigation on a portion of Manderville Lane right-of-way located near its intersection with Blair Road - Revenue: General Fund \$9,939.00 annually, and \$400.00 one-time fee, plus the \$20.00 ordinance publication fee

### **BACKGROUND**

This item grants a private license to NTHP Manderville, Inc. for the use of a total of approximately 7,162 square feet of land to install, maintain, and utilize an electrical conduit, thirteen trees, seven light fixtures, five benches, and landscape and irrigation on a portion of Manderville Lane right-of-way located near its intersection with Blair Road. The use of these areas will not impede pedestrian or vehicular traffic. The term of this license is 40 years.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

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

This item has no prior action.

### **FISCAL INFORMATION**

Revenue: General Fund \$9,939.00 annually and \$400.00 one-time fee, plus the \$20.00 ordinance publication fee.



**OWNER**

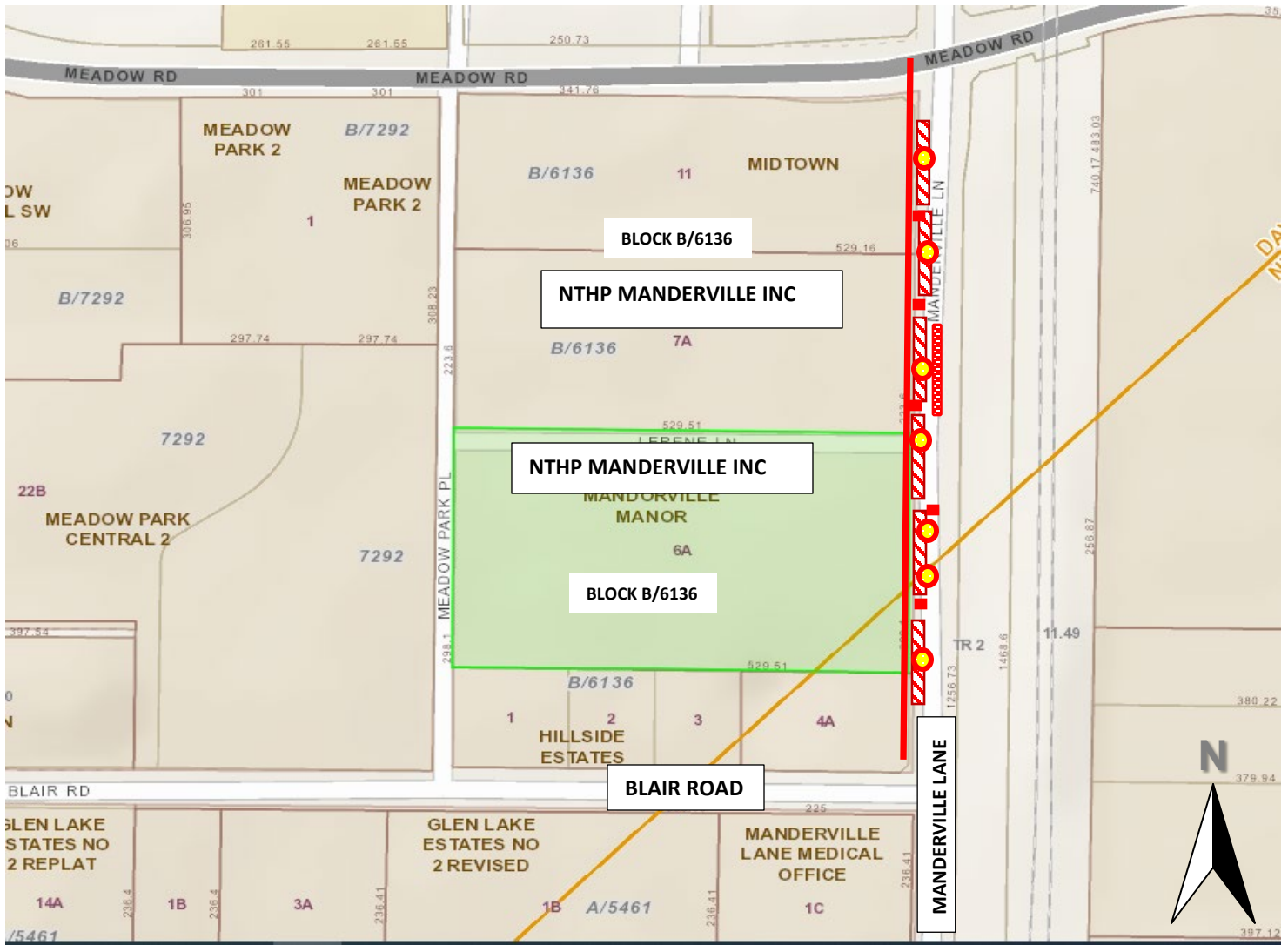
**NTHP Manderville, Inc.**

Timothy Lott, President

**MAP**

Attached

# MANDERVILLE LANE



## LICENSE AREAS

- Electrical Conduit —
- Trees (13) ⋯
- Light fixtures (7) ●
- Benches (5) ■
- Landscape and Irrigation - - -

## COUNCIL DISTRICT 13

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

An ordinance granting a private license to NTHP Manderville, Inc. to occupy, maintain and utilize a portion of Manderville Lane right-of-way located near the intersection of Manderville Lane and Blair Road adjacent to City Block B/6136 within the limits hereinafter more fully described, for the purpose of occupying, maintaining and utilizing an electrical conduit, thirteen trees, seven light fixtures, five benches and landscape and irrigation; providing for the terms and conditions of this license; providing for the annual and one-time fee compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

ooo0ooo

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

**SECTION 1.** That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to NTHP Manderville, Inc., a Texas non-profit corporation, its successors and assigns, hereinafter referred to as "**GRANTEE**", to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

**SECTION 2.** That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

**SECTION 3.** That **GRANTEE** shall pay to the City of Dallas the sum of **NINE THOUSAND NINE HUNDRED THIRTY-NINE AND NO/100 DOLLARS (\$9,939.00)** annually for the license herein granted for the electrical conduit, said sum to become due and payable on the 2<sup>nd</sup> day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **NINE THOUSAND NINE HUNDRED THIRTY-NINE AND NO/100 DOLLARS (\$9,939.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2023. In addition, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code, **GRANTEE** shall pay to the City of Dallas a one-time license fee in the sum of **FOUR HUNDRED AND NO/100 DOLLARS (\$400.00)**, for the license herein granted for thirteen trees, seven light fixtures, five benches and landscape and irrigation, said sum to be paid prior to the final

**SECTION 3.** (continued)

passage of this ordinance and shall cover the total consideration for said purpose during the license term. Such annual and one-time fee consideration, collectively, shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of Department of Public Works may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund 0001, Department PBW, Unit 1181, Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

**SECTION 4.** That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Public Works of the City of Dallas: occupying, maintaining and utilizing an electrical conduit, thirteen trees, seven light fixtures, five benches and landscape and irrigation.

**SECTION 5.** That this license is subject to the provisions set forth in EXHIBIT B, attached hereto and made a part hereof.

**SECTION 6.** That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by Resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said Resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Public

**SECTION 6.** (continued)

Works, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Public Works.

**SECTION 7.** That the license is subject to the following conditions, terms and reservations:

- (a) **GRANTEE** shall maintain a minimum of six feet of unobstructed sidewalk.
- (b) **GRANTEE** shall obtain a Right-of-Way Permit prior to any work performed within the right-of-way.
- (c) **GRANTEE** shall provide detailed design plans that must be submitted and approved through the Right-of-Way Management Division of the Department of Public Works. In addition to any Building Permits that may be required, a Right-of-Way Permit and Traffic Control Approval must be applied for and issued prior to any work in the right-of-way.
- (d) **GRANTEE** shall locate and show on drawings all underground facilities in the field so they can be verified at the proposed location of the pier and columns.
- (e) **GRANTEE** shall assure that Texas Department of Licensing and Regulation (TDLR) and American Disability Act (ADA) requirements for slope, clearance and widths and surface treatments are adhered to throughout the TDLR/ADA Accessible Route.
- (f) **GRANTEE** acknowledges that the City of Dallas will not be responsible for trash collection from any public litter cans placed in license area.
- (g) **GRANTEE** shall comply with Planned Development District No. 1030 and plan amendment process.
- (h) **GRANTEE** must contact Atmos Gas to relocate gas main prior to any work in the right-of-way.

**SECTION 8.** That upon the effectiveness of this ordinance, the Director of Department of Public Works, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Public Works, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

**SECTION 9.** That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

**SECTION 10.** That this license may not be assigned without prior written approval from the Director of Department of Public Works, or designee. Such assignment shall recite that it is subject to the terms, restrictions and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Public Works within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Public Works, or designee, may terminate this license.

**SECTION 11.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Public Works, or designee. Upon receipt of the fees pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Public Works, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Public Works, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 12.** That this ordinance is also designated for City purposes as Contract No. PBW-2022-00018596.

**SECTION 13.** 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 Molly P. Ward  
Assistant City Attorney

ALI HATEFI, Director  
Department of Public Works

BY Ali Hatefi  
Assistant Director

Passed \_\_\_\_\_.

## EXHIBIT A

**BEING** a 4,872 square feet (0.1118 acre) tract of land situated in the David Barrow Survey, Abstract No. 177, City of Dallas, Dallas County, Texas and being a portion of Lots 6-A and 7-A, Block B/6136 of Manderville Manor, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Volume 71210, Page 2156 of the Deed Records of Dallas County, Texas, same being a portion of that tract of land described in a Special Warranty Deed to NTHP Manderville, Inc., recorded in Instrument No. 202100379799 of the Official Public Records of Dallas County, Texas, and being a portion of Manderville Lane, formerly known as Spillman Avenue, a variable width right of way as dedicated in Volume 624, Page 6 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2-inch iron rod with a red plastic cap, stamped "WAI 5714" found for the northeast corner of said Lot 7-A, Block B/6136, same being the southeast corner of a variable width Street Right of Way Dedication to the City of Dallas as depicted in Midtown Addition, an Addition to the City of Dallas, Texas, according to the Final Plat, recorded in Instrument No. 201700325027 of the Official Public Records of Dallas County, Texas, same also being on the current west right of way line of Manderville Lane, formerly known as Spillman Avenue, a variable width right of way as recorded in Volume 624, Page 6 of the Deed Records of Dallas County, Texas;

**THENCE** South 89°03'20" West, departing the westerly right of way line of said Manderville Lane, along the northerly line of said Lot 7-A and the southerly line of Lot 11, Block B/6136 of Midtown Addition, as recorded in Instrument No. 201700325027 of the Official Public Records of Dallas County, Texas, a distance of 5.00 feet to a 5/8-inch iron rod found for the northwest corner of a 5' wide street easement as depicted in said Manderville Manor;

**THENCE** South 00°22'35" East, departing the northerly line of said Lot 7-A, the southerly line of said Lot 11, crossing said Lot 7-A and along the westerly line of said 5' wide street easement, a distance of 49.50 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for the **POINT OF BEGINNING** of the herein described license tract

**THENCE** North 89°37'25" East, departing the westerly line of said 5' wide street easement and continuing across said Lot 7-A, a distance of 1.37 feet to a point for corner;

**THENCE** South 65°32'48" East, continuing across said Lot 7-A, passing the easterly line of said Lot 7-A and the westerly right of way line of said Manderville Lane, continuing across said Manderville Lane, a distance of 11.30 feet to a point for corner;

**THENCE** South 00°22'34" East, continuing across said Manderville Lane, a distance of 413.67 feet to a point for corner;

MICHAEL MARX  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5181  
6160 WARREN PKWY., SUITE 210  
FRISCO, TEXAS 75034  
PH. 972-335-3580  
michael.marx@kimley-horn.com

**LICENSE AGREEMENT**  
A PORTION OF MANDERVILLE LANE  
ADJACENT TO LOTS 6-A AND 7-A, BLOCK  
B/6136 OF MANDERVILLE MANOR,  
SITUATED IN THE  
DAVID BARROW SURVEY, ABSTRACT NO. 177  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: G.S.

Date: 4-15-22

SPRG NO: 5892

**Kimley»Horn**

6160 Warren Parkway, Suite 210  
Frisco, Texas 75034

FIRM # 10193822

Tel. No. (972) 335-3580  
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	04/04/2022	064575900	1 OF 4



## EXHIBIT A

**THENCE** South 62°45'53" West, continuing across said Manderville Lane, passing the westerly right of way line of said Manderville Lane and the easterly line of aforesaid Lot 6-A, continuing across said Lot 6-A, a distance of 11.18 feet to a point for corner;

**THENCE** South 89°14'07" West, continuing across said Lot 6-A, a distance of 1.64 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner on the westerly line of aforesaid 5' wide street easement, from said corner, a found 1/2-inch iron rod with a yellow plastic cap, stamped "WESTWOOD" bears South 00°22'35" East, 48.50 feet;

**THENCE** North 00°22'35" West, along the westerly line of said 5' wide street easement, continuing across said Lot 6-A, passing the common line of said Lot 6-A and aforesaid Lot 7-A, continuing across said Lot 7-A, a distance of 423.48 feet to the **POINT OF BEGINNING** and containing 4,872 square feet or 0.1118 of an acre of land.

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, adjustment realization 2011, as determined by GPS observations resulting in a bearing of South 00°22'35" East along the west right of way line of Manderville Lane. The bearings listed are Grid values and the distances listed are surface values. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998606167

MICHAEL MARX  
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michael.marx@kimley-horn.com



**LICENSE AGREEMENT**  
A PORTION OF MANDERVILLE LANE  
ADJACENT TO LOTS 6-A AND 7-A, BLOCK  
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DAVID BARROW SURVEY, ABSTRACT NO. 177  
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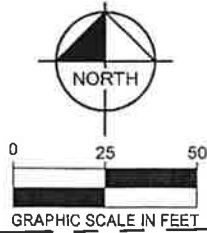
# Kimley»Horn

6160 Warren Parkway, Suite 210  
Frisco, Texas 75034 FIRM # 10193822

Tel. No. (972) 335-3580  
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	04/04/2022	064575900	2 OF 4

# EXHIBIT A



## LEGEND

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
IRSC = 5/8" IRON ROD W/ A RED PLASTIC CAP, STAMPED "KHA" SET  
IRFC = FOUND IRON ROD W/CAP  
VOL = VOLUME  
PG = PAGE  
INST. NO. = INSTRUMENT NUMBER  
R.O.W. = RIGHT-OF-WAY  
CM = CONTROLLING MONUMENT  
SQ. FT. = SQUARE FOOT  
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS  
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

## LINE TABLE

NO.	BEARING	LENGTH
L1	N89°37'25"E	1.37'
L2	S65°32'48"E	11.30'
L3	S62°45'53"W	11.18'
L4	S89°14'07"W	1.64'

15' DALLAS POWER & LIGHT CO.  
AND SOUTHWESTERN BELL  
TELEPHONE CO. EASEMENT  
VOL. 72060, PG. 1484, D.R.D.C.T.  
SWB PORTION RELEASED IN INST.  
NO. 202100241310 AND INST. NO.  
202100252610, O.P.R.D.C.T.

LOT 6-A, BLOCK B/6136  
MANDERVILLE MANOR  
VOL. 71210, PG. 2156  
D.R.D.C.T.

STREET RIGHT OF WAY  
DEDICATION TO CITY OF DALLAS  
INST. NO. 201700325027  
LOT 11, BLOCK B/6136  
MIDTOWN ADDITION  
INST. NO. 201700325027  
O.P.R.D.C.T.

15' WATER EASEMENT  
INST. NO. 201700325027  
O.P.R.D.C.T.

P.O.B.  
IRSC  
5' STREET EASEMENT  
VOL. 71210, PG. 2156,  
D.R.D.C.T.

LOT 7-A, BLOCK B/6136  
MANDERVILLE MANOR  
VOL. 71210, PG. 2156  
D.R.D.C.T.

**LICENSE AGREEMENT**  
0.1118 ACRE (4,872 SQ. FT.)  
NTHP MANDERVILLE, INC.  
INST. NO. 202100379799  
O.P.R.D.C.T.

DAVID BARROW SURVEY  
ABSTRACT NO. 177

SIDEWALK AND UTILITY  
EASEMENT  
INST. NO. 201700325027  
O.P.R.D.C.T.

P.O.C.  
1/2" IRFC  
"WAI 5714"  
CM

TRACT 4  
DALLAS POWER & LIGHT COMPANY  
VOL. 3188, PG. 618  
D.R.D.C.T.

**MANDERVILLE LANE**  
(VARIABLE WIDTH R.O.W.)  
VOL. 624, PG. 6, D.R.D.C.T.  
(FORMERLY SPILLMAN AVENUE)

## MATCH LINE (SEE SHEET 4 OF 4)

Bearings are based upon the Texas Coordinate System of 1983, Zone 4202, NAD 83 datum, adjustment realization 2011, as determined by GPS observations resulting in a bearing of South 00°22'35" East along the west right of way line of Manderville Lane. The bearings listed are Grid values and the distances listed are surface values. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998606167

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(For SPRG use only)

Reviewed By: G.S.  
Date: 4-15-22  
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FIRM # 10193822

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	MBM	KHA	04/04/2022	064575900	3 OF 4

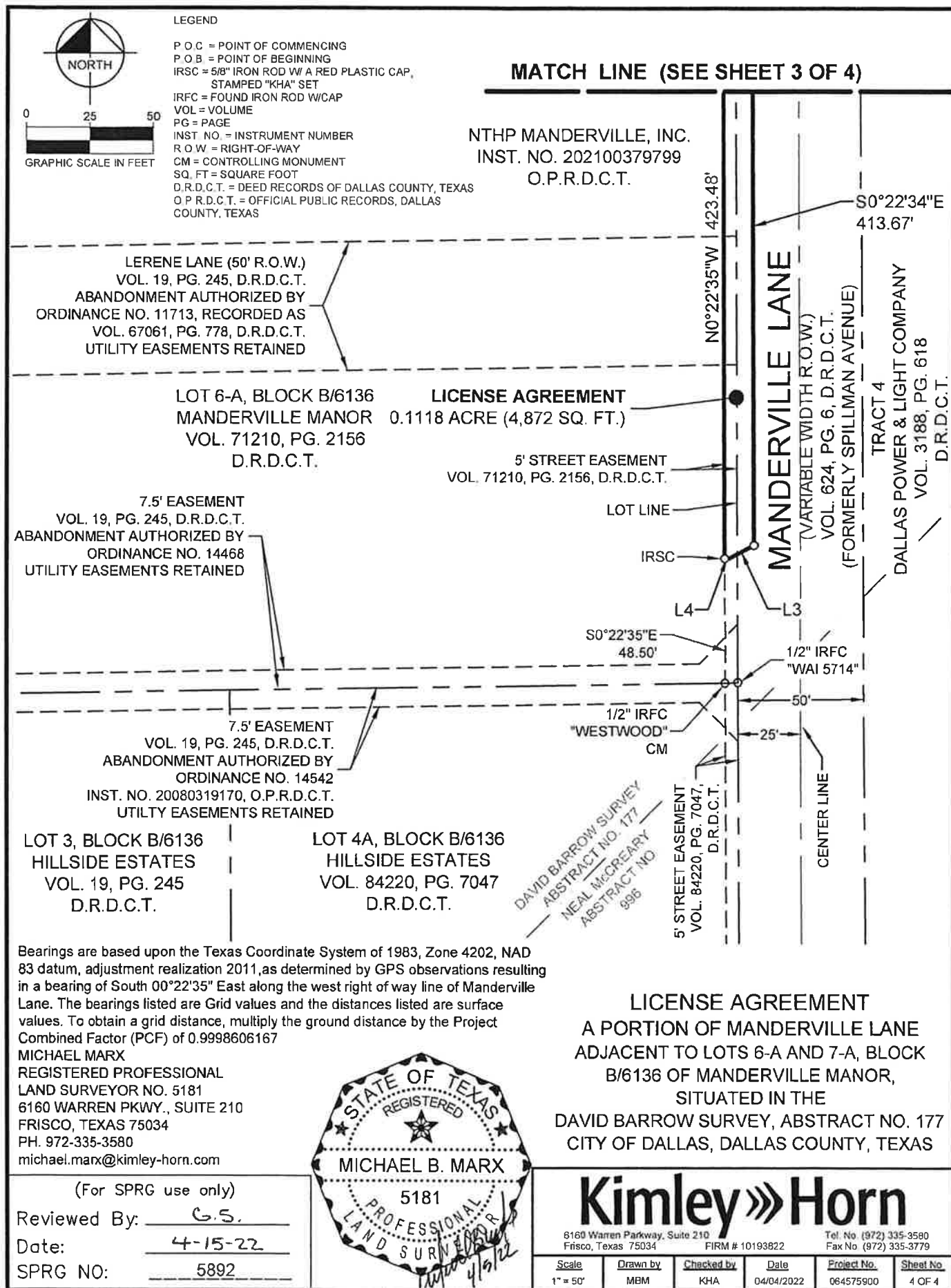



EXHIBIT A



Electrical Conduit      

Trees (13)      

Light fixtures (7)      

Benches (5)      

Landscape and Irrigation      

TOTAL SQUARE FEE = 7,162

**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

1

That this license is granted subject to the following additional conditions, terms and reservations:

- (a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Public Works, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Public Works at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Public Works, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.
- (b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Public Works.
- (c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than twelve (12) months following termination of this license and removal of the installations,

**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

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improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Public Works.
  2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Public Works, or designee, may terminate the license granted herein.
- (d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.
- (e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

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accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

- (f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.
- (g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

**EXHIBIT B  
COMMERCIAL ENTITY  
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flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

- (h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.




EXHIBIT A



Electrical Conduit      

Trees (13)      

Light fixtures (7)      

Benches (5)      

Landscape and Irrigation      

TOTAL SQUARE FEET = 7,162

**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

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- (b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Public Works.
- (c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than twelve (12) months following termination of this license and removal of the installations,

**EXHIBIT B  
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1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Public Works.
  2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Public Works, or designee, may terminate the license granted herein.
- (d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.
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**EXHIBIT B  
COMMERCIAL ENTITY  
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3

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**EXHIBIT B  
COMMERCIAL ENTITY  
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4

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## Agenda Information Sheet

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**File #:** 23-14

**Item #:** 7.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 3, 8

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) (CSJ No. 0261-03-070, CFDA No. 20.205) for the TxDOT Green Ribbon Program Project to provide landscape planting and irrigation improvements on U.S. Highway 67 at Camp Wisdom Road - Financing: No cost consideration to the City

### **BACKGROUND**

The Green Ribbon Program was established by TxDOT to allocate funds for landscape and scenic enhancements. This includes the planting and establishment of trees and plants on the state highway system to enhance the appearance of public highways, emphasizing natural beauty and greenspace. Title 43 of Texas Administrative Code, Chapter 11, allows local governments, by the execution of written agreements, to provide money, property or services for the aesthetic improvements on the state highway system. The City desires a partnership project with TxDOT to provide landscape planting and irrigation improvements along U.S. Highway 67 (US 67) at Camp Wisdom Road. The City will provide in-house design and will be the lead agency to administer the construction of the project.

This action will authorize an Advance Funding Agreement with TxDOT for the Green Ribbon Program project to provide landscaping and irrigation improvements on US 67 at Camp Wisdom Road. TxDOT will reimburse the City for eligible construction costs. The City will be responsible for any project cost overruns in excess of the federal and state funding participation as described in the agreement.

This project is needed to provide landscape improvements along US 67 at Camp Wisdom Road. If the Advance Funding Agreement is not approved at this time, the advertisement for the construction contract will be delayed, which will delay implementation of the project and jeopardize the federal and state funding that have been allocated. Without the federal and state funding, it will be unfeasible for the City to proceed with the project.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	May 2022
Complete Design	January 2023
Begin Construction	June 2023
Complete Construction	December 2023

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

This item has no prior action.

**FISCAL INFORMATION**

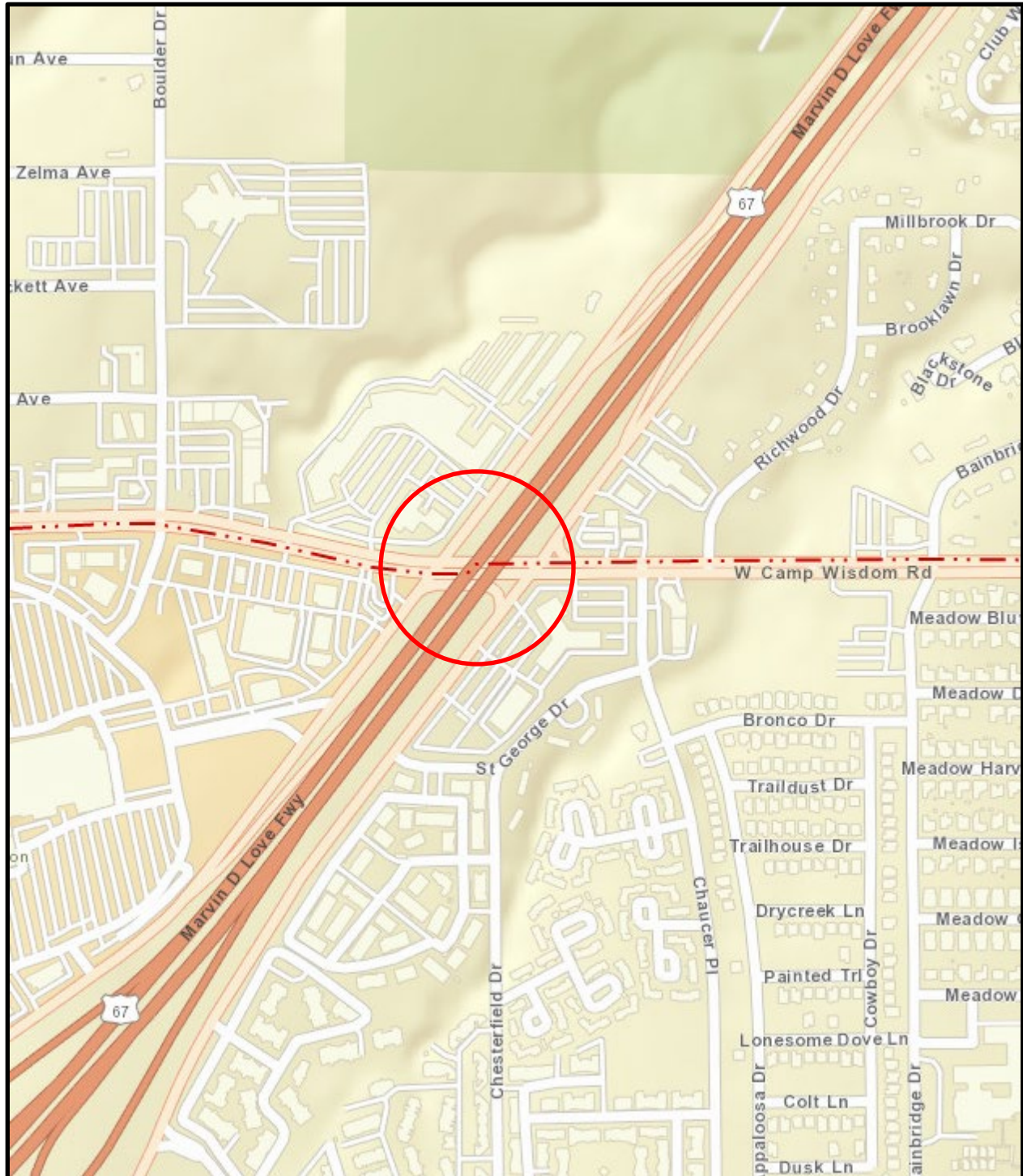
No cost consideration to the City.

**MAP**

Attached



ADVANCE FUNDING AGREEMENT  
LANDSCAPE ENHANCEMENTS  
U.S. HIGHWAY 67 AT CAMP WISDOM ROAD



COUNCIL DISTRICTS 3 AND 8



January 11, 2023

**WHEREAS**, the Texas Department of Transportation's Green Ribbon Program was established to allocate funds for landscaping activities including planting and establishment of trees and plants on the state highway system; and

**WHEREAS**, Title 43, Texas Administrative Code, Chapter 11, Green Ribbon Program, allows local governments, by the execution of written agreements, to provide money, property or services for the aesthetic improvements on the state highway system; and

**WHEREAS**, Rider 15 of House Bill 1 of the 86<sup>th</sup> Legislature, expands the Green Ribbon Project, a public-private partnership initiative, to enhance the appearance of public highways by incorporating in the design and improvement of public highways the planting of trees and shrubs emphasizing natural beauty and greenspace, integrating public art, and highlighting cultural uniqueness of neighborhoods, to other areas of the state; and

**WHEREAS**, the City of Dallas has been awarded Green Ribbon Program Project funds for landscape improvements on U.S. Highway 67 at Camp Wisdom Road; and

**WHEREAS**, TxDOT requires recipients of Green Ribbon Program funds to enter into an Advance Funding Agreement prior to distribution of funds; and

**WHEREAS**, the City of Dallas will provide in-house design and be the lead agency to administer the construction of the project; and

**WHEREAS**, it is now necessary to authorize an Advance Funding Agreement with the Texas Department of Transportation (CSJ No. 0261-03-070, CFDA No 20.205), for the Green Ribbon Program Project to provide landscape planting and irrigation improvements on U.S. Highway 67 at Camp Wisdom Road.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS :**

**SECTION 1.** That the City Manager is hereby authorized to execute an Advance Funding Agreement with the Texas Department of Transportation (CSJ No. 0261-03-070, CFDA No. 20.205), approved as to form by the City Attorney, for the TxDOT Green Ribbon Program Project to provide landscape planting and irrigation improvements on U.S. Highway 67 at Camp Wisdom Road.

**SECTION 2.** That the City of Dallas is responsible for any project cost overruns in excess of the Federal and State funding participation as described in the agreement.

**SECTION 3.** That this contract is designated as Contract No. PBW-2023-00020960.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-6

**Item #:** 8.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 5, 7, 8

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

### SUBJECT

Authorize **(1)** a construction services contract for the Service Maintenance Area 1 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four; and **(2)** an increase in appropriations in an amount not to exceed \$6,400,000.00 in the Street and Alley Improvement Fund - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)

### BACKGROUND

This action will authorize a construction services contract with Talbran Enterprises, LLC, lowest responsible bidder of four, to provide construction services for the Service Maintenance Area 1 - 2023 Improved Alley Maintenance Project.

The Infrastructure Management Program has, for the last few years, identified a need for maintenance of alleys needing partial reconstruction. Improved alleys are defined as alleys that have been constructed in concrete or asphalt. Beginning in Fiscal Year (FY) 2022, funding had been provided for the maintenance of concrete alleys that are only in need of partial reconstruction, or less than 25% or pavement repair. In FY 2022, this program was completed in-house; and in FY 2023, the Department of Public Works went through the bidding process to procure four separate contracts, one for each quadrant of the city, with the intention of making the contract more attractive to the smaller Minority-Women Business Enterprise contractors.

Following are the locations and construction costs for each project:

<u>Project</u>	<u>Council District</u>	<u>Amount</u>
Grady Lane (9623-9841) and Mill Valley Lane (9714-9840)	5	\$70,044.93

Martin Luther King Jr. Boulevard (2801-2845) and South Boulevard (2800-2842)	7	\$70,044.93
Oklaunion Drive (210-426) and Konawa Drive (309-415)	8	\$70,044.93
Satinwood Drive (106-430) and Deepwood Street (107-423)	8	\$70,044.93
Palm Oak Drive (109-429) and Great Trinity Forest Way (6512-6708)	8	\$70,044.93
Stagecoach Trail (3844-4138) and 7071 Bonnie View Road	8	\$70,044.93
Whistler Drive (9707-9843) and Michelle Drive (9706-9840)	8	\$70,044.93
Brierhill Drive (9803-9839) and Crocker Drive (9804-9840)	8	\$70,044.93
Laurenwood Drive (1306-1428) and Bloomfield Drive (1411-1415)	8	\$70,044.93

Talbran Enterprises, LLC is a Frisco-based corporation, and is a registered vendor with the City of Dallas.

Talbran Enterprises, LLC has had no contractual activities with the City of Dallas within the past three years.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction      February 2023  
Complete Construction      January 2024

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Street and Alley Improvement Fund	\$630,404.37	\$0.00	\$0.00

<b><u>Council District</u></b>	<b><u>Amount</u></b>
5	\$ 70,044.93
7	\$ 70,044.93
8	<u>\$490,314.51</u>
Total	\$630,404.37

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$630,404.37	Construction	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
32.00%	32.00%	\$201,749.00
• This contract meets the M/WBE goal.		
• Talbran Enterprises, LLC - Non-local; Workforce - 75.00% Local		

### **PROCUREMENT INFORMATION**

The following bids were received and opened on October 21, 2022:

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
*Talbran Enterprises, LLC 3245 W Main St. Frisco, Texas 75034	\$630,404.37
HD Way Concrete Service, LLC	\$816,955.00
FHN Construction, LLC	\$831,670.00
Estrada Concrete Company, LLC	\$869,740.00

### **OWNER**

**Talbran Enterprises, LLC**

Eric S. Brandenburg, Principal

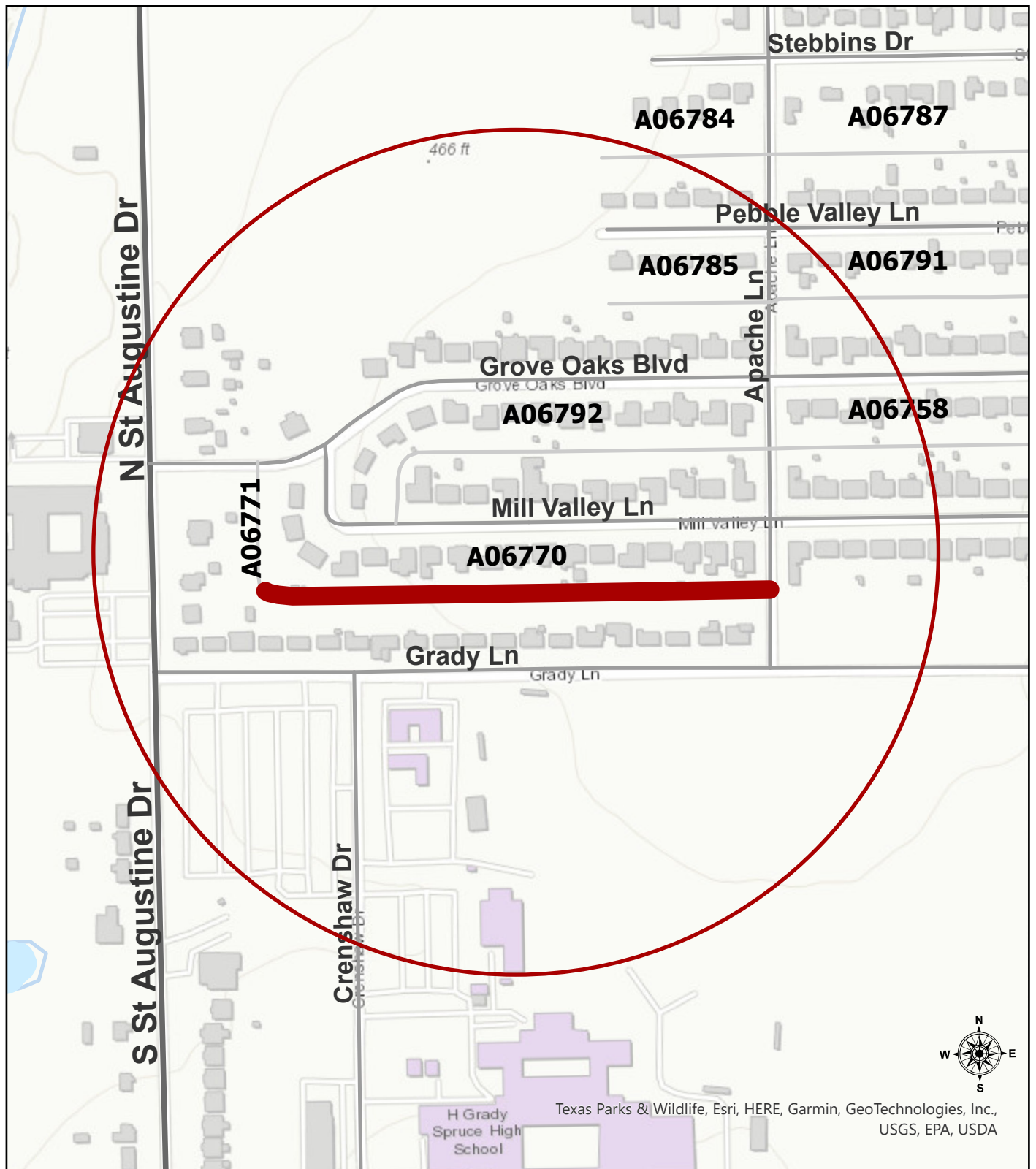
### **MAPS**

Attached

## Street Maintenance Area – 1

<b><u>Project</u></b>	<b><u>Council District</u></b>
Grady Lane (9623-9841) and Mill Valley Lane (9714-9840)	5
(2801-2845) Martin Luther King Jr. Boulevard and South Boulevard (2800-2842)	7
Oklaunion Drive (210-426) and Konawa Drive (309-415)	8
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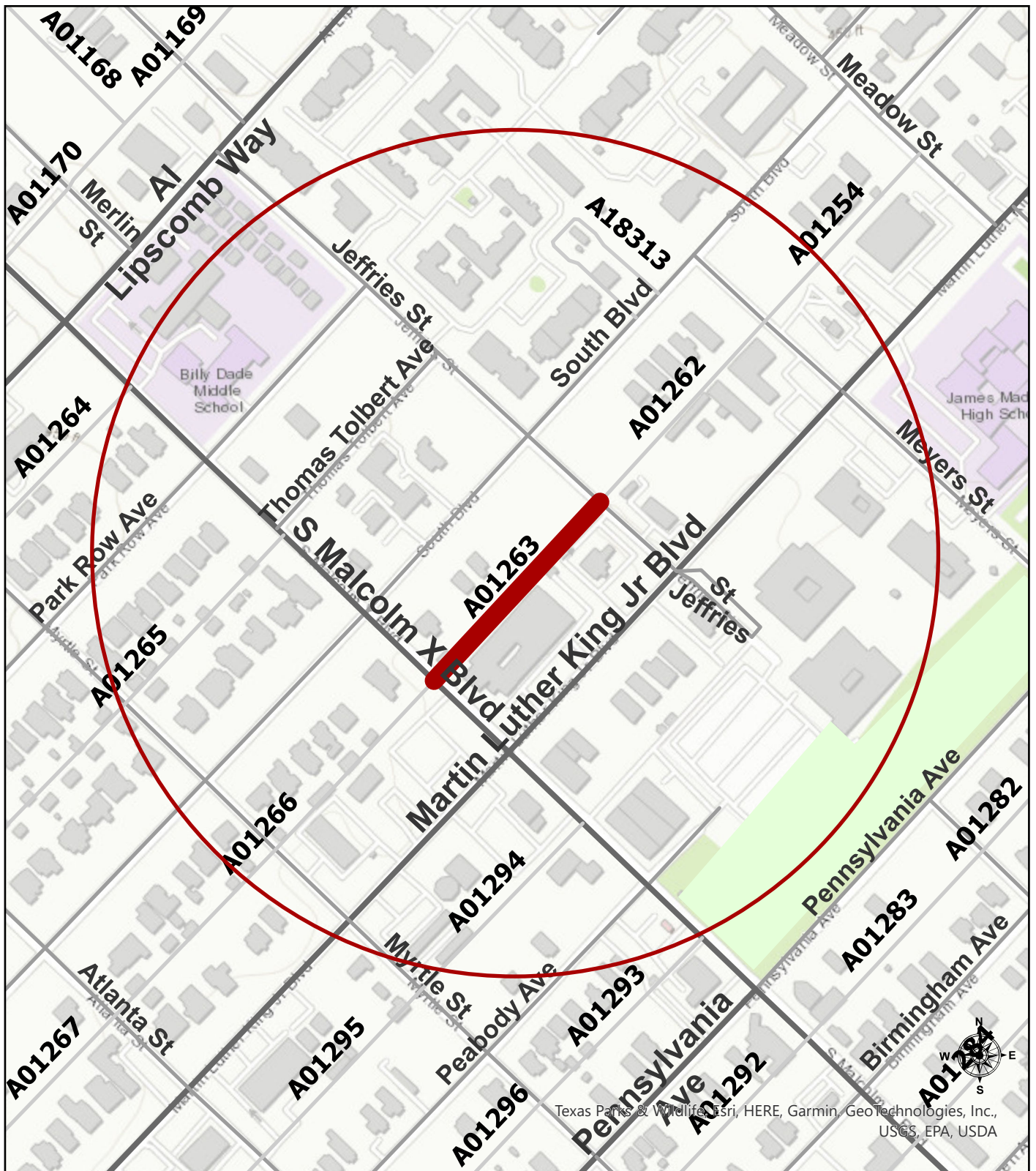
**A06770**  
**ALLEY BETWEEN 9623-9841 GRADY LN & 9714-9840 MILL**  
**VALLEY LN**



**COUNCIL DISTRICT 5**

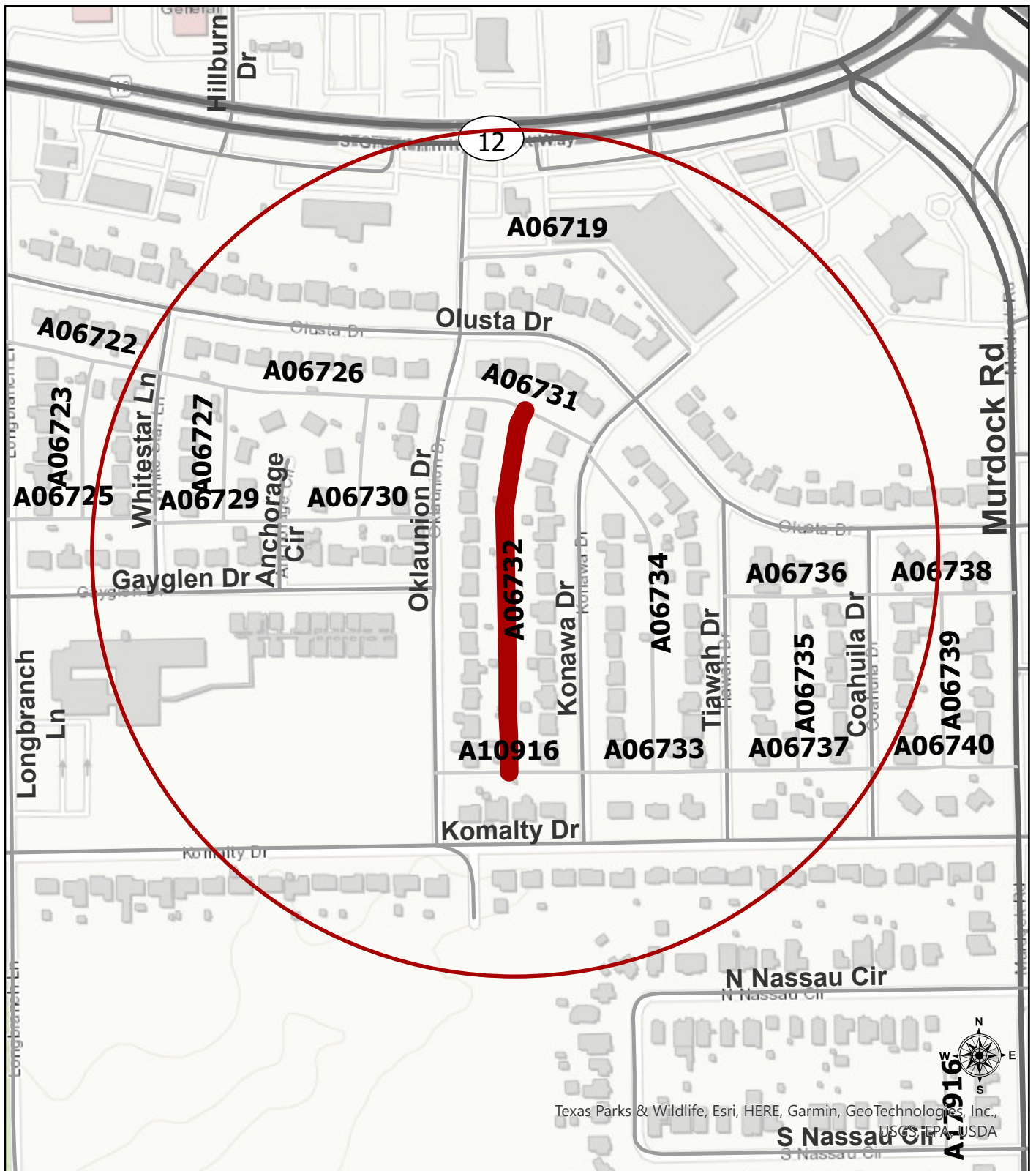


**A01263**  
**ALLEY BETWEEN 2801-2845 MARTIN LUTHER KING JR BLVD &**  
**2800-2842 SOUTH BLVD**



**COUNCIL DISTRICT 7**

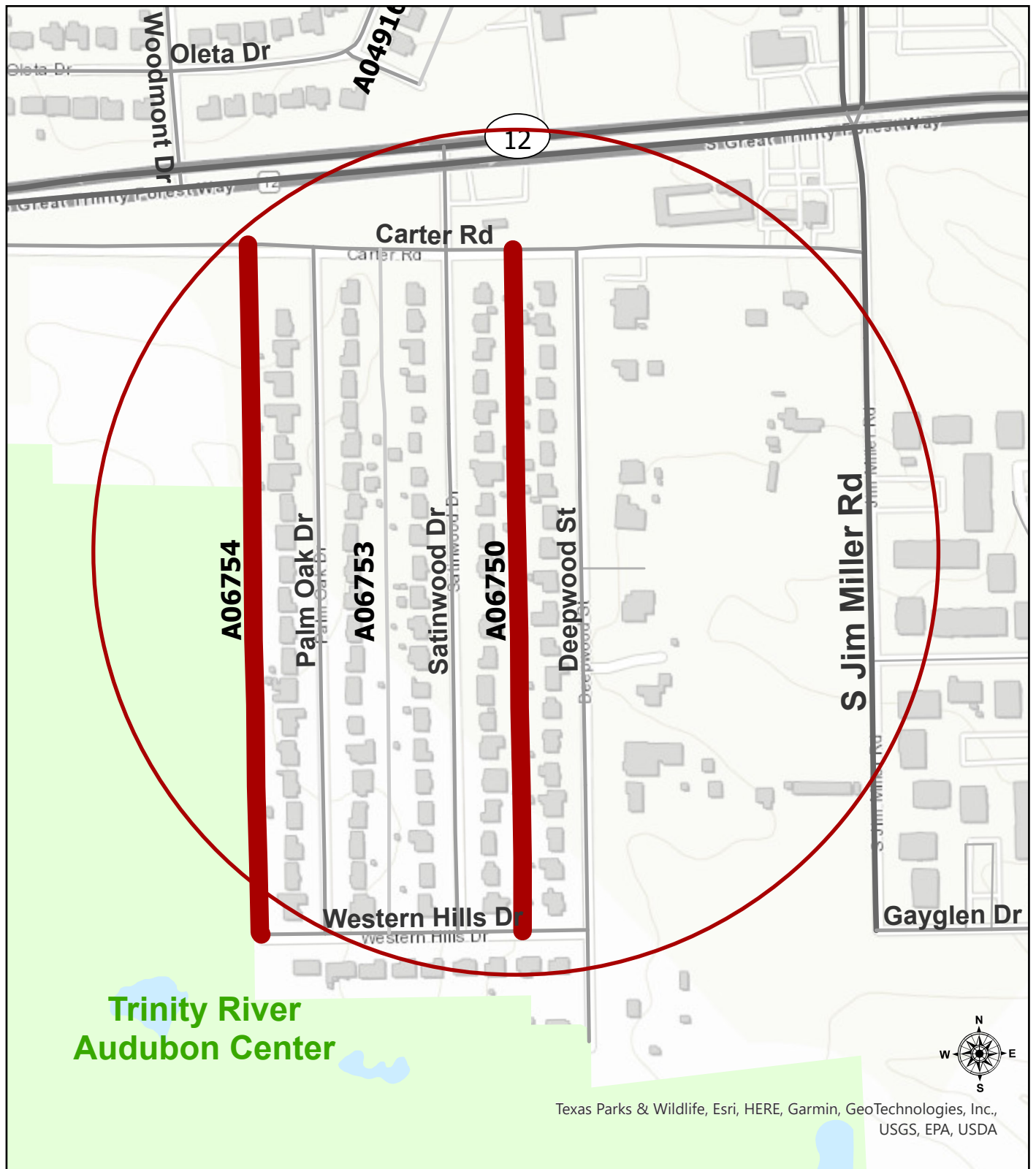
**A06732**  
**ALLEY BETWEEN 210-426 OKLAUNION DR & 309-415 KONAWE**  
**DR**



**COUNCIL DISTRICT 8**



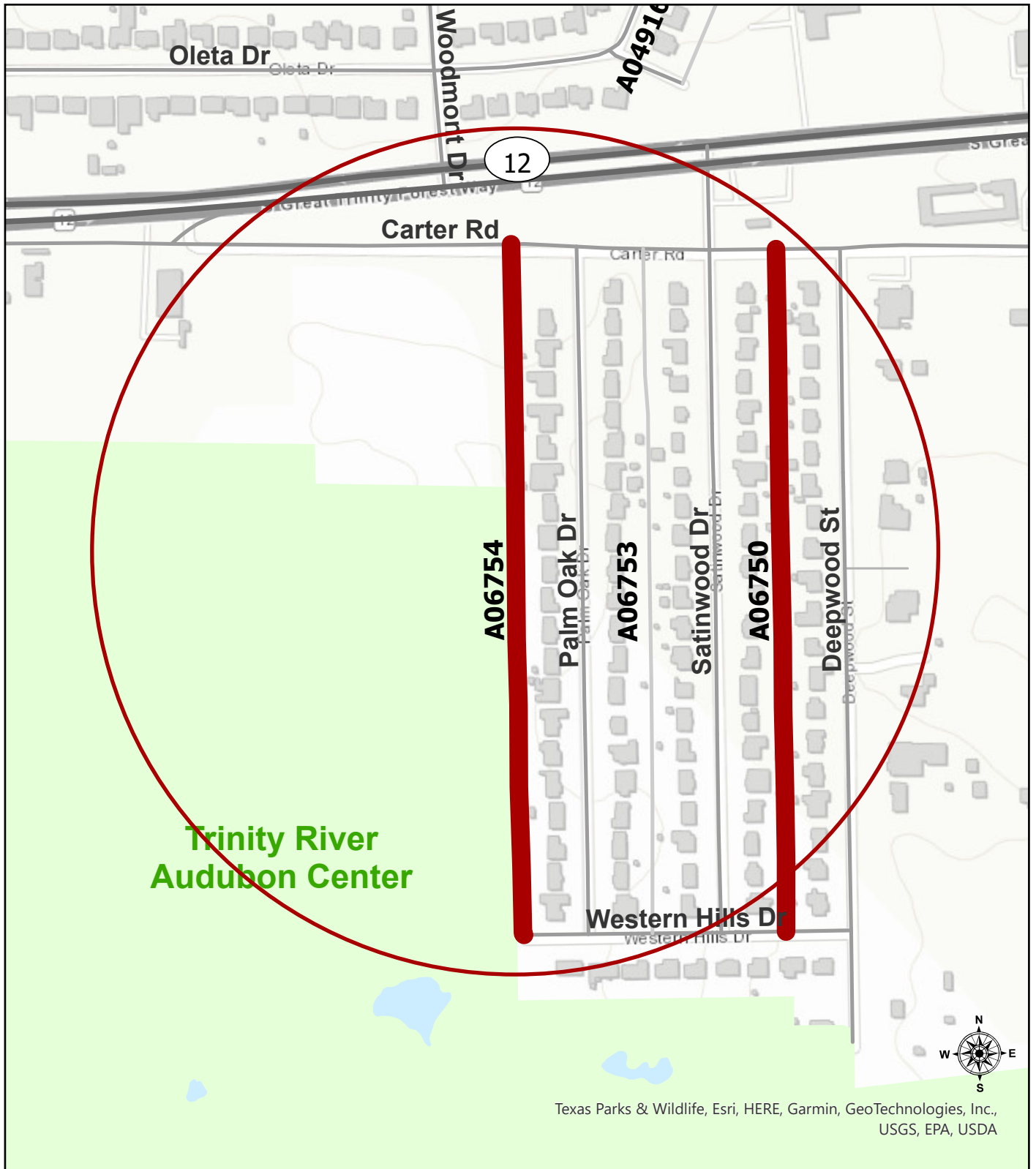
**A06750**  
**ALLEY BETWEEN 106-430 SATINWOOD DR & 107-423**  
**DEEPWOOD ST**



**COUNCIL DISTRICT 8**

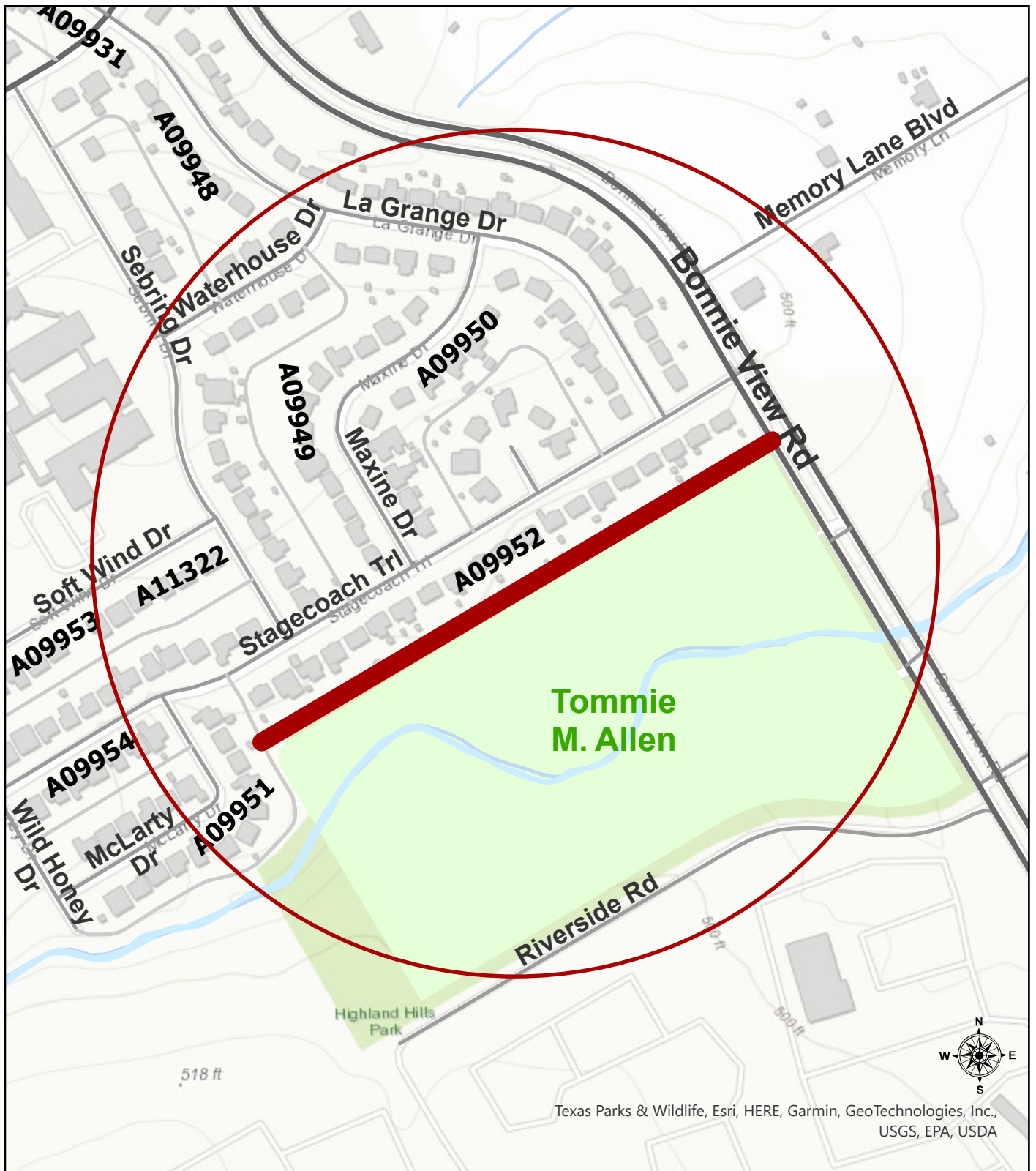
**A06754**

**ALLEY BETWEEN 109-429 PALM OAK DR & 6512-6708 GREAT TRINITY FOREST WAY**



**COUNCIL DISTRICT 8**

**A09952**  
**ALLEY BETWEEN 3844-4138 STAGECOACH TRL & 7071 BONNIE**  
**VIEW RD**



**COUNCIL DISTRICT 8**





This map displays a residential area with a grid of streets. A large red circle highlights a central portion of the map. A thick red line runs vertically through the center, and a thick red line runs horizontally across the middle. The highlighted areas are labeled with IDs: A18235, A18234, A18229, A18227, A18232, A18231, A18230, A18228, and A18233. The map includes a compass rose and a scale bar.

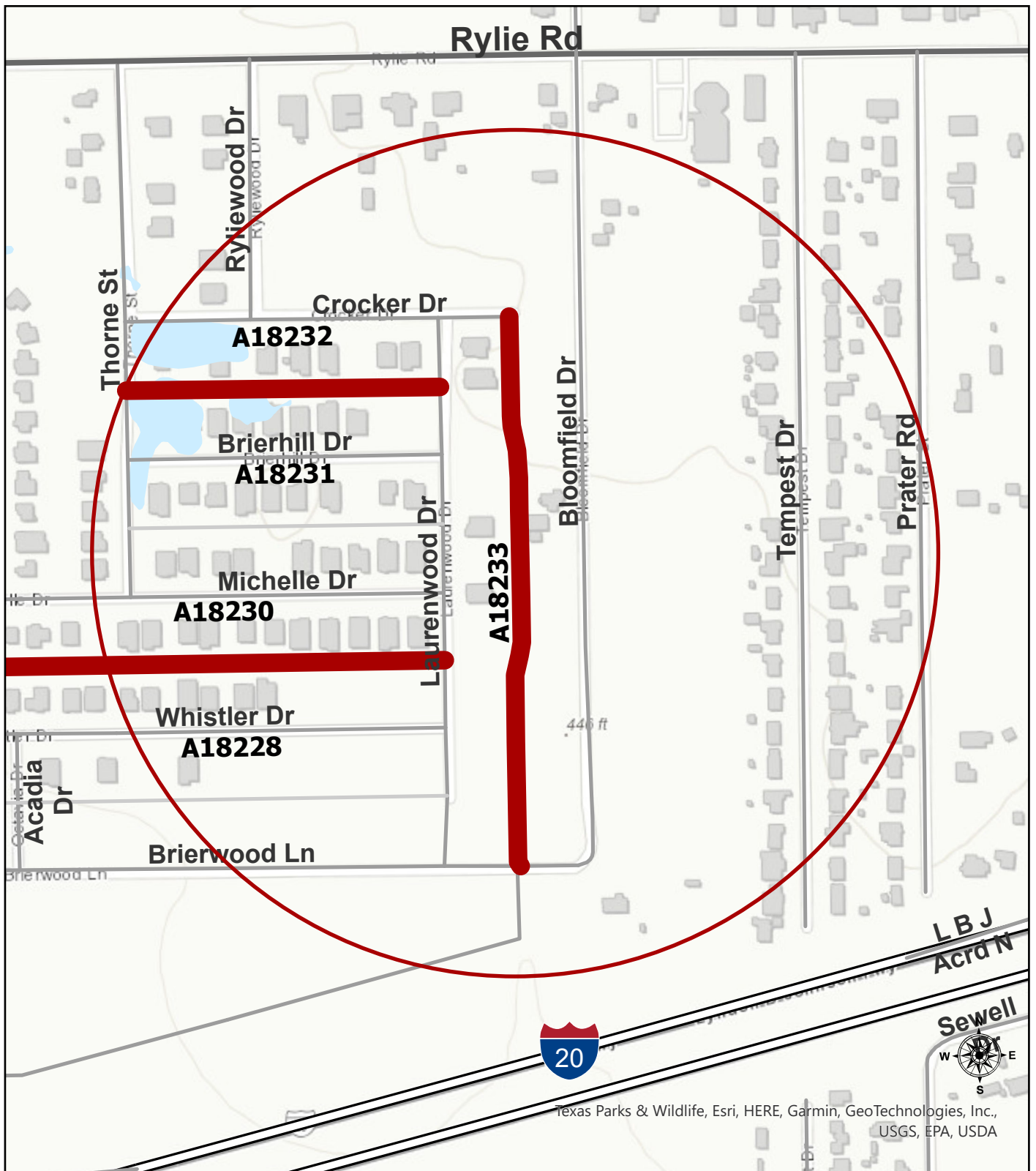
Streets shown include Rylie Rd, Windridge Way, Brierwyck Dr, Hardned Ln, Thorne St, Ryliewood Dr, Crocker Dr, Brierhill Dr, Michelle Dr, Whistler Dr, Brierwood Ln, Laurenwood Dr, and Bloomfield Dr. A scale bar indicates 446 ft.

Map data: Texas Parks & Wildlife, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA

## COUNCIL DISTRICT 8

**A18233**

**ALLEY BETWEEN 1306-1428 LAURENWOOD DR & 1411-1415  
BLOOMFIELD DR**



**COUNCIL DISTRICT 8**

January 11, 2023

**WHEREAS**, the annual Infrastructure Management Program, had identified a need for maintenance on paved alleys with less than 25 percent of failed pavement; and

**WHEREAS**, the Department of Public Works considers a paved alley an “improved” alley; and

**WHEREAS**, in Fiscal Year (FY) 2022 Dallas City Council approved funds allocated towards the Improved Alley Maintenance Program; and

**WHEREAS**, The Improved Alley Maintenance Program was completed in house in FY 2022; and

**WHEREAS**, for FY 2023 the Department of Public Works decided to outsource this work through four separate contracts with the purpose of engaging the Minority and Women Business Enterprise (MWBE) community for this work; and

**WHEREAS**, bid specifications were developed and publicly advertised for competitive bids in August 2022 that brought two bids from non-minority firms and were over the project estimated amount; and

**WHEREAS**, The Department of Public Works worked with the Business Inclusion and Development Department, to identify and reach out to MWBE firms who may be interested in the Improved Alley Maintenance Program reaching out to 35 minority contractors and contracting organizations to promote the projects for bidding; and

**WHEREAS**, the project was publicly re-advertised again on October 5, 2022; and

**WHEREAS**, on October 21, 2022, four bids were received for the construction contract for the Service Maintenance Area 1 - 2023 Improved Alley Maintenance Project follows:

<u>Bidders</u>	<u>Bid Amount</u>
Talbran Enterprises, LLC	\$630,404.37
HD Way Concrete Services, LLC	\$816,955.00
FNH Construction, LLC	\$831,671.00
Estrada Concrete Company, LLC	\$869,740.00

**WHEREAS**, it is now necessary to authorize a construction services contract with Talbran Enterprises, LLC, the lowest responsible bidder of four, for the Service Maintenance Area 1 - 2023 Improved Alley Maintenance Project, in an amount not to exceed \$630,404.37.

January 11, 2023

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a construction services contract with Talbran Enterprises, LLC, approved as to form by the City Attorney, for Service Maintenance Area 1 - 2023 Improved Alley Maintenance Project, in an amount not to exceed \$630,404.37, this being the lowest responsible bid received as indicated by the tabulation of bids.

**SECTION 2.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 3.** That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$4,400,000.00 in the Street and Alley Improvement Fund, Fund 0715, Department PBW, Unit W661, Object 4599.

**SECTION 4.** That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$2,000,000.00 in the Street and Alley Improvement Fund, Fund 0715, Department PBW, Unit W913, Object 4599.

**SECTION 5.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$630,404.37 to Talbran Enterprises, LLC from Street and Alley Improvement Fund, Fund 0715, Department PBW, Unit W913, Activity PB51, Object 3072, Encumbrance/Contract No. CX-PBW-2022-00019858, Vendor VC26221.

**SECTION 6.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-7

**Item #:** 9.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 1, 3, 6, 8

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

### **SUBJECT**

Authorize a construction services contract for the Service Maintenance Area 2 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)

### **BACKGROUND**

This action will authorize a construction services contract with Talbran Enterprises, LLC, lowest responsible bidder of four, to provide construction services for the Service Maintenance Area 2 - 2023 Improved Alley Maintenance Project.

The Infrastructure Management Program has, for the last few years, identified a need for maintenance of alleys needing partial reconstruction. Improved alleys are defined as alleys that have been constructed in concrete or asphalt. Beginning in Fiscal Year (FY) 2022, funding had been provided for the maintenance of concrete alleys that were only in need of partial reconstruction, or less than 25 percent of pavement repair. In FY 2022, this program was completed in-house; and in FY 2023, the Department of Public Works went through the bidding process to procure four separate contracts, one for each quadrant of the city, with the intention of making the contract more attractive to the smaller Minority/Women-owned Business Enterprise (M/WBE) contractors.

Following are the locations and construction costs for each project:

<b><u>Project</u></b>	<b><u>Council District</u></b>	<b><u>Amount</u></b>
West 10th Street (206-238) and Sunset Avenue (205-233)	1	\$48,492.64
West Suffolk Avenue (203-239) and West Yarmouth Street (210-238)	1	\$48,492.64

West Five Mile Parkway (2530-2660) and West Kiest Boulevard (2511-2617)	3	\$48,492.64
West Cherry Point Drive (106-330) and Brierfield Circle (6828-6844)	3	\$48,492.64
Shaw Street (1903-1975) and Life Avenue (1902-1966)	6	\$48,492.64
Shaw Street (1701-1737) and Life Avenue (1706-1716)	6	\$48,492.64
Bernal Drive (3703-3721) and 4017 Esmalda Drive	6	\$48,492.65
Pringle Drive (4010-4130) and Esmalda Drive (4017-4131)	6	\$48,492.65
Gallant Fox Drive (615-635) and 401 South Merrifield Road	6	\$48,492.65
Quinella Drive (805-865) and Gallant Fox Drive (806-860)	6	\$48,492.65
Cherry Laurel Lane (705-835) and Keeneland Court (804-864)	6	\$48,492.64
Keeneland Court (860-896) and Blue Scope Lane (804-836)	6	\$48,492.64
Brierfield Drive (7304-7430) and Wilcox Drive (7305-7425)	8	\$48,492.64

Talbran Enterprises, LLC is a Frisco-based corporation, and is a registered vendor with the City of Dallas.

Talbran Enterprises, LLC has had no contractual activities with the City of Dallas within the past three years.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction	February 2023
Complete Construction	January 2024

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Street and Alley Improvement Fund	\$630,404.37	\$0.00	\$0.00

<b><u>Council District</u></b>	<b><u>Amount</u></b>
1	\$ 96,985.28
3	\$ 96,985.28
6	\$387,941.17
8	\$ 48,492.64
Total	\$630,404.37

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$630,404.37	Construction	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
32.00%	32.00%	\$201,749.00
• This contract meets the M/WBE goal.		
• Talbran Enterprises, LLC - Non-local; Workforce - 75.00% Local		

**PROCUREMENT INFORMATION**

The following bid was received and opened on October 21, 2022:

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
*Talbran Enterprises, LLC 3245 West Main Street Frisco, Texas 75034	\$630,404.37
HD Way Concrete Service, LLC	\$816,955.00
FHN Construction, LLC	\$831,670.00
Estrada Concrete Company, LLC	\$869,740.00

**OWNER**

**Talbran Enterprises, LLC**

Eric S. Brandenburg, Principal

**MAPS**

Attached

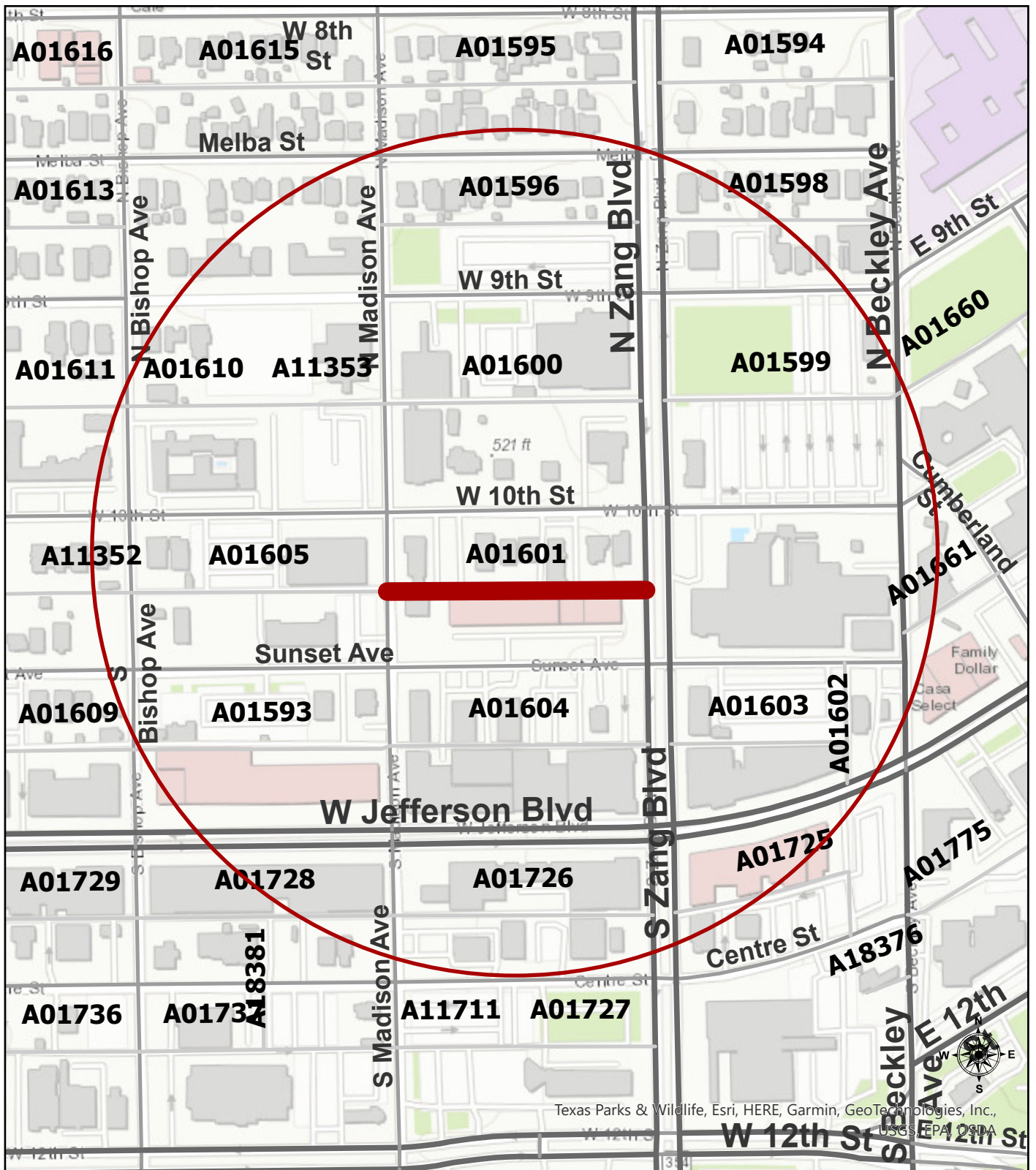
## Street Maintenance Area - 2

<b><u>Project</u></b>	<b>Council District</b>
West 10th Street (206-238) and Sunset Avenue (205-233)	1
West Suffolk Avenue (203-239) and West Yarmouth Street (210-238)	1
West Five Mile Parkway (2530-2660) and West Kiest Boulevard (2511-2617)	3
West Cherry Point Drive (106-330) and Brierfield Circle (6828-6844)	3
Shaw Street (1903-1975) and Life Avenue (1902-1966)	6
Shaw Street (1701-1737) and Life Avenue (1706-1716)	6
Bernal Drive (3703-3721) and 4017 Esmalda Drive	6
Pringle Drive (4010-4130) and Esmalda Drive (4017-4131)	6
Gallant Fox Drive (615-635) and 401 South Merrifield Road	6
Quinella Drive (805-865) and Gallant Fox Drive (806-860)	6
Cherry Laurel Lane (705-835) and Keeneland Court (804-864)	6
Keeneland Court (860-896) and Blue Scope Lane (804-836)	6

Brierfield Drive (7304-7430)  
and Wilcox Drive (7305-7425)

**A01601**

**ALLEY BETWEEN 206-238 W 10TH ST & 205-233 SUNSET AVE**



**COUNCIL DISTRICT 1**



A map of the Gannon area, showing streets, highways, and a red circle highlighting a specific location. The map includes the following labels:

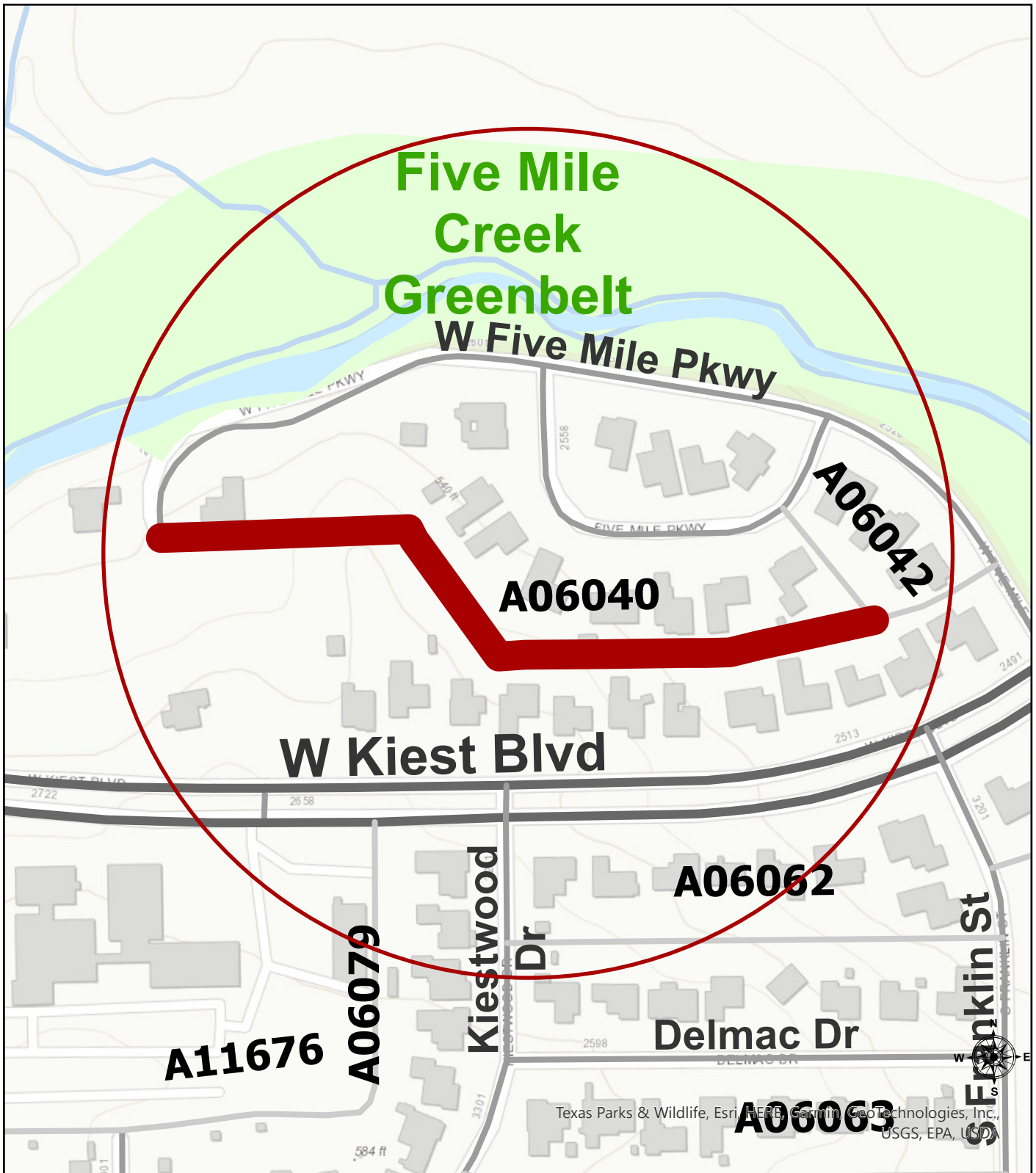
- Streets:** W Page Ave, W Brooklyn Ave, W Pembroke Ave, W Yarmouth St, W Suffolk Ave, W Jerden Ln, W Clarendon Dr, S Bishop Ave, S Madison Ave, S Zang Blvd, S Beckley Ave, S R L Thornton Serv W, S R L Thornton Fwy, S R L Thornton Acrd E, S R L Thornton Acrd W, S R L Thornton Fwy, S R L Thornton Acrd E, S Beckley Ave, S R L Thornton Fwy, S R L Thornton Acrd E, S Beckley Ave, S R L Thornton Fwy, S R L Thornton Acrd E.
- Highways:** 35E, 34.
- Locations:** A01741, A01742, A01732, A01743, A01744, A01733, A10977, A01763, A01682, A01684.
- Other Labels:** Gannon, Texas Parks & Wildlife, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA.

A red circle is drawn around the area containing the labels A01741, A01742, A01732, A01743, A01744, A01733, A10977, A01763, A01682, and A01684. A red line segment is drawn across the street S Madison Ave, passing through the location A01763.

## COUNCIL DISTRICT 1



**A06040**  
**ALLEY BETWEEN 2530-2660 W FIVE MILE PKWY & 2511-2617**  
**W Kiest Blvd**



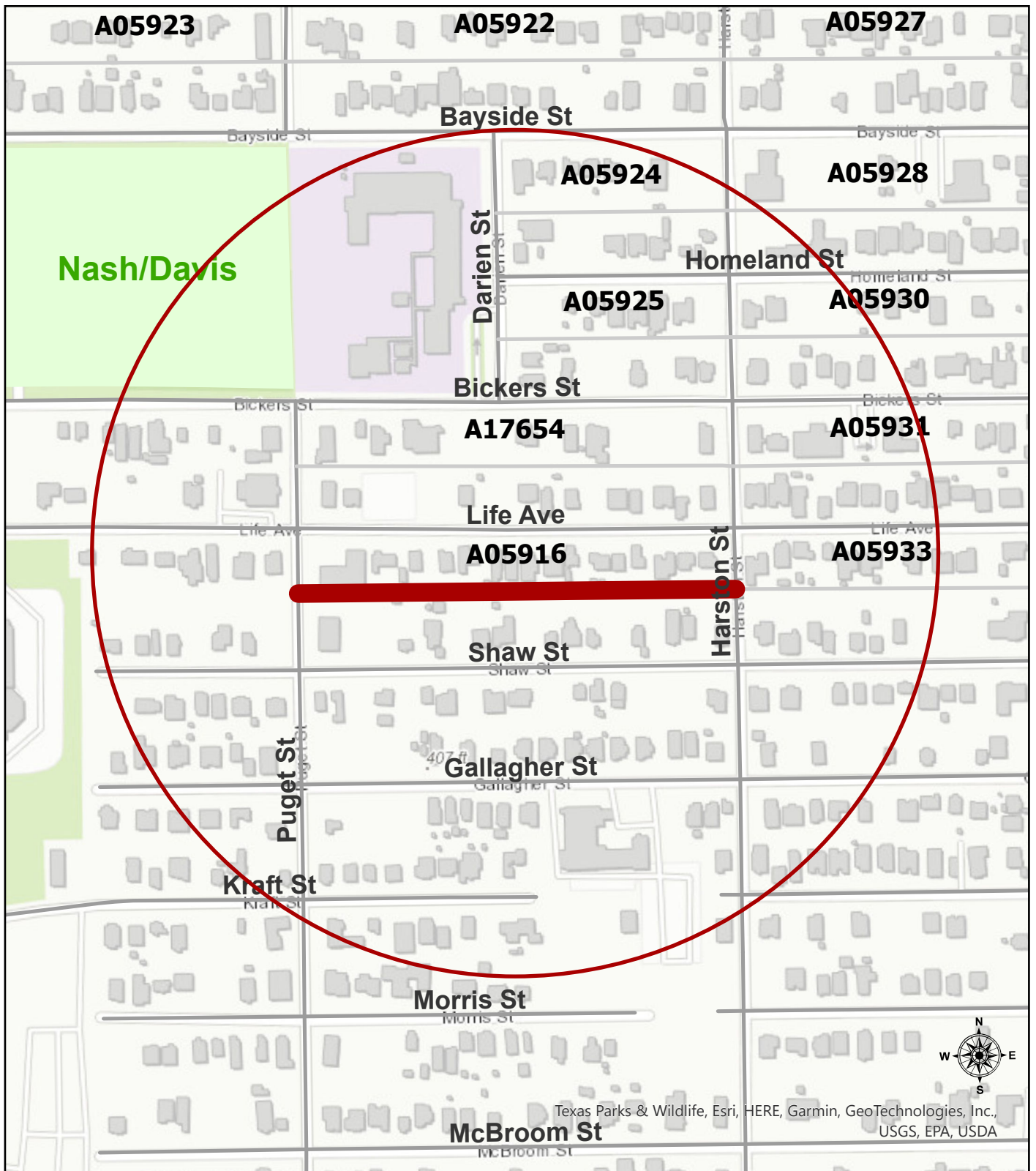
**COUNCIL DISTRICT 3**

**ALLEY BETWEEN 106-330 W CHERRY POINT DR & 6828-6844  
BRIERFIELD CIR**



**A05916**

**ALLEY BETWEEN 1903-1975 SHAW ST & 1902-1966 LIFE AVE**

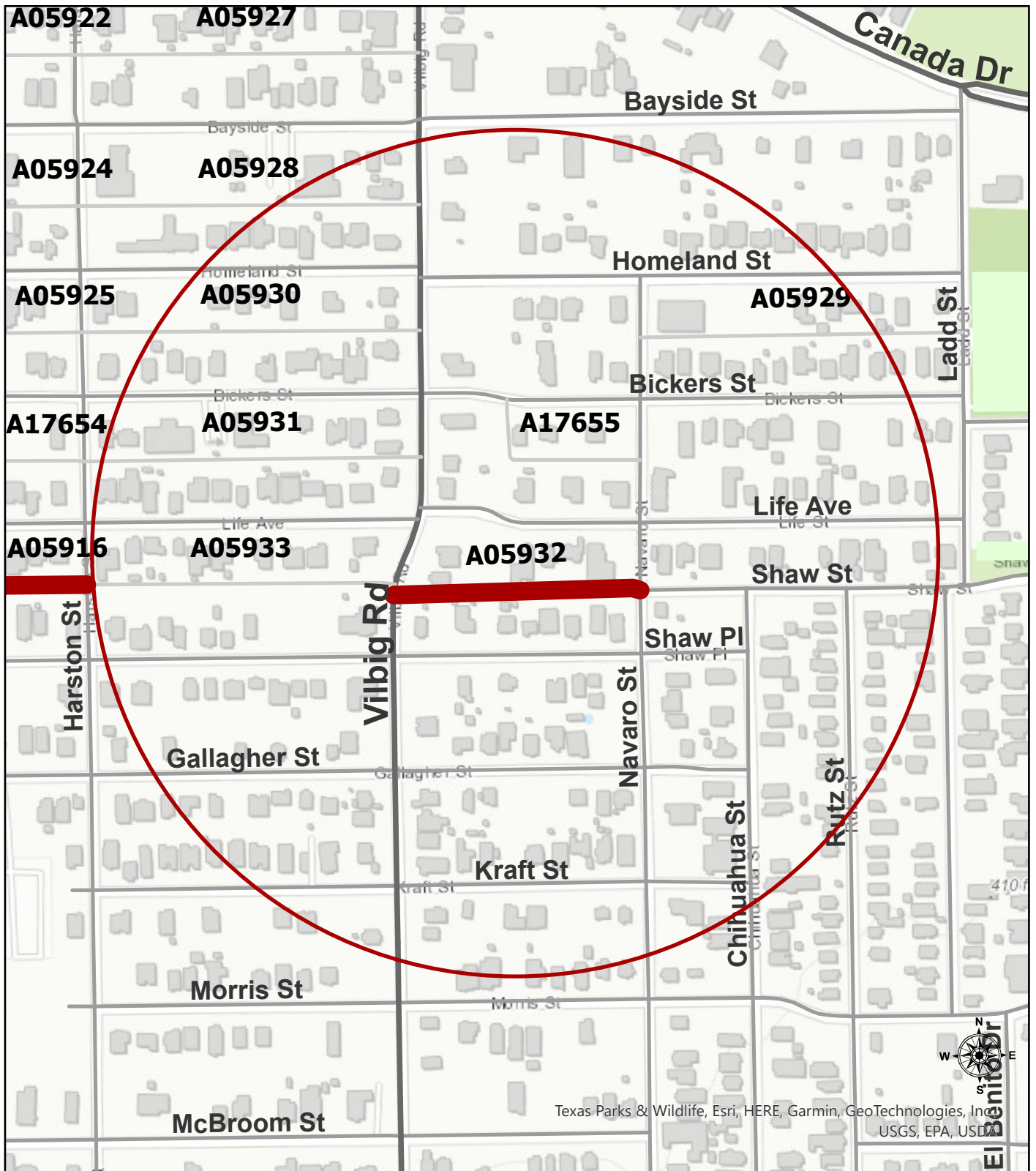


**COUNCIL DISTRICT 6**



**A05932**

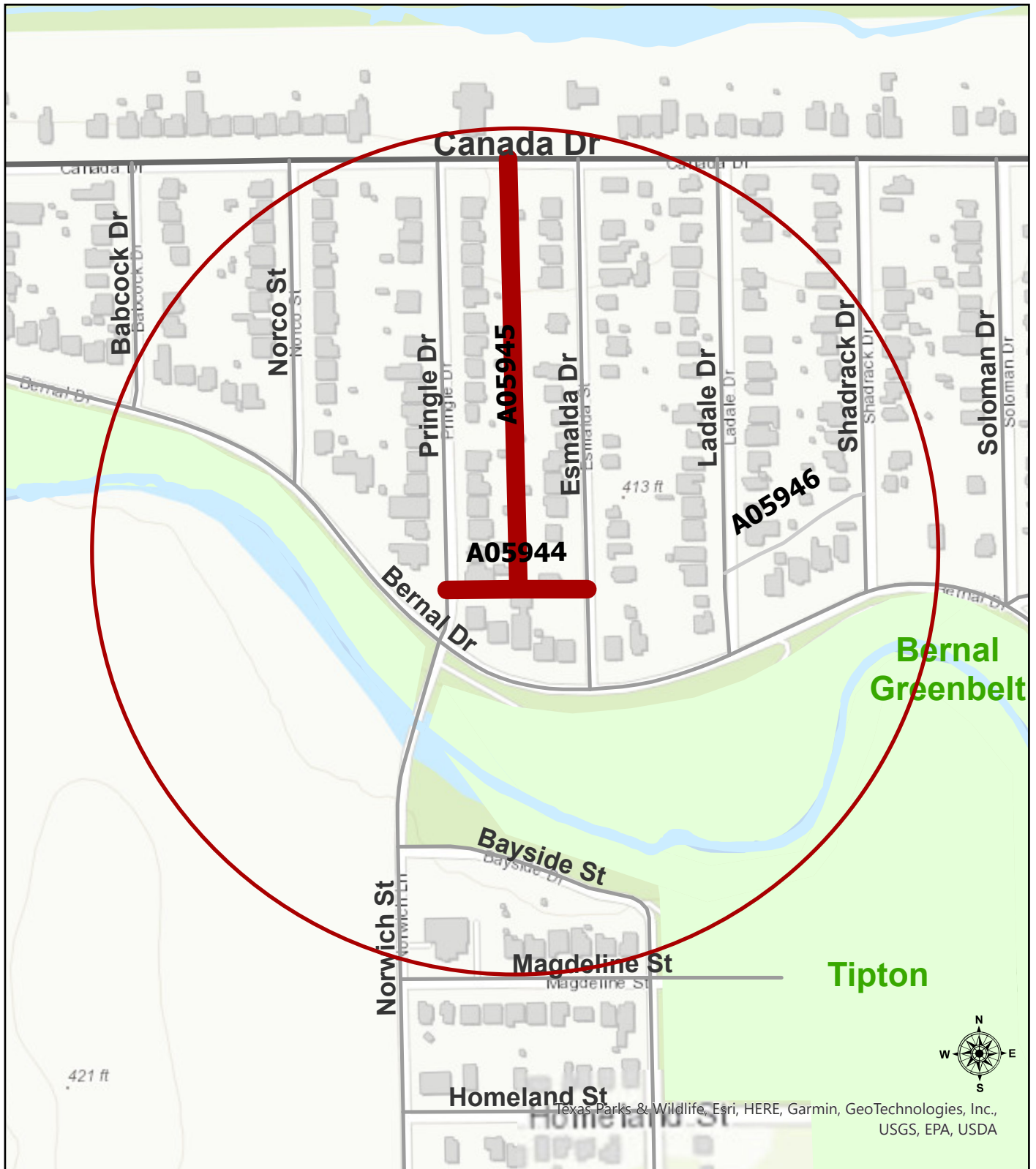
**ALLEY BETWEEN 1701-1737 SHAW ST & 1706-1716 LIFE AVE**



**COUNCIL DISTRICT 6**

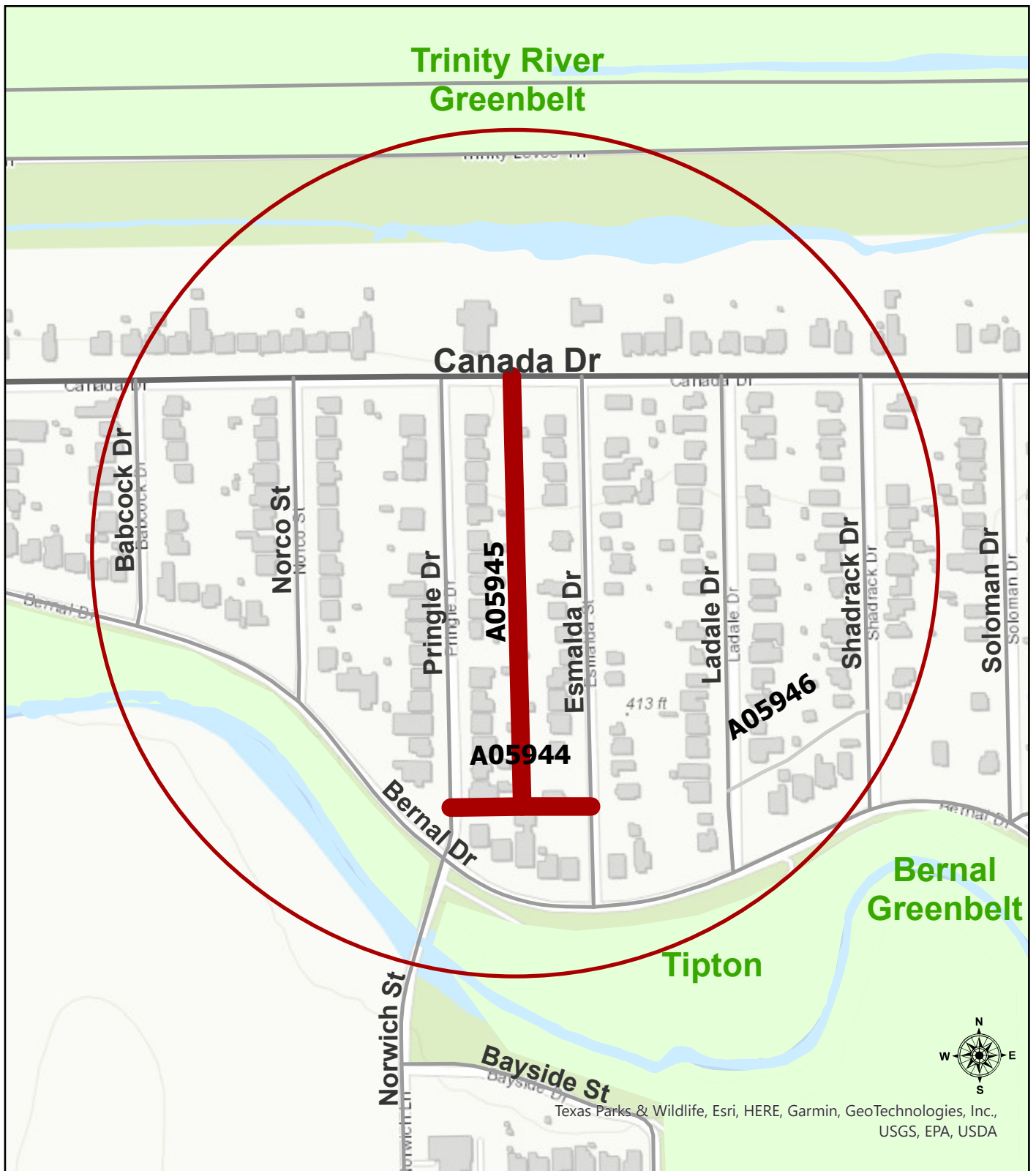
**A05944**

**ALLEY BETWEEN 3703-3721 BERNAL DR & 4017 ESMALDA DR**



**COUNCIL DISTRICT 6**

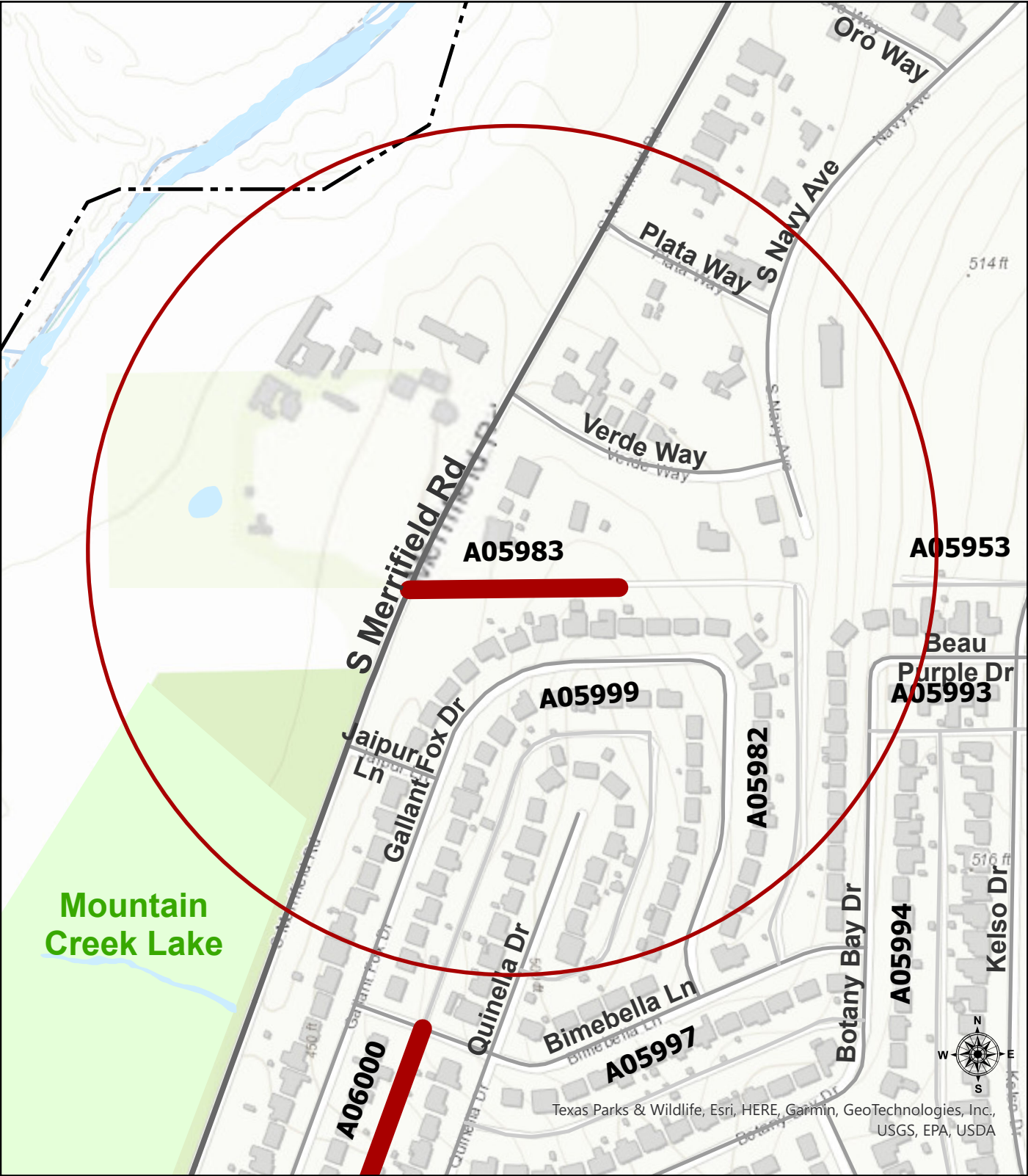
**A05945**  
**ALLEY BETWEEN 4010-4130 PRINGLE DR & 4017-4131**  
**ESMALDA DR**



**COUNCIL DISTRICT 6**



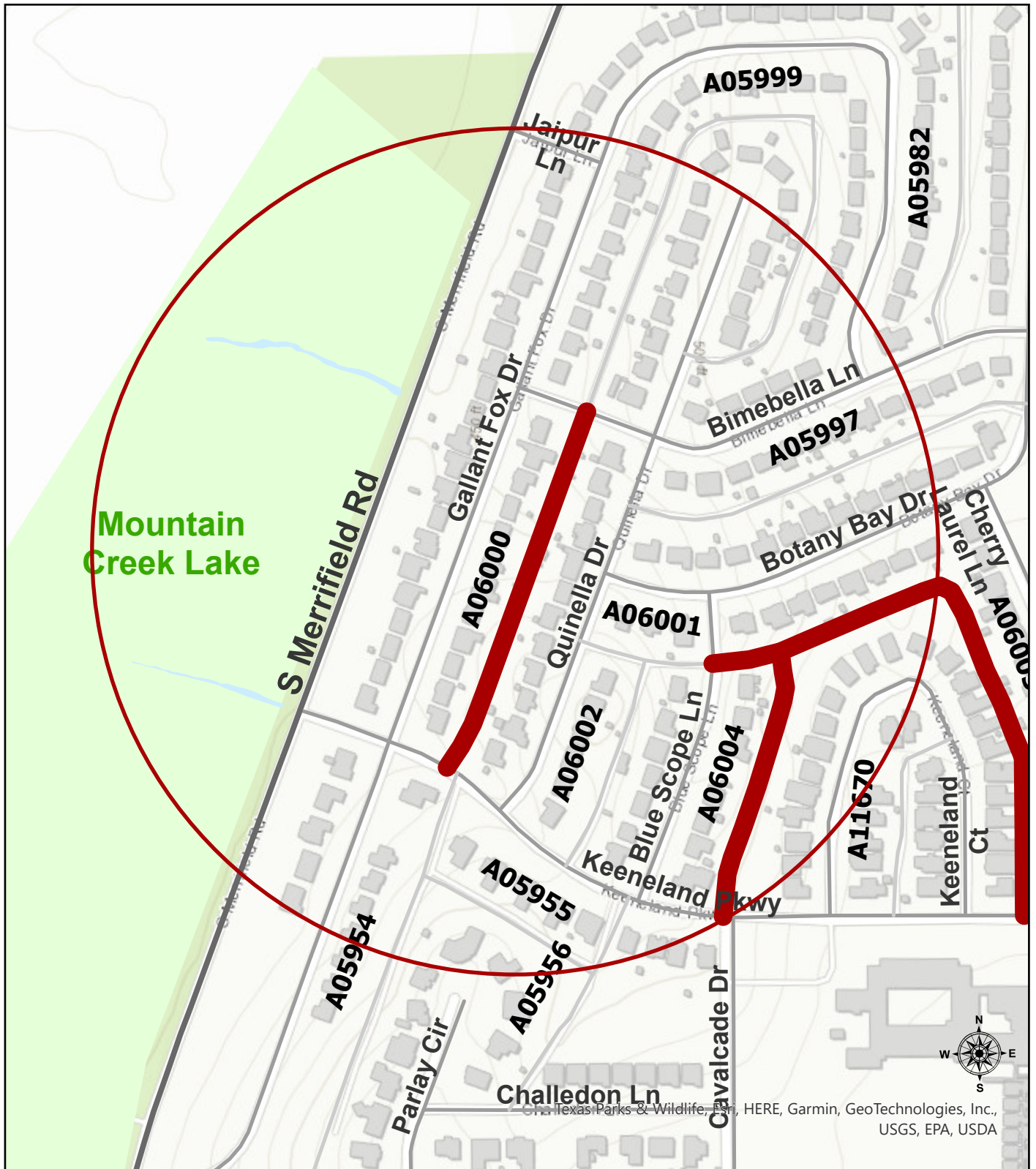
**A05983**  
**ALLEY BETWEEN 615-635 GALLANT FOX DR & 401 S**  
**MERRIFIELD RD**



**COUNCIL DISTRICT 6**

**A06000**

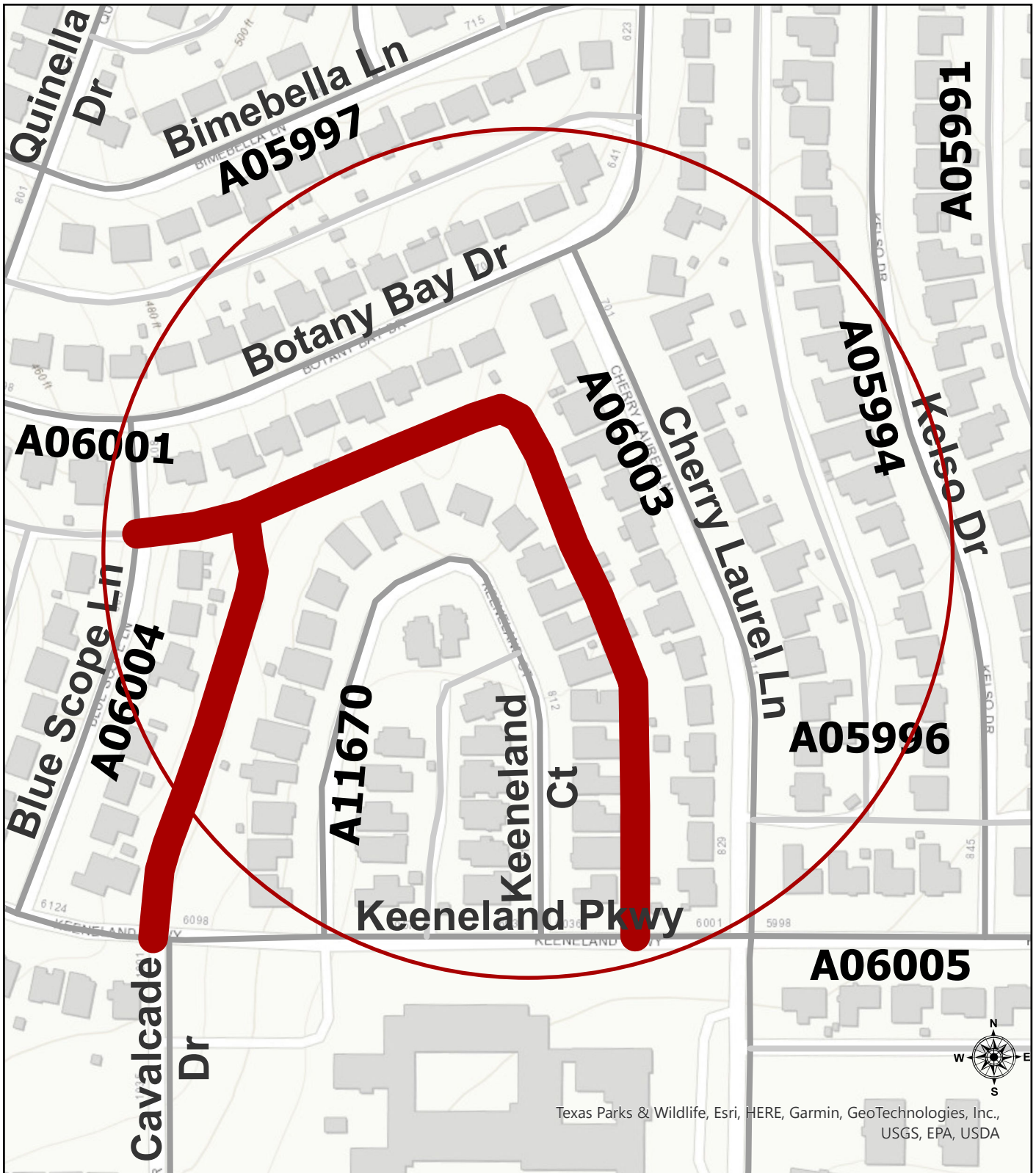
**ALLEY BETWEEN 805-865 QUINELLA DR & 806-860 GALLANT  
FOX DR**



**COUNCIL DISTRICT 6**



**A06003**  
**ALLEY BETWEEN 705-835 CHERRY LAUREL LN & 804-864**  
**KEENELAND CT**



**COUNCIL DISTRICT 6**

**A06004**  
**ALLEY BETWEEN 860-896 KEENELAND CT & 804-836 BLUE**  
**SCOPE LN**



**COUNCIL DISTRICT 6**



**A06533**  
**ALLEY BETWEEN 7304-7430 BRIERFIELD DR & 7305-7425**  
**WILCOX DR**



**COUNCIL DISTRICT 8**

January 11, 2023

**WHEREAS**, the annual Infrastructure Management Program, had identified a need for maintenance on paved alleys with less than 25 percent of failed pavement; and

**WHEREAS**, the Department of Public Works considers a paved alley an “improved” alley; and

**WHEREAS**, in Fiscal Year (FY) 2022, Dallas City Council approved funds allocated towards the Improved Alley Maintenance Program; and

**WHEREAS**, the Improved Alley Maintenance Program was completed in house in FY 2022; and

**WHEREAS**, for FY 2023 the Department of Public Works decided to outsource this work through four separate contracts with the purpose of engaging the Minority and Women Business Enterprise (M/WBE) community for this work; and

**WHEREAS**, bid specifications were developed and publicly advertised for competitive bids in August 2022 that brought 2 bids from non-minority firms and were over the project estimated amount; and

**WHEREAS**, The Department of Public Works worked with the Business Inclusion and Development Department, to identify and reach out to MWBE firms who may be interested in the Improved Alley Program reaching out to 35 minority contractors and contracting organizations to promote the projects for bidding; and

**WHEREAS**, the project was publicly re-advertised again on October 5, 2022; and

**WHEREAS**, on October 21, 2022, four bids were received for the construction contract for the Service Maintenance Area 2 - 2023 Improved Alley Maintenance Project follows:

<u>Bidders</u>	<u>Bid Amount</u>
Talbran Enterprises, LLC	\$630,404.37
HD Way Concrete Services, LLC	\$816,955.00
FNH Construction, LLC	\$831,671.00
Estrada Concrete Company, LLC	\$869,740.00

**WHEREAS**, it is now necessary to authorize a construction services contract with Talbran Enterprises, LLC, the lowest responsible bidder of four, for the Service Maintenance Area 2 - 2023 Improved Alley Maintenance Project, in an amount not to exceed \$630,404.37.

January 11, 2023

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a construction services contract with Talbran Enterprises, LLC., approved as to form by the City Attorney, for Service Maintenance Area 2 - 2023 Improved Alley Maintenance Project, in an amount not to exceed \$630,404.37, this being the lowest responsible bid received as indicated by the tabulation of bids.

**SECTION 2.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$630,404.37 to Talbran Enterprises, LLC from Street and Alley Improvement Fund, Fund 0715, Department PBW, Unit W913, Activity PB51, Object 3072, Encumbrance/Contract No. CX-PBW-2022-00019859, Vendor VC26221.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-8

**Item #:** 10.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 2, 6, 13, 14

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

### SUBJECT

Authorize a construction services contract for the Service Maintenance Area 3 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)

### BACKGROUND

This action will authorize a construction services contract with Talbran Enterprises, LLC, lowest responsible bidder of four, to provide construction services for the Service Maintenance Area 3 - 2023 Improved Alley Maintenance Project.

The Infrastructure Management Program has, for the last few years, identified a need for maintenance of alleys needing partial reconstruction. Improved alleys are defined as alleys that have been constructed in concrete or asphalt. Beginning in Fiscal Year (FY) 2022, funding had been provided for the maintenance of concrete alleys that are only in need of partial reconstruction, or less than 25% of pavement repair. In FY 2022, this program was completed in house and in FY 2023, the Department of Public Works went through the bidding process to procure four separate contracts, one for each quadrant of the city, with the intention of making the contract more attractive to the smaller Minority and Women-owned Business Enterprises (M/WBE) contractors.

Following are the locations and construction costs for each project:

<u>Project</u>	<u>Council District</u>	<u>Amount</u>
Langdon Avenue (2301-2427) and (2302-2426) West Lovers Lane	2	\$90,057.76
Langdon Avenue (2302-2426) and Roanoke Avenue (2303-2427)	2	\$90,057.76

Langdon Avenue (2115-2151) and West Lovers Lane (2118-2154)	2	\$90,057.77
High Mesa Drive (3505-3659) and Ridgebriar Drive (3522-3660)	6	\$90,057.77
High Mesa Drive (3405-3505) and High Meadow Drive (12210-12232)	6	\$90,057.77
Pallos Verdas Drive (3664-3688) and 11425 Marsh Lane	13	\$90,057.77
Oak Lawn Avenue (3607-3637) and Holland Avenue (3801-3827)	14	\$90,057.77

Talbran Enterprises, LLC is a Frisco-based corporation, and is a registered vendor with the City of Dallas.

Talbran Enterprises, LLC has had no contractual activities with the City of Dallas within the past three years.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction      February 2023  
Complete Construction      January 2024

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Street and Alley Improvement Fund	\$630,404.37	\$0.00	\$0.00

<b><u>Council District</u></b>	<b><u>Amount</u></b>
2	\$270,173.31
6	\$180,115.54
8	\$ 90,057.76
13	\$ 90,057.76
Total	\$630,404.37

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$630,404.37	Construction	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
32.00%	32.00	\$201,749.00
• This contract meets the M/WBE goal.		
• Talbran Enterprises, LLC - Non-local; Workforce - 75.00% Local		

**PROCUREMENT INFORMATION**

The following bid was received and opened on October 21, 2022:

\*Denotes successful bidder

**Bidders****Bid Amount**

*Talbran Enterprises, LLC 3245 W Main St. Frisco, Texas 75034	\$630,404.37
HD Way Concrete Service, LLC	\$816,955.00
FHN Construction, LLC	\$831,670.00
Estrada Concrete Company, LLC	\$869,740.00

**OWNER**

**Talbran Enterprises, LLC**

Eric S. Brandenburg, Principal

**MAPS**

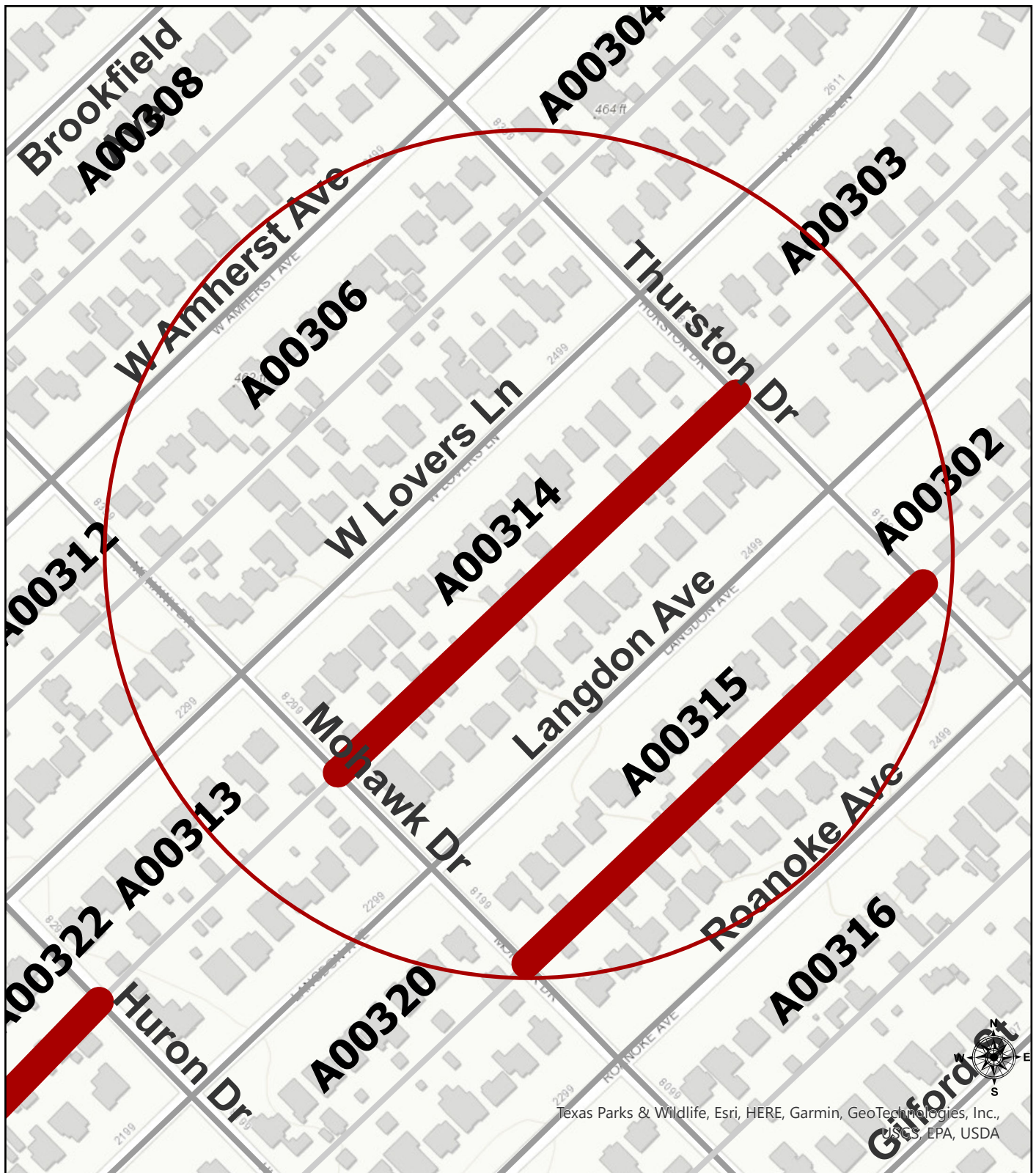
Attached



### Street Maintenance Area - 3

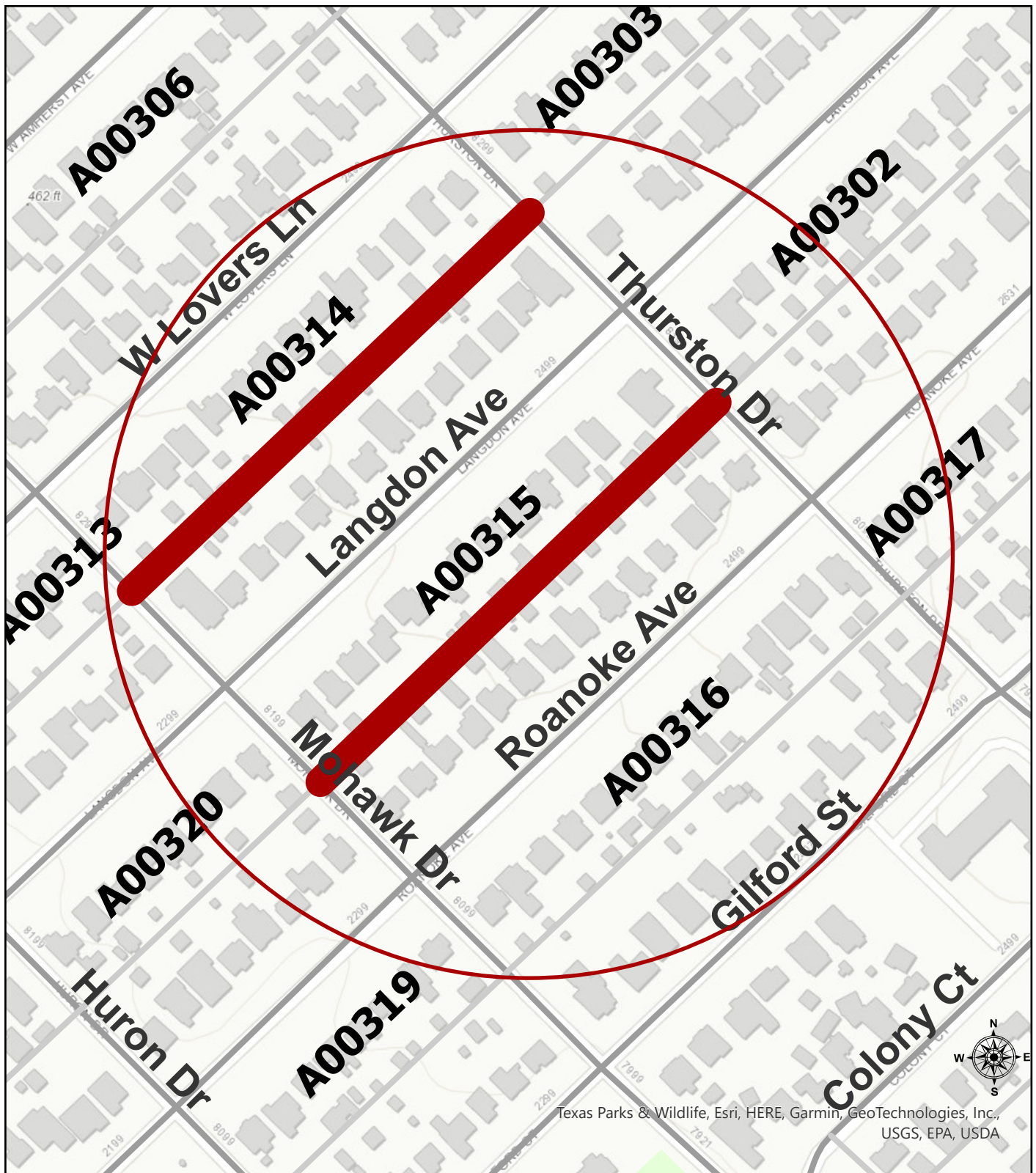
<b><u>Project</u></b>	<b><u>Council District</u></b>
Langdon Avenue (2301-2427) and West Lovers Lane (2302-2426)	2
Langdon Avenue (2302-2426) and Roanoke Avenue (2303-2427)	2
Langdon Avenue (2115-2151) and West Lovers Lane (2118-2154)	2
High Mesa Drive (3505-3659) and Ridgebriar Drive (3522-3660)	6
High Mesa Drive (3405-3505) and High Meadow Drive (12210-12232)	6
Pallos Verdas Drive (3664-3688) and 11425 Marsh Lane	13
Oak Lawn Avenue (3607-3637) and Holland Avenue (3801-3827)	14

**A00314**  
**ALLEY BETWEEN 2301-2427 LANGDON AVE & 2302-2426 W**  
**LOVERS LN**



**COUNCIL DISTRICT 2**

**A00315**  
**ALLEY BETWEEN 2302-2426 LANGDON AVE & 2303-2427**  
**ROANOKE AVE**



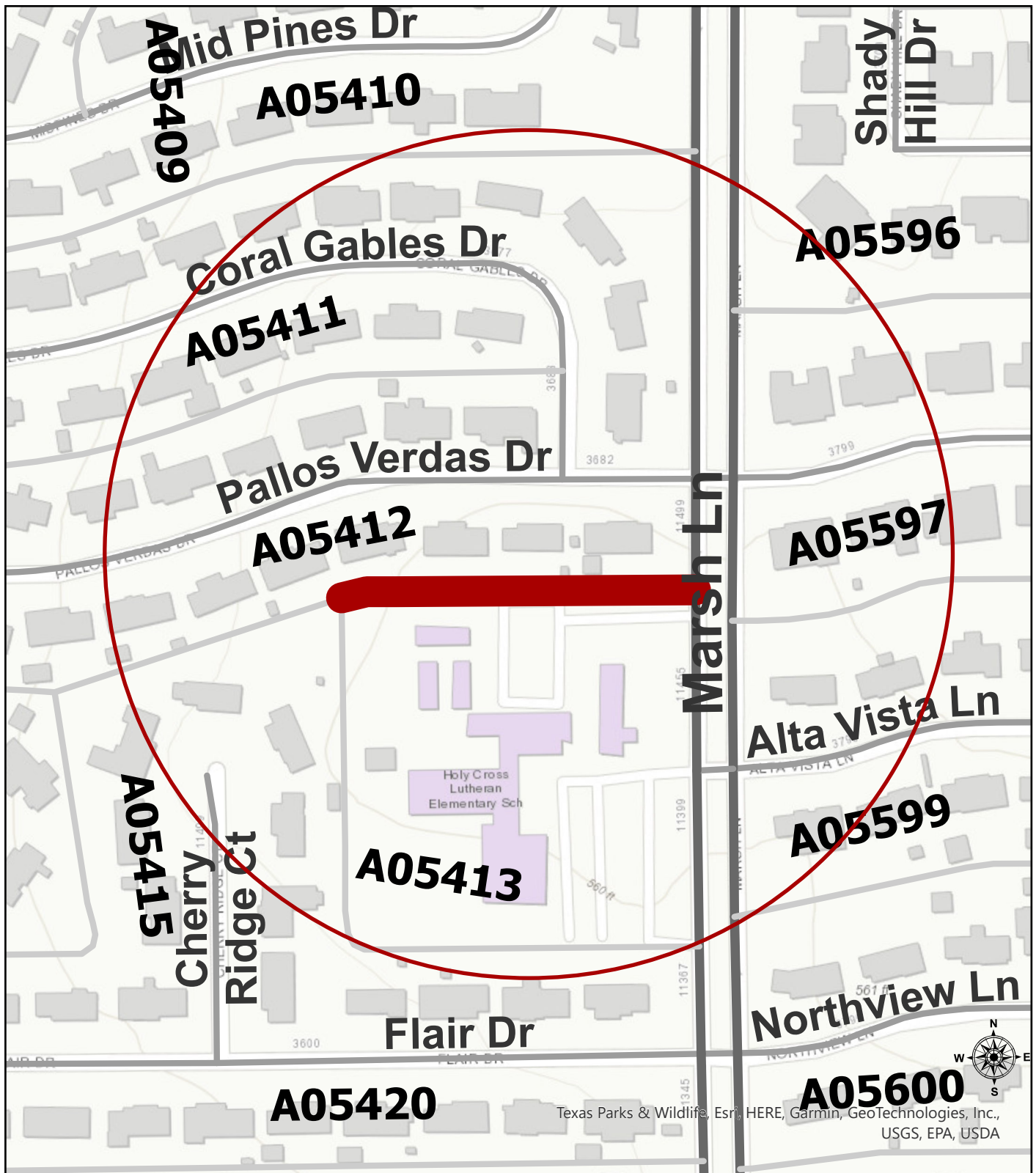
**COUNCIL DISTRICT 2**



Map of the study area showing the proposed 100-foot buffer around the 8009 property. The buffer is indicated by a red circle. The map includes street names: W Amherst Ave, W Lovers Ln, Huron Dr, Langdon Ave, Roanoke Ave, and Harry Hines Blvd. The 8009 property is highlighted in red. Other nearby properties are labeled with their IDs: A00323, A00318, A00312, A00313, A00314, A00322, A00321, and A00320. The map also shows a compass rose and a scale bar.

## COUNCIL DISTRICT 2

**A05412**  
**ALLEY BETWEEN 3664-3688 PALLOS VERDAS DR & 11425**  
**MARSH LN**



**COUNCIL DISTRICT 13**

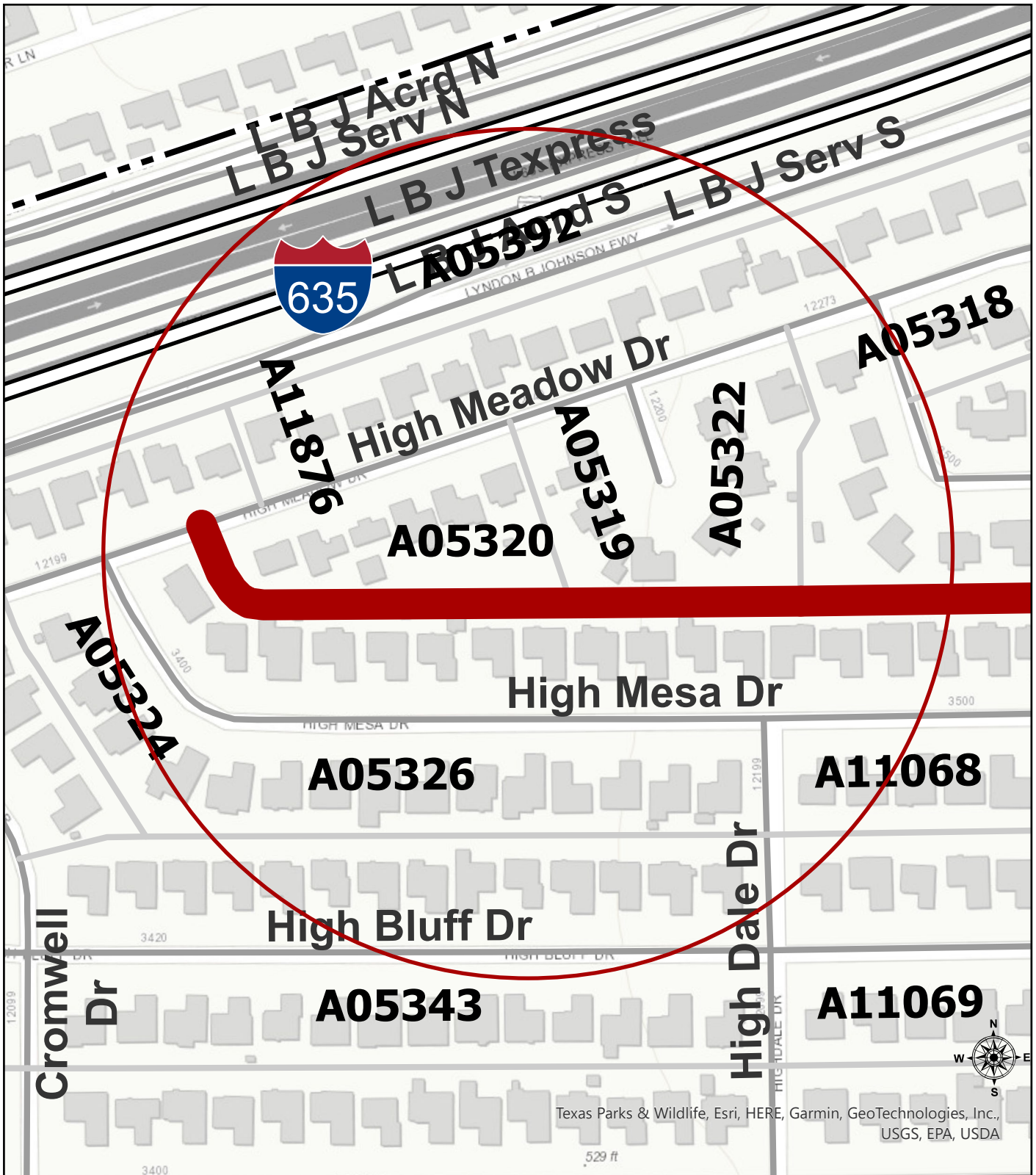


**A05320**  
**ALLEY BETWEEN 3505-3659 HIGH MESA DR & 3522-3660**  
**RIDGEBRIAR DR**



**COUNCIL DISTRICT 6**

**A05320**  
**ALLEY BETWEEN 3405-3505 HIGH MESA DR & 12210-12232**  
**HIGH MEADOW DR**



**COUNCIL DISTRICT 6**



**A00467**  
**ALLEY BETWEEN 3607-3637 OAK LAWN AVE & 3801-3827**  
**HOLLAND AVE**



**COUNCIL DISTRICT 14**



January 11, 2023

**WHEREAS**, the annual Infrastructure Management Program had identified a need for maintenance on paved alleys with less than 25 percent of failed pavement; and

**WHEREAS**, the Department of Public Works considers a paved alley an “improved” alley; and

**WHEREAS**, in Fiscal Year (FY) 2022 Dallas City Council approved funds allocated towards the Improved Alley Maintenance Program; and

**WHEREAS**, the Improved Alley Maintenance Program was completed in-house in FY 2022; and

**WHEREAS**, for FY 2023 the Department of Public Works decided to outsource this work through four (4) separate contracts with the purpose of engaging the Minority and Women Business Enterprise (M/WBE) community for this work; and

**WHEREAS**, bid specifications were developed and publicly advertised for competitive bids in August 2022 that brought 2 bids from non-minority firms and were over the project estimated amount; and

**WHEREAS**, the Department of Public Works worked with the Business Inclusion and Development Department, to identify and reach out to M/WBE firms who may be interested in the Improved Alley Program reaching out to 35 minority contractors and contracting organizations to promote the projects for bidding; and

**WHEREAS**, the project was publicly re-advertised again on October 5, 2022; and

**WHEREAS**, on October 21, 2022, four bids were received for the construction contract for the Service Maintenance Area 3 - 2023 Improved Alley Maintenance Project follows:

<u>Bidders</u>	<u>Bid Amount</u>
Talbran Enterprises, LLC	\$630,404.37
HD Way Concrete Services, LLC	\$816,955.00
FNH Construction, LLC	\$831,671.00
Estrada Concrete Company, LLC	\$869,740.00

**WHEREAS**, it is now necessary to authorize a construction services contract with Talbran Enterprises, LLC, the lowest responsible bidder of four, for the Service Maintenance Area 3 - 2023 Improved Alley Maintenance Project, in an amount not to exceed \$630,404.37.

January 11, 2023

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a construction services contract with Talbran Enterprises, LLC., approved as to form by the City Attorney, for Service Maintenance Area 3 - 2023 Improved Alley Maintenance Project, in an amount not to exceed \$630,404.37, this being the lowest responsible bid received as indicated by the tabulation of bids.

**SECTION 2.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds, in an amount not to exceed \$630,404.37 to Talbran Enterprises, LLC from Street and Alley Improvement Fund, Fund 0715, Department PBW, Unit W913, Activity PB51, Object 3072, Encumbrance/Contract No. CX-PBW-2022-00019860, Vendor VC26221.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-9

**Item #:** 11.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 7, 9, 10

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

### **SUBJECT**

Authorize a construction services contract for the Service Maintenance Area 4 - 2023 Improved Alley Maintenance Project (list attached to the Agenda Information Sheet) - Talbran Enterprises, LLC, lowest responsible bidder of four - Not to exceed \$630,404.37 - Financing: Street and Alley Improvement Fund (subject to annual appropriation)

### **BACKGROUND**

This action will authorize a construction services contract with Talbran Enterprises, LLC, lowest responsible bidder of four, to provide construction services for the Service Maintenance Area 4 - 2023 Improved Alley Maintenance Project.

The Infrastructure Management Program has, for the last few years, identified a need for maintenance of alleys needing partial reconstruction. Improved alleys are defined as alleys that have been constructed in concrete or asphalt. Beginning in Fiscal Year (FY) 2022, funding had been provided for the maintenance of concrete alleys that are only in need of partial reconstruction, or less than 25 percent of pavement repair. In FY 2022, this program was completed in-house; and in FY 2023, the Department of Public Works went through the bidding process to procure four separate contracts, one for each quadrant of the city, with the intention of making the contract more attractive to the smaller Minority/Women-owned Business Enterprise (M/WBE) contractors.

<b><u>Project</u></b>	<b><u>Council District</u></b>	<b><u>Amount</u></b>
Gross Road (1721-1769) and Beechmont Drive (2759-2799)	7	\$126,081.88
Felicia Court (2708-2742) and Beechmont Place (2720-2728)	7	\$126,080.88

Gross Road (1710-1770) 7 \$126,080.87  
and North Buckner Boulevard (2722-2728)

Bella Vista Drive (1500-1540) 9 \$126,080.37  
and North Buckner Boulevard (1519-1547)

Shadyview Drive (10006-10156) 10 \$126,080.37  
and McCree Road (10005-10151)

Talbran Enterprises, LLC is a Frisco-based corporation, and is a registered vendor with the City of Dallas.

Talbran Enterprises, LLC has had no contractual activities with the City of Dallas within the past three years.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction February 2023  
Complete Construction January 2024

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Street and Alley Improvement Fund	\$630,404.37	\$0.00	\$0.00

<b><u>Council District</u></b>	<b><u>Amount</u></b>
7	\$378,243.63
9	\$126,080.37
10	<u>\$126,080.37</u>
Total	\$630,404.37

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$630,404.37	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
32.00%	32.00%	\$201,749.00
• This contract meets the M/WBE goal.		
• Talbran Enterprises, LLC - Non-local; Workforce - 75.00% Local		

## **PROCUREMENT INFORMATION**

The following bid was received and opened on October 21, 2022:

\*Denotes successful bidder

### **Bidders**

### **Bid Amount**

*Talbran Enterprises, LLC 3245 West Main Street Frisco, Texas 75034	\$630,404.37
HD Way Concrete Service, LLC	\$816,955.00
FHN Construction, LLC	\$831,670.00
Estrada Concrete Company, LLC	\$869,740.00

### **OWNER**

**Talbran Enterprises, LLC**

Eric S. Brandenburg, Principal

### **MAPS**

Attached

## Street Maintenance Area – 4

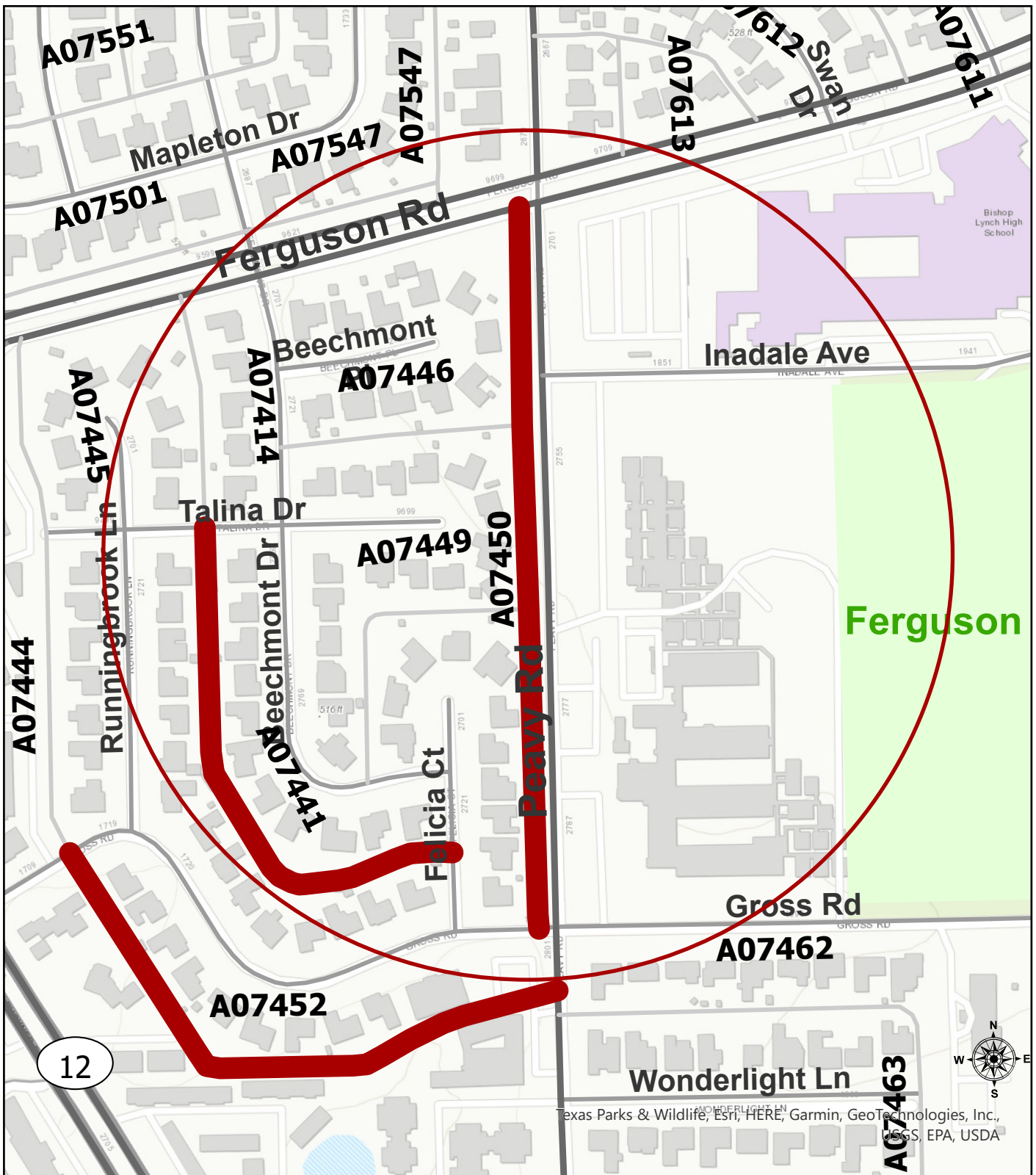
<b><u>Project</u></b>	<b><u>Council District</u></b>
Bella Vista Drive (1500-1540) and North Buckner Boulevard (1519-1547)	7
Gross Road (1721-1769) and Beechmont Drive (2759-2799)	7
Felicia Court (2708-2742) and Beechmont Place (2720-2728)	7
Gross Road (1710-1770) and North Buckner Boulevard (2722-2728)	9
Shadyview Drive (10006-10156) and McCree Road (10005-10151)	10

**A07441**  
**ALLEY BETWEEN 1721-1769 GROSS RD & 2759-2799**  
**BEECHMONT DR**



**COUNCIL DISTRICT 7**

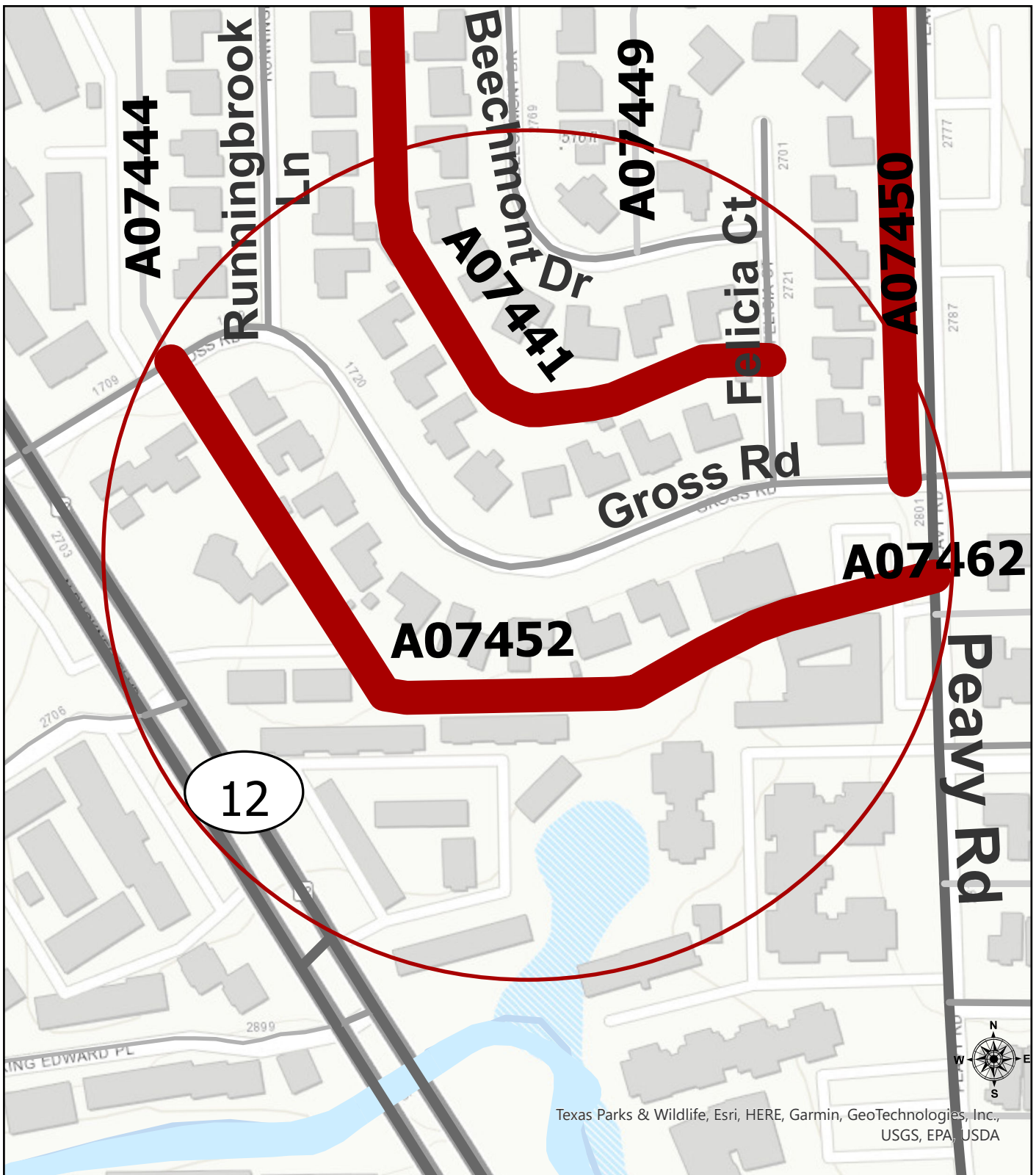
**A07450**  
**ALLEY BETWEEN 2708-2742 FELICIA CT & 2720-2728**  
**BEECHMONT PL**



**COUNCIL DISTRICT 7**



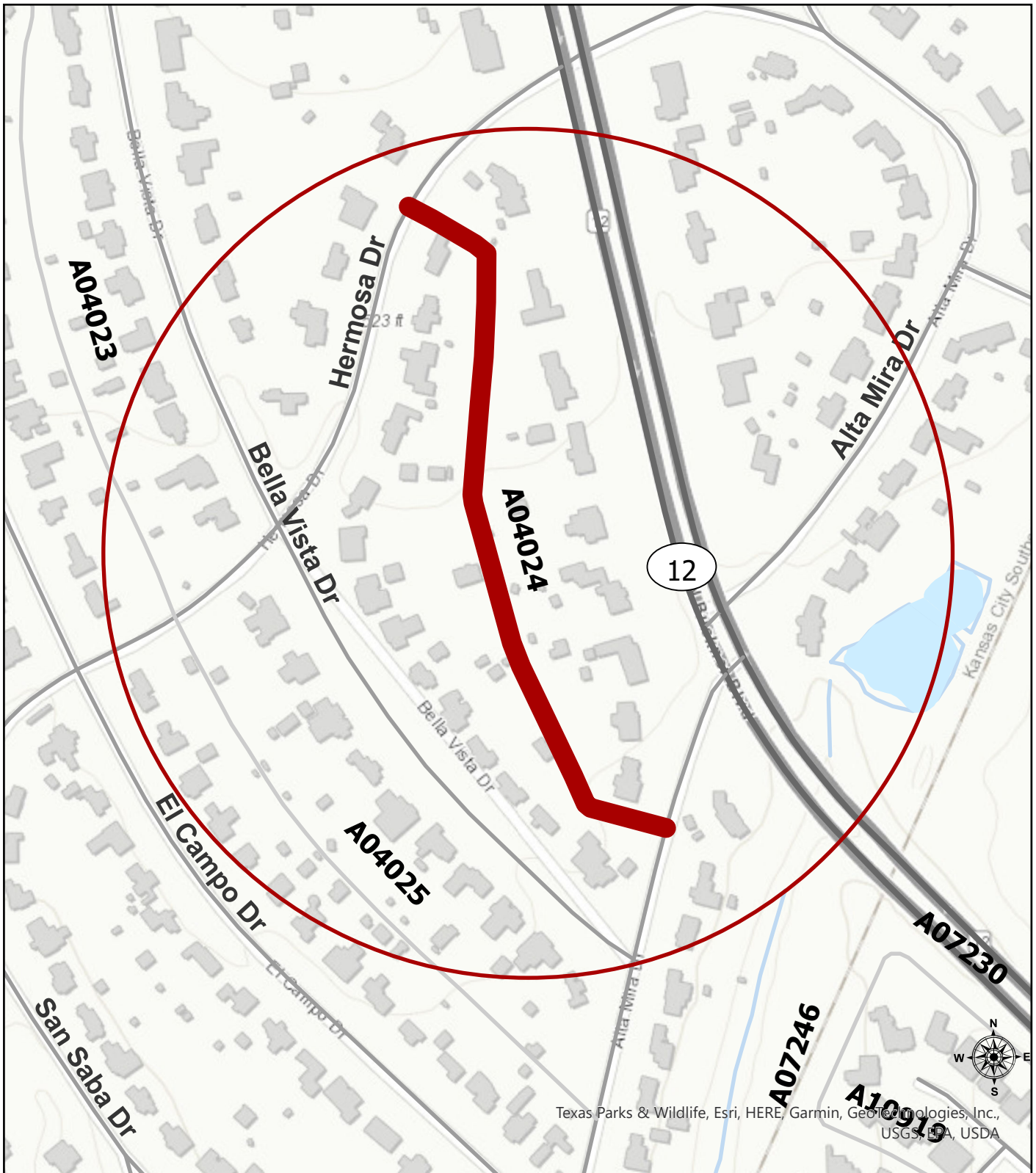
**A07452**  
**ALLEY BETWEEN 1710-1770 GROSS RD & 2722-2728 N**  
**BUCKNER BLVD**



**COUNCIL DISTRICT 7**

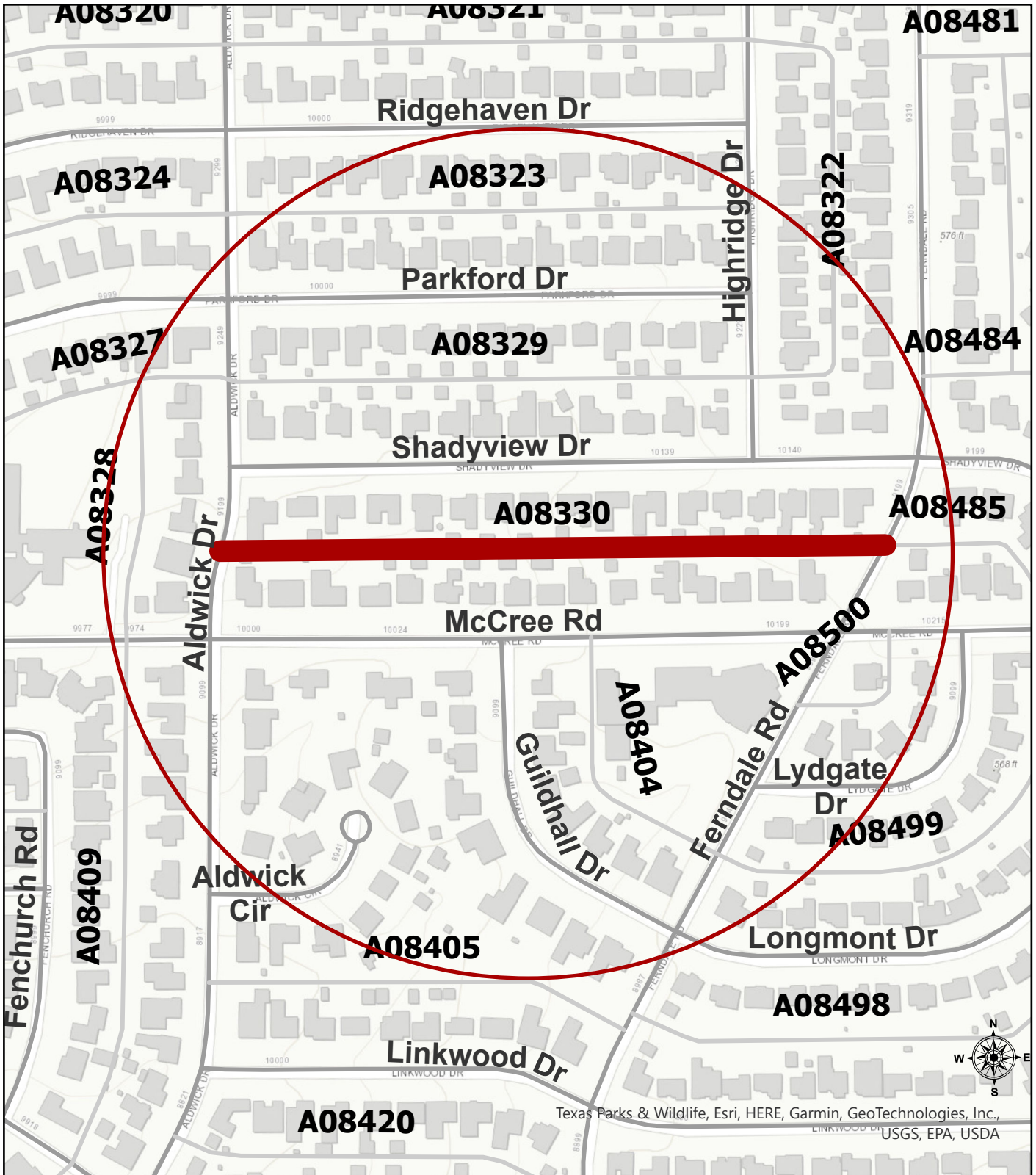
**A04024**

**ALLEY BETWEEN 1500-1540 BELLA VISTA DR & 1519-1547 N  
BUCKNER BLVD**



**COUNCIL DISTRICT 9**

**A08330**  
**ALLEY BETWEEN 10006-10156 SHADYVIEW DR &**  
**10005-10151 MCCREE RD**



**COUNCIL DISTRICT 10**



January 11, 2023

**WHEREAS**, the annual Infrastructure Management Program had identified a need for maintenance on paved alleys with less than 25 percent of failed pavement; and

**WHEREAS**, the Department of Public Works considers a paved alley an “improved” alley; and

**WHEREAS**, in Fiscal Year (FY) 2022 Dallas City Council approved funds allocated towards the Improved Alley Maintenance Program; and

**WHEREAS**, the Improved Alley Maintenance Program was completed in-house in FY 2022; and

**WHEREAS**, for FY 2023 the Department of Public Works decided to outsource this work through four separate contracts with the purpose of engaging the Minority and Women Business Enterprise (M/WBE) community for this work; and

**WHEREAS**, bid specifications were developed and publicly advertised for competitive bids in August 2022 that brought two bids from non-minority firms and were over the project estimated amount; and

**WHEREAS**, the Department of Public Works worked with the Business Inclusion and Development Department, to identify and reach out to M/WBE firms who may be interested in the Improved Alley Maintenance Program reaching out to 35 minority contractors and contracting organizations to promote the projects for bidding; and

**WHEREAS**, the project was publicly re-advertised again on October 5, 2022; and

**WHEREAS**, on October 21, 2022, four bids were received for the construction contract for the Service Maintenance Area 4 - 2023 Improved Alley Maintenance Project follows:

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
Talbran Enterprises, LLC	\$630,404.37
HD Way Concrete Services, LLC	\$816,955.00
FNH Construction, LLC	\$831,671.00
Estrada Concrete Company, LLC	\$869,740.00

**WHEREAS**, it is now necessary to authorize a construction services contract with Talbran Enterprises, LLC, the lowest responsible bidder of four, for the Service Maintenance Area 4 - 2023 Improved Alley Maintenance Project, in an amount not to exceed \$630,404.37.

January 11, 2023

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a construction services contract with Talbran Enterprises, LLC, approved as to form by the City Attorney, for Service Maintenance Area 4 - 2023 Improved Alley Maintenance Project, in an amount not to exceed \$630,404.37, this being the lowest responsible bid received as indicated by the tabulation of bids.

**SECTION 2.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds, in an amount not to exceed \$630,404.37 (subject to annual appropriation) to Talbran Enterprises, LLC from Street and Alley Improvement Fund, Fund 0715, Department PBW, Unit W913, Activity PB51, Object 3072, Encumbrance/Contract No. CX-PBW-2022-00019861, Vendor VC26221.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

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**File #:** 23-13

**Item #:** 12.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize a construction services contract for the 2023 Annual Street Maintenance Contract (list attached to the Agenda Information Sheet) - Texas Materials Group Inc., dba Texas Bit, a CRH company, lowest responsible bidder of two - Not to exceed \$48,906,741.15 - Financing: General Fund (\$27,998,850.15) and Street and Alley Improvement Fund (\$20,907,891.00) (subject to annual appropriations)

### **BACKGROUND**

This action will authorize a construction services contract with Texas Materials Group Inc., dba Texas Bit, a CRH company, to provide construction services for the 2023 Annual Street Maintenance Contract.

This project will consist of surfacing milling, curb and gutter repair, sidewalk repair, barrier-free ramp installation; base pavement repairs, joint and crack sealing, underseal, leveling-up course where required, street restoration where required, hot mix asphaltic concrete surface course, pavement markings and devices, and other miscellaneous items necessary to complete the project in accordance with the intent of the documents herein. Base bid quantities consist of the estimated items for the street projects listed in the FY 2023 Annual Street Maintenance Contract.

This project was publicly advertised for three consecutive weeks; and on October 21, 2022, two bids were received. Project location list is attached.

Texas Materials Group Inc., dba Texas Bit, a CRH company has had no contractual activities with the City of Dallas for the past three years.

If this project group is not awarded for construction at this time, the streets will continue to deteriorate causing additional pavement cracking and potholes to form, creating additional maintenance costs for the City, and potential damages to vehicles utilizing the roadways.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Construction January 2023  
 Complete Construction January 2024

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Funds	\$15,159,393.00	\$12,839,457.15	\$0.00
Street and Alley Improvement Fund	\$20,907,891.00	\$ 0.00	\$0.00
Total	\$36,067,284.00	\$12,839,457.15	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$48,906,741.15	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
46.24%	46.24%	\$22,614,112.00
• This contract exceeds the M/WBE goal.		
• Texas Materials Group, dba Texas Bit, a CRH company - Local; Workforce - 8.25% Local		

**PROCUREMENT INFORMATION**

The following two bids were received and opened on October 21, 2022:

\*Denotes successful bidder

**Bidders****Bid Amount**

*Texas Materials Group Inc., dba Texas Bit, a CRH Company 420 Decker Drive, Suite 200 Irving, Texas 75062	\$48,906,741.15
Johnson Bros. Corporation a Southland Company	\$49,759,203.75



**OWNER**

**Texas Materials Group Inc., dba Texas Bit, a CRH company**

Ronald D. Stinson Jr., Vice President - Project Development

**MAP**

Attached

# LIST

## 12 Month - 2023 Maintenance Contract

SRD Project Id	Action	From Block	To Block	Project Street	Project Description	Lane Miles	Council District
31456	AOC	7800	7800	BANNER DR	MERIT DR to COIT RD	0.6717	11
30827	AOC	6400	6400	BARFIELD DR	FORTSON AVE to FEATHERWOOD DR	0.5467	12
31876	AOC	5700	5900	BRYAN PKWY	MATILDA ST TO N BEACON ST	0.6252	14
31841	AOC	6200	6200	BRYAN PKWY	SKILLMAN ST TO LA VISTA DR	0.3964	14
31458	AOC	500	500	CALYX CIR	HILANDALE DR to S MARSALIS AVE	0.3673	4
31873	AOC	3800	3800	EAST SIDE AVE	COMMERCE ST TO EOP	0.2070	2
31880	AOC	8600	9100	FERGUSON RD	LAKELAND DR to SIDWIN ST	3.0558	9
31879	AOC	10400	10400	FERGUSON RD	JOAQUIN DR TO ANDOVER DR	1.4793	9
30517	AOC	1900	1900	FORDHAM RD	S LANCASTER RD to BIGLOW ST	0.7009	4
31875	AOC	6600	6700	GASTON AVE	CAMBRIA BLVD TO BRENDENWOOD DR	1.6850	9
31843	AOC	400	400	GRAHAM AVE	SANTA FE AVE TO TERRY ST	0.1743	2
31842	AOC	5500	5500	JUNIUS ST	N AUGUSTA ST TO N BEACON ST	0.3060	14
31840	AOC	5500	5900	LINDELL AVE	GREENVILLE AVE to LIVE OAK ST	0.7336	14
31878	AOC	10300	10300	LOSA DR	FULLER DR TO CASA VALE DR	0.3311	9
31457	AOC	2400	2400	MARFA AVE	GARRISON ST to CARDINAL DR	0.6790	4
31874	AOC	2900	2900	MEYERS ST	SOUTH BLVD TO MARTIN LUTHER KING JR BLVD	0.2156	7
31833	AOC	200	400	OKLAUNION DR	OLUSTA DR to KOMALTY DR	0.6583	8
30518	AOC	10200	10200	PINECREST DR	SYLVIA DR to FULLER DR	0.4593	9
31877	AOC	6100	6300	PROSPECT AVE	SKILLMAN ST TO ABRAMS RD	1.3107	14
30828	AOC	17600	17600	SEEDLING CT	SEEDLING LN to eop	0.2459	12
30829	AOC	2600	2600	SEEDLING LN	BIG BEND DR to KELLY BLVD	0.3108	12
31839	AOC	1300	1400	ST FRANCIS AVE	SAN FERNANDO WAY to FOREST HILLS BLVD	0.5569	9
31872	AOC	5000	5100	TERRY ST	S MUNGER BLVD to S ST MARY AVE	0.2951	2
31844	AOC	5300	5300	TERRY ST	S HENDERSON AVE TO FAIRVIEW AVE	0.2929	2
30519	AOC	1300	1300	WHITLEY DR	LAKE JUNE RD to MAXWELL AVE	0.1954	5
30830	AOC	6400	6400	WINDSONG DR	DAVENPORT RD to FEATHERWOOD DR	0.4347	12
30831	AOC	14800	14900	WOODBRIAR DR	HARVEST GLEN DR to GRAYPORT DR	0.4471	11
31834	AOC	200	300	WOODMONT DR	ALCORN AVE to MARLA DR	0.6250	8
30832	AOC	1600	1600	X ST	LUNA RD to TANNER RD	0.7297	6
31065	AOC Global	10300	10300	FERN DR	SYLVIA DR to GUS THOMASSON RD	0.5887	9
31066	AOC Global	1800	1800	FULLER DR	SYLVIA DR to ESTACADO DR	0.4283	9
31067	AOC Global	10400	10800	HERMOSA DR	FULLER DR to CENTERVILLE RD	1.1399	9
31068	AOC Global	1300	1400	HOUGHTON RD	SECO BLVD to LAKE JUNE RD	0.6799	5
31069	AOC Global	100	400	MALCOLM X BLVD (S)	MAIN ST to ST LOUIS ST	1.1610	2
31070	AOC Global	5900	6300	MOCKINGBIRD LN (E)	DELMAR AVE to ABRAMS RD	4.4363	14
31071	AOC Global	8000	8000	RENO CT (N)	PRICHARD LN to S RENO CT	0.3245	5
31072	AOC Global	8000	8000	RENO CT (S)	PRICHARD LN to N RENO CT	0.2059	5
31073	AOC Global	4500	4600	ROCKAWAY DR	E MOCKINGBIRD LN to FISHER RD	0.7688	9
31074	AOC Global	7800	7800	ROSEMEAD DR	HILLBURN DR to PRICHARD LN	0.3753	5
31075	AOC Global	1100	1200	ST AUGUSTINE DR (N)	LAKE JUNE RD to ANGELUS RD	0.8152	5
31076	AOC Global	6800	6900	TOWN NORTH DR	E NORTHWEST HWY to LARMANDA ST	1.2807	9
31077	Enhanced Partial	8600	8600	ANGORA ST	LAKELAND DR to TAVAROS AVE	0.7547	9
31078	Enhanced Partial	8800	8800	ARBOR PARK DR	ARBOR PARK CT to ROBIN MEADOW DR	0.8707	10
31079	Enhanced Partial	7300	7300	CORONADO AVE	TUCKER ST to EAST GRAND AVE	0.3508	14
31080	Enhanced Partial	7400	7400	DALEWOOD LN	BRENTCOVE CIR to E MOCKINGBIRD LN	0.2385	9
31081	Enhanced Partial	6700	6900	DALHART LN	WILLIAMSON RD to SANTA BARBARA DR	0.9418	9
31083	Enhanced Partial	3000	3100	EDGERTON DR	MARTIN LUTHER KING JR BLVD to PENNSYLVANIA AVE	0.5097	7
31082	Enhanced Partial	7000	7000	EDGERTON DR	WILD VALLEY DR to FENTON DR	0.1661	9
31084	Enhanced Partial	2300	2300	EUGENE ST	DIAMOND AVE to WALDRON AVE	0.2351	7
31085	Enhanced Partial	10500	10500	EVANGELINE WAY	EASTON RD to LAKE GARDENS DR	0.3958	9
31086	Enhanced Partial	6600	6600	LARMANDA ST	SKILLMAN ST to PARK LN	1.3042	13
31087	Enhanced Partial	4800	4800	LAWTHER DR (W)	W LAWTHER ACRD N to E NORTHWEST HWY	1.7028	9
31088	Enhanced Partial	3200	3200	LINFIELD RD	HUMPHREY DR to VANDERVORT DR	0.5778	4
31418	Enhanced Partial	2500	2500	LOVING AVE	WILDGROVE AVE to PASADENA AVE	0.1957	9
31419	Enhanced Partial	3200	3200	MALCOLM X BLVD (S)	PENNSYLVANIA AVE to BIRMINGHAM AVE	0.2680	7

## 12 Month - 2023 Maintenance Contract

31089	Enhanced Partial	3300	3300 MALCOLM X BLVD (S)	BIRMINGHAM AVE to Warren Ave	0.2808	7
31420	Enhanced Partial	3400	3500 MALCOLM X BLVD (S)	WARREN AVE to DATHE ST	0.7982	7
31090	Enhanced Partial	3200	3300 MEYERS ST	PENNSYLVANIA AVE to WARREN AVE	0.3303	7
31091	Enhanced Partial	10400	10400 OLD SEAGOVILLE RD	LEVANT AVE to S ACRES DR	1.8110	5
31092	Enhanced Partial	2400	2700 PENNSYLVANIA AVE	EDGEWOOD ST to S MALCOLM X BLVD	1.6815	7
31093	Enhanced Partial	8600	8600 REDONDO DR	LAKELAND DR to TAVAROS AVE	0.7344	9
31094	Enhanced Partial	6900	6900 ROCKVIEW LN	DALEWOOD LN to E MOCKINGBIRD LN	0.3142	9
31095	Enhanced Partial	9000	9000 SAN FERNANDO WAY	OCALLA AVE to OLD GATE LN	0.3245	9
31096	Enhanced Partial	2700	2700 SOUTHLAND ST	MYRTLE ST to S MALCOLM X BLVD	0.3143	7
31097	Enhanced Partial	100	100 ST AUGUSTINE DR (N)	GRADY LN to N ST AUGUSTINE DR	0.4856	5
31098	Enhanced Partial	100	100 ST AUGUSTINE DR (S)	GRADY LN to OLD SEAGOVILLE RD	1.0747	5
31099	Enhanced Partial	3800	3800 STANLEY SMITH DR	PROSPERITY AVE to FORDHAM RD	0.4027	4
31100	Enhanced Partial	6800	6800 WALLING LN	SKILLMAN ST to KINGSBURY DR	0.5408	9
31101	Enhanced Partial	9400	9400 WALNUT ST	ABRAMS RD to LOIS LN	3.1104	10
31049	Full-Depth Asphalt	5600	5600 ANITA ST	WORCOLA ST to GREENVILLE AVE	0.3213	14
30806	Full-Depth Asphalt	6600	6600 AUTUMN WOODS TRL	MEDALIST DR to HIGHCREST DR	0.3724	3
30807	Full-Depth Asphalt	4400	4400 BARSTOW BLVD	S COCKRELL HILL RD to HERON TRL	0.4424	3
30808	Full-Depth Asphalt	4600	4700 BARSTOW BLVD	COCKATIEL LN to LARIMORE LN	0.6667	3
30809	Full-Depth Asphalt	6100	6200 BAYMAR LN	PRESTON RD to MARIANNE CIR	0.9781	12
30810	Full-Depth Asphalt	6400	6400 BELMEAD DR	W RICKS CIR to E RICKS CIR	0.6313	11
30811	Full-Depth Asphalt	2400	2400 BOYD ST	WILBUR ST to W ILLINOIS AVE	0.3677	1
30812	Full-Depth Asphalt	15500	15500 BRANCHCREST CIR	LA COSA DR to LA COSA DR	0.3153	11
31817	Full-Depth Asphalt	4000	4100 BRIARBEND RD	A10441 TO CAPISTRANO DR	0.9763	12
30813	Full-Depth Asphalt	1800	1800 BROOKHAVEN DR	BECKLEYWOOD BLVD to PELMAN ST	0.1258	1
30815	Full-Depth Asphalt	100	100 CANTY ST (E)	N BECKLEY AVE to N CRAWFORD ST	0.1201	1
31837	Full-Depth Asphalt	6100	6100 CAPESTONE DR	PEMBERTON HILL RD to ELLA AVE	0.4750	8
31050	Full-Depth Asphalt	8900	8900 CLUB MEADOWS DR	LOCARNO DR to WHITEHURST DR	0.1697	10
30816	Full-Depth Asphalt	9900	9900 CONSTANCE ST	BOWMAN BLVD to GLENRIO LN	0.8701	6
30817	Full-Depth Asphalt	3500	3500 CORAL GABLES DR	SONNET DR to PALLOS VERDAS DR	0.6754	13
30818	Full-Depth Asphalt	3200	3200 CORAL ROCK LN	CORAL HILLS DR to EOP	0.2214	13
31389	Full-Depth Asphalt	600	600 CRAWFORD ST (N)	E DAVIS ST to E NEELY ST	0.1945	1
31826	Full-Depth Asphalt	7000	7000 CREEK BEND RD	DAVENPORT RD TO FRANKFORD RD	0.4437	12
30820	Full-Depth Asphalt	200	300 CUMBERLAND ST	E JEFFERSON BLVD to E 12TH ST	0.5310	1
30819	Full-Depth Asphalt	800	800 CUMBERLAND ST	E PEMBROKE AVE to E SUFFOLK AVE	0.2593	4
30821	Full-Depth Asphalt	9900	9900 DALE CREST DR	PARK LN to WALNUT HILL LN	0.9622	6
30823	Full-Depth Asphalt	11400	11400 DENTON DR	ZELRICH LN to RODNEY LN	0.4021	6
30824	Full-Depth Asphalt	11600	11600 DENTON DR	NORTHAVEN RD to L B J SERV S	0.6558	6
30822	Full-Depth Asphalt	12000	12000 DENTON DR	DENTON DR to EOP	0.8026	6
31824	Full-Depth Asphalt	4700	4700 DORSET RD	LENNOX LN TO STRAIT LN	0.3403	13
31051	Full-Depth Asphalt	9000	9000 DRUMCLIFFE LN	BLESSINGTON DR to TORY SOUND DR	0.3320	10
31390	Full-Depth Asphalt	7700	7700 EAGLE TRL	GOFORTH RD to BARGIAMES LN	0.6974	10
31819	Full-Depth Asphalt	5300	5500 EDLEN DR	MEADOWBROOK DR TO HOLLOW WAY RD	0.6048	13
30825	Full-Depth Asphalt	100	200 ELMORE AVE (E)	S BECKLEY AVE to RAMSEY AVE	0.2778	4
30826	Full-Depth Asphalt	1300	1300 ELMORE AVE (E)	S DENLEY DR to S LANCASTER RD	0.1443	4
31391	Full-Depth Asphalt	5800	5800 FALLS RD	DOUGLAS AVE to PRESTON RD	0.4547	13
31392	Full-Depth Asphalt	8700	8700 FAWN DR	EAGLE TRL to DEER TRAIL DR	0.2385	10
31052	Full-Depth Asphalt	2300	2300 FENESTRA DR	LAKELAND DR to SWEETWATER DR	0.6498	7
31053	Full-Depth Asphalt	8700	8800 FLINT FALLS DR	LOMA VISTA DR to ROCKY BRANCH DR	0.5042	10
31393	Full-Depth Asphalt	4500	4500 FRIO DR	MENTOR AVE to HORTENSE AVE	0.2957	4
31394	Full-Depth Asphalt	11200	11200 GOODNIGHT LN	MERRELL RD to JOE FIELD RD	0.8195	6
31831	Full-Depth Asphalt	9000	9000 GROVELAND DR	OCALLA AVE TO OLD GATE LN	0.1783	9
31395	Full-Depth Asphalt	9200	9300 HATHAWAY ST	W NORTHWEST HWY to DELOACHE AVE	0.6410	13
31821	Full-Depth Asphalt	9700	9900 HATHAWAY ST	WINSTON CT TO WALNUT HILL LN	0.5655	13
31054	Full-Depth Asphalt	9400	9500 HILLDALE DR	HILL VIEW DR to TORY SOUND DR	1.0161	10
31397	Full-Depth Asphalt	400	400 HOBSON AVE (E)	ARIZONA AVE to MICHIGAN AVE	0.1788	4
31396	Full-Depth Asphalt	600	600 HOBSON AVE (E)	ALASKA AVE to S MARSALIS AVE	0.1391	4
31398	Full-Depth Asphalt	800	1000 HOBSON AVE (E)	MARYLAND AVE to HARLANDALE AVE	0.4984	4
31399	Full-Depth Asphalt	1200	1200 HOBSON AVE (E)	BRITTON AVE to S DENLEY DR	0.1583	4

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31400	Full-Depth Asphalt	7200	7200 HOLYOKE DR	GRACEFIELD LN to CROOKED OAK DR	0.6230	12
31401	Full-Depth Asphalt	2700	2700 IDAHO AVE	E HOBSON AVE to E SANER AVE	0.3173	4
31402	Full-Depth Asphalt	3500	3500 JUBILEE TRL	SONNET DR to MARSH LN	0.6669	13
31056	Full-Depth Asphalt	3000	3000 KINMORE ST	ST CHARLES AVE to OWENWOOD AVE	0.4243	2
31055	Full-Depth Asphalt	3400	3400 KINMORE ST	DOLPHIN RD to WINFIELD AVE	0.3561	2
31827	Full-Depth Asphalt	4000	4000 KIRKMEADOW LN	MIDWAY RD TO TIMBERGLEN RD	0.5311	12
31820	Full-Depth Asphalt	6200	6200 LAKEHURST AVE	TULANE ST TO TIBBS ST	0.3981	13
31403	Full-Depth Asphalt	1600	1600 LAKEVIEW DR (E)	VERMONT AVE to IOWA AVE	0.2042	4
31404	Full-Depth Asphalt	2200	2200 LARSON LN	NEWBERRY ST to GOODNIGHT LN	0.4290	6
31405	Full-Depth Asphalt	1100	1100 LEBANON AVE	S POLK ST to S EDGEFIELD AVE	0.4791	1
31406	Full-Depth Asphalt	2300	2300 LLEWELLYN AVE (S)	W ILLINOIS AVE to LLEWELLYN CT	0.6703	4
31835	Full-Depth Asphalt	6700	6700 LUCY ST	RAYENELL AVE to WOODMONT DR	0.1301	5
31407	Full-Depth Asphalt	500	500 MARLBOROUGH AVE (S)	W 12TH ST to W BROOKLYN AVE	0.4902	1
31408	Full-Depth Asphalt	2800	2800 MICHIGAN AVE	E SANER AVE to E BROWNLEE AVE	0.2496	4
31409	Full-Depth Asphalt	1000	1000 MISSOURI AVE (E)	S EWING AVE to HARLANDALE AVE	0.1374	4
31410	Full-Depth Asphalt	1200	1200 MISSOURI AVE (E)	BRITTON AVE to S DENLEY DR	0.1573	4
31838	Full-Depth Asphalt	6100	6100 MISTY WOOD DR	PEMBERTON HILL RD to ELLA AVE	0.4730	8
31057	Full-Depth Asphalt	3200	3200 NORRIS ST	MONTICELLO AVE to MERCEDES AVE	0.2338	14
31058	Full-Depth Asphalt	1600	1700 OCALLA AVE	DICEMAN DR to SAN BENITO WAY	0.2531	9
31830	Full-Depth Asphalt	1800	1800 OCALLA AVE	SAN BENITO WAY TO SAN LEANDRO DR	0.1295	9
31829	Full-Depth Asphalt	2000	2000 OCALLA AVE	GROVELAND DR TO EUSTIS AVE	0.1159	9
31411	Full-Depth Asphalt	1100	1200 OHIO AVE (E)	HARLANDALE AVE to S DENLEY DR	0.4712	4
31413	Full-Depth Asphalt	2000	2000 ORIAL AVE	W LOUISIANA AVE to W WOODIN BLVD	0.1689	4
31412	Full-Depth Asphalt	2300	2300 ORIAL AVE	W ILLINOIS AVE to GUTHRIE ST	0.2507	4
31415	Full-Depth Asphalt	300	300 PEMBROKE AVE (W)	S MADISON AVE to S BISHOP AVE	0.3927	1
31414	Full-Depth Asphalt	900	1000 PEMBROKE AVE (W)	S TYLER ST to S POLK ST	0.2670	1
31416	Full-Depth Asphalt	1500	1700 PLANTATION RD	EOP to WYCHE BLVD	0.7626	2
31059	Full-Depth Asphalt	1400	1400 SAN SABA DR	REDONDO DR to SAN SABA DR	0.7895	9
31828	Full-Depth Asphalt	1600	1600 SANFORD AVE	DICEMAN DR TO DAYTONIA AVE	0.1369	9
31825	Full-Depth Asphalt	10000	10100 STRAIT LN	WALNUT HILL LN TO N LINDHURST AVE	0.3898	13
31060	Full-Depth Asphalt	4900	4900 SYCAMORE ST	N FITZHUGH AVE to N COLLETT AVE	0.2750	2
31061	Full-Depth Asphalt	8600	8600 TONAWANDA DR	HOLCOMB RD to OAK HILL CIR	0.6613	5
31832	Full-Depth Asphalt	1300	1300 TRANQUILLA DR	LOSA DR TO REDONDO DR	0.1493	9
31822	Full-Depth Asphalt	9500	9500 TULANE ST	STEFANI DR TO JOYCE WAY	0.1271	13
31823	Full-Depth Asphalt	10300	10300 TULANE ST	MEADOW RD TO WAGGONER DR	0.1264	13
31417	Full-Depth Asphalt	900	900 WAVERLY DR (S)	BURLINGTON BLVD to W CLARENDON DR	0.5969	1
31062	Full-Depth Asphalt	1200	1300 WHITE ROCK DR	GARLAND RD to FOREST HILLS BLVD	0.6345	9
31818	Full-Depth Asphalt	4200	4200 WILLOW GROVE RD	MIDWAY RD TO CRESTLINE AVE	0.5051	13
31063	Full-Depth Asphalt	9000	9000 WINDY CREST DR	GREENVILLE AVE to A03533	0.5891	10
31064	Full-Depth Asphalt	6000	6000 WINTON ST	CONCHO ST to SKILLMAN ST	0.4009	14
30732	Partial Reconstruction	2100	2100 56TH ST	S LANCASTER RD to BRONX AVE	0.6612	8
30733	Partial Reconstruction	5300	5500 AMESBURY DR	E LOVERS LN to MEADOW BEND DR	1.5929	14
30981	Partial Reconstruction	100	100 ANTHONY ST	E 10TH ST to E 9TH ST	0.1243	4
31135	Partial Reconstruction	3700	3700 ATLANTA ST	METROPOLITAN AVE to ROMINE AVE	0.2705	7
30982	Partial Reconstruction	5100	5100 BELLERIVE DR	QUAIL LAKE DR to IVY HILL DR	0.4755	12
32106	Partial Reconstruction	5900	5900 BENT CREEK TRL	MILL WHEAT TRL TO BENTWOOD TRL	0.0000	
32105	Partial Reconstruction	5900	6000 BENTWOOD TRL	DESERET TRL TO CUPERTINO TRL	0.0000	
30983	Partial Reconstruction	4800	4900 BERNAL DR	TUMALO TRL to HAMMERLY DR	2.5361	6
30734	Partial Reconstruction	3500	3500 BERTRAND AVE	2ND AVE to EOP	0.5674	7
30735	Partial Reconstruction	9400	9600 BILL BROWNE LN	WINDY CREST DR to DUSTI DR	0.4846	10
30736	Partial Reconstruction	700	700 BLAIR BLVD	LINDSLEY AVE to SANTA MONICA DR	0.1618	14
30984	Partial Reconstruction	400	400 BOND AVE (N)	SPRUCE ST to W DAVIS ST	0.3607	6
30737	Partial Reconstruction	1500	1600 BONNIE VIEW RD	SOUTHERLAND AVE to LANARK AVE	1.3682	4
30738	Partial Reconstruction	1200	1400 BREEZEWOOD DR	GARLAND RD to SANTA CLARA DR	1.6223	9
31136	Partial Reconstruction	5700	5700 BRUTON RD	MOONLIGHT AVE to BRUTON RD	4.1638	5
30739	Partial Reconstruction	1400	1400 CADIZ ST	S AKARD ST to BROWDER ST	0.3269	2
30985	Partial Reconstruction	1000	1000 CHALMERS ST	ASTER ST to W CLARENDON DR	0.1434	1
30986	Partial Reconstruction	3000	3000 CHIHUAHUA ST	SINGLETON BLVD to PUEBLO ST	0.2360	6

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30987	Partial Reconstruction	2200	2200 CLARK ST	HALLSVILLE ST to THOMAS AVE	0.2562	14
32104	Partial Reconstruction	4200	4300 COBBLERS LN	VOSS RD TO BRIARGROVE LN	0.0000	
31137	Partial Reconstruction	2300	2300 COMMERCE ST (W)	LONE STAR DR to POSTAL WAY	1.3226	6
30988	Partial Reconstruction	6500	6500 COMPASS RIDGE DR	BARNACLE DR to HARBOR GLEN DR	0.7138	3
30740	Partial Reconstruction	8500	8500 COPPERTOWNE LN	BRITTANIA WAY to COPPERTOWNE LN	0.2263	10
32103	Partial Reconstruction	4200	4400 COUNTRY BROOK DR	VOSS RD TO EOP	0.0000	
30989	Partial Reconstruction	4600	4600 CREEKMEADOW DR	WINTERCREEK WAY to SHADOW GLEN DR	0.2390	12
30741	Partial Reconstruction	7300	7300 DALEWOOD LN	ROCKVIEW LN to BRENTCOVE CIR	0.3432	9
30742	Partial Reconstruction	9000	9000 DAYTONIA AVE	OCALLA AVE to OLD GATE LN	0.2592	9
30743	Partial Reconstruction	3300	3300 DETONTE ST	SILVER AVE to DOLPHIN RD	0.2085	7
31138	Partial Reconstruction	3800	3800 DIAMOND AVE	ROMINE AVE to HICKMAN ST	0.2276	7
31139	Partial Reconstruction	3700	3700 DILDOCK ST	METROPOLITAN AVE to ROMINE AVE	0.2830	7
30744	Partial Reconstruction	700	700 EASTON RD	E LAKE HIGHLANDS DR to LIPPITT AVE	0.6787	9
32102	Partial Reconstruction	5900	5900 EDINBURGH CT	CAMPBELL RD TO EOP	0.0000	
32101	Partial Reconstruction	5800	5800 EDINBURGH ST	TURNBRIDGE DR TO CAMPBELL RD	0.0000	
30745	Partial Reconstruction	4100	4100 ELECTRA ST	SPRING AVE to PINE ST	0.1785	7
30990	Partial Reconstruction	4900	4900 ELLENSBURG DR	DRUJON LN to EOP	0.3745	13
30746	Partial Reconstruction	2200	2200 EUGENE ST	S CENTRAL EXPY E to DIAMOND AVE	0.2127	7
30747	Partial Reconstruction	3400	3500 FAIRVIEW AVE	DOLPHIN RD to BOONE AVE	0.8180	2
31140	Partial Reconstruction	2600	2700 FARRAGUT ST	BRIGHAM LN to S MALCOLM X BLVD	0.3373	7
32100	Partial Reconstruction	4200	4200 FIREBRICK LN	VOSS RD TO PARK GROVE LN	0.0000	
31141	Partial Reconstruction	7200	7200 FLAMELEAF PL	SOPHORA CIR to WHITE ASH RD	0.3642	3
30749	Partial Reconstruction	8400	8900 FOREST LN	TI BLVD to GREENVILLE AVE	4.4795	10
30748	Partial Reconstruction	9500	9500 FOREST LN	L B J SERV N to AUDELIA RD	5.1148	10
31142	Partial Reconstruction	2800	2800 FROST AVE	S MALCOLM X BLVD to FROST AVE	0.3844	7
30750	Partial Reconstruction	1400	1400 FULLER DR	LOSA DR to HERMOSA DR	0.4004	9
31143	Partial Reconstruction	2400	2400 GARDEN DR	WANDA ST to CROZIER ST	0.1796	7
30991	Partial Reconstruction	1500	1500 GARZA AVE	RAMONA AVE to FRIO DR	0.2213	4
30751	Partial Reconstruction	5500	5500 GLEN LAKES DR	MANDERVILLE LN to WALNUT HILL LN	0.3216	13
30992	Partial Reconstruction	300	300 GLENCAIRN DR	LONGRIDGE DR to MEADOWSHIRE DR	0.5655	8
30754	Partial Reconstruction	4200	4200 GREENVILLE AVE	Greenville Ave to SMU Blvd	1.3334	14
30753	Partial Reconstruction	8500	9000 GREENVILLE AVE	ROYAL LN to WHITEHURST DR	4.5100	10
30752	Partial Reconstruction	9600	9600 GREENVILLE AVE	STONE CREEK PL to WINDY CREST DR	0.6224	10
30755	Partial Reconstruction	900	1200 GRIFFIN ST (E)	PETERS ST to CADIZ ST	0.8689	2
30756	Partial Reconstruction	900	1300 GRIFFIN ST (W)	S AKARD ST to CADIZ ST	1.0390	2
30993	Partial Reconstruction	11000	11000 GRISSOM LN	ZELRICH LN to RODNEY LN	0.5872	6
31144	Partial Reconstruction	2100	2100 HAMLET AVE	KENT ST to BONNIE VIEW RD	0.1712	4
32099	Partial Reconstruction	4100	4200 HIGH STAR LN	COBBLERS LN TO BRIARGROVE LN	0.0000	
31145	Partial Reconstruction	9600	9600 HILL VIEW DR	TORY SOUND DR to STONE RIVER RD	0.7796	10
31146	Partial Reconstruction	9600	9600 HILLDALE DR	TORY SOUND DR to STONE RIVER RD	0.6125	10
30994	Partial Reconstruction	7200	7200 HINES PL	HARRY HINES BLVD to HARRY HINES BLVD	0.5492	2
30995	Partial Reconstruction	5600	5600 HUNTERS BEND LN	HUNTERS BEND LN to TRUMPETER CT	0.7859	3
30996	Partial Reconstruction	10300	10300 IRONWOOD LN	DEER HOLLOW DR to A09882	0.2167	3
31147	Partial Reconstruction	6300	6300 JIM MILLER RD (N)	ST FRANCIS AVE to LINDBERGH DR	0.8966	7
32098	Partial Reconstruction	4200	4200 JOSHUA LN	VOSS RD TO PARK GROVE LN	0.0000	
32097	Partial Reconstruction	18100	18200 JUSTICE LN	TIMBERGLEN RD TO TIMBERGLEN RD	0.0000	
30997	Partial Reconstruction	5000	5100 KEENELAND PKWY	DUNCANVILLE RD to BURRO PASS	1.5936	3
30998	Partial Reconstruction	1300	1300 KINGSLEY DR	E PENTAGON PKWY to YEWON AVE	0.3830	4
30999	Partial Reconstruction	4200	4200 KOSTNER AVE	EXETER AVE to ANN ARBOR AVE	0.1914	4
31148	Partial Reconstruction	9700	9700 LA PRADA DR	MAVERICK AVE to OATES DR	0.2796	7
31149	Partial Reconstruction	7100	7200 LAKE JUNE RD	CELESTE DR to CELESTE DR	1.0919	5
31150	Partial Reconstruction	2000	2200 LANARK AVE	ESSEX AVE to BONNIE VIEW RD	0.8888	4
31000	Partial Reconstruction	000	000 LAS HACIENDAS DR	S COCKRELL HILL RD to HORD AVE	0.6713	3
31151	Partial Reconstruction	500	500 LAURELAND RD (W)	GREENSPAN AVE to W RED BIRD LN	1.0064	3
31152	Partial Reconstruction	9400	9400 LIMESTONE DR	EAST SHORE DR to N ST AUGUSTINE DR	0.6211	5
31001	Partial Reconstruction	1800	1800 LONE STAR DR	W COMMERCE ST to LONE STAR DR	0.3024	6
31002	Partial Reconstruction	2300	2400 LUCAS DR	ROSEWOOD AVE to MAPLE AVE	1.0744	2
31003	Partial Reconstruction	2500	2500 MANOR WAY	MAPLE AVE to MANOR WAY	0.3874	2

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31004	Partial Reconstruction	1400	1400 MARFA AVE	RAMONA AVE to FRIO DR	0.2432	4
31153	Partial Reconstruction	1400	1400 MARSEILLE PL	TREVOLLE PL to BASIL CT	0.1640	14
31005	Partial Reconstruction	7600	7700 McCALLUM BLVD	ENERGY LN to COIT RD	2.3993	12
32094	Partial Reconstruction	17600	17600 MEDINA DR	OLD MILL RD to HARBINGER LN	0.0000	
31006	Partial Reconstruction	3100	3100 NICHOLSON DR	S POLK ST to S EDGEFIELD AVE	0.5973	4
31007	Partial Reconstruction	14300	14300 NOEL RD	PRESTON OAKS RD to CELESTIAL RD	1.0899	11
31154	Partial Reconstruction	1400	1700 OATES DR	PEAVY RD to N BUCKNER BLVD	1.7194	9
31155	Partial Reconstruction	10200	10200 OLD SEAGOVILLE RD	S MASTERS DR to LEVANT AVE	0.5509	5
31156	Partial Reconstruction	10000	10000 OLMOS DR	PEAVY RD to STEVENS ST	0.2077	9
31008	Partial Reconstruction	7700	7700 OSAGE PLAZA PKWY	MARIBETH DR to COIT RD	0.9926	12
31157	Partial Reconstruction	5100	5100 PATONIA AVE	E LEDBETTER DR to ARDEN RD	0.4333	3
31158	Partial Reconstruction	8500	8700 PETERBILT AVE	CEDARDALE RD to CHERRY VALLEY BLVD	1.2148	8
31159	Partial Reconstruction	2200	2300 POPLAR ST	S CENTRAL EXPY E to WALDRON AVE	0.4787	7
31160	Partial Reconstruction	15100	15100 PRESTONWOOD BLVD	BELT LINE RD to ARAPAHO RD	2.2639	11
31161	Partial Reconstruction	2700	2700 RAPHAEL LN	MICHAELANGELO DR to EOP	0.2299	12
31162	Partial Reconstruction	600	600 RED BIRD LN (W)	FOREST HAVEN TRL to ROCK GARDEN TRL	0.2507	3
30757	Partial Reconstruction	4400	4400 ROSINE AVE	CARPENTER AVE to MARBURG ST	0.2180	7
30758	Partial Reconstruction	9200	9200 ROYALPINE DR	WHITE ROCK TRL to SHOREVIEW RD	0.3549	10
31163	Partial Reconstruction	4700	4700 SAPPHIRE ST	S HASKELL AVE to EOP	0.3940	7
31164	Partial Reconstruction	2800	2800 SILKWOOD ST	JARVIS ST to WOODVILLE ST	0.3944	7
31165	Partial Reconstruction	3700	3700 SONORA AVE	MARFA AVE to HUDSPETH AVE	0.2754	4
31166	Partial Reconstruction	300	300 SPARKS ST	A01369 to HUTCHINS AVE	0.1017	4
30759	Partial Reconstruction	3200	3200 SPRING AVE	ELECTRA ST to 2ND AVE	0.6737	7
31167	Partial Reconstruction	2100	2100 SPRINGHILL DR	VINEWOOD DR to WESTGLEN DR	0.1385	9
31168	Partial Reconstruction	200	200 STARR ST	E 9TH ST to E 8TH ST	0.1859	1
31169	Partial Reconstruction	8400	8400 SWEETWOOD DR	PINEBLUFF DR to ST FRANCIS AVE	0.4618	7
31170	Partial Reconstruction	4500	4500 TODD ST	BERTRAND AVE to KENILWORTH ST	0.3434	7
31171	Partial Reconstruction	3200	3200 TOPEKA AVE	PUEBLO ST to MCBROOM ST	0.4442	6
31172	Partial Reconstruction	7900	7900 UMPHRESS RD	PRICHARD LN to S BUCKNER BLVD	0.9845	5
30760	Partial Reconstruction	5000	5100 VETERANS DR	55TH ST to E PENTAGON PKWY	0.8060	8
31173	Partial Reconstruction	4900	4900 VILLAGE FAIR DR	W ANN ARBOR AVE to FAIRSHOP DR	1.1302	4
31174	Partial Reconstruction	6900	7000 WALLING LN	FREEMONT ST to KINGSBURY DR	0.9128	9
31175	Partial Reconstruction	7400	7400 WALLING LN	WALLING CIR to E NORTHWEST HWY	0.8860	9
31176	Partial Reconstruction	9600	9600 WALNUT ST	WALNUT ST to AUDELIA RD	0.8861	10
31177	Partial Reconstruction	1100	1100 WAWEENOC AVE	MALDEN LN to DE KALB AVE	0.3403	4
31178	Partial Reconstruction	9000	9000 WEBB KAY DR	BILL BROWNE LN to eop	0.3738	10
31179	Partial Reconstruction	9100	9100 WHITEHURST DR	VISTA GATE DR to CLUB GLEN DR	0.6706	10
31180	Partial Reconstruction	7100	7100 WILDGROVE AVE	WHITE ROCK RD to LOVING AVE	0.4320	9
32095	Partial Reconstruction	4000	4000 WINDHAVEN LN	MIDWAY RD to WESTWOOD PL	0.0000	
32096	Partial Reconstruction	4300	4400 WINDHAVEN LN	VOSS RD TO WHITEWATER LN	0.0000	
31181	Partial Reconstruction	9100	9100 WINDY CREST DR	A03533 to A03504	0.3447	10
30761	Partial Reconstruction	3800	3900 YORK ST	2ND AVE to EOP	0.2374	7
30762	Street Rehabilitation	2500	2500 55TH ST	VETERANS DR to EOP	0.0561	8
31009	Street Rehabilitation	4500	4500 AFTON ST	LUCAS DR to HAWTHORNE AVE	0.2032	2
30763	Street Rehabilitation	3400	3500 BIGLOW ST	STOVALL DR to E OVERTON RD	0.2918	4
31451	Street Rehabilitation	8900	8900 BIRD LN	S CENTRAL EXPY to eop	0.4895	8
31010	Street Rehabilitation	2700	2700 BUNA DR	AVON ST to CLIFFDALE AVE	0.1275	1
30814	Street Rehabilitation	7100	7100 CANONGATE DR	THOMAS CHAPEL DR to GRACEFIELD LN	0.5324	12
31011	Street Rehabilitation	3000	3000 CLAIBOURNE BLVD	SINGLETON BLVD to PUEBLO ST	0.1900	6
31012	Street Rehabilitation	2800	2800 COMMUNITY DR	W NORTHWEST HWY to OVERLAKE DR	0.3199	6
30764	Street Rehabilitation	9300	9500 DARTWOOD LN	STEFANI DR to PRESTONSHIRE LN	0.5416	13
30765	Street Rehabilitation	3000	3000 DELAFIELD LN	SCYENE RD TO CIVIL ST	0.3394	7
31013	Street Rehabilitation	3600	3600 DENLEY DR (S)	E OVERTON RD to MARFA AVE	0.1808	4
31014	Street Rehabilitation	4100	4100 DENLEY DR (S)	FORDHAM RD to ANN ARBOR AVE	0.4459	4
31015	Street Rehabilitation	800	800 DWIGHT AVE (N)	HILDEBRAND ST to HALE ST	0.1859	6
30766	Street Rehabilitation	7900	7900 EAGLE TRL	BARGIAMES LN TO WHITE ROCK TRL	0.1304	10
31452	Street Rehabilitation	1400	1400 ELK CREEK RD	RAVENVIEW RD to SMOKE TREE LN	0.3412	8
31016	Street Rehabilitation	2200	2200 EMPIRE CENTRAL	HEARTSILL DR TO MOHAWK DR	0.0662	2

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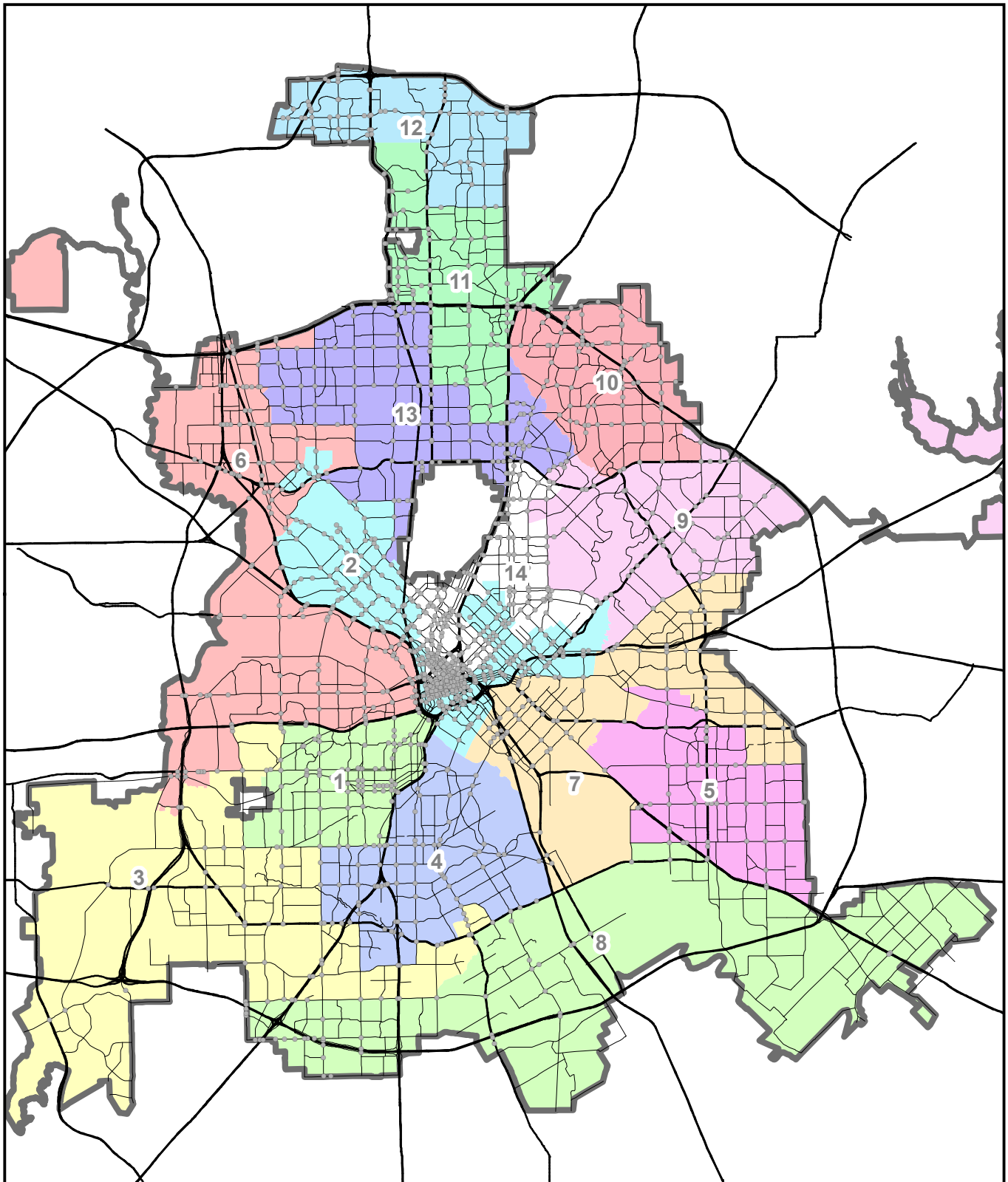
31017	Street Rehabilitation	1900	1900 FERNWOOD AVE	GEORGIA AVE TO E LOUISIANA AVE	0.1524	4
31018	Street Rehabilitation	300	300 FLOWERS AVE	W JEFFERSON BLVD to EOP	0.2543	3
31020	Street Rehabilitation	3400	3400 FRIO DR	MAYWOOD AVE to PRESIDIO AVE	0.2707	4
31019	Street Rehabilitation	3900	4100 FRIO DR	GARZA AVE to EXETER AVE	0.9841	4
31021	Street Rehabilitation	1200	1200 GARZA AVE	KUSHLA AVE to HUDSPETH AVE	0.1803	4
31022	Street Rehabilitation	6500	6500 GLADE ST	W MILLETT DR to COLESHIRE DR	0.5077	3
31023	Street Rehabilitation	10500	10700 GOODNIGHT LN	MANANA DR to LOMBARDY LN	1.1701	6
31024	Street Rehabilitation	600	600 GRIFFITH AVE	S LLEWELLYN AVE to GRIFFITH AVE	0.3113	1
30767	Street Rehabilitation	9400	9400 HERMOSA DR	BELLA VISTA DR to N BUCKNER BLVD	0.6483	9
31025	Street Rehabilitation	1100	1100 HOLDEN AVE	UTAH AVE to KUSHLA AVE	0.0787	4
30768	Street Rehabilitation	1800	1900 HUDSPETH AVE	S LANCASTER RD to SONORA AVE	0.2514	4
30769	Street Rehabilitation	7900	7900 HULL AVE	FELLOWS LN to BURMA RD	0.2963	7
31026	Street Rehabilitation	1900	1900 INGERSOLL ST	BLACKHAWK DR to eop	0.1051	6
31027	Street Rehabilitation	2000	2000 ITHACA ST	BRUNDRETTE ST to IVANHOE LN	0.1018	6
30770	Street Rehabilitation	7900	7900 IVORY LN	FELLOWS LN to BURMA RD	0.2478	7
31453	Street Rehabilitation	5700	5700 JOHNSON PL	RIPPLE RD to PERSIMMON RD	0.4263	8
31028	Street Rehabilitation	11300	11300 KLINE DR	KLINE DR to ROYAL LN	0.4085	6
31029	Street Rehabilitation	4000	4000 MALDEN LN	GRINNELL ST to DRYDEN AVE	0.2681	4
30771	Street Rehabilitation	1900	1900 MARFA AVE	OPAL AVE to SONORA AVE	0.1045	4
31030	Street Rehabilitation	700	700 MARTINDELL AVE	BROOKLYNDELL AVE to GIBSONDELL AVE	0.1236	1
31454	Street Rehabilitation	2600	2600 MIRANDA ST	N GOOD LATIMER EXPY to CANTEGRAL ST	0.2160	14
30772	Street Rehabilitation	1100	1100 MORELAND AVE	SWISS AVE to SYCAMORE ST	0.1651	2
30773	Street Rehabilitation	1600	1800 OLD GATE LN	DICEMAN DR to SAN LEANDRO DR	0.4637	9
30774	Street Rehabilitation	3700	3700 OPAL AVE	MARFA AVE to HUDSPETH AVE	0.1719	4
31031	Street Rehabilitation	2200	2200 ORMSBY ST	POLLARD ST to W COMMERCE ST	0.1027	6
30775	Street Rehabilitation	13600	13900 PEYTON DR	SPRING VALLEY RD to TEAKWOOD DR	1.7635	11
31032	Street Rehabilitation	900	900 POLLARD ST	SYLVAN AVE to ORMSBY ST	0.1825	6
31033	Street Rehabilitation	1800	1900 POLLARD ST	VILBIG RD to EOP	0.3520	6
31034	Street Rehabilitation	2000	2000 POLLARD ST	N HAMPTON RD to BRUNDRETTE ST	0.1767	6
30776	Street Rehabilitation	1400	1500 PRAIRIE AVE (N)	BRYAN ST to SAN JACINTO ST	0.3254	2
30777	Street Rehabilitation	8100	8200 QUEENSWAY ST	MURDOCK RD to DOWDY FERRY RD	0.4635	8
30778	Street Rehabilitation	10000	10000 REDONDO DR	PEAVY RD to STEVENS ST	0.1495	9
31035	Street Rehabilitation	11500	11500 REEDER RD	CROWN RD to HARRY HINES BLVD	1.1941	6
31036	Street Rehabilitation	1600	1700 RHOME ST	MATHIS AVE to eop	0.2462	6
31037	Street Rehabilitation	3500	3500 SCHUSTER DR	BERNAL DR to eop	0.3517	6
30779	Street Rehabilitation	2600	2600 SCOTLAND DR	CARDINAL DR to SUNNYVALE ST	0.4228	4
31038	Street Rehabilitation	1300	1500 SHASTA AVE	SHELLEY BLVD to BRANDON ST	0.3502	1
31039	Street Rehabilitation	6600	6600 SHELL FLOWER LN	LEVELLAND RD to STANWORTH DR	0.5297	12
31040	Street Rehabilitation	11200	11300 SHERMAN AVE	RHOME ST to TANTOR RD	0.3469	6
31041	Street Rehabilitation	6200	6200 SINGLETON BLVD	RUDER ST to WINNEQUAH ST	0.1295	6
30780	Street Rehabilitation	4600	4600 STOKES ST	HULL AVE to eop	0.4547	7
31042	Street Rehabilitation	6600	6600 TALMADGE LN	PRESTONRIDGE RD to ARCHDALE DR	0.2694	11
31044	Street Rehabilitation	1600	1600 TANTOR RD	LUNA RD to SHERMAN AVE	0.2687	6
31043	Street Rehabilitation	11200	11300 TANTOR RD	ROYAL LN to Yst	1.0316	6
31455	Street Rehabilitation	6200	6200 TEAGUE DR	KAHN ST to LYOLA ST	0.1408	8
30781	Street Rehabilitation	6700	6800 TWIN HILLS AVE	E NORTHWEST HWY to eop	1.1469	13
31045	Street Rehabilitation	2600	2800 VILBIG RD	BEDFORD ST to MUNCIE AVE	0.4196	6
30782	Street Rehabilitation	9000	9000 VILLA PARK CIR	BOEDEKER ST to BOEDEKER ST	0.8756	13
30783	Street Rehabilitation	1800	1800 VOLGA AVE	S LANCASTER RD to Opal Ave	0.1024	4
31046	Street Rehabilitation	11500	11500 WANDER LN	E RICKS CIR to WANDER LN	0.3920	11
30784	Street Rehabilitation	1400	1400 WARREN AVE	CLEVELAND ST to HOLMES ST	0.0764	7
30785	Street Rehabilitation	2300	2400 WHITE ROCK RD	WEST SHORE DR to PASADENA AVE	0.5157	9
30786	Street Rehabilitation	2300	2300 WILHURT AVE	GARRISON ST to HALE BLVD	0.2553	4
31047	Street Rehabilitation	6300	6300 WILLOW LN	EXCELSIOR WAY to BROWNING LN	0.1397	11
30787	Street Rehabilitation	5300	5300 WINFIELD AVE	FAIRVIEW AVE to A01058	0.1880	2
30788	Street Rehabilitation	2400	2600 WORCOLA ST	RICHARD AVE to MILLER AVE	0.2874	14
31048	Street Rehabilitation	4800	4800 YEWPON AVE	ADELAIDE DR to KINGSLEY DR	0.2272	4
30789	Street Rehabilitation	4700	4800 ZEALAND ST	KISKA ST to eop	0.4341	7



## 12 Month - 2023 Maintenance Contract

31421	Street Restoration	8800	8800 BECKLEY VIEW AVE	L B J SERV S to BECKLEYMEADE AVE	0.1493	8
31422	Street Restoration	8900	8900 BECKLEYCREST AVE	BECKLEYMEADE AVE to W DANIELDALE RD	0.9090	8
30790	Street Restoration	2700	2700 BENROCK ST	KEMROCK DR to BENROCK ST	0.0717	8
30791	Street Restoration	3900	3900 BIGLOW ST	VOLGA AVE to FORDHAM RD	0.2261	4
31423	Street Restoration	8900	9200 COTTONVALLEY RD	W DANIELDALE RD to BECKLEYMEADE AVE	0.8894	8
31182	Street Restoration	9600	9800 CROWNFIELD LN	S ST AUGUSTINE DR to EOP	0.4457	8
31424	Street Restoration	5200	5200 DARWIN ST	S JUSTIN AVE to S BAGLEY ST	0.1357	6
30792	Street Restoration	9000	9000 DICEMAN DR	OCALLA AVE to OLD GATE LN	0.3000	9
31425	Street Restoration	200	400 DWIGHT AVE (S)	W JEFFERSON BLVD to EOP	0.2508	3
31426	Street Restoration	1400	1400 EWING AVE (S)	GENOA AVE to EDGEMONT AVE	0.3002	4
30793	Street Restoration	2600	2600 EXETER AVE	CARDINAL DR to SUNNYVALE ST	0.3994	4
30794	Street Restoration	4400	4400 FAIR VISTA DR	LOVETT AVE to FAIR VISTA DR	0.1352	5
30795	Street Restoration	8100	8100 FAIRPORT RD	MURDOCK RD to DOWDY FERRY RD	0.4322	8
31427	Street Restoration	200	200 GAIL ST (N)	HEYWORTH ST to SPRUCE ST	0.1509	6
30796	Street Restoration	1100	1100 GRIGSBY AVE	SWISS AVE to SYCAMORE ST	0.2079	2
31183	Street Restoration	1500	1700 HAYMARKET RD	OAKWOOD DR to TEAGARDEN RD	1.2432	8
30797	Street Restoration	2700	2700 LEBROCK ST	KEMROCK DR to LEBROCK ST	0.1332	8
30798	Street Restoration	2800	2800 LEBROCK ST	EOP to TRACY RD	0.0828	8
30799	Street Restoration	2700	2800 LOLITA DR	HUME DR to SCYENE RD	0.8030	5
31428	Street Restoration	1100	1100 MERRIFIELD RD (S)	MOUNTAIN CREEK PKWY to S MERRIFIELD RD	2.1538	3
31184	Street Restoration	2800	2800 MICAN DR	SINGLETON BLVD to EOP	0.5784	6
31185	Street Restoration	9900	9900 OAKWOOD DR	FOUNTAINDALE DR to NOTTINGHAM LN	0.3668	8
30800	Street Restoration	3800	3800 OPAL AVE	HUDSPETH AVE to VOLGA AVE	0.2035	4
31186	Street Restoration	5200	5200 ROSINE AVE	FARRAGUT ST to FROST AVE	0.0582	7
31187	Street Restoration	5200	5200 ROSINE AVE	FROST AVE to PEARY AVE	0.0560	7
30801	Street Restoration	9600	10100 ROYCE DR	S ST AUGUSTINE DR to EOP	1.0620	8
30802	Street Restoration	9500	9500 RYLIE CREST DR	S ST AUGUSTINE DR to EOP	0.3138	8
30803	Street Restoration	1900	2100 VOLGA AVE	OPAL AVE to EASTER AVE	0.5330	4
31429	Street Restoration	2000	2000 WHEATLAND RD (E)	E WHEATLAND RD to S LANCASTER RD	0.8281	8
30804	Street Restoration	2200	2200 WILHURT AVE	GARRISON ST to EOP	0.1518	4
30805	Street Restoration	10600	10600 ZACHA DR (E)	GUS THOMASSON RD to CENTERVILLE RD	0.4288	9

# 2023 Annual Street Maintenance Contract



January 11, 2023

**WHEREAS**, bid specifications were developed and publicly advertised for three competitive bids associated with 2023 Annual Street Maintenance Contract; and

**WHEREAS**, on October 12, 2022, two bids were received for the 2023 Annual Street Maintenance Contract, as follows:

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
Texas Materials Group, Inc., dba Texas Bit, a CRH company	\$48,906,741.15
Johnson Bros. Corporation, a Southland Company	\$49,759,203.75

**WHEREAS**, the bid submitted by Texas Materials Group, dba Texas Bit, a CRH company, in the amount of \$48,906,741.15 is the lowest bid received; and

**WHEREAS**, the City Council of the City of Dallas finds that it is in the public's interest for the acceptance of the low bid received for the 2023 Annual Street Maintenance Contract.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a construction services contract with Texas Materials Group, dba Texas Bit, a CRH company, approved as to form by the City Attorney, for the construction of the 2023 Annual Street Maintenance Contract, in an amount not to exceed \$48,906,741.15, this being the lowest responsible bid received as indicated by the tabulation of bids.

**SECTION 2.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$48,906,741.15 (subject to annual appropriations) to Texas Materials Group, dba Texas Bit, a CRH company, in accordance with the terms and conditions of the contract, as follows:

General Fund	
Fund 0001, Department PBW, Unit 3008	
Activity PB51, Object 3072, Program N/A	
Encumbrance/Contract No. CX-PBW-2022-00019325	
Vendor 004204	\$27,998,850.15

January 11, 2023

**SECTION 3.** (continued)

Street and Alley Improvement Fund	
Fund 0715, Department PBW, Unit W222	
Activity PB51, Object 3072, Program N/A	
Encumbrance/Contract No. CX-PBW-2022-00019325	
Vendor 004204	\$14,108,246.00

Street and Alley Improvement Fund	
Fund 0715, Department PBW, Unit W647	
Activity PB51, Object 3072, Program N/A	
Encumbrance/Contract No. CX-PBW-2022-00019325	
Vendor 004204	<u>\$ 6,799,645.00</u>

Total amount not to exceed	\$48,906,741.15
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**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-15

**Item #:** 13.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize a construction services contract for the 2023 Annual Street Resurfacing Contract - Johnson Bros. Corporation, a Southland Company, lowest responsible bidder of two - Not to exceed \$49,982,822.75 - Financing: 2023 Certificate of Obligation Bond Fund (subject to annual appropriations)

### **BACKGROUND**

This action will authorize a construction services contract with Johnson Bros. Corporation, a Southland Company, to provide construction services for the 2023 Annual Street Resurfacing Contract.

This project will consist of surfacing milling, curb and gutter repair, sidewalk repair, barrier-free ramp installation, base pavement repairs, joint and crack sealing, underseal, leveling-up course where required, street restoration where required, hot mix asphaltic concrete surface course, pavement markings and devices and other miscellaneous items necessary to complete the project in accordance with the intent of the documents herein. Base bid quantities consist of the estimated items for the street projects listed in the Fiscal Year 2023 Annual Street Resurfacing Contract.

This project was publicly advertised for three consecutive weeks; and on October 21, 2022, two bids were received.

Project location list is attached.

Johnson Bros. Corporation, a Southland Company has had no contractual activities with the City of Dallas within the past three years.

If this project group is not awarded for construction at this time, the streets will continue to deteriorate causing additional pavement cracking and potholes to form, creating additional resurfacing costs for the City, and potential damages to vehicles utilizing the roadways.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Construction January 2023  
 Complete Construction January 2024

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
2023 Certificate of Obligation Bond Fund	\$49,982,822.75	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$49,982,822.75	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
33.00%	33.00%	\$16,495,000.00
• This contract exceeds the M/WBE goal.		
• Johnson Bros. Corporation, a Southland Company - Non-local; Workforce - 27.00% Local		

**PROCUREMENT INFORMATION**

The following two bids were received and opened on October 21, 2022:

\*Denotes successful bidder

**Bidder****Bid Amount**

*Johnson Bros. Corporation, a Southland Company 1100 Kubota Drive Grapevine, Texas 76051	\$49,982,822.75
Texas Materials Group, dba Texas Bit, a CRH company	\$51,628,129.97

**OWNER**

**Johnson Bros. Corporation, a Southland Company**

Frank Renda, President

**MAP**

Attached



# LIST

## 12 Month - 2023 Resurfacing Contract

SRD Project Id	Action	From Block	To Block	Project Street	Project Description	Lane Miles	Council District
31188	Street Resurfacing	2600	2700	ALMEDA DR	BELKNAP AVE to KELLOGG AVE	1.7048	4
31189	Street Resurfacing	100	200	APACHE LN	GRADY LN to STEBBINS DR	0.6533	5
31190	Street Resurfacing	6500	6700	AZALEA LN	EDGEMERE RD to HILLCREST RD	0.7491	11
31191	Street Resurfacing	8500	8500	BACARDI DR	E NORTHWEST PKWY to LUBBOCK DR	0.7416	10
31192	Street Resurfacing	7300	7300	BAYBERRY LN	COUNTY VIEW RD to BOISENBERRY LN	0.5980	3
31436	Street Resurfacing	1900	1900	BEAUMONT ST	PARK AVE to S HARWOOD ST	0.1629	2
31193	Street Resurfacing	2400	2500	BELKNAP AVE	E OHIO AVE to E ELMORE AVE	0.5412	4
31194	Street Resurfacing	6000	6000	BOCA RATON DR	PRESTON RD to ROYALSHIRE DR	0.5497	11
31195	Street Resurfacing	2600	2700	BOWLING GREEN AVE	ALMEDA DR to HEMPHILL DR	0.6736	4
31196	Street Resurfacing	7800	7800	BRYN MAWR DR	WILLARD DR to A03753	0.3352	13
31197	Street Resurfacing	2700	2700	CANTON ST	HENRY ST to S CROWDUS ST	0.4288	2
31198	Street Resurfacing	2900	3000	CANTON ST	S MALCOLM X BLVD to S HALL ST	1.0061	2
31199	Street Resurfacing	6300	6400	CARACAS DR	BOCA CHICA DR to ACAPULCO DR	0.5307	3
31200	Street Resurfacing	10400	10600	CAYUGA DR	CREST RIDGE DR to ALEDO DR	0.9980	9
31201	Street Resurfacing	1700	1700	CHALMERS ST	SEARCY DR to FALLS DR	0.1662	1
31202	Street Resurfacing	8600	8700	CLUB MEADOWS DR	MOSS FARM LN to RAEFORD DR	0.3061	10
31203	Street Resurfacing	7100	7100	CORONADO AVE	LOVING AVE to TUCKER ST	0.5185	14
31204	Street Resurfacing	1400	1400	COVE DR	CREST AVE to E Kiest BLVD	0.5929	4
31205	Street Resurfacing	2500	2500	CRADDOCK ST	E ELMORE AVE to ALMEDA DR	0.1293	4
31208	Street Resurfacing	2300	2600	CREST AVE	E ILLINOIS AVE to MADRID ST	0.6970	4
31207	Street Resurfacing	2600	2600	CREST AVE	N ATOLL DR to HARBOR RD	0.1771	4
31206	Street Resurfacing	2800	3000	CREST AVE	E SANER AVE to EOP	0.3799	4
31209	Street Resurfacing	3400	3500	CULVER ST	DOLPHIN RD to E ONE AVE	0.6790	2
31210	Street Resurfacing	1300	1300	CY BLACKBURN CIR	GLENCLIFF DR to GLENCLIFF DR	0.8141	5
31211	Street Resurfacing	4000	4100	DELMAR AVE	UNITA ST to S MOCKINGBIRD LN	0.3651	14
31212	Street Resurfacing	300	300	DU BOIS AVE	E 15TH ST to CHILDS ST	0.5204	4
31213	Street Resurfacing	7100	7100	DYE DR	HILLCREST RD to MCKAMY BLVD	0.6470	12
31214	Street Resurfacing	7200	7200	EAST GRAND SERV W	EAST GRAND AVE to LA VISTA DR	0.2686	2
31215	Street Resurfacing	2500	2700	EASTER AVE	E ELMORE AVE to E Kiest BLVD	1.0335	4
31216	Street Resurfacing	10700	10800	EDEN ROCK DR	EOP to CAPRI DR	0.5124	10
31217	Street Resurfacing	11100	11200	EDGEMERE RD	AZALEA LN to NORTHAVEN RD	0.8371	11
31218	Street Resurfacing	7100	7100	EDVERTON DR	FENTON DR to WALLING LN	0.8515	9
31219	Street Resurfacing	1700	1900	ELM ST	N ERVAY ST to N HARWOOD ST	0.9248	14
31220	Street Resurfacing	2200	2200	ELM ST	N PEARL EXPY to N CESAR CHAVEZ BLVD	0.3546	14
31221	Street Resurfacing	1500	1700	ELMORE AVE (E)	CREST AVE to KELLOGG AVE	1.2539	4
31222	Street Resurfacing	1600	1700	ELM ST	BOTHAM JEAN BLVD to COLONIAL AVE	0.3180	7
31437	Street Resurfacing	1600	1600	ERVAY ST (S)	GANO ST to MCKEE ST	0.2877	2
31223	Street Resurfacing	9900	9900	ESTACADO DR	ASH CREEK DR to PEAVY RD	0.2691	9
31225	Street Resurfacing	1200	1200	FITZHUGH AVE (N)	SYCAMORE ST to LIVE OAK ST	0.1651	2
31224	Street Resurfacing	2200	2200	FITZHUGH AVE (N)	DEERE ST to CAPITOL AVE	0.3246	2
31226	Street Resurfacing	2700	2800	FLORENCE ST	CANTEGRAL ST to LIBERTY ST	0.4380	14
31227	Street Resurfacing	6900	7000	FREEMONT ST	BERRYHILL ST to WALLING LN	1.1045	9
31228	Street Resurfacing	1600	1600	GARDEN DR	BOTHAM JEAN BLVD to COLONIAL AVE	0.3233	7
31229	Street Resurfacing	2600	2800	GASTON AVE	N GOOD LATIMER EXPY to LIBERTY ST	0.9357	14
31230	Street Resurfacing	1300	1300	GLENCLIFF CIR	GLENCLIFF DR to EOP	0.1191	5
31231	Street Resurfacing	1300	1300	GLENCLIFF CT	GLENCLIFF DR to EOP	0.1709	5
31232	Street Resurfacing	1400	1400	GLENCLIFF DR	CY BLACKBURN CIR to EOP	0.7318	5
31233	Street Resurfacing	100	100	GOOD LATIMER EXPY (N)	MAIN ST to ELM ST	0.2258	2
31234	Street Resurfacing	100	100	GOOD LATIMER EXPY (S)	MAIN ST to COMMERCE ST	0.3488	2
31235	Street Resurfacing	500	500	GRIFFIN ST (S)	YOUNG ST to CEREMONIAL DR	0.7577	2
31236	Street Resurfacing	800	800	GRIFFIN ST (S)	MEMORIAL DR to CANTON ST	0.6984	2
31237	Street Resurfacing	100	200	HARWOOD ST (N)	MAIN ST to PACIFIC AVE	0.5477	14
31238	Street Resurfacing	100	200	HARWOOD ST (S)	MAIN ST to JACKSON ST	0.4902	14
31239	Street Resurfacing	800	1100	HARWOOD ST (S)	CADIZ ST to E R L THORNTON ACRD N	1.0501	2
31240	Street Resurfacing	1600	1700	HEMPHILL DR	EASTER AVE to ALMEDA DR	0.4152	4
31438	Street Resurfacing	900	900	HOTEL ST	E R L THORNTON RAMP S to CADIZ ST	0.4697	2
31461	Street Resurfacing	1500	1600	HOUGHTON RD	SECO BLVD to UMPHRESS RD	0.6381	5
31241	Street Resurfacing	1900	2000	ILLINOIS AVE (E)	SUNNYVALE ST to E Kiest BLVD	0.7864	4
31242	Street Resurfacing	1100	1100	KIEST BLVD (W)	S POLK ST to NAVAJO DR	1.0622	4
31243	Street Resurfacing	10200	10200	KILKENNY PL	NEWCOMBE DR to GUS THOMASSON RD	0.4752	9
31244	Street Resurfacing	3200	3200	KINMORE ST	OWENWOOD AVE to DOLPHIN RD	0.5659	2

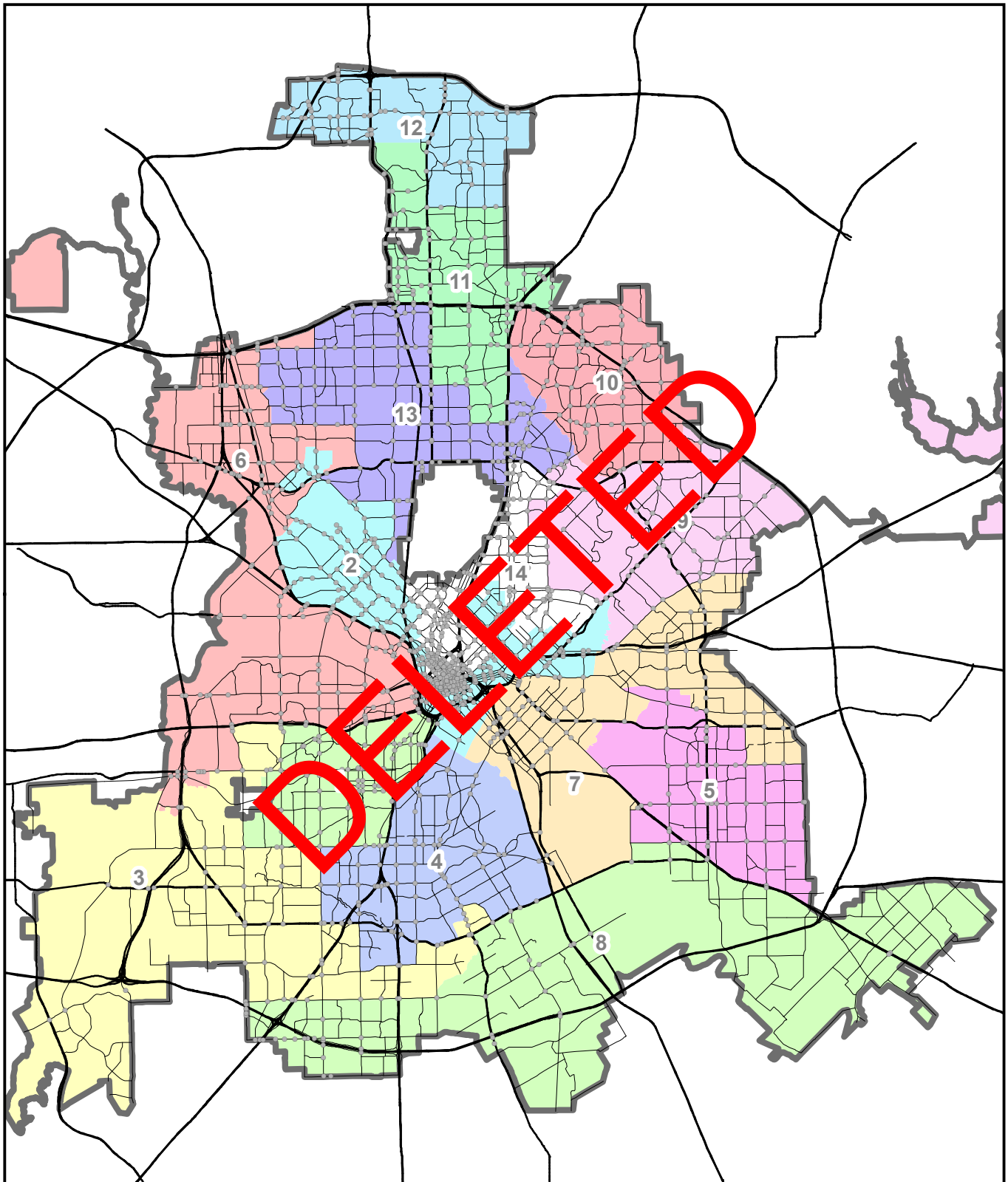
## 12 Month - 2023 Resurfacing Contract

31245	Street Resurfacing	2400	2400 KRISTEN DR	VETERANS DR to EOP	0.3660	4
31246	Street Resurfacing	7400	7400 LA VISTA DR	EAST GRAND AVE to EOP	0.8849	2
31247	Street Resurfacing	8600	8700 LAPANTO LN	MCCUTCHEON LN to BLANTON ST	0.7599	5
31439	Street Resurfacing	6500	6500 LARMANDA ST	ABRAMS RD to SKILLMAN ST	0.4452	9
31248	Street Resurfacing	10300	10300 LAVANO LN	NEWCOMBE DR to GUS THOMASSON RD	0.2565	9
31249	Street Resurfacing	7100	7100 LEHIGH DR	WAKE FORREST DR to TRAMMEL DR	0.1825	9
31250	Street Resurfacing	4300	4900 LIVE OAK ST	N PEAK ST to N COLLETT AVE	3.6935	2
31251	Street Resurfacing	2000	2000 MAGNOLIA ST	MAGNOLIA ST ACRD S to MCKINNEY AVE	0.2088	14
31252	Street Resurfacing	1300	1300 MARLBOROUGH AVE (S)	BRANDON ST to WRIGHT ST	0.5307	1
31253	Street Resurfacing	6000	6100 MEADOW CREST DR	PRESTON RD to ROYALSHIRE DR	0.5435	11
31254	Street Resurfacing	8900	8900 MEADOWKNOLL DR	ARBOR PARK DR to MIDDLE DOWNS DR	0.4088	10
31255	Street Resurfacing	2800	3000 NORRIS ST	VICKERY BLVD to MONTICELLO AVE	0.5726	14
31256	Street Resurfacing	1400	1500 OHIO AVE (E)	S CORINTH ST RD to BELKNAP AVE	0.5888	4
31440	Street Resurfacing	1700	1800 PARK AVE	PARK AVE to BEAUMONT ST	0.2928	2
31441	Street Resurfacing	600	700 REVERCHON DR	W DAVIS ST to MATEUR ST	0.3094	1
31257	Street Resurfacing	3000	3000 ROSS AVE	N CENTRAL SERV E to LIBERTY ST	0.1868	14
31259	Street Resurfacing	3800	3900 ROSS AVE	N WASHINGTON AVE to N HASKELL AVE	1.1014	14
31258	Street Resurfacing	4200	4200 ROSS AVE	RIPLEY ST to N PEAK ST	0.5417	2
31260	Street Resurfacing	4800	5100 ROSS AVE	N PRAIRIE AVE to MOSER AVE	1.7143	2
31261	Street Resurfacing	4500	4500 RUSK AVE	N CARROLL AVE to ANNEX AVE	0.2943	2
31262	Street Resurfacing	10000	10000 SAN JUAN AVE	BLAKE AVE to NEWCOMBE DR	0.3863	9
31263	Street Resurfacing	2500	2600 SEARCY DR	S FRANKLIN ST to SUPERIOR ST	0.6997	1
31264	Street Resurfacing	2900	2900 SEARCY DR	S RAVINIA DR to S BARNETT AVE	0.6651	1
31265	Street Resurfacing	3700	3700 SHADY HILL DR	WEEBURN DR to COX LN	0.7851	13
31442	Street Resurfacing	9800	9800 SHADYDALE LN	AUDELMAN RD to ALB WICK DR	0.4491	10
31266	Street Resurfacing	2600	2600 SILKWOOD ST	BEAR ST to JARVIS ST	0.3929	7
31267	Street Resurfacing	2700	3000 SKILLMAN ST	LLANO AVE to MARQUITA AVE	1.3713	14
31268	Street Resurfacing	3500	4000 SKILLMAN ST	FLYING P to WINTON ST	1.6704	14
31269	Street Resurfacing	2900	3000 SUNNYVALE ST	E ILLINOIS AVE to E Kiest BLVD	0.9033	4
31270	Street Resurfacing	1500	1600 SUTTER ST	CREST AVE to ALMEDA DR	1.1995	4
31443	Street Resurfacing	2500	2500 TALCO DR	VETERANS DR to A17825	0.3617	8
31444	Street Resurfacing	1200	1200 TAVAROS AVE	GARLAND RD to SAN FERNANDO WAY	0.3624	9
31271	Street Resurfacing	1300	1300 TAVAROS AVE	SAN FERNANDO WAY to REDONDO DR	0.3584	9
31272	Street Resurfacing	8900	8900 VISTA VIEW DR	WHITEHURST DR to WOODHURST DR	0.5139	10
31273	Street Resurfacing	6900	7100 WAKEFIELD ST	BERRYHILL ST to EOP	0.9662	9
31274	Street Resurfacing	2100	2000 WEST SHORE DR	CASA LOMA AVE to CLAYTON AVE	0.2481	14
31275	Street Resurfacing	2500	2500 WILBERT AVE	HALE BLVD to CARDINAL DR	0.3104	4
31276	Street Resurfacing	6800	6900 WINCHESTER ST	FREEMONT ST to LARMANDA ST	0.8225	9
31277	Street Resurfacing	9200	9200 WINDY CREST DR	A03504 to ALTA OAKS DR	0.5771	10
31278	Street Resurfacing	5900	5900 WINTON ST	DELMAR AVE to CONCHO ST	0.2290	14
31445	Street Resurfacing	2200	2300 WOLCOTT DR	EOP to E PENTAGON PKWY	0.5689	8
31279	Street Resurfacing	10400	10600 WOOD DALE DR	CREST RIDGE DR to ALEDO DR	1.1414	9
31280	Street Resurfacing	9000	9000 WOODHURST DR	VISTA VIEW DR to ARBORSIDE DR	0.5495	10
31281	Street Resurfacing	6100	6200 YORKSHIRE DR	NORTHAVEN RD to PARKCHESTER DR	0.6423	11
31282	Street Resurfacing+	3000	3000 AIRHAVEN ST	MARCUS DR to FOREST HEIGHTS DR	0.5032	13
31283	Street Resurfacing+	9200	9200 ANGORA ST	LUNAR LN to FOREST HILLS PL	0.6313	9
31284	Street Resurfacing+	900	900 ANNEX AVE	GASTON AVE to SWISS AVE	0.3114	2
31285	Street Resurfacing+	2700	2900 ATOLL DR (E)	HARBOR RD to E Kiest BLVD	0.4854	4
31430	Street Resurfacing+	2600	2700 BELKNAP AVE	E ELMORE AVE to E Kiest BLVD	0.9033	4
31286	Street Resurfacing+	9600	9600 BLUFFCREEK DR	N ST AUGUSTINE DR to MOSSGLEN DR	0.2416	7
31287	Street Resurfacing+	2600	2600 BRISTOL DR	WYNNEWOOD DR to GARAPAN DR	0.4643	4
31288	Street Resurfacing+	2700	2700 BRISTOL DR	GARAPAN DR to GRAYSON DR	0.8940	4
31289	Street Resurfacing+	1400	1400 CAPE COD DR	CREST AVE to E ATOLL DR	0.7851	4
31290	Street Resurfacing+	2600	3200 COLE AVE	CEDAR SPRINGS RD to LEMMON AVE	1.7088	14
31291	Street Resurfacing+	2000	2000 COMMERCE ST	S HARWOOD ST to S PEARL EXPY	0.5234	14
31292	Street Resurfacing+	10300	10400 CYMBAL DR	GARDENSIDE DR to AMITY LN	0.7465	5
31293	Street Resurfacing+	10100	10100 EASTWOOD DR	NAYLOR ST to FULLER DR	0.6564	9
31294	Street Resurfacing+	10300	10300 EASTWOOD DR	CREST RIDGE DR to FERN DR	0.2659	9
31295	Street Resurfacing+	10800	10900 EDGEMERE RD	AZALEA LN to ROYAL LN	0.6170	11
31431	Street Resurfacing+	1700	2000 ERVAY ST (S)	MCKEE ST to CORINTH ST	1.0718	2
31296	Street Resurfacing+	10000	10300 ESTACADO DR	PEAVY RD to FERN DR	1.4859	9
31297	Street Resurfacing+	7100	7400 FENTON DR	E NORTHWEST HWY to WALLING LN	1.0998	9

## 12 Month - 2023 Resurfacing Contract

31298	Street Resurfacing+	1300	1400 FITZHUGH AVE (N)	LIVE OAK ST to VIRGINIA AVE	0.4464	2
31299	Street Resurfacing+	9300	9400 FOREST HILLS BLVD	EL CAMPO DR to GARLAND RD	0.7675	9
31300	Street Resurfacing+	2600	2600 FOWLER ST	E ELMORE AVE to ALMEDA DR	0.2777	4
31432	Street Resurfacing+	1200	1200 GANO ST	WALL ST to S AKARD ST	0.1664	2
31301	Street Resurfacing+	1300	1400 GAYLORD DR	LAKE JUNE RD to SECO BLVD	0.5873	5
31433	Street Resurfacing+	6400	6500 GODFREY AVE	PINDAR AVE to FERN AVE	0.4435	5
31302	Street Resurfacing+	200	400 GRIFFIN ST (N)	ELM ST to SAN JACINTO ST	0.7693	14
31303	Street Resurfacing+	1200	1200 GRIGSBY AVE	SYCAMORE ST to LIVE OAK ST	0.2099	2
31304	Street Resurfacing+	1100	1100 HALL ST (N)	SWISS AVE to LIVE OAK ST	0.7545	14
31305	Street Resurfacing+	14300	14300 HAYMEADOW CIR	HAYMEADOW DR to HAYMEADOW DR	0.4600	11
31306	Street Resurfacing+	1900	2100 HENDERSON AVE (N)	MONARCH ST to CAPITOL AVE	1.1756	2
31307	Street Resurfacing+	2100	2300 HIGHWOOD DR	FERGUSON RD to NEWCOMBE DR	1.2445	9
31308	Street Resurfacing+	200	300 HILL AVE (N)	ELM ST to SIMPSON ST	0.2863	2
31309	Street Resurfacing+	3400	3400 HOLLIDAY RD	W FIVE MILE PKWY to EBBTIDE LN	0.6101	4
31310	Street Resurfacing+	900	900 JONELLE AVE	GODFREY AVE to C F HAWN SERV S	0.4504	5
31311	Street Resurfacing+	100	400 LAMAR ST (N)	MAIN ST to ROSS AVE	1.0712	14
31312	Street Resurfacing+	100	300 LAMAR ST (S)	WOOD ST to MAIN ST	0.9386	14
31313	Street Resurfacing+	500	500 LAMAR ST (S)	YOUNG ST to CEREMONIAL DR	0.8891	2
31314	Street Resurfacing+	4000	4000 LATIMER ST	EUGENE ST to PINE ST	0.3344	7
31315	Street Resurfacing+	11900	12200 LOCHWOOD BLVD	COLBERT WAY to A08063	1.4317	9
31316	Street Resurfacing+	1500	1500 MADRID ST	CREST AVE to BELKNAP AVE	0.5569	4
31322	Street Resurfacing+	2300	2400 McKIM DR	JENNIE LEE LN to FAIRHAVEN LN	0.4027	5
31323	Street Resurfacing+	3200	4000 McMILLAN AVE	MONTICELLO AVE to WINTON ST	2.4209	14
31895	Street Resurfacing+	5700	5700 MERCEDES AVE	GREENVILLE AVE to MATILDA ST	0.3308	14
31317	Street Resurfacing+	3000	3000 MEYERS ST	MARTIN LUTHER KING JR BLVD to PENNSYLVANIA AVE	0.5081	7
31318	Street Resurfacing+	4900	5100 MILAM ST	N FITZHUGH AVE to N HENDERSON AVE	0.9612	14
31319	Street Resurfacing+	4500	4600 MONARCH ST	CALIFORNIA DR to KEARNEY CT	0.3421	2
31321	Street Resurfacing+	4800	4800 MONARCH ST	N PRAIRIE AVE to N FITZHUGH AVE	0.2029	2
31320	Street Resurfacing+	5000	5200 MONARCH ST	BENNETT AVE to N HENDERSON AVE	0.7184	2
31324	Street Resurfacing+	300	300 NACHITA DR (S)	ORINOCO DR to FOSTORIA DR	0.6375	5
31325	Street Resurfacing+	1800	1800 NAYLOR ST	PINECREST DR to ESTACADO DR	0.4047	9
31434	Street Resurfacing+	1900	2000 PARK AVE	HICKORY ST to CORINTH ST	0.3278	2
31326	Street Resurfacing+	2200	2500 PENTAGON PKWY (E)	EOP to EOP	1.9835	8
31435	Street Resurfacing+	1200	1200 PETER ST	GRIFFIN ST E TO POWHATTAN ST	0.1572	2
31327	Street Resurfacing+	10100	10000 PINECREST DR	NAYLOR ST to SYLVIA DR	0.1044	9
31328	Street Resurfacing+	1300	1300 PRAIRIE AVE (N)	LIVE OAK ST to BRYAN ST	0.2439	2
31329	Street Resurfacing+	1100	1000 RAYN FOREST DR	LAKE JUNE RD to BUDTIME LN	0.5943	5
31330	Street Resurfacing+	800	900 REVERCHON DR	AVON ST to OVERCREST ST	0.3242	1
31331	Street Resurfacing+	8900	8000 ROSECLIFF DR	GREENDALE DR to N PRAIRIE CREEK RD	0.4350	5
31333	Street Resurfacing+	3100	3200 ROSS AVE	LIBERTY ST to N HALL ST	1.1039	14
31332	Street Resurfacing+	4300	4700 ROSS AVE	N PEAK ST to N PRAIRIE AVE	2.3140	2
31334	Street Resurfacing+	11200	11200 ROYALSHIRE DR	NORTHAVEN RD to YORKSHIRE DR	0.2060	11
31335	Street Resurfacing+	11400	11500 ROYALSHIRE DR	MEADOW CREST DR to A08907	0.7907	11
31336	Street Resurfacing+	9200	9300 SAN FERNANDO WAY	ANGORA ST to REDWOOD CIR	0.7834	9
31337	Street Resurfacing+	9900	10200 SHILOH RD	LARRY DR to GUS THOMASSON RD	2.9121	9
31338	Street Resurfacing+	5600	5600 SKILLMAN ST	RINCON WAY to SOUTHWESTERN BLVD	0.7116	14
31339	Street Resurfacing+	5800	5800 SKILLMAN ST	E NORTHWEST ACRD S to E NORTHWEST HWY	0.9269	14
31340	Street Resurfacing+	8900	8900 SOUTHWESTERN BLVD	SKILLMAN ST to ABRAMS RD	1.2124	14
31341	Street Resurfacing+	10300	10300 SPRINGHAVEN DR	GARDENSIDE DR to AMITY LN	0.6493	5
31342	Street Resurfacing+	10200	10300 SYLVIA DR	PINECREST DR to CREST RIDGE DR	0.6353	9
31343	Street Resurfacing+	4600	4800 VIRGINIA AVE	ANNEX AVE to N FITZHUGH AVE	0.5790	2
31344	Street Resurfacing+	7100	7300 WILD VALLEY DR	WALLING LN to EDGERTON DR	1.0152	9
31345	Street Resurfacing+	1700	1900 YOUNG ST	S ERVAY ST to S HARWOOD ST	0.9754	2

# 2023 Annual Street Resurfacing Contract





January 11, 2023

~~WHEREAS~~, bid specifications were developed and publicly advertised for two competitive bids associated with the 2023 Annual Street Resurfacing Contract; and

~~WHEREAS~~, on October 21, 2022, two bids were received for the 2023 Annual Street Resurfacing Contract, as follows:

<u>Bidders</u>	<u>Bid Amount</u>
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Johnson Bros. Corporation, a Southland Company	\$49,982,822.75
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Texas Materials Group, dba Texas Bit, a CRH company	\$51,628,129.97
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~~WHEREAS~~, the bid submitted by Johnson Bros. Corporation, a Southland Company, in the amount of \$49,982,822.75 is the lowest bid received; and

~~WHEREAS~~, the City Council of the City of Dallas finds that it is in the public's interest for the acceptance of the low bid received for the 2023 Annual Street Resurfacing Contract.

~~Now, Therefore,~~

~~BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:~~

~~SECTION 1.~~ That the City Manager is hereby authorized to execute a construction services contract with Johnson Bros. Corporation, a Southland Company, approved as to form by the City Attorney, for the construction of the 2023 Annual Street Resurfacing Contract, in an amount not to exceed \$49,982,822.75, this being the lowest responsible bid received as indicated by the tabulation of bids.

~~SECTION 2.~~ That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

~~SECTION 3.~~ That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$49,982,822.75 to Johnson Bros. Corporation, a Southland Company, in accordance with the terms and conditions of the contract, as follows (subject to annual appropriations)

_____ 2023 Certificate of Obligation Bond Fund	
_____ Fund 0797, Department PBW, Unit W957	
_____ Activity PB51, Object 3072, Program N/A	
_____ Encumbrance/Contract No. CX-PBW-2022-00019324	
_____ Vendor VS93045	\$11,200,000.00

January 11, 2023

**SECTION 3.** (continued)

<del>2023 Certificate of Obligation Bond Fund</del>	
<del>Fund 0797, Department PBW, Unit W958</del>	
<del>Activity PB51, Object 3072, Program N/A</del>	
<del>Encumbrance/Contract No. CX PBW 2022 00019324</del>	
<del>Vendor VS93045</del>	<del><u>\$38,782,822.75</u></del>
<del>Total amount not to exceed</del>	<del><u>\$49,982,822.75</u></del>

**SECTION 4.** ~~That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.~~



## Agenda Information Sheet

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**File #:** 23-3

**Item #:** 14.

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**STRATEGIC PRIORITY:** Environmental & Sustainability  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** N/A  
**DEPARTMENT:** Department of Sanitation Services  
**EXECUTIVE:** Carl Simpson

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### **SUBJECT**

Ordinances granting the transfer of two franchises to Warner Alan/Waste Advantage Partners, LLC and PC Hart Waste, LLC for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code - Estimated Annual Revenue: General Fund \$76,800.00 annually (see Fiscal Information)

### **BACKGROUND**

Each solid waste hauler operating in Dallas must apply for and receive a franchise to operate a solid waste collection service in the city. Additionally, in the event that any franchisee transfers ownership of the company, the franchisee must apply for and receive permission from the City Council for the transfer of its franchise to the new owner. For a company to be submitted to City Council for franchise consideration, Sanitation Services requires the company to meet certain preliminary minimum provisions before a franchise application being considered. Preliminary provisions include providing proof of meeting minimum insurance requirements, confirmation that the company is registered to do business in the State of Texas, the company's intent to pick up and haul solid waste in the City of Dallas, a list of vehicles that are Code compliant, payment of all city taxes (if applicable), and proof of the principals of the company do not have any history of operating a different franchised hauling business as a principal that owes the City franchise fees or disposal fees.

These franchise ordinances require the City to approve transfer of ownership or sale of assets in accordance with the City Charter. The ordinances are for a franchise term of 5 years and allow the Council to amend the franchise if needed.

There are currently 183 approved franchise ordinances in Dallas. As part of the franchise agreement, franchisees shall pay a fee of not less than four percent of the gross receipts resulting from the operation of the solid waste collection service within the City.



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

On September 27, 2006, City Council authorized an amendment to the Dallas City Code to include a franchise fee for regulating solid waste haulers by Ordinance No. 26480.

The Quality of Life & Environment Committee was provided information regarding changes to ordinances related to new solid waste collection and hauling franchise agreements on October 12, 2015.

**FISCAL INFORMATION**

Estimated Annual Revenue: General Fund \$76,800.00 annually

Revenues were estimated using 4% of the franchisee's three-year average gross revenue. For new franchise applicants, estimates were based on the applicant's own estimate of annual gross revenues times 4%.

## COUNCIL CHAMBERS

January 11, 2023

**WHEREAS**, Hart Brothers Waste Removal, L.P., holds a solid waste disposal franchise pursuant to Ordinance No. 26640, adopted by the City Council on 28 March 2007 ("the Ordinance"), for use of the city streets for the collection and hauling of waste, in accordance with the regulations of Chapter XIV of the City Charter and Chapter 18, Article IV, of the Dallas City Code; and

**WHEREAS**, Section 8, TRANSFER OF OWNERSHIP, of the Ordinance requires the prior written consent of the City Council for a transfer or acquisition of control of the franchisee; and

**WHEREAS**, on October 6, 2022, Hart Brothers Waste Removal, L.P., gave notice that Hart Brothers Waste Removal, L.P., had entered into a purchase agreement with PC Hart Waste, LLC, for the purchase of 100% of the ownership interests of, Hart Brothers Waste Removal, L.P., which closed on June 7, 2021; and

**WHEREAS**, PC Hart Waste, LLC, submitted a complete and accurate application for consent on 6 October 2022, and PC Hart Waste, LLC, has complied with the City's approval requirements of the Ordinance, except for obtaining City Council approval prior to the close of the transaction; and

**WHEREAS**, the City Council has 120 days from the date of submission of a complete and accurate application to act upon the application for consent, and the City Council shall not unreasonably withhold its consent, but the City Council may grant such consent with conditions which it finds are necessary to ensure performance by PC Hart Waste, LLC, under the Ordinance; and

**WHEREAS**, due to the representation by PC Hart Waste, LLC, that economic circumstances prevented the delay of the asset transfer until City Council consent was obtained, the Director of Sanitation Services requests that the City Council approve the transfer of control with the understanding that the City Council's granting of consent in this one instance shall not require it to grant consent in other instances.

**Now, Therefore,**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Council consents to the transfer of control of Hart Brothers Waste Removal, LP to PC Hart Waste, LLC, and PC Hart Waste, LLC dba Hart Waste Removal, is now the franchisee under Ordinance No. 26640.

**SECTION 2.** That nothing in this consent shall be construed to waive or release any rights of the City of Dallas to require prior written consent of the City Council for any transfer of control, acquisition, or assignment of any solid waste franchise ordinance granted by the City Council or to the right to audit and to require payment of any past due fees owed to the city.

**SECTION 3.** That the granting of this consent by the City Council does not authorize future transfers of control, acquisition, or assignment by PC Hart Waste, LLC dba Hart Waste Removal, without first obtaining the prior consent of the City Council.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

## COUNCIL CHAMBERS

January 11, 2023

**WHEREAS**, Empire Disposal, Ltd. holds a solid waste disposal franchise pursuant to Ordinance No. 26632, adopted by the City Council on 28 March 2007 ("the Ordinance"), for use of the city streets for the collection and hauling of waste, in accordance with the regulations of Chapter XIV of the City Charter and Chapter 18, Article IV, of the Dallas City Code; and

**WHEREAS**, Section 8, TRANSFER OF OWNERSHIP, of the Ordinance requires the prior written consent of the City Council for a transfer or acquisition of control of the franchisee; and

**WHEREAS**, on 19 May 2022, Empire Disposal LTD gave notice that Empire Disposal LTD had entered into a purchase agreement with Warner Alan/Waste Advantage Partners, LLC for the purchase of 100% of the ownership interests of Empire Disposal LTD which closed on or about 20 November, 2020; and

**WHEREAS**, Warner Alan/Waste Advantage Partners, LLC submitted a complete and accurate application for consent on 12 October 2022, and Waste Advantage Partners, LLC has complied with the City's approval requirements of the Ordinance, except for obtaining City Council approval prior to the close of the transaction; and

**WHEREAS**, the City Council has 120 days from the date of submission of a complete and accurate application to act upon the application for consent, and the City Council shall not unreasonably withhold its consent, but the City Council may grant such consent with conditions which it finds are necessary to ensure performance by Waste Advantage Partners, LLC under the Ordinance; and

**WHEREAS**, due to the representation by Warner Alan/Waste Advantage Partners, LLC that economic circumstances prevented the delay of the transfer until City Council consent was obtained, the Director of Sanitation Services requests that the City Council approve the transfer of control with the understanding that the City Council's granting of consent in this one instance shall not require it to grant consent in other instances.

**Now, Therefore,**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Council consents to the transfer of control of Empire Waste, LTD to Warner Alan/Waste Advantage Partners, LLC and Waste Advantage Partners, LLC is now the franchisee under Ordinance No. 26632.

**SECTION 2.** That nothing in this consent shall be construed to waive or release any rights of the City of Dallas to require prior written consent of the City Council for any transfer of control, acquisition, or assignment of any solid waste franchise ordinance granted by the City Council or to the right to audit and to require payment of any past due fees owed to the city.

**SECTION 3.** That the granting of this consent by the City Council does not authorize future transfers of control, acquisition, or assignment by Warner Alan/Waste Advantage Partners, LLC without first obtaining the prior consent of the City Council.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-16

**Item #:** 15.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize the **(1)** acceptance of Regional Toll Revenue funds from the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), for the Incident Management Freeway Blocking Equipment within the North Central Texas Council of Governments (NCTCOG) Metropolitan Planning Area Project (Agreement No. CSJ 0918-47-207) under the Incident Management and Safety Pilot Program in the amount of \$300,000.00 as state contribution to the total project cost of \$375,000.00 (State contribution from State Highway 121 Subaccount of \$300,000.00 and City of Dallas local match of \$75,000.00 totaling \$375,000.00) for three scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas; **(2)** receipt and deposit of funds in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund; **(3)** establishment of appropriations in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund; **(4)** local cash match of \$75,000.00; **(5)** disbursement of funds in the amount of \$375,000.00 from the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund (\$300,000.00) and the General Fund (\$75,000.00); and **(6)** execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the agreement - Total amount of \$375,000.00 - Financing: Texas Department of Transportation Grant Funds (\$300,000.00) and General Fund (\$75,000.00)

### **BACKGROUND**

The State of Texas received Regional Toll Revenue (RTR) funds from the North Texas Tollway Authority as surplus revenue from the State Highway (SH) 121 toll project. Pursuant to Transportation Code, 228.006, the State of Texas shall authorize the use of surplus revenue from a toll project for transportation projects, highway projects, or air quality projects within TxDOT district in which any part of the toll project is located. The Regional Transportation Council (RTC), which is the transportation policy body of the NCTCOG and the federally designated metropolitan planning organization (MPO) for the Dallas-Fort Worth Metropolitan Area, was designated by the Texas Transportation Commission on October 26, 2006, to select and oversee projects to be financed using RTR funds.

In October 2021, the City of Dallas responded to NCTCOG's Call for Projects requesting RTR funds from the SH 121 Subaccount for the Incident Management Freeway Blocking Equipment within the NCTCOG Metropolitan Planning Area project. The RTC selected the project to be funded from the SH 121 Subaccount with concurrence from the Texas Transportation Commission. The City of Dallas is required to provide a 20 percent local match in the amount of \$75,000.00 for local government participation. Funding received from the State, acting by and through TxDOT, will be used to purchase three scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas.

The Scorpion attached to an F550 Chassis truck is designed to block traffic from an accident. When unfolded, the scorpion serves as an energy absorbing cushion for vehicles that may potentially crash into it. This structure prevents vehicles from colliding with accident victims and first responders who are responding to a collision. The Scorpion's modular design can also save the lives of vehicle occupants who strike the attenuator while traveling at high speeds. The Scorpion compresses in progressive stages which can reduce the impact forces on vehicle occupants.

The Scorpions will be located at three Fire Stations:

- Station 1 at 1901 Irving Boulevard
- Station 32 at 4262 North Jim Miller Road; and
- Station 43 at 2844 Lombardy Lane

This action will authorize an Advanced Funding Agreement with TxDOT to accept RTR funds from the SH 121 Subaccount for the Incident Management Freeway Blocking Equipment within the NCTCOG Metropolitan Planning Area project to purchase three scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas. The Scorpions will be located at the three Fire Stations referenced above for usage within the City of Dallas. Changing the Scorpions' location will not alter the terms of the agreement.

The equipment must be purchased within the term set by the agreement which will remain in effect until August 31, 2024, with three years being the maximum term for non-construction agreements.

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

This item has no prior action.

#### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Texas Department of Transportation Grant Funds	\$300,000.00	\$0.00	\$0.00
General Fund	\$ 75,000.00	\$0.00	\$0.00
Total	\$375,000.00	\$0.00	\$0.00

State Participation (SH 121 Subaccount Funds)	\$300,000.00
City of Dallas Match	<u>\$ 75,000.00</u>
Total Project Cost	\$375,000.00

January 11, 2023

**WHEREAS**, the State of Texas received Regional Toll Revenue (RTR) funds from the North Texas Tollway Authority as surplus revenue from the State Highway (SH) 121 toll project; and

**WHEREAS**, pursuant to the Transportation Code, 228.006, the State of Texas shall authorize the use of surplus revenue from a toll project for transportation projects, highway projects, or air quality projects within the Texas Department of Transportation (TxDOT) district in which any part of the toll project is located; and

**WHEREAS**, the Regional Transportation Council (RTC), which is the transportation policy body of the North Central Texas Council of Governments (NCTCOG) and the federally designated metropolitan planning organization (MPO) for the Dallas-Fort Worth Metropolitan Area, was designated by the Texas Transportation Commission on October 26, 2006, to select and oversee projects to be financed using RTR funds; and

**WHEREAS**, in October 2021, the City of Dallas responded to NCTCOG's Call for Projects requesting RTR funds from the SH 121 Subaccount for the Incident Management Freeway Blocking Equipment within the NCTCOG Metropolitan Planning Area project to purchase three scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas; and

**WHEREAS**, the RTC selected the project to be funded from the SH 121 Subaccount with concurrence from the Texas Transportation Commission requiring the City of Dallas to provide a 20 percent local match in the amount of \$75,000.00 for local government participation; and

**WHEREAS**, the City of Dallas desires to enter into an Advanced Funding Agreement with TxDOT to accept RTR funds from the SH 121 Subaccount for the Incident Management Freeway Blocking Equipment within the NCTCOG Metropolitan Planning Area project to purchase three scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager, or the City Manager's authorized designee, is hereby authorized to accept Regional Toll Revenue funds from the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), for the Incident Management Freeway Blocking Equipment within the NCTCOG Metropolitan Planning Area project (Agreement No. CSJ 0918-47-207) under the Incident Management and Safety Pilot Program in the amount of \$300,000.00 as state contribution to the total project cost of \$375,000.00 (State contribution from State Highway 121 Subaccount of \$300,000.00 and City of Dallas local match of \$75,000.00 totaling \$375,000.00) for three

January 11, 2023

**SECTION 1.** (continued)

scorpion/truck combo crash attenuators to improve roadway safety in the City of Dallas; and execute the Advanced Funding Agreement with TxDOT and all terms, conditions, and documents required by the agreement, approved as to form by the City Attorney, or the City Attorney's authorized designee.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund, Fund S392, Department DFD, Unit 330C, Revenue Code 6516.

**SECTION 3.** That the City Manager is hereby authorized to establish appropriations in the amount of \$300,000.00 in the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund, Fund S392, Department DFD, Unit 330C, Object 4730.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$375,000.00 as follows: \$300,000.00 from the FY23-NCTOG Incident Management Frwy Blocking Equipment Fund, Fund S392, Department DFD, Unit 330C, Object 4730, and \$75,000.00, a local match from the General Fund; Fund 0001, Department DFD, Unit MA01, Object 4730.

**SECTION 5.** That the City Manager is hereby authorized to reimburse the granting agency for any funds paid under the agreement that are not expended in accordance with the requirements of the agreement.

**SECTION 6.** That this contract is designated as Contract No. TRN-2023-00020958.

**SECTION 7.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.





## Agenda Information Sheet

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**File #:** 23-29

**Item #:** 16.

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**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Fire-Rescue Department  
**EXECUTIVE:** Jon Fortune

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### **SUBJECT**

An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code by: **(1)** adopting with certain changes the 2021 Edition of the International Fire Code published by the International Code Council; **(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: This action has no cost consideration to the City (see Fiscal Information)

### **BACKGROUND**

Dallas Fire-Rescue is proposing to adopt the 2022 Dallas Fire Code, which is a combination of the 2021 International Fire Code with 2022 Dallas amendments. Dallas Fire-Rescue provides amendments to specific sections of the International Fire Code model code language as a part of the overall adoption of the Dallas Fire Code. The proposed 2022 amendments are primarily a carryover of previous Dallas amendments from the adoption of previous Dallas Fire Codes.

New Dallas Fire Code amendments reflect modifications of new code sections that have been added to the International Fire Code model code language since the 2016 Dallas Fire Code adoption by the City of Dallas. The new proposed Dallas amendments mirror the language and intent of the amendment additions to the 2021 Regional Code amendments for the 2021 International Fire Code adopted by the North Texas Council of Governments. The 2021 Regional Code amendments provide a base of amendments used by several municipalities in the North Texas area for Fire Code consistency.

Sections of note with the proposed 2022 Dallas Fire Code amendments; Dallas Fire-Rescue will be adopting Appendix L, Firefighter Air Replenishment Systems (FARS) as well as Section 510, Emergency Responder Communication Coverage. Appendix L, Firefighter Air Replenishment Systems (FARS), has been widely adopted by fire departments throughout the United States. This system provides the ability for firefighters to replenish their air bottles inside a structure within minutes, increasing their safety factor significantly. Likewise, Section 510, Emergency Responder Communication Coverage, provides fire code regulation to ensure that structures have the critical radio signal strength necessary for first responders to communicate during an emergency incident.

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

[The Public Safety Committee was briefed by memorandum regarding this matter on August 8, 2022.](#)

On October 26, 2022, the Fire Code Advisory and Appeals Board (FCB) voted to approve the adoption of the 2021 International Fire Code with Dallas amendments.

**FISCAL INFORMATION**

This action has no cost consideration to the City. Ordinance enforcement of penalty up to \$2,000.00 may generate additional revenues to the City.

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

An ordinance amending Chapter 16, “Dallas Fire Code,” of the Dallas City Code, as amended; adopting with certain changes the 2021 Edition of the International Fire Code of the International Code Council, Inc.; regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, and providing for the issuance of permits for hazardous uses or operations; 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 Chapter 16, “Dallas Fire Code,” of the Dallas City Code, as amended, is amended by adopting the 2021 Edition of the International Fire Code of the International Code Council, Inc. (which is attached as Exhibit A and made a part of this ordinance), with the following amendments:

1. Subsection [A] 101.1, “Title,” of Section 101, “Scope and General Requirements,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“[A] 101.1 Title.** These regulations shall be known as the Dallas Fire Code ~~of [NAME OF JURISDICTION]~~, hereinafter referred to as ‘this code.’”

2. Section 101, “Scope and General Requirements,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended by adding a new Subsection 101.6, “Exceptions,” to read as follows:

**“101.6 Exceptions.** For purposes of this code, the term ‘exception,’ shall be defined and used for criminal prosecution and enforcement as a defense to prosecution.”

3. Subsection [A] 102.1, “Construction and Design Provisions,” of Section 102, “Applicability,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“[A] 102.1 Construction and design provisions.** The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11 or in specific sections of this code.
4. Existing structures, facilities and conditions that, in the opinion of the *fire code official*, constitute a distinct hazard to life or property.”

4. Subsection [A] 102.4, “Application of Building Code,” of Section 102, “Applicability,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“[A] 102.4 Application of other [building] codes.** The design and construction of new structures shall comply with this code and other codes as applicable [the ~~International Building Code~~], and any *alterations*, additions, changes in use or changes in structures required by this code, which are within the scope of the Dallas [International] Building Code, shall be made in accordance therewith.”

5. Subsection [A] 102.7, “Referenced Codes and Standards,” of Section 102, “Applicability,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“[A] 102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards, when specifically adopted, shall be considered to be a part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to the codes and standards shall be considered to reference the amendments as well. Any reference to NFPA 70 or to the ICC Electrical Code means the Dallas Electrical Code as adopted.

References made to the *International Mechanical Code*, the *International Building Code*, the *International Plumbing Code*, the *International Energy Conservation Code*, the *International Fuel Gas Code*, the *International Existing Building Code*, the *International Residential Code*, the *International Green Construction Code*, and the *International Swimming Pool and Spa Code*, respectively mean the *Dallas Mechanical Code*, the *Dallas Building Code*, the *Dallas Plumbing Code*, the *Dallas Energy Conservation Code*, the *Dallas Fuel Gas Code*, the *Dallas Existing Building Code*, the *Dallas One- and Two-Family Residential Code*, and the *Dallas Green Construction Code*, and the *Dallas Swimming Pool and Spa Code*, as amended.

**[A] 102.7.1 Conflicts.** Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

**[A] 102.7.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.”

6. Section 103, “Code Compliance Agency,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is retitled as Section 103, “Division of Fire Prevention.”

7. Subsection [A] 103.1, “Creation of Agency,” of Section 103, “Division of Fire Prevention,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“**[A] 103.1 Creation of agency.** The fire prevention division ~~[INSERT NAME OF DEPARTMENT]~~ is established within the jurisdiction under the direction of ~~[hereby created and the official in charge thereof shall be known as the]~~ the *fire chief* ~~[code official]~~. The function of the division ~~[agency]~~ shall be the implementation, administration and enforcement of the provisions of this code.”

8. Subsection [A] 103.2, “Appointment,” of Section 103, “Division of Fire Prevention,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“[A] 103.2 Appointment of the fire marshal.** The *fire chief* is authorized to designate a member of the fire department to exercise the powers and perform the duties of fire marshal (*fire code official*) as set forth in this code. The *fire marshal* shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.~~[code official shall be appointed by the chief appointing authority of the jurisdiction]~~”

9. Section 103, “Division of Fire Prevention,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended by adding a new Subsection 103.4, “Fire Prevention Division Personnel and Police,” to read as follows:

**“103.4 Fire prevention division personnel and police.** The *fire code official* and members of the fire prevention division have the powers of a police officer in performing their duties under this code. When requested to do so by the fire chief, the chief of police is authorized to assign available police officers as necessary to assist the fire department in enforcing the provisions of this code.”

10. Subsection [A] 104.1, “General,” of Section 104, “Duties and Powers of the Fire Code Official,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“[A] 104.1 General.** The *fire code official* is hereby authorized to enforce the provisions of this code. The *fire code official* shall have the authority to render interpretations of this code and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code. Such policies, procedures, rules and regulations shall not have the effect of waiving requirements specifically provided for in this code. Under the fire chief/fire code official direction, the fire department is authorized to enforce all state laws, city ordinances, and executive orders of the jurisdiction.

**104.1.1 Stopping uses, evacuation.** The *fire code official* is authorized to order an operation or use stopped or the evacuation of any premises, building or portion thereof which does not have a valid certificate of occupancy in accordance with Section 115.”

11. Paragraph [A] 104.6.1, “Approvals,” of Subsection 104.6, “Official Records,” of Section 104, “Duties and Powers of the Fire Code Official,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“[A] 104.6.1 Approvals.** A record of approvals and equivalent or alternative methods granted shall be maintained by the *fire code official* and shall be available for public inspection during business hours in accordance with applicable laws.”

12. Subsection 104.11, “Fire Investigations,” of Section 104, “Duties and Powers of the Fire Code Official,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“104.11 Fire investigations.** ~~The [*fire code official*, the] fire department is authorized [or other responsible authority shall have the authority] to investigate the cause, origin and circumstances of any fire occurring in the jurisdiction involving loss of life, injury to a person, or destruction or damage to property [explosion or other hazardous condition]. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.~~

**104.11.1 Assistance from other agencies.** Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires when requested to do so.

**104.11.2 Procedure.** The following procedures apply to fire investigations:

**104.11.2.1 Written report.** The *fire code official* shall make a written report of the facts developed by the investigation, including the cause, origin and circumstances of the fire; the extent of property damage or personal injury; the amount of fire insurance carried on the property; the name and address of the carrier; and any other information relevant to the fire.

**104.11.2.2 Insurance information.** At the request of the *fire code official*, the carrier or its agent shall immediately furnish information regarding the amount of fire insurance carried on the property, the carrier’s name and address and any other information relevant to the fire.

**104.2.11.2.3 Inspections.** The *fire code official* may enter and inspect any building or premises where a fire has occurred, or which has been jeopardized by an adjoining fire. The inspection shall be conducted in a reasonable manner as soon after the occurrence



of the fire as possible. No person may refuse admittance to the fire chief if the fire chief is identified by a uniform or through exhibition of credentials.

**104.11.2.4 Hearings.** The *fire code official* may conduct public or private hearings to aid in an investigation. Hearing process may be served by an officer designated by the fire chief. The fire chief may summon witnesses, require production of written documents, administer oaths and affirmations to witnesses, take or cause to be taken the sworn testimony of witnesses, and prohibit witnesses from communicating with one another until they have been examined. No person summoned may refuse to appear, to produce written documents, or to be sworn.

**104.11.2.5 Prosecution.** After investigation, if the *fire code official* believes there is sufficient evidence to charge a person with a crime committed in connection with the fire, the fire chief shall arrest or cause the person to be arrested and charged. The fire chief shall furnish to the prosecuting attorney all available evidence, including the names of witnesses and a transcript of testimony taken at the hearing.

13. Paragraph [A] 105.1.6, “Annual Permit,” of Subsection [A] 105.1, “General,” of Section 105, “Permits,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is deleted.

14. Paragraph [A] 105.2.2, “Inspection Authorized,” of Subsection [A] 105.2, “Application,” of Section 105, “Permits,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“[A] **105.2.2 Inspection authorized.** Before a new operational permit is *approved*, the *fire code official* is authorized to and shall inspect the receptacles, vehicles, buildings, devices, limited access gates, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required.”

15. Paragraph [A] 105.2.3, “Time Limitation of Application,” of Subsection [A] 105.2, “Application,” of Section 105, “Permits,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is deleted.

16. Subsection [A] 105.3, “Conditions of a Permit,” of Section 105, “Permits,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“[A] 105.3 Conditions of a permit.** A permit shall constitute permission to maintain, store or handle materials; or to conduct processes that produce conditions hazardous to life or property [~~; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification~~] in accordance with the provisions of this code where a permit is required by Section 105.5 or 105.6. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

**[A] 105.3.1 Expiration.** An operational permit shall remain in effect until reissued, renewed, or revoked, or for such a period of time as specified in the permit. [~~Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one half the amount required for a new permit for such work, provided that changes have not been made or will not be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year.~~] Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued. The fire code official is authorized to make adjustments to the terms and conditions of any permit or agreement issued based on facts of the case.

~~**[A] 105.3.2 Extensions.** A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit where work is unable to be commenced within the time required by this section for good and satisfactory reasons. The fire code official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 180 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.]~~

**[A] 105.3.3 Occupancy prohibited before approval.** The building or structure shall not be occupied prior to the *fire code official* issuing a permit and conducting associated inspections indicating the applicable provisions of this code have been met.

**[A] 105.3.4 Conditional permits.** Where permits are required and on the request of a permit applicant, the *fire code official* is authorized to issue a conditional permit to occupy the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full completion or

installation of equipment and operations without endangering life or public welfare. The *fire code official* shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit the area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment or operations will be granted.

**[A] 105.3.5 Posting the permit.** Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the *fire code official*.

**[A] 105.3.6 Compliance with code.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on *construction documents* and other data shall not prevent the *fire code official* from requiring the correction of errors in the *construction documents* and other data. Any addition to or alteration of *approved construction documents* shall be *approved* in advance by the *fire code official*, as evidenced by the issuance of a new or amended permit.

**[A] 105.3.7 Information on the permit.** The *fire code official* shall issue all permits required by this code on an *approved* form furnished for that purpose. Ther permit shall contain a general description of the operation or occupancy and its location and any other information required by the *fire code official*. Issued permits shall bear the signature of the *fire code official* or other *approved* legal authorization.

**[A] 105.3.8 Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on *construction documents*, operational documents and other data shall not prevent the *fire code official* from requiring correction of errors in the documents or other data.

17. Subsection 105.5, "Required Operational Permits," of Section 105, "Permits," of Part 2, "Administration and Enforcement," of Chapter 1, "Scope and Administration," of Part I, "Administrative," of the 2021 International Fire Code is amended to read as follows:

**"105.5 Required operational permits.** The *fire code official* is authorized to issue operational permits for the operations set forth in Sections 105.5.1[2] through 105.5.57[52]."

**105.5.1 Additive manufacturing.** An operational permit is required to conduct additive manufacturing operations regulated by Section 320.3.

**105.5.2 Aerosol products, aerosol cooking spray products and plastic aerosol 3 products.** An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products, aerosol cooking spray products or plastic aerosol 3 products in excess of 500 pounds (227 kg) net weight.

**105.5.3 Amusement buildings.** An operational permit is required to operate a special amusement building.

**105.5.4 Aviation facilities.** An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.

**105.5.5 Carnivals and fairs.** An operational permit is required to conduct a carnival or fair.

**105.5.6 Asphalt (tar) kettles.** A permit is required for the operation of an asphalt (tar) kettle. A separate permit is required for each location where these activities are being conducted. Additional permits required by other sections of this code include, but are not limited to, hot work and LP-gas. [Cellulose nitrate film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.]

**105.5.7 Reserved.** ~~[Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.]~~

**105.5.8 Combustible fibers.** An operational permit is required for the storage and handling of *combustible fibers* in quantities greater than 100 cubic feet (2.8 m<sup>3</sup>)

**Exception:** A permit is not required for agricultural storage.

**105.5.9 Compressed gases.** An operational permit is required for the storage, use or handling at *normal temperature and pressure* (NTP) of *compressed gases* in excess of the amounts listed in Table 105.5.9.

**Exception:** Vehicles equipped for and using *compressed gas* as a fuel for propelling the vehicle.

**105.5.9.1 Acetylene generator.** A permit is required to operate an acetylene generator. Also see Chapter 53.

**TABLE 105.5.9**  
**PERMIT AMOUNTS FOR COMPRESSED GASES**

TYPE OF GAS	AMOUNT (cubic feet at NTP)
Carbon dioxide used in carbon dioxide enrichment systems	875 (100 lbs.)
Carbon dioxide used in insulated liquid carbon dioxide beverage dispensing applications	875 (100 lbs.)
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly toxic	Any Amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

For SI: 1 cubic foot = 0.02832 m<sup>3</sup>.

**105.5.10 [Reserved.] ~~[Covered and open mall buildings.~~** An operational permit is required for:

- ~~1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.~~
- ~~2. The display of liquid or gas fired equipment in the mall.~~
- ~~3. The use of open flame or flame-producing equipment in the mall.]~~

**105.5.11 Cryogenic fluids.** An operational permit is required to produce, store, transport on site, use, handle or dispense *cryogenic fluids* in excess of the amounts listed in Table 105.5.11.

**Exception:** Permits are not required for vehicles equipped for and using *cryogenic fluids* as a fuel for propelling the vehicle or for refrigerating the lading.

**TABLE 105.5.11  
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS**

<b>TYPE OF CRYOGENIC FLUID</b>	<b>INSIDE BUILDING (gallons)</b>	<b>OUTSIDE BUILDING (gallons)</b>
Flammable	More than 1	60
Inert	60	500
Oxidizing (includes oxygen)	10	50
Physical or health hazard not indicated above	Any Amount	Any Amount

For SI: 1 gallon = 3.785 L.

**105.5.12 Cutting and welding.** An operational permit is required to conduct cutting or welding operations within the jurisdiction.

**105.5.13 Dry cleaning.** An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.

**105.5.14 Energy storage systems.** An operational permit is required for stationary and mobile energy storage systems regulated by Section 1207.

**105.5.15 Exhibits and trade shows.** An operational permit is required to operate exhibits and trade shows.

**105.5.16 Explosives.** An operational permit is required for the manufacture, transportation, storage, handling, sale or use of any quantity of *explosives*, *explosive materials*, fireworks or pyrotechnic special effects within the scope of Chapter 56.

**Exception:** Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

**105.5.17 Reserved. [Fire hydrants and valves.** ~~An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and provided with ready access from a fire apparatus access road that is open to or generally used by the public.~~

~~**Exception:** A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.]~~

**105.5.18 Flammable and combustible liquids.** An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of *flammable* or *combustible liquids*. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
  - 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the *fire code official*, would cause an unsafe condition.
  - 2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.
3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.
4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

**Exception:** Fuel oil and used motor oil used for space heating or water heating.

5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the *approved*, stationary on-site pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where *flammable* and *combustible liquids* are produced, processed, transported, stored, dispensed or used. This includes tanks, lines, monitor wells and other appurtenances of the tank system.
7. To remove, abandon or place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground *flammable* or *combustible liquid* tank. This includes tanks, lines, monitor wells, and other appurtenances of the tank system.



8. To change the type of contents stored in a *flammable* or *combustible liquid* tank to a material that poses a greater hazard than that for which the tank was designed and constructed.
9. To manufacture, process, blend or refine *flammable* or *combustible liquids*.
10. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used. ~~[To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.]~~
11. To store, handle or use Class III liquids in tanks or portable tanks for fueling motor vehicles and construction equipment at construction sites. ~~[To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or, where required by the fire code official, to utilize a site for on-demand mobile fueling operations in accordance with Section 5707.]”~~

**105.5.19 Floor or wall finishing.** An operational permit is required for floor or wall finishing or surfacing operations exceeding 350 square feet (33 m<sup>2</sup>) using Class I or Class II liquids.

**105.5.20 Fruit and crop ripening.** An operational permit is required to operate a fruit-, or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

**105.5.21 Reserved.** ~~**Fumigation and insecticidal fogging.** An operational permit is required to operate a business of fumigation or insecticidal fogging, and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.~~

**105.5.22 Hazardous materials.** An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.5.22.

**105.5.23 HPM facilities.** An operational permit is required to store, handle or use hazardous production materials.

**105.5.24 High-piled storage.** An operational permit is required to use a building or portion thereof with more than 500 square feet (46 m<sup>2</sup>), including aisles, of *high-piled combustible storage*.

**105.5.25 Hot work operations.** An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment at construction sites or inside a structure.

~~[Exception: Work that is conducted under a construction permit.]~~

3. Fixed-site hot work equipment, such as welding booths.
4. Hot work conducted within a hazardous fire ~~[wildfire]~~ risk area.
5. Application of roof coverings with the use of an open-flame device.
6. Mobile welding/cutting (hot works) apparatus. A separate permit is required for each mobile W/C (hot work) vehicle. ~~[When approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision.]~~

6.1 The fire department shall inspect each vehicle to ensure the equipment is in good working order and in compliance with the provisions of Chapter 35 before issuing a permit to operate.

6.2 Regulations will be given to the owner/operator of the apparatus. The responsible person shall sign for these regulations.

6.3 The owner/operator of the apparatus shall ensure compliance with the requirements found in the regulations received.

**105.5.26 Industrial ovens.** An operational permit is required for operation of industrial ovens regulated by Chapter 30.

**105.5.27 Lumber yards and woodworking plants.** An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft<sup>3</sup>) (236m<sup>3</sup>).

**105.5.28 Liquid or-gas-fueled vehicles or equipment in assembly buildings.** An operational permit is required to display, operate or demonstrate liquid-or gas-fueled vehicles or equipment in assembly buildings.

**105.5.29 LP-gas.** An operational permit is required for:

1. Storage and use of LP-gas where the aggregate capacity of containers is more than 100 gallons (379 L) in water capacity.

~~[Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3.]~~

2. The use of [Operation of cargo tankers that transport] LP-gas for demonstration or portable cooking equipment. See Chapter 61.

**105.5.30 Magnesium.** An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

**105.5.31 Miscellaneous combustible storage.** A~~n operational~~ permit is required to store in any building or on any premises in excess of 2,500 cubic feet (71 m<sup>3</sup>) gross volume of combustible empty packing cases, boxes, barrels or similar containers, combustible pallets, rubber tires, rubber, cork or similar combustible material.

**105.5.32 Mobile food preparation vehicles.** A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors.

**105.5.33 Reserved.** ~~[Motor fuel-dispensing facilities. An operational permit is required for the operation of automotive, marine and fleet motor fuel-dispensing facilities.]~~

**105.5.34 Open burning.** An operational permit is required for the kindling or maintaining of an open fire, recreational fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be complied with.

~~[Exception: Recreational fires.]~~

**105.5.34.1 Trench burning.** A separate permit is required for each day of trench burning.

**105.5.34.2 Air curtain incinerators/pit burners.** A separate permit is required to operate an air curtain incinerator/pit burner or similar type device that uses an air curtain to burn waste.

**105.5.35 Open flames and torches.** An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a fire ~~[wildfire-risk]~~ area.

**105.5.36 Open flames and candles.** An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking

establishments. This permit includes the use of free-standing LP-gas heaters in assembly occupancies.

**105.5.37 ~~Reserved.~~ [Organic coatings.** ~~An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.]~~

**105.5.38 Outdoor assembly event.** An operational permit is required to conduct an *outdoor assembly event* where planned attendance exceeds 1,000 persons.

**Exception:** A permit is not required for existing outdoor venues with a valid certificate of occupancy or at the state fair grounds.

**105.5.39 ~~Reserved.~~ [Places of assembly.** ~~An operational permit is required to operate a place of assembly.]~~

**105.5.40 Plant extraction systems.** An operational permit is required to use plant extraction systems.

**105.5.41 Private fire hydrants and water supplies.** An annual ~~[operational]~~ permit is required for the ~~[removal from service,]~~ use or operation of private fire hydrants or alternate water supplies, including but not limited to storage tanks and ponds.

~~**[Exception:** A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.]~~

**105.5.42 Pyrotechnic special effects material.** An operational permit is required for transportation, use, ~~[and]~~ handling, storage and display of pyrotechnic special effects material. See Chapter 56.

**105.5.43 ~~Reserved.~~ [Pyroxylin plastics.** ~~An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics, and for the assembly or manufacture of articles involving pyroxylin plastics.]~~

**105.5.44 Refrigeration equipment.** An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.

**105.5.45 ~~Reserved.~~ [Repair garages and motor fuel dispensing facilities.** ~~An operational permit is required for operation of repair garages.]~~

**105.5.46 ~~Reserved.~~ [Rooftop heliports.** ~~An operational permit is required for the operation of a rooftop heliport.]~~

**105.5.47 Spraying or dipping.** An operational permit is required to conduct a spraying or dipping operation utilizing *flammable* or *combustible liquids* or the application of combustible powders regulated by Chapter 24.

**105.5.48 ~~Reserved.~~[Storage of scrap tires and tire byproducts.** ~~An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m<sup>3</sup>) of total volume of scrap tires, and for indoor storage of tires and tire byproducts.]~~

**105.5.49 Temporary membrane structures,~~and~~ tents and canopies.** An operational permit is required to operate an air-supported temporary membrane structure, a temporary *special event structure*, or a tent having an area in excess of 399 ~~[400]~~ square feet (37 m<sup>2</sup>) or a canopy in excess of 399 square feet (37 m<sup>2</sup>).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.
2. Fabric canopies ~~[Tents]~~ open on all sides, which comply with all of the following:
  - 2.1. Individual canopies ~~[tents]~~ having a maximum size of 700 square feet (65 m<sup>2</sup>).
  - 2.2. The aggregate area of multiple canopies ~~[tents]~~ placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m<sup>2</sup>) total.
  - 2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.
3. Awnings.
4. Tents having an occupant load of less than 10 persons.

**105.5.50 Tire-rebuilding plants.** An operational permit is required for the operation and maintenance of a tire rebuilding plant.

**105.5.51 Waste handling.** An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.

**105.5.52 Wood products.** An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m<sup>3</sup>).

**105.5.53 Commercial cooking fire-extinguishing system.** A permit is required to install an approved automatic fire-extinguishing system for commercial cooking systems.

**105.5.54 Calcium carbide storage.** A permit is required to store more than 200 pounds of calcium carbide. See Chapter 50.

**105.5.55 Limited access gates.** An annual permit is required for the operation of limited access gates which obstruct fire apparatus access roads.

**105.5.56 Mobile fueling.** A separate permit is required for each mobile refueling apparatus utilized for the purpose of transferring fuel in accordance with this section. A separate permit is required for each site where mobile refueling operations take place in accordance with this section. See Chapter 57.

**105.5.57 State licensed facilities.** An annual permit is required to operate a childcare facility, adult day care facility, foster home, small-assisted living facility, or a residential care facility as defined by the Texas Department of Aging and Disability Services and the Texas Department of Family and Protective Services.”

30. Subsection 105.6, “Required Construction Permits,” of Section 105, “Permits,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“[A] **105.6 Required construction permits.** The *fire code official* is authorized to issue [construction] permits for work as set forth in Sections 105.6.1 through 105.6.24.

~~[A] 105.6.1 Automatic fire extinguishing systems. A construction permit is required for installation of or modification to an automatic fire extinguishing system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.]~~

~~[A] 105.6.2 Reserved. [Compressed gases. Where the compressed gases in use or storage exceed the amounts listed in Table 105.5.9, a construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a compressed gas system.]~~

**Exceptions:**

- ~~1. Routine maintenance.~~
- ~~2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.]~~

~~[A] 105.6.3 Reserved. Cryogenic fluids. A construction permit is required for installation of or alteration to outdoor stationary cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.5.11. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a construction permit.]~~

[A] **105.6.4 Emergency responder communication coverage system.** A construction permit is required for installation of or modification to in-building, two-way emergency responder communication coverage systems and related equipment. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

[A] **105.6.5 Reserved. [~~Energy storage systems.~~** A construction permit is required to install ~~energy storage systems regulated by Section 1207.~~]

[A] **105.6.6 Fire alarm and detection systems and related equipment.** An impaired system ~~[construction]~~ permit is required for installation of or modification to fire alarm and detection systems and related equipment. Construction documents complying with 901.2 along with the written impairment plan shall be submitted to the *fire code official* before work starts. Construction documents complying with 901.2 and the *Dallas Building Code* shall be submitted to the *building official* for permitting and plan review purposes. ~~[Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.]~~

[A] **105.6.7 Reserved. [~~Fire pumps and related equipment.~~** A construction permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers and generators. ~~Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.]~~

[A] **105.6.8 Reserved. [~~Flammable and combustible liquids.~~** A construction permit is required:

- ~~1. To install, repair or modify a pipeline for the transportation of *flammable or combustible liquids*.~~
- ~~2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel dispensing stations, refineries, distilleries and similar facilities where *flammable and combustible liquids* are produced, processed, transported, stored, dispensed or used.~~
- ~~3. To install, alter, remove, abandon or otherwise dispose of a *flammable or combustible liquid tank*.~~

[A] **105.6.9 Reserved. [~~Fuel cell power systems.~~** A construction permit is required to install ~~stationary fuel cell power systems.~~]

[A] **105.6.10 Reserved. [~~Gas detection systems.~~** A construction permit is required for the installation of or modification to gas detection systems. ~~Maintenance performed in accordance with this code is not considered a modification and shall not require a permit.]~~



**[A] 105.6.11 Gates and barricades across fire apparatus access roads.** A construction permit is required for the installation of or modification to a gate or barricade across a fire apparatus access road.

**[A] 105.6.12 Reserved. ~~[Hazardous materials]~~.** A construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service or close or substantially modify a storage facility or other area regulated by Chapter 50 where the hazardous materials in use or storage exceed the amounts listed in Table 105.5.22.

**Exceptions:**

- ~~1. Routine maintenance.~~
- ~~2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.]~~

**[A] 105.6.13 High-piled combustible storage.** A construction permit is required for the installation of or modification to a structure with more than 500 square feet (46 m<sup>2</sup>), including aisles, of *high-piled combustible storage*. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

**[A] 105.6.14 Reserved. ~~[Industrial ovens]~~.** A construction permit is required for installation of industrial ovens regulated by Chapter 30.

**Exceptions:**

- ~~1. Routine maintenance.~~
- ~~2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.]~~

**[A] 105.6.15 Reserved. ~~[LP-gas]~~.** A construction permit is required for installation of or modification to an LP-gas system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.]

**[A] 105.6.16 Reserved. ~~[Motor vehicle repair rooms and booths]~~.** A construction permit is required to install or modify a motor vehicle repair room or booth. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.]

**[A] 105.6. 17 Plant extraction systems.** A construction permit is required for installation of or modification to plant extraction systems. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

**[A] 105.6.18 Reserved. ~~[Private fire hydrants]~~.** A construction permit is required for the installation or modification of private tire hydrants. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.]

**[A] 105.6.19 Reserved. [~~Smoke control or smoke exhaust systems.~~** Construction permits are required for installation of or alteration to smoke control or smoke exhaust systems. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a permit.]

**[A] 105.6.20 Reserved. [~~Solar photovoltaic power systems.~~** A construction permit is required to install or modify solar photovoltaic power systems. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.]

**[A] 105.6.21 Reserved. [~~Special event structure.~~** A single construction permit is required to erect and take down a *temporary special event structure.*]

**[A] 105.6.22 Reserved. [~~Spraying or dipping.~~** A construction permit is required to install or modify a spray room, dip tank or booth. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.]

**[A] 105.6.23 Reserved. [~~Standpipe systems.~~** A construction permit is required for the installation, modification or removal from service of a standpipe system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.]

**[A] 105.6.24 Temporary membrane structures, [and] tents, and canopies.** A construction permit is required to erect an air supported temporary membrane structure, [~~a temporary stage canopy~~] or a tent having an area in excess of 399 [~~400~~] square feet (37 m<sup>2</sup>).

#### **Exceptions:**

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
3. Tents, fabric canopies, and awnings open on all sides, which comply with all of the following:
  - 3.1. Individual tents shall have a maximum size of 700 square feet (65 m<sup>2</sup>).
  - 3.2. The aggregate area of multiple canopies [~~tents~~] placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65m<sup>2</sup>) total.
  - 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.

4. Tents having an occupant load of less than 10 persons.

**[A] 105.6.25 Electronic access control systems.** *Dallas Building Code* construction permits are required for the installation or modification of an electronic access control system, as specified in Chapter 10. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.”

31. Subsection [A] 106.1, “Submittals,” of Section 106, “Construction Documents,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“**[A] 106.1 Submittals.** When required by the fire code official, c[€]onstruction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the *fire code official*. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed.

**Exception:** The *fire code official* is authorized to waive the submission of *construction documents* and supporting data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.”

32. Subsection [A] 107.2, “Schedule of Permit Fees”, of Section 107, “Fees,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“**[A] 107.2 Schedule of permit fees.** Where a permit is required by Section 105, a nonrefundable fee for each permit shall be paid as required, in accordance with the following schedule [~~as established by the applicable governing authority~~].

<u>1.</u>	<u>Acetylene generator, annual</u>	<u>\$112.00</u>
<u>2.</u>	<u>Aerosol products, annual</u>	<u>\$249.00</u>
<u>3.</u>	<u>Air curtain incinerator/pit/trench burn, per day</u>	<u>\$228.30</u>
<u>4.</u>	<u>Amusement building</u>	<u>\$155.00</u>
<u>5.</u>	<u>Asphalt (tar) kettles, annual</u>	<u>\$243.00</u>
<u>6.</u>	<u>Aviation facilities</u>	<u>\$407.00</u>

<u>7.</u>	<u>Calcium carbide storage, annual</u>	<u>\$102.00</u>
<u>8.</u>	<u>Candle and open flames</u>	<u>\$200.00</u>
<u>9.</u>	<u>Carnivals and fairs, daily</u>	<u>\$350.00</u>
<u>10.</u>	<u>Combustible storage (miscellaneous), annual</u>	<u>\$310.00</u>
<u>11.</u>	<u>Commercial cooking fire-extinguishing system</u>	<u>\$209.00</u>
<u>12.</u>	<u>Compressed gas filling/storage/use, annual</u>	<u>\$145.00</u>
<u>13.</u>	<u>Cryogenic fluids, annual</u>	<u>\$401.00</u>
<u>14.</u>	<u>Dry cleaning plant, annual</u>	<u>\$130.00</u>
<u>15.</u>	<u>Explosive /blasting, daily</u>	<u>\$209.00</u>
<u>16.</u>	<u>Fireworks/explosive storage, daily</u>	<u>\$800.00</u>
<u>17.</u>	<u>Fireworks/explosive transportation, daily</u>	<u>\$275.00</u>
<u>18.</u>	<u>Fireworks display (initial)</u>	<u>\$500.00</u>
<u>19.</u>	<u>Fireworks display (subsequent)</u>	<u>\$264.00</u>
<u>20.</u>	<u>Flammable and combustible liquids, annual</u>	<u>\$376.00</u>
<u>21.</u>	<u>Floor/wall finishing</u>	<u>\$179.00</u>
<u>22.</u>	<u>Fruit and crop ripening, annual</u>	<u>\$231.00</u>
<u>23.</u>	<u>Hazardous materials, annual</u>	<u>\$382.00</u>
<u>24.</u>	<u>Hazardous production material (HPM), annual</u>	<u>\$310.00</u>
<u>25.</u>	<u>High pile storage, annual</u>	<u>\$450.00</u>
<u>26.</u>	<u>Industrial oven</u>	<u>\$250.00</u>
<u>27.</u>	<u>Limited access gates</u>	
	<u>(1 to 3 gates)</u>	<u>\$300.00</u>
	<u>(4 to 7 gates)</u>	<u>\$450.00</u>
	<u>(8 or more gates)</u>	<u>\$550.00</u>
<u>28.</u>	<u>Liquid- or gas-fueled vehicles or equipment in assembly buildings, per event:</u>	
	<u>(1 to 10 vehicles or pieces of equipment)</u>	<u>\$234.00</u>
	<u>(11 to 30 vehicles or pieces of equipment)</u>	<u>\$400.00</u>
	<u>(31 or more vehicles or pieces of equipment)</u>	<u>\$550.00</u>
	<u>(over 400 vehicles or pieces of equipment)</u>	<u>\$750.00</u>
<u>29.</u>	<u>LP-gas storage/use</u>	<u>\$305.00</u>

<u>30.</u>	<u>LP-gas demonstration/portable cooking [CART]</u>	<u>\$150.00</u>
<u>31.</u>	<u>LP-gas demonstration/portable cooking [VEHICLE]</u>	<u>\$202.00</u>
<u>32.</u>	<u>Lumber yards and woodworking plants, annual</u>	<u>\$376.00</u>
<u>33.</u>	<u>Magnesium, annual</u>	<u>\$223.00</u>
<u>34.</u>	<u>Mobile fueling</u>	
	<u>(site survey), annual</u>	<u>\$216.00</u>
	<u>(vehicle inspection) annual</u>	<u>\$216.00</u>
<u>35.</u>	<u>Open burning/recreational fires</u>	<u>\$155.00</u>
<u>36.</u>	<u>Plan Review Fees</u>	
	<u>(fire apparatus access roads)</u>	<u>\$350.00</u>
	<u>(limited access gates &amp; barriers)</u>	<u>\$300.00</u>
<u>37.</u>	<u>Private fire hydrant and water supplies, annual</u>	<u>\$443.00</u>
<u>38.</u>	<u>Pyrotechnic special effects material, daily:</u>	
	<u>Initial performance</u>	<u>\$300.00</u>
	<u>Subsequent performances</u>	<u>\$173.00</u>
<u>39.</u>	<u>Refrigeration equipment</u>	<u>\$234.00</u>
<u>40.</u>	<u>Scrap tire storage, annual</u>	<u>\$200.00</u>
<u>41.</u>	<u>Spray painting/dipping</u>	<u>\$350.00</u>
<u>42.</u>	<u>Standby personnel,</u>	
	<u>Hourly</u>	<u>\$110.00</u>
	<u>New Construction re-test</u>	<u>\$622.00</u>
<u>43.</u>	<u>State licensed facilities</u>	
	<u>(child care facility), annual 35 Children or less</u>	<u>\$300.00</u>
	<u>(child care facility), annual 36 Children or more</u>	<u>\$400.00</u>
	<u>(residential care facility, annual</u>	<u>\$350.00</u>
	<u>(foster home five children or fewer), annual</u>	<u>\$50.00</u>
	<u>(small assisted living), annual</u>	<u>\$640.00</u>
	<u>(adult day care facility), annual</u>	<u>\$700.00</u>
<u>44.</u>	<u>Temporary membrane structures and tents,</u>	
	<u>Including plan review (per event)</u>	<u>\$323.00</u>
<u>45.</u>	<u>Tire-rebuilding plan</u>	<u>\$188.00</u>

46.	<u>Torch and open flames</u>	<u>\$273.00</u>
47.	<u>Waste handling, annual</u>	<u>\$288.00</u>
48.	<u>Welding/cutting/hot works</u>	<u>\$400.00</u>

33. Section 107, “Fees,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended by adding a new Subsection [A] 107.7, “Reinspection Fee,” to read as follows:

**“[A] 107.7 Reinspection fee.** Whenever a building or premises in the city is inspected by the *fire code official* and a violation of this code is found, the building or premises shall, after the expiration of any time limit for compliance given in a notice or order issued because of the violations, be reinspected by the *fire code official* to determine that the violation has been eliminated. The owner, occupant, operator or other person responsible for the violation shall pay to the city assessor and collector of taxes a fee in accordance with the following schedule for each reinspection that is conducted until the violation is determined to be eliminated.

NUMBER OF REINSPECTIONS	FEE
1 <sup>st</sup>	\$171
2 <sup>nd</sup>	\$205
3 <sup>rd</sup> AND EACH SUBSEQUENT	\$205

**Exception:** No fee shall be charged for a reinspection of the following:

1. A Group R-3 or R-4 occupancy, as defined in the *Dallas Building Code*.
2. An individual *dwelling unit* within an apartment house or residential condominium complex, as defined in the *Dallas Building Code*, when the violation is the responsibility of the occupant of the *dwelling unit* and not the responsibility of the owner or operator of or the person responsible for the building or premises.
3. Activities directly related to construction conducted on a building or premises, or part of the building or premises, pursuant to a valid building permit issued by the building official, including any reinspection that is required before a certificate of occupancy related to the construction activities may be issued for the building or premises.”

34. Section 111, “Means of Appeals,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

**“SECTION 111  
BOARD [MEANS] OF APPEALS**

**[A] 111.1 Creation, membership and qualifications.** The fire code advisory and appeals board is created to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code. The fire code advisory and appeals board shall consist of the following nine members who are qualified by experience and training to pass judgment upon pertinent matters

1. Two registered engineers, one of which is a fire protection engineer.
2. One registered architect.
3. One building contractor having at least five years' experience in the construction of commercial buildings.
4. One insurance investigator having at least five years' experience in the investigation of casualty insurance claims.
5. One person experienced in the practice or technique of handling flammable or combustible liquids.
6. One person experienced in the practice or technique of managing large public assembly functions.
7. Two persons having a record of active participation in community affairs.

**111.1.1 Ex-officio members.** In addition to the nine board members enumerated in Section [A] 111.1, the building official and fire marshal shall serve as ex-officio members of the board without voting privileges. ~~[Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.]~~

**[A] 111.2 Limitations on authority.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code or interpret the administration of the code.

**[A] 111.3 Appointment and terms.** The city manager shall nominate, and the city council shall appoint the nine board members enumerated in Section 111.1 from among the residents of the city. The mayor shall appoint the board chair and the full city council shall appoint the vice-

chair. Board members shall serve for two consecutive years beginning September 1 of each odd-numbered year, or until their successors are appointed and qualified. If a vacancy occurs on the board during the pendency of a term, the city manager shall nominate, and city council shall appoint a new member to fill the vacancy for the unexpired term. The appointive board members shall serve without compensation. [Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems and are not employees of the jurisdiction.]

**[A] 111.4 Administration.** The fire code official shall take immediate action in accordance with the decision of the board. During the pendency of the request to the board, the decision appealed from will be stayed unless the fire code official determines that a stay would create or allow the continuance of a substantial fire hazard threatening the lives or property of persons other than the appellant.

**111.5 Meetings; quorum.** The board shall adopt reasonable rules for the preparation of amendments to this code and for the conduct of hearings. The board shall convene at the request of the fire chief, the fire marshal, or its chair, with five members constituting a quorum. The board shall keep a record of its proceedings and decisions. The chair shall cause a copy of that record to be filed with the city secretary.

**111.6 Code review and amendment.** The board shall hear requests for amendments to this code and conduct its own regular code review. When the board, by a concurring vote of a majority of its members present, determines that a proposed amendment is appropriate for inclusion in this code, it shall recommend that amendment to the city council for adoption.

**111.7 Appeals.** If a person is aggrieved by a decision of a member of the fire department enforcing this code, the person may file with the fire code official a written request for a hearing before the board. In the request, the person shall name the fire department member whose decision is being appealed and specify the details of the controverted decision. The fire code official shall forward a copy of the request to the board chair, who shall convene a public meeting of the board within a reasonable time, not to exceed 30 days, after receipt of the request. After considering the relevant and material evidence, the board, by a concurring vote of a majority of its members present, shall render a decision sustaining, modifying or reversing the decision appealed. The chair shall cause the board's decision to be reduced to writing and a copy to be filed with the fire marshal and the city secretary. The decision of the board is the final administrative action of the city regarding the controverted decision. A person aggrieved by a decision of the board may, within 30 days after receiving notice of the board's decision, appeal to the District Court of Dallas County. The suit shall be filed against the board as defendant and service of process may be made upon the board by serving the city secretary."

35. Paragraph [A] 112.3.1, "Service," of Subsection [A] 112.3, "Notice of Violation," of Section 112, "Violations," of Part 2, "Administration and Enforcement," of



Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“[A] **112.3.1 Service.** A notice of violation issued pursuant to this code shall be served upon the *owner*, the *owner’s* authorized agent, operator, occupant or other person responsible for the condition or violation, either by electronic or verbal notification, personal service, mail or by delivering the same to, and leaving it with, some person of responsibility on the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the *owner*, the *owner’s* authorized agent, or occupant. Orders or notices shall set forth a time limit for compliance dependent upon the hazard and danger created by the violation. Orders or notices that are given verbally shall be confirmed by service in writing as herein provided.”

36. Subsection [A] 112.4, “Violation Penalties,” of Section 112, “Violations,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“[A] **112.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a Class C misdemeanor [~~SPECIFY OFFENSE~~], punishable by a fine [~~of~~] not to exceed \$2,000 [~~more than~~ [~~AMOUNT~~] dollars or by imprisonment not exceeding [~~NUMBER OF DAYS~~], or both such fine and imprisonment]. Each day or part of a day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] **112.4.1 Abatement of violation.** In addition to the imposition of the penalties herein described, the *fire code official* is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

**112.4.2 Failure to discontinue.** Any person who shall knowingly continue any operations after having been served with a notice to discontinue operations, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$1,500.

**112.4.3 Agents and employees.** A person who is the agent of the property owner or is an individual employed by the agent or property owner, is in control of the property, and knowingly allows the violation to exist is guilty of an offense if that person fails to provide the property owner’s name, street address, and telephone number to the fire code official.”

37. Subsection [A] 113.4, “Failure to Comply,” of Section 113, “Stop Work Order,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“**[A] 113.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable [subject] to [fines established by the authority having jurisdiction] a fine of not less than \$1,000 or more than \$2,000.”

38. Subsection [A] 114.2, “Evacuation,” of Section 114, “Unsafe Structures or Equipment,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“**[A] 114.2 Evacuation.** The *fire code official* or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied structure deemed unsafe when such structure has hazardous conditions that pose an imminent danger to structure occupants. Persons so notified shall immediately leave the structure, ~~[or]~~ premises, or vehicle and shall not enter or re-enter until authorized to do so by the *fire code official* or the fire department official in charge of the incident.

**[A] 114.2.1 Stopping uses, evacuation.** The *fire code official* is authorized to order an operation or use stopped or the evacuation of any premises, building or vehicle, or portion thereof, that has or is a fire hazard.”

39. Subsection [A] 114.4, “Notice,” of Section 114, “Unsafe Structures or Equipment,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“**[A] 114.4 Notice.** If an unsafe condition is found, the *fire code official* shall serve on the *owner* of the structure or the *owner's* authorized agent an electronic or [a] written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *fire code official* acceptance or rejection of the terms of the order.”

40. Subsection [A] 114.5, “Method of Service,” of Section 114, “Unsafe Structures or Equipment,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“[A] **114.5 Method of service.** Such notice shall be deemed properly served where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered to the *owner, the owner's authorized agent, operator or occupant of a structure* personally.
2. A copy is sent by certified or registered mail addressed to the *owner* at the last known address with return receipt requested.
3. A copy is delivered electronically or in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the *owner's* authorized agent shall constitute service of notice on the *owner*.”

41. Subsection [A] 114.6, “Restoration or Abatement,” of Section 114, “Unsafe Structures or Equipment,” of Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended to read as follows:

“[A] **114.6 Restoration and abatement.** The structure or equipment determined to be unsafe by the *fire code official* is permitted to be restored to a safe condition. The *owner, the owner's* authorized agent, operator or occupant of a structure, premises or equipment deemed unsafe by the *fire code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action. To the extent that repairs, *alterations* or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, *alterations*, additions or change of occupancy shall comply with the requirements of Section 105.1.5 and the Dallas [~~International~~] Existing Building Code. Also as specified in Chapter 27, ‘Minimum Urban Rehabilitation Standards,’ of the Dallas City Code.”

42. Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended by adding a new Section 115, “Certificate of Occupancy,” to read as follows:

**“SECTION 115  
CERTIFICATE OF OCCUPANCY**

**[A] 115.1 Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure, or portion thereof, shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the *Dallas Building Code* or of other ordinances of the jurisdiction.

**[A] 115.2 Certificate issued.** After the building official inspects the building or structure and finds no violations of the provisions of the *Dallas Building Code*, or other laws that are enforced by the division of building inspection, the building official shall issue a certificate of occupancy that contains the following:

1. The address of the structure.
2. The name and address of the owner or tenant.
3. The use and occupancy, in accordance with the provisions of the *Dallas Building Code* or the *Dallas Existing Building Code*, whichever applies.

**[A] 115.3 Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

**[A] 115.4 Revocation.** The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of the *Dallas Building Code* wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the *Dallas Building Code*.”

44. Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of Part I, “Administrative,” of the 2021 International Fire Code is amended by adding a new Section 116, “Registration and Inspection of High Risk Buildings and Occupancies,” to read as follows:

**“SECTION 116  
REGISTRATION AND INSPECTION OF HIGH RISK BUILDINGS AND  
OCCUPANCIES**

**116.1 Certificate of registration.** A person commits an offense if he knowingly owns, operates or controls a high-risk building or occupancy in the city without a valid certificate of registration issued under this section. See Chapter 2 for definitions of high risk building or occupancy.

**116.2 Display of certificate.** A registrant shall present, upon request, a certificate of registration for examination by the *fire code official*.

**116.3 Application for registration.** To obtain a certificate of registration, a person shall submit an application to the *fire code official* on a form provided for that purpose. The applicant must be the person who will own, control or operate the high-risk building or occupancy. If the applicant owns, controls or operates more than one high risk building or occupancy at the same street address, only one certificate of registration is required for all of the buildings or occupancies at that street address. Only one certificate of registration is required for a single building that has more than one street address. The application shall be verified and contain the following information:

1. The applicant's name, address, telephone number and verified signature.
2. The name, street address and telephone number of the high-risk building's owner or occupancy's operator.
3. The name, address and main telephone number, if any, of the high-risk building or occupancy.
4. The name, address and telephone number of an emergency contact person that can be contacted 24 hours a day, seven days a week in an emergency.
5. The square footage of the high-risk building or occupancy, including the number of stories and the construction date of the building.
6. The type of occupancy or occupancies conducted in the high-risk building.
7. A description of any hazardous operations being conducted in the high-risk building or occupancy.
8. A description of fire protection features and any unique aspects of the high-risk building or occupancy.
9. The number of living units in residential facilities.
10. The number of patient rooms in health care facilities.

11. Such additional information as the *fire code official* deems necessary to the administration and enforcement of this section.

**116.3.1 Multiple buildings or occupancies.** If the application for a certificate of registration is being made for multiple buildings or occupancies at the same address, the information required in Section 116.3 must be provided for each building or occupancy at that address.

**116.3.2 Notification.** A registrant shall notify the *fire code official* within 10 days after any material change in the information in the application for a certificate of registration for a high-risk building or occupancy, including any changes in ownership.

**116.4 Registration fee and inspection charge.** The fee for a certificate of registration for a high-risk occupancy is \$150, plus an inspection charge in accordance with the following schedule.

BUILDING TYPE	INSPECTION FEE
Public Assembly	
Under 5,000 square feet	\$150.00
5,000 – 9,999 square feet	\$200.00
10,000 – 59,999 square feet	\$250.00
60,000 – 99,999 square feet	\$300.00
100,000 square feet and over	\$350.00
Hazardous Materials	
Under 5,000 square feet	\$360.00
5,000 – 9,999 square feet	\$370.00
10,000 – 59,999 square feet	\$400.00
60,000 -99,999 square feet	\$450.00
100,000 square feet and over	\$500.00
High-rise Office/Storage/Assembly	
Under 200,000 square feet	\$250.00
200,000 - 600,000 square feet	\$300.00
Over 600,000 square feet	\$400.00

#### High-rise Residential

Under 250 <i>dwelling units</i>	\$300.00
250 to 600 <i>dwelling units</i>	\$440.00
Over 600 <i>dwelling units</i>	\$551.00

#### Health Care Facilities

Under 100 patient rooms or individual <i>dwelling units</i>	\$300.00
100-500 patient rooms or individual <i>dwelling units</i>	\$478.00
Over 500 patient rooms or individual <i>dwelling units</i>	\$478.00

#### Exceptions:

1. The inspection charge shall not be assessed for inspecting a building or occupancy that is subject to inspection in order to obtain one of the following operational permits from the *fire code official*:
  - 1.1 Amusement building.
  - 1.2 Aviation facilities.
  - 1.3 Dry cleaning plant.
  - 1.4 Lumber yards and woodworking plants.
  - 1.5 State licensed facility (child care, residential care, small assisted living, adult day care).
2. The inspection charge shall not be assessed for any property that is exempt from paying city property taxes.
3. The inspection charge shall not be assessed for any property that has a current vacant building certificate of registration.

**116.4.1 Multiple buildings or occupancies.** If one certificate of registration is issued for multiple buildings or occupancies located at the same address, the inspection charge will be calculated as follows:

1. For public assembly, high-rise office/storage/assembly, and hazardous materials facilities, the inspection charge will be calculated using the aggregate area in square feet of all the buildings or occupancies.

2. For high-rise residential buildings and healthcare facilities, the inspection charge will be calculated using the aggregate number of living units or patient rooms in all buildings or occupancies.

**116.4.2 Refunds.** If a certificate of registration expires and no inspection was conducted by the *fire code official* during the registration term, then the full inspection charge may be refunded, if the fire chief receives a written request for the refund from the registrant within 90 days after expiration of the certificate of registration. Otherwise, no refund of the inspection charge will be made.

**116.5 Expiration and renewal of registration.** A certificate of registration for high risk buildings and occupancies expires according to the following schedule:

1. Assembly certificates expire one year after the date of issuance.
2. Hazardous materials certificates expire two years after the date of issuance.
3. High rise certificates expire two years after the date of issuance.
4. Health care certificates expire one year after the date of issuance.

**[A] 116.5.1 Renewal.** A renewal invoice will automatically be mailed to the applicant 30 days prior to the expiration date of the current certificate of registration. The applicant shall submit the required payment at least 15 days prior to the expiration of the certificate of registration.

**116.6 Non-transferability.** A certificate of registration for a high-risk building or occupancy is not transferable.

**116.7 Property inspections.** For the purpose of determining whether violations of this section or any other city ordinance or state or federal law exist, the *fire code official* is authorized at a reasonable time to inspect the interior and exterior of the high-risk building or occupancy, if the permission of the owner, operator, or other person in control is given or a search warrant is obtained.

**116.7.1 Frequency.** The *fire code official* shall inspect a high risk building or occupancy at least once during the term of the certificate of registration.

**116.7.2 Registrant responsibilities.** An applicant or registrant shall permit representatives of the *fire code official* to inspect the interior and exterior of a high risk building or occupancy for the purpose of ensuring compliance with the law, at reasonable times upon request. The applicant or registrant commits an offense if he, either personally or through an agent or employee, refuses to permit a lawful inspection of the high-risk building or occupancy as required by this subsection.



**116.7.3 Reinspection.** Whenever a high-risk building or occupancy is inspected by the *fire code official* and a violation of Section 116 or any other city ordinance or state or federal law applicable to the building is found, the 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 *fire code official* to determine that the violation has been eliminated. Reinspection fees shall be issued in accordance with Section 107.7.

**116.8 Duty of emergency contact person.** The emergency contact person or person designated by the emergency contact person shall arrive at the property within one hour after notification by the city or emergency response personnel that an emergency condition has occurred on the property.”

45. Section 202, “General Definitions,” of Chapter 2, “Definitions,” of Part I, “Administrative,” of the 2021 International Fire Code is amended by adding, amending, or deleting the following definitions in alphabetical order:

**“AERIAL SHELL.** A pyrotechnic device that functions in the air.

**AIRCRAFT MOTOR-VEHICLE FUEL-DISPENSING FACILITY.** That portion of property where *flammable* or *combustible liquids* or gases used as aircraft [~~motor~~] fuels are stored and dispensed from fixed automotive-type dispensing equipment into the fuel tanks of aircraft and shall include all facilities essential thereto.

**ALTERNATIVE STANDBY PERSONNEL.** Standby personnel not employed by Dallas Fire Rescue that meet the minimum qualifications in Section 403.11.1.3.

**[BG] AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less-than-24-hour basis to persons who are rendered *incapable of self-preservation* by the services provided or staff has accepted responsibility for care recipients already incapable. This group may include but not be limited to the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers

- Psychiatric centers

**[BG] ATRIUM.** An opening connecting three [two] or more stories other than enclosed stairways, elevators, hoistways escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505 of the Dallas [International] Building Code.

**BINARY EXPLOSIVE.** An explosive material composed of separate components, each of which is safe for storage and transportation and would not in itself be considered as an explosive.

**BREAK (Aerial Shell).** An individual effect from an aerial shell, generally either color or noise. Aerial shells can be single break, having only one effect, or multiple breaks, having two or more effects.

**CERTIFICATE OF REGISTRATION.** A written authority issued under Section 116 of this code to own, operate or control a commercial building within the city.

**COMMERCIAL BUILDING.** Any structure used or intended to be used for any type occupancy, except a single-family dwelling or a duplex dwelling.

**[B] DEFEND IN PLACE.** A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

**[BF] FIRE AREA.** The aggregate floor area enclosed and bounded by approved fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

**FIRE CODE OFFICIAL.** The fire chief, fire marshal or [~~other~~] designated uniformed members of the Inspection and Life Safety Education Division [authority] charged with the administration and enforcement of the Dallas Fire Code [~~code, or a duly authorized representative~~].

**FIRE DEPARTMENT INLET CONNECTION.** A connection through which the fire department can pump water into a standpipe system or sprinkler system. Each hose connection shall have national standard fire hose coupling screw threads of 7 ½ threads per inch.

**FIRE MARSHAL.** The fire chief who is head of the Fire Prevention Division or uniformed members of the Inspection and Life Safety Education Division designated by the Fire Marshal who shall be charged with the administration and enforcement of the Dallas Fire Code.

**FIRE WATCH.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified standby personnel

when required by the fire chief, ~~[individuals]~~ for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

**FIREWORKS.** Any combustible ~~[composition]~~ or explosive composition, or any substance, combination of substances or device for the purpose of producing a visible or an audible effect ~~[for entertainment purposes]~~ by combustion, explosion, deflagration or detonation ~~[that meets the definition of 1.3G fireworks or 1.4G fireworks]~~. Fireworks include toy pistols, toy cannons, toy canes or toy guns in which explosives are used; firecrackers, torpedoes, sky-rockets, Roman candles, sparklers or other devices of like construction; any device containing an explosive or flammable compound; and any tablet or other device containing an explosive substance. Fireworks do not include auto flares; paper caps containing an average of <sup>25</sup>/100 of a grain of explosive content per cap or less; and toy pistols, toy canes, toy guns or other devices for use of such caps. Fireworks do not include snaps, party poppers or noisemakers which use no more than <sup>8</sup>/1000 of a gram of explosive compound and do not emit light or smoke when detonated.

**Fireworks, 1.3G.** Large fireworks devices, which are *explosive materials*, intended for use in fireworks displays and designed to produce audible or visible effects by combustion, *deflagration* or *detonation*. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition and other display pieces which exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks are also described as Fireworks, UN 0335 by the DOTn.

**Fireworks, 1.4G.** Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion or *deflagration* that complies with the construction, chemical composition and labeling regulations of the DOTn for Fireworks, UN 0336, and the U.S. Consumer Product Safety Commission as set forth in CPSC 16 CFR Parts 1500 and 1507.

**FIXED GROUND PIECE.** A ground display piece having no moveable parts, such as a revolving wheel.

**GROUND PIECE.** A pyrotechnic device that functions on the ground. Ground pieces include fountains, roman candles, wheels and set pieces.

**HEALTH CARE FACILITY.** A facility regulated by the Texas Department of State Health Services and classified as a 1-1 or 1-2 occupancy as defined in the *Dallas Building Code*.

**HIGH-PILED COMBUSTIBLE STORAGE.** Storage of combustible materials in closely packed piles or combustible materials on pallets, in racks or on shelves where the top of storage is greater than 12 feet (3658 mm) in height. Where required by the *fire code official*, *high-piled combustible storage* also includes certain high-hazard commodities, such as rubber tires, Group

A plastics, *flammable liquids*, idle pallets and similar commodities, where the top of storage is greater than 6 feet (1829 mm) in height.

**HIGH RISK BUILDING OR OCCUPANCY.** The following are high risk buildings or occupancies because they are prone to a high loss of life or property in the event of a fire because of a high occupancy load, the nature of the process in use, impairment of the occupants, or limited emergency exiting:

1. high rise buildings;
2. health care facilities with an occupancy classification of 1-1 or 1-2;
3. public assembly type occupancies with an *occupant load* of 50 or more serving food and/or drinks. Examples: movie theaters, concert/theater halls,

**Exception:** Locations where fire watches are regularly conducted. (American Airlines Center, Dos Equis Pavilion)

4. occupancies where hazardous materials are stored or used including, but not limited to, all H occupancies as defined by the *Dallas Building Code*, all occupancies that dispense liquid or gaseous fuels, all occupancies storing hazardous materials in aboveground or underground tanks, and all occupancies that directly use hazardous production material in research, laboratory or production processes.

**Exception:** Buildings or occupancies equipped with a standby or emergency power generator with a combustible liquid storage tank that is connected to a fuel oil piping system containing no more than 660 gallons of combustible liquid in a closed system.

**HOT WORK PERMITS.** Permits ~~allowing [issued by the responsible person at the facility under the hot work permit program permitting]~~ welding or other hot work to be done in locations referred to in Section 3503[.3] and approved [prepermitted] by the *fire code official*.

**~~[HOT WORK PROGRAM.~~** ~~A permitted program, carried out by approved facilities designated personnel, allowing them to oversee and issue permits for hot work conducted by their personnel or at their facility. The intent is to have trained, on-site, responsible personnel ensure that required hot work safety measures are taken to prevent fires and fire spread.]~~

**INTERNATIONAL BUILDING CODE.** Chapter 53 of the *Dallas City Code* also referred to as the *Dallas Building Code* as adopted by this jurisdiction. Any reference to the *International Building Code* shall mean the *Dallas Building Code* as adopted.

**INTERNATIONAL ELECTRICAL CODE.** Chapter 56 of the *Dallas City Code* also referred to as the *Dallas Electrical Code* as adopted by this jurisdiction. Any reference to the *International Electrical Code* shall mean the *Dallas Electrical Code* as adopted.

**INTERNATIONAL ENERGY CONSERVATION CODE.** Chapter 59 of the *Dallas City Code* also referred to as the *Dallas Energy Conservation Code* as adopted by this jurisdiction. Any reference to the *International Energy Conservation Code* shall mean the *Dallas Energy Conservation Code* as adopted.

**INTERNATIONAL EXISTING BUILDING CODE.** Chapter 58 of the *Dallas City Code* also referred to as the *Dallas Existing Building Code* as adopted by this jurisdiction. Any reference to the *International Existing Building Code* shall mean the *Dallas Existing Building Code* as adopted.

**INTERNATIONAL FIRE CODE.** Chapter 16 of the *Dallas City Code* also referred to as the *Dallas Fire Code* as adopted by this jurisdiction. Any reference to the *International Fire Code* shall mean the *Dallas Fire Code* as adopted.

**INTERNATIONAL FUEL GAS CODE.** Chapter 60 of the *Dallas City Code* also referred to as the *Dallas Fuel Gas Code* as adopted by this jurisdiction. Any reference to the *International Fuel Gas Code* shall mean the *Dallas Fuel Gas Code* as adopted.

**INTERNATIONAL GREEN CONSTRUCTION CODE.** Chapter 61 of the *Dallas City Code* also referred to as the *Dallas Green Construction Code* as adopted by this jurisdiction. Any reference to the *International Green Construction Code* shall mean the *Dallas Green Construction Code* as adopted.

**INTERNATIONAL MECHANICAL CODE.** Chapter 55 of the *Dallas City Code* also referred to as the *Dallas Mechanical Code* as adopted by this jurisdiction. Any reference to the *International Mechanical Code* shall mean the *Dallas Mechanical Code* as adopted.

**INTERNATIONAL PLUMBING CODE.** Chapter 54 of the *Dallas City Code* also referred to as the *Dallas Plumbing Code* as adopted by this jurisdiction. Any reference to the *International Plumbing Code* shall mean the *Dallas Plumbing Code* as adopted.

**INTERNATIONAL RESIDENTIAL CODE.** Chapter 57 of the *Dallas City Code* also referred to as the *Dallas One- and Two-Family Dwelling Code* as adopted by this jurisdiction. Any reference to the *International Residential Code* shall mean the *Dallas One- and Two-Family Dwelling Code* as adopted.

**INTERNATIONAL SWIMMING POOL AND SPA CODE.** Chapter 62 of the *Dallas City Code* also referred to as the *Dallas Swimming Pool and Spa Code* as adopted by this jurisdiction. Any reference to the *International Swimming Pool and Spa Code* shall mean the *Dallas Swimming Pool and Spa Code* as adopted.

**KNOWINGLY.** A person acts knowingly, or with knowledge, with respect to the nature of their conduct or to circumstances surrounding their conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly, or with

knowledge, with respect to a result of their conduct when the person is aware that the conduct is reasonably certain to cause the result.

**PYROTECHNIC OPERATOR.** An individual approved to be responsible for pyrotechnics, pyrotechnic special effects materials, or both.

**REPAIR GARAGE.** A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification, and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

~~**[RESPONSIBLE PERSON.** A person trained in the safety and fire safety considerations concerned with hot work. Responsible for reviewing the sites prior to issuing permits as part of the hot work permit program and following up as the job progresses.]~~

**SAFETY CAP.** A paper tube, closed at one end, that is placed over the end of the fuse of an aerial shell to protect it from accidental ignition.

**SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

**SPECIAL AMUSEMENT BUILDING.** A building or portion of a building, that is temporary, permanent or mobile that contains a device or system that conveys passengers or provides a walkway along, around or over a course in any direction as a form of amusement arranged so that the egress path is not readily apparent due to visual or audio distractions or an intentionally confounded egress path, or is not readily available because of the mode of conveyance through the building or structure. The term includes a haunted house, a roller coaster-type ride within a building, a merry-go-round within a building, a submarine ride and similar amusements where the occupants are not in the open air.

**STANDBY PERSONNEL.** Qualified fire service personnel, approved by the fire chief. When utilized, the number required shall be as directed by the fire chief. Charges for utilization shall be in accordance with Section 105 and as normally calculated by the jurisdiction.

**TEMPORARY ASSEMBLY PERMIT.** A permit issued for a temporary public assembly gathering of more than 49 people for a civic, social, recreational or religious function in a building or structure not recognized as a Group A occupancy on the issued certificate of occupancy for the premise. Recognition of such temporary uses of a building or structure for activities that benefit the public at large are often found to be necessary for limited time periods, but the installation or performance of which, if permitted on a long-term basis, may not be in keeping with the intent and purpose of the zoning, building, fire and other applicable codes. Therefore, this permit serves as a vehicle for regulating and approving certain temporary assembly activities that benefit the public at large with implementation of the intent of the municipal code regulations when strict adherence would prevent the activity.

**TEMPORARY STORAGE (Pyrotechnics).** The storage of pyrotechnic special effects material on site for a period of 72 hours or less.

**UPGRADED OR REPLACED FIRE ALARM SYSTEM.** A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware.”

46. Subsection 301.2, “Permits,” of Section 301, “General,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“301.2 Permits.** Permits shall be ~~[required as set forth]~~ in accordance with Section 105.5 ~~[for the activities or uses regulated by Sections 306, 307, 308, 315, and 320].”~~

47. Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

### **“SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES**

**307.1 General.** A person shall not kindle or maintain or authorize to be kindled or maintained any *open burning* unless conducted and *approved* in accordance with Sections 307.1.1 through 307.5.

**307.1.1 Prohibited open burning.** *Open burning that is offensive or objectionable because of smoke emissions or* ~~[shall be prohibited]~~ when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

**Exception:** Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the *fire code official*.

**307.2 Permit required.** A permit shall be obtained from the *fire code official* in accordance with Section 105.5 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, open burning, air curtain incinerator operations, pit burning, trench burning or a bonfire. Application for such approval shall only be presented by and permits issued to the *owner* of the land upon which the fire is to be kindled.

Examples of state or local law or regulation referenced elsewhere in this section may include, but not be limited to, the following:

1. Texas Commission on Environmental Quality guidelines and restrictions.
2. State, county or local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.”

**307.2.1 Authorization.** Where required by state or local law or regulations, *open burning* shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

**307.3 Extinguishment authority.** The *fire code official* is authorized to order the permit holder, another person responsible or the fire department to extinguish *open burning* that creates or adds to a hazardous or objectionable situation. ~~[Where *open burning* creates or adds to a hazardous situation, or a required permit for *open burning* has not been obtained, the *fire code official* is authorized to order the extinguishment of the *open burning* operation.]~~

**307.4 Location.** The location for *open burning* shall not be less than 300 [50] feet (91 440 [15 240] mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 [50] feet (91 440 [15 240] mm) of any structure.

**Exceptions:**

1. Fires in *approved* containers that are not less than 15 feet (4572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

**307.4.1 Bonfires.** A bonfire shall not be conducted within 50 feet (15 240 mm), or as determined by the *fire code official*, of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within the required setback [50 feet (15 240 mm)] of a structure shall be eliminated prior to ignition.



**307.4.2 Recreational fires.** *Recreational fires* shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

**307.4.3 Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

**Exceptions:**

1. Portable outdoor fireplaces used at one and two-family *dwelling*s.
2. Where buildings, balconies, and decks are protected by an approved automatic sprinkler system.

**307.4.4 Permanent outdoor firepit.** Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

**Exception:** Permanently installed outdoor fireplaces constructed in accordance with the *Dallas Building Code*.

**307.4.5 Trench burns and other air current burns.** Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

**307.5 Attendance.** *Open burning, air curtain incinerators, pit burns, trench burns, bonfires, recreational fires* and use of portable outdoor fireplaces shall be constantly attended, and an attendant shall remain on site a minimum of 30 minutes after ~~until~~ the fire is extinguished. Not fewer than one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other *approved* on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.”

48. Paragraph 308.1.4, “Open-Flame Cooking Devices,” of Subsection 308.1, “General,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“308.1.4 Open-flame cooking and heating devices.** ~~[Charcoal burners and other o]~~Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used [operated] on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

**Exceptions:**

1. One- and two-family *dwelling*s, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20-pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 lbs (5 containers). All LP-gas contains shall be stored outside, as per Chapter 61.
2. Where buildings, balconies and decks are protected by an *automatic sprinkler system*, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs (2 containers).
3. LP-gas cooking or heating devices having LP-gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].”

49. Subparagraph 308.1.6.2, “Portable Fueled Open-Flame Devices,” of Paragraph 308.1.6, “Open-Flame Devices,” of Subsection 308.1, “General,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“308.1.6.2 Portable fueled open-flame devices.** Portable open-flame devices fueled by flammable or combustible gases or liquids shall be enclosed or installed in such a manner as to prevent the flame from contacting combustible material.

**Exceptions:**

1. LP-gas-fueled devices used for sweating pipe joints or removing paint in accordance with Chapter 61.
2. Cutting and welding operations in accordance with Chapter 35.
3. Torches or flame-producing devices in accordance with Section 308.1.3 [~~308.4~~].
4. Candles and open-flame decorative devices in accordance with Section 308.3.”

50. Subparagraph 308.1.6.3, “Sky Lanterns,” of Paragraph 308.1.6, “Open Flame Devices,” of Subsection 308.1,” General,” of Section 308, “Open Flames,” of Chapter 3, “General

Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“308.1.6.3 Sky lanterns.** A person shall not release or cause to be released an, unmanned, free-floating device containing an open flame or other heat source such as, but not limited, to a [untethered]sky lantern.”

51. Paragraph 308.3.1, “Open-Flame Decorative Devices,” of Subsection 308.3, “Group A Occupancies,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is retitled as Paragraph 308.3.1, “Candles and Other Open-Flame Decorative Devices.”

52. Paragraph 308.3.2, “Theatrical Performances,” of Subsection 308.3, “Group A Occupancies,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“308.3.2 Theatrical performances.** Where *approved*, open-flame devices used in conjunction with theatrical performances are allowed to be used when adequate safety precautions have been taken in accordance with NFPA 160 and this code. Standby personnel shall be provided, when required by the fire code official.”

53. Section 311, “Vacant Premises,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is retitled as Section 311, “Vacant and Burned Premises.”

54. Subsection 311.1, “General,” of Section 311, “Vacant and Burned Premises,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“311.1 General.** [~~Temporarily unoccupied~~] B[~~b~~]uildings, structures, premises or portions thereof, including tenant spaces, that are temporarily unoccupied, in the process of being vacated or burned, shall be safeguarded and maintained in accordance with Sections 311.1.1 through 311.6.”

**311.1.1 Abandoned premises.** Buildings, structures and premises for which an *owner* cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered to be abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the Chapter 27 of the *Dallas City Code* and the *Dallas*~~*International*~~ *Building Code*.

**311.1.2 Tenant spaces.** Storage and lease plans required by this code shall be revised and updated to reflect temporary or partial vacancies.”

55. Paragraph 311.2.1, “Security,” of Subsection 311.2, “Safeguarding Vacant Premises,” of Section 311, “Vacant and Burned Premises,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“311.2.1 Security.** Exterior and interior openings open to other tenants or unauthorized persons shall be maintained securely boarded, locked, ~~[blocked]~~ or barricaded ~~[otherwise protected]~~ to prevent entry by unauthorized individuals in accordance with Section O102, “Specifications for Securing Unsecured Vacant Structures,” of Appendix O. The *fire code official* is authorized to require a placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.”

56. Paragraph 311.2.2, “Fire Protection,” of Subsection 311.2, “Safeguarding Vacant Premises,” of Section 311, “Vacant and Partially Burned Premises,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“311.2.2 Fire protection.** Fire protection systems shall be maintained in an operable condition at all times.

**Exceptions:**

1. When the premises have been cleared of all combustible materials and debris and, in the opinion of the *fire code official*, the type of construction, *fire separation distance* and security of the premises do not create a fire hazard. This exception does not apply to a building that must be registered under Chapter 48B, “Vacant Buildings,” of the *Dallas City Code*.

2. Where *approved* by the *fire code official*, buildings that will not be heated and where *fire protection systems* will be exposed to freezing temperatures, fire alarm and *automatic sprinkler systems* are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply), provided the building does not have contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized persons. This exception does not apply to a building that must be registered under Chapter 48B, “Vacant Buildings,” of the *Dallas City Code*.
3. Where *approved* by the *fire code official*, fire alarm and *automatic sprinkler systems* are permitted to be placed out of service in seasonally occupied buildings: that will not be heated; where fire protection systems will be exposed to freezing temperatures; where *fire areas* do not exceed 12,000 square feet (1115 m<sup>2</sup>); and that do not store motor vehicles or hazardous materials. This exception does not apply to a building that must be registered under Chapter 48B, “Vacant Buildings,” of the *Dallas City Code*.

57. Subsection 311.2, “Safeguarding Vacant Premises,” of Section 311, “Vacant and Burned Premises,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended by adding a new Subsection 311.2.4, “Forty-Eight-Hour Notice,” to read as follows:

**“311.2.4 Forty-eight-hour notice.** The *fire code official* shall immediately notify the operator of an unsecured building to secure the building, and, if the building is not secured within 48 hours after the operator is notified, the *fire code official* may cause the building to be secured at the expense of the operator.”

65. Subsection 311.2, “Safeguarding Vacant Premises,” of Section 311, “Vacant and Burned Premises,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended by adding a new Subsection 311.2.5, “Ninety-Day Notice to Repair Burned or Partially Burned Structures,” to read as follows:

**“311.2.5 Ninety-day notice to repair burned or partially burned structures.** Persons owning or in charge of a structure that has been burned or partially burned, shall repair the structure to *Dallas City Code* standards or remove the structure from the premises within 90 days of notice by the *fire code official*. If a person is aggrieved by a decision of a member of the fire department enforcing this code, the person may appeal the decision to

the board of appeals if they file a written request for a hearing with the board of appeals within 30 days after the date of receiving notice of the *fire code official*'s decision."

66. Subsection 311.3, "Removal of Combustibles," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of Part II, "General Safety Provisions," of the 2021 International Fire Code is amended to read as follows:

**"311.3 Removal of combustibles.** Persons owning, or in charge or control of, a vacant building or portion thereof, shall remove therefrom all accumulations of combustible materials, flammable or combustible waste or rubbish and burned or partially burned materials and shall securely lock or otherwise secure doors, windows and other openings to prevent entry by unauthorized persons. The premises shall be maintained clear of waste or hazardous materials.

**Exception[s]:**

[1.] Buildings or portions of buildings undergoing additions, *alterations*, repairs or change of occupancy in accordance with the *Dallas [International] Building Code*, where waste is controlled and removed as required by Section 304.

~~[2. Seasonally occupied buildings.]~~"

67. Subsection 311.5, "Placards," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of Part II, "General Safety Provisions," of the 2021 International Fire Code is amended to read as follows:




**"311.5 Placards.** The *fire code official* is authorized to require the marking of a~~[A]~~ny vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 114 of this code relating to structural or interior hazards ~~[shall be marked]~~ as required by Sections 311.5.1 through 311.5.5. The *fire code official* shall notify the operator of the unsafe building to apply approved placards to the building, and, if placards are not applied within 48 hours after the operator is notified, the *fire code official* may cause placards to be applied to the building at the expense of the operator."

**311.5.1 Placard location.** Placards shall be applied on the front of the structure and be visible from the street. Additional placards shall be applied to the side of each entrance to the structure and on penthouses.

**311.5.2 Placard size and color.** Placards shall be 24 inches by 24 inches (610 mm by 610 mm) minimum in size with a red background, white reflective stripes and a white reflective border. The stripes and borders shall have a 2-inch (51 mm) minimum stroke.

**311.5.3 Placard date.** Placards shall bear the date of their application to the building and the date of the most recent inspection.

**311.5.4 Placard symbols.** The design of the placards shall use the following symbols:

1.  This symbol shall mean that the structure had normal structural conditions at the time of marking.
2.  This symbol shall mean that structural or interior hazards exist and interior fire-fighting or rescue operations should be conducted with extreme caution.
3.  This symbol shall mean that structural or interior hazards exist to a degree that consideration should be given to limit fire fighting to exterior operations only, with entry only occurring for known life hazards.
4. Vacant marker hazard identification symbols: The following symbols shall be used to designate known hazards on the vacant building marker. They shall be placed directly above the symbol.
  - 4.1. R/O—Roof open.
  - 4.2. S/M—Stairs, steps and landing missing.
  - 4.3. F/E—Avoid fire escapes.
  - 4.4. H/F—Holes in floor.

**311.5.5 Informational use.** The use of these symbols shall be informational only and shall not in any way limit the discretion of the on-scene incident commander.”

68. Subsection 314.2, “Fixtures and Displays,” of Section 314, “Indoor Displays,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“314.2 Fixtures and displays.** Fixtures and displays of goods for sale to the public shall be arranged so as to maintain free, immediate and unobstructed access to exits as required by Chapter 10, and to *fire protection system* devices and equipment as required in Chapter 9. Visibility of *fire protection system* devices and unobstructed access to fire protection equipment shall be maintained throughout all display areas.”

69. Subsection 314.4, “Vehicles,” of Section 314, “Indoor Displays,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“314.4 Vehicles.** Liquid-fueled or gaseous-fueled vehicles, aircraft, boats or other motorcraft shall not be located indoors except as follows:

1. The engine starting system is made inoperable or batteries are disconnected except where the *fire code official* requires that the batteries remain connected to maintain safety features.
2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least). Fuel tank levels shall be inspected and *approved* by the *fire code official* prior to locating the vehicles or equipment indoors.
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, aircraft, boats or other motorcraft equipment are not fueled or defueled within the building.
5. Fuel systems are inspected for leaks.
6. The location of vehicles or equipment does not block or obstruct means of egress.
7. Fuel for the vehicle or equipment is stored in *approved* containers at an *approved* location outside of the building.
8. Fuel spills are cleaned up immediately.
9. Refueling is performed outside of the building at an *approved* site.
10. Keys to all vehicles, aircraft, boats or other motorcraft are maintained at the display site and available for use by the *fire code official*.

Electric and hybrid vehicles on display shall be safeguarded per the vehicle manufacturer’s written directions.”

70. Subsection 316.5, “Security Device,” of Section 316, “Hazards to Fire Fighters,” of Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021



International Fire Code is amended by adding a new Paragraph 316.5.1, “Electrified Fences and Barriers,” to read as follows:

**“316.5.1 Electrified fences and barriers.** Electrified fences and barriers shall comply with the Texas Local Government Code, Section 51A-4.602 of the Dallas City Code, and this section.

**316.5.1.1 Existing (prior to September 1, 2019) electrified fences and barriers.** Existing electrified fences and barriers shall comply with all of the following requirements:

1. Only listed and labeled electrified fencing materials shall be used.
2. Electrified fences shall be provided with an off/on status indicator.
3. Electrified fences shall be clearly marked with warning signs. Warning signs shall be placed at each entrance to the property on the electrified fence and at a maximum of 30 foot intervals along the entire perimeter of the fence line.
4. Warning signs shall be printed on both sides in both English and Spanish with the following: “WARNING ELECTRIFIED FENCE” and contain the international symbol for electric shock hazard. Warning signs shall be reflective with a minimum 2 inch letter height, minimum stroke of ½ inch and with a contrasting background.
5. Electrified fences shall not be energized during normal hours of operation.
6. An *approved* method to manually deactivate the *power source* to all portions of the electrified fence shall be provided and maintained on the exterior of and separated from it by no less than twelve inches.

**316.5.1.2 Electrified fences and barriers installed after September 1, 2019.** Electrified fences and barriers installed after September 1, 2019, shall comply with the Texas Local Government Code.”

71. Chapter 3, “General Requirements,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended by adding a new Section 322, “Parade Floats,” to read as follows:

## **“SECTION 322 PARADE FLOATS**

**322.1 Decorative material.** Decorative material on parade floats shall be noncombustible or flame retardant.

**322.2 Fire protection.** Motorized parade floats and towing apparatus shall be provided with a minimum 2-A: 10-B:C rated portable fire extinguisher readily accessible to the operator.”

72. Subsection 401.1, “Scope,” of Section 401, “General,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“401.1 Scope.** Reporting of fires and emergencies, coordination with emergency response forces, emergency plans and procedures for managing or responding to emergencies shall comply with the provisions of this section.

~~[**Exception:** Firms that have approved on-premises fire fighting organizations and that are in compliance with approved procedures for fire reporting.]”~~

73. Subsection 401.5, “Making False Report,” of Section 401, “General,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“401.5 ~~[Making f]~~False alarms [report].** ~~[A person]~~ False alarms shall not be given, signaled, or transmitted or caused or permitted to be given, signaled or transmitted in any manner [a false alarm].”

74. Subsection 403.1, “General,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended by adding a new Paragraph 403.1.1, “Warning Signs,” to read as follows:

**“403.1.1 Warning signs.** The operator of premises housing a hotel, motel, boarding house, lodging house, tenement house, convalescent home, hospital, child care facility or similar place of abode shall provide, post and maintain warning signs in each *dwelling unit* that states: ANY PERSON WHO CAUSES THE ACCIDENTAL BURNING OF ANY PART OF THIS BUILDING OR ITS CONTENTS IS SUBJECT TO A FINE OF \$2,000. CITY OF DALLAS FIRE CODE.”

75. Paragraph 403.2.3, “Fire Watch Personnel,” of Subsection 403.2, “Group A Occupancies,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“403.2.3 Standby [~~Fire-watch~~] personnel. Standby [~~Fire-watch~~] personnel shall be provided where required by Section 403.11.1 and 403.11.1.3.”**

76. Subsection 403.4, “Group E Occupancies,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“403.4 Group E occupancies.** An *approved* fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall comply with Sections 403.4.1 through 403.4.3.”

**403.4.1 First emergency evacuation drill.** The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.

**403.4.2 Time of day.** Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires.

**403.4.3 Assembly points.** Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.

77. Subparagraph 403.9.1.1, “Evacuation Diagrams,” of Paragraph 403.9.1, “Group R-1 Occupancies,” of Subsection 403.9, “Group R Occupancies,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and

Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“403.9.1.1 Evacuation diagrams.** A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door from each hotel or motel *sleeping unit* and shall include the following:

1. A description of the fire alarm system and an explanation of its operation (including the meaning of signals).
2. A map showing all emergency *exit* locations and how they are designated.
3. Information on how to report a fire or other emergency to the Dallas Fire-Rescue Department and/or building management.
4. A warning not to use elevators in case of fire.
5. General instructions as to self-protective measures a person should take if trapped in a room by fire or smoke.”

78. Paragraph 403.10.2, “High-Rise Buildings,” of Subsection 403.10, “Special Uses,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“403.10.2 High-rise buildings.** An *approved* fire safety and evacuation plan in accordance with Sections 404 and O103 of Appendix O shall be prepared, submitted in a format acceptable to the *fire code official*, and once approved, shall be maintained for high-rise buildings.”

79. Paragraph 403.11.1, “Fire Watch Personnel,” of Subsection 403.11, “Special Requirements of Public Safety,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“403.11.1 Standby [~~Fire watch~~] personnel.** Where, in the opinion of the *fire code official*, it is essential for public safety in a place of assembly, occupied building, or any other place where people congregate, because of the number of persons, failure of life safety systems, or the nature of the performance, exhibition, display, contest or activity, the

owner, agent or lessee shall provide one or more standby [~~fire watch~~] personnel, as required and *approved*. Standby [~~Fire watch~~] personnel shall comply with Sections 403.11.1.1 through [~~and~~] 403.11.1.3[2].

During times when a property owner elects to use standby personnel that is not employed by Dallas Fire Rescue, *alternative standby personnel* may be used. *Alternative standby personnel* must meet the qualifications in Section 403.11.1.3.

The *fire code official* reserves the authority to designate fire service personnel exclusively to conduct a fire watch when the fire code official:

1. determines that the system impairment presents an increased risk to the public or occupants within a large public venue or event; or
2. has just cause to believe *alternative standby personnel* have not or cannot conduct the fire watch protocols properly.

The *fire code official* reserves the authority to monitor all fire watches conducted by *alternative standby personnel*. Failure to properly follow the listed fire watch protocols by *alternative standby personnel* may result in a municipal citation to the person in control of the facility at the time of the infraction. After a citation has been issued, a subsequent failure to properly follow the listed fire watch protocols may result in immediate forfeiture of the use of *alternative standby personnel* and subsequent fire watch duties may be conducted exclusively by Dallas Fire Rescue personnel for the duration of the fire watch.

**403.11.1.1 Duty times.** Standby [~~Fire watch~~] personnel shall remain on duty while places requiring a fire watch are open to the public, occupied, or when an activity requiring a fire watch is being conducted.

**403.11.1.2 Duties.** On-duty standby [~~fire watch~~] personnel shall have the following responsibilities:

1. Keep diligent watch for fires, obstructions to *means of egress* and other hazards.
2. Take prompt measures for remediation of hazards and extinguishment of fires that occur.
3. Take prompt measures to assist in the evacuation of the public from the structures.
4. Be capable of performing the sole duty of providing a fire watch.
5. For alternative standby personnel, provide a schedule of personnel shifts to the *fire code official* 24 hours in advance of each day of fire watch operations.

**403.11.1.3 Alternative standby personnel qualifications.** Alternative standby personnel shall meet the following qualifications:

1. Must be at least 21 years of age.
2. Must be familiar with the layout of the facility.
3. Must be physically capable of performing the fire watch duties, including walking and climbing stairs.
4. Must be capable of performing continuous intervals of monitoring.
5. Must be equipped with at least two means of contacting 9-1-1.
6. Must be familiar with functionality of the life safety systems onsite, both operational and non-operational.
7. Must be familiar with and trained in the use of portable fire extinguishers.

80. Paragraph 403.11.3, “Crowd Managers,” of Subsection 403.11, “Special Requirements for Public Safety,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“403.11.3 Crowd managers.** Where facilities or events involve a gathering of more than 250 [~~500~~] people, crowd managers shall be provided in accordance with Sections 403.11.3.1 through 403.11.3.3.

**403.11.3.1 Number of crowd managers.** Not fewer than two trained crowd managers, and not fewer than one trained crowd manager for each 250 persons or portion thereof, shall be provided for the gathering.

**Exceptions:**

1. Outdoor events with fewer than 1,000 persons in attendance shall not require crowd managers.
2. Assembly occupancies used exclusively for religious worship with an *occupant load* not exceeding 1,000 shall not require crowd managers.

3. The number of crowd managers shall be reduced where, in the opinion of the *fire code official*, the fire protection provided by the facility and the nature of the event warrant a reduction.

**403.11.3.2 Training.** Training for crowd managers shall be *approved and acceptable to the fire code official*. Credentials or other documents certifying *approved* training shall be provided to the fire code official upon request.

**403.11.3.3 Duties.** The duties of crowd managers shall include, but not be limited to:

1. Conduct an inspection of the area of responsibility and identify and address any egress barriers.
2. Conduct an inspection of the area of responsibility to identify and mitigate any fire hazards.
3. Verify c o m p l i a n c e with all permit conditions, including those governing pyrotechnics and other special effects.
4. Direct and assist the event attendees in evacuation during an emergency.
5. Assist emergency response personnel where requested.
6. Other duties required by the *fire code official*.
7. Other duties as specified in the fire safety plan.”

85. Paragraph 404.2.2, “Fire Safety Plans,” of Subsection 404.2, “Contents,” of Section 404, “Fire Safety, Evacuation and Lockdown Plans,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“404.2.2 Fire safety plans.** Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy including the following:
  - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
  - 2.2. Procedures for occupants under a defend-in-place response.

- 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
  3. Site plans indicating the following:
    - 3.1. The occupancy assembly point.
    - 3.2. The locations of fire hydrants.
    - 3.3. The normal routes of fire department vehicle access.
  4. Floor plans identifying the locations of the following:
    - 4.1. *Exits*.
    - 4.2. Primary evacuation routes.
    - 4.3. Secondary evacuation routes.
    - 4.4. Accessible egress routes.
      - 4.4.1. Areas of refuge.
      - 4.4.2. Exterior areas for assisted rescue.
    - 4.5. Refuge areas associated with *smoke barriers* and *horizontal exits*.
    - 4.6. Manual fire alarm boxes.
    - 4.7. Portable fire extinguishers.
    - 4.8. Fire extinguishing system controls [~~Occupant use hose stations~~].
    - 4.9. Fire alarm annunciators and controls.
  5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
  6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
  7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.”
86. Table 405.3, “Fire and Evacuation Drill Frequency and Participation,” of Subsection 405.3, “Frequency,” of Section 405, “Emergency Evacuation Drills,” of Chapter



4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“TABLE 405.3**

**FIRE AND EVACUATION DRILL  
FREQUENCY AND PARTICIPATION**

GROUP OR OCCUPANCY	FREQUENCY	PARTICIPATION
Group A	Quarterly	Staff
Group B <sup>a</sup>	Annually	All occupants
Group B (Ambulatory care facilities)	Quarterly on each shift	Staff
Group B <sup>a</sup> (Clinic, outpatient)	Annually	Staff
Group E	Monthly <sup>a</sup>	All occupants
Group F	Annually	Employees
Group I-1	Semiannually on each shift	All occupants
Group I-2	Quarterly on each shift	Staff
Group I-3	Quarterly on each shift <sup>a</sup>	Staff
Group I-4	Monthly on each shift	All occupants
Group R-1	Quarterly on each shift	Employees
Group R-2 <sup>b</sup>	Four annually	All occupants
Group R-4	Semiannually on each shift	All occupants
<u>High-rise Buildings</u>	<u>Annually</u>	<u>All occupants</u>

a. Emergency evacuation drills are required in Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.

b. Emergency evacuation drills in Group R-2 college and university buildings shall be in accordance with Section 403.9.2.1. Other Group R-2 occupancies shall be in accordance with Section 403.9.2.2.”

87. Subsection 405.5, “Time,” of Section 405, “Emergency Evacuation Drills,” of Chapter 4, “Emergency Planning and Preparedness,” of Part II, “General Safety Provisions,” of the 2021 International Fire Code is amended to read as follows:

**“405.5 Time.** The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

**Exceptions:**

1. In severe climates, the *fire code official* shall have the authority to modify the emergency evacuation drill termination points and frequency.
2. In Groups 1-1, I-2, 1-3 and R-4, where staff-only emergency evacuation drills are conducted after visiting hours or where care recipients are expected to be asleep, a coded announcement shall be an acceptable alternative to audible alarms.
3. Notification of teacher/staff having supervision of light- or sound-sensitive students/occupants, such as those on the autism spectrum, for the protection of those students/occupants, shall be allowed prior to conducting a drill.

88. Subsection 501.3, “Construction Documents,” of Section 501, “General,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“501.3 Construction documents.** *Construction documents* for proposed fire apparatus access, location of *fire lanes*, [~~security gates across fire apparatus access roads and construction documents and hydraulic calculations for~~] fire hydrant systems, traffic calming devices and limited access gates that obstruct fire apparatus access roads (in accordance with Section O104, “Limited Access Gates” of Appendix O) shall be submitted to the fire department for review and approval prior to construction or installation.

**501.3.1 Site safety plan.** The *owner* or *owner’s* authorized agent shall be responsible for the development, implementation and maintenance of an *approved* written *site safety plan* in accordance with Section 3308.

**501.3.2 Fire apparatus access road plan review fees.** Plans for fire apparatus access roads (in accordance with Section 503 and Appendix D) shall be submitted with a nonrefundable \$350 plan review fee. This applies to new and existing construction.

**Exception:** No plan review fee shall be charged when the plans are directly related to construction conducted on a building or premises pursuant to a valid building permit issued by the building official.

**501.3.3 Limited access gate plan review fees.** Plans for limited access gates that obstruct fire apparatus access roads (in accordance with Section O104, ‘Limited Access Gates’ of Appendix O) shall be accompanied by a nonrefundable \$300 plan review fee. This plan review fee applies to new and existing construction.”

89. Subsection 501.4, “Timing of Installation,” of Section 501, “General,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“501.4 Timing of installation.** Where fire apparatus access roads or a water supply for fire protection are required to be installed for any structure or development, they shall be installed, tested and approved prior to the time of which construction has progressed beyond the foundation of any structure~~], such protection shall be installed and made serviceable prior to and during the time of construction except when *approved* alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles in accordance with Section 505.2].~~

90. Section 503, “Fire Apparatus Access Roads,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

## **“SECTION 503**

### **FIRE APPARATUS ACCESS ROADS**

**503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.4 [3].

**503.1.1 Buildings and facilities.** *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility. Group R-3 and Group U occupancies shall have a fire apparatus access road within 200 feet (60 960 mm) of any portion of the exterior wall of the first story of the building as measured along a minimum of 10 feet wide unobstructed pathway around the exterior walls of the structure. Fire apparatus access roads shall be required within 50 feet (15 240 mm) of any fire department connections. Provisions of this section may be modified by the *fire code official*. Refer to Section 912 for additional requirements for access to fire department connections and Section 504.1 for fire department personnel access to buildings.

#### **Exceptions:**

1. The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:
  - 1.1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
  - 1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.

- 1.3. There are not more than two Group R-3 or Group U occupancies.
2. Where *approved* by the *fire code official*, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

**503.1.2 Additional access.** The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

**503.1.3 High-piled storage.** Fire department vehicle access to buildings used for *high-piled combustible storage* shall comply with the applicable provisions of Chapter 32.

**503.1.4 Construction, alteration or demolition.** Fire department vehicle access to buildings under construction, alteration or demolition shall comply with the applicable provisions of Section 3310.1.

**503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

**Exceptions:**

1. Group R-3 and Group U occupancy fire apparatus access roads that are less than 100 feet (30 480 mm) in length are permitted to have an unobstructed width of not less than 12 feet (3658 mm) when *approved* by the fire chief.
2. Individual entry and exit lanes with a minimum width of 12 feet (3658 mm) each, separated by an island no wider than 20 feet (6096 mm).

**503.2.2 Authority.** The *fire code official* shall have the authority to require or permit modifications to the required access widths and vertical clearances where they are inadequate for fire or rescue operations or where necessary to meet aerial apparatus access, and the public safety objectives of the jurisdiction.

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of 85,000 pounds (38 555 kg)[fire apparatus] and shall be of concrete or asphalt [surfaced] so as to provide all-weather driving capabilities. All other driving surfaces shall receive written approval by the *fire code official* prior to installation.

**503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.

**503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an *approved* area for turning around fire apparatus in accordance with Appendix D.

**503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO LRFD Bridge Design Specifications~~[HB-17]~~. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the *fire code official*. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, *approved* barriers, *approved* signs or both shall be installed and maintained when required by the *fire code official*. Existing approved bridges or elevated surfaces shall be maintained in accordance with AASHTO HB-17 or AASHTO LRFD as determined through technical analysis.

**503.2.7 Grade.** The maximum vertical grade for all [of the] fire apparatus access roads is 10 percent for concrete roads and 8 percent for asphalt roads. The maximum cross grade for all [shall be within the limits established by the] fire [code official based on the fire department's] apparatus access roads is 2 percent.

**503.2.8 Angles of approach and departure.** The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus.

**503.3 Marking.** Approved striping, or when allowed [Where required] by the fire code official, approved signs, or both~~[other approved notices or markings that include the words "NO PARKING - FIRE LANE"]~~ shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

1. Striping – Fire apparatus access roads shall be marked by painted lines of red traffic paint 6 inches (152 mm) in width to show the boundaries of the lane. The words NO PARKING - FIRE LANE or FIRE LANE - NO PARKING shall appear in 4-inch (102 mm) white letters at 25-foot (7620 mm) intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
2. Signs – Signs shall read NO PARKING - FIRE LANE or FIRE LANE - NO PARKING and shall be 12 inches (305 mm) wide and 18 inches (457 mm) high. Signs shall be painted on a white background with letters and borders in red, using not less than 2-inch (51 mm) lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be 6 feet, 6 inches (1981 mm) above finished grade. Signs shall be spaced not more than 50 feet (15 240 mm) apart. Signs may be installed on permanent buildings or walls or as approved by the fire code official. Signs shall be posted on both sides of the fire apparatus road.

**Exception:** Group R-3 and Group U occupancy fire apparatus access roads are not required to be marked when *approved* by the fire code official.

**503.3.1 Unapproved markings.** No person shall mark, post or otherwise identify any road or other passageway that is not a fire apparatus access road as a fire lane or in a manner that creates confusion as to whether the road or a passageway is a fire lane.

**503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections 503.2.1 and 503.2.2 and any area marked as a fire lane as described in Section 503.3, shall be maintained at all times. The operator of the premises shall be responsible for removal of obstructions in a fire lane.

**503.4.1 Traffic calming devices.** Traffic calming devices shall be prohibited unless *approved* by the fire code official.

**Exception:** Devices 3 inches or less in height.

**503.4.2 Noncompliance.** Any unauthorized vehicle or obstruction in a marked fire lane is:

1. Subject to removal by the operator of the premises, with the expense of removal and storage to be borne by the registered owner of the vehicle;
2. Subject to citation, as well as removal, by the fire chief or a police officer; and prima facie evidence that the person in whose name the vehicle is registered is guilty of a violation of the parking provisions of this section.

**503.5.1 Secured gates and barricades.** When required, gates and barricades shall be secured in an *approved* manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

**Exception:** The restriction on use shall not apply to public officers acting within the scope of duty.

**503.6 Limited access [~~Security~~] gates.** The installation of limited access [~~security~~] gates across a fire apparatus access road shall be *approved* by the fire code official. Where limited access [~~security~~] gates are installed, they shall have an *approved* means of emergency operation in accordance with Section O104, "Limited Access Gates," of Appendix O. The limited access [~~security~~] gates and the emergency operation shall be maintained operational at all times in accordance with Section O104, "Limited Access Gates," of Appendix O. Electric gate operators, where provided, shall be approved by the fire code official and *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200."

91. Subsection 504.3, "Stairway Access to Roof," of Section 504, "Access to Building Openings and Roofs," of Chapter 5, "Fire Service Features," of Part III, "Building and

Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Paragraph 504.3.1, “Locks,” to read as follows:

**“504.3.1 Locks.** Doors providing roof access shall remain unlocked at all times or be provided with an *approved* locking device.”

92. Subsection 505.1, “Address Identification,” of Section 505, “Premises Identification,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“505.1 Address identification.** New and existing buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) [~~4 inches (102 mm)~~] high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the buildings do not immediately front a street, and/or the buildings cannot be viewed from the *public way*, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other *approved* [sign or] means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background with a border. Address identification numbers shall be maintained.

**Exception:** R-3 single family occupancies shall have approved numerals of a minimum 3 ½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

**505.1.1 Authority.** The fire code official shall have the authority to require additional room numbers, suite numbers, or unit numbers to facilitate emergency response.”

93. Subsection 506.1, “Where Required,” of Section 506, “Key Boxes,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“506.1 Where required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting

purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type *listed* in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*. Interior key boxes are required in all buildings having floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of the fire department access. Exterior key boxes are required for the following buildings:

1. Big box/super center stores 50,000 sq. feet or larger (Examples: Home Depot, Lowes, Best Buy, Wal-Mart, Target).
2. Apartment buildings.
3. Schools.
4. Fire Stations.
5. Multi-story commercial buildings.

**Exception:** All non-required (owner option) exterior key boxes shall be installed per Section 506.3. The *fire code official* may allow installation of an *approved* key switch in an *approved* location in lieu of an exterior key box.”

94. Section 506, “Key Boxes,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Subsection 506.3, “Installation of Key Boxes,” to read as follows:

**“506.3 Installation of key boxes.** Interior key boxes shall be installed within 12 feet (3658 mm) of the emergency elevator, visible from the entrance to the emergency elevator, and not more than 5 feet 6 inches (1676 mm) above the main entrance level of the building. Exterior key boxes shall be installed within 12 feet (3658 mm) of the main building entrance, visible from the direction of entry, and not more than 5 feet 6 inches (1676 mm) and not less than 42 inches (1067 mm) above the main entrance level of the building. The *fire code official* may approve alternate locations.

**506.3.1 Contents.** Exterior key boxes shall contain keys to gain access to the building as required by the *fire code official*. Interior key boxes shall contain designated keys essential to emergency operations, including but not limited to the following. There shall be 3 separate sets of appropriately labeled keys maintained in the interior key box. The key sets shall include the following:

1. Elevator keys capable of accessing all floors in the building.



- 1.1 Elevator door keys and/or access tools.
2. Stairway keys.
3. Fire control station keys.
4. Alarm system keys.
5. Key fobs, if required.
6. Access cards, if required.
7. Sprinkler/standpipe/fire pump room keys.

**506.3.2 Key set arrangements.** Three sets of building emergency access keys shall be provided for fire department use in the interior key box for all high-rise buildings.

**506.3.3 Keys.** Each key set and key shall be identified as to its specific usage.”

95. Subsection 507.2, “Type of Water Supply,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“507.2 Type of water supply.** A water supply shall consist of city water mains. The fire code official may approve alternate forms of water supply such as reservoirs, pressure tanks, elevated tanks, [water mains] or other fixed systems capable of providing the required fire flow. Written approval of the fire code official shall be obtained before installation of private fire service mains and hydrants.

**507.2.1 Private fire service mains.** Private fire service mains and appurtenances shall be installed with approval from Dallas Water Utilities and in accordance with approved plans and NFPA 24.

**507.2.1.1 Installation.** Private fire hydrants shall comply with the Dallas Water Utilities Addendum to COG 2.14. The hydrants shall be provided with one 4-inch (102 mm) nominal I.D. outlet with threads complying with File No. 684A-9 and two 2½-inch (64 mm) nominal I.D. outlets with 7½-inch (191 mm) national standard fire hose coupling screw threads per inch.

**507.2.2 Water tanks.** Water tanks for private fire protection shall be installed in accordance NFPA 22.”

96. Subsection 507.3, “Fire Flow,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“507.3 Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be in accordance with Appendix B, “Fire-Flow Requirements for Buildings.” ~~[determined by an approved method.]~~”

97. Subsection 507.4, “Water Supply Test,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“507.4 Water supply test.** The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants.” The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official, as required.* ~~[or~~ *Approved* documentation of the test shall be provided to the *fire code official* prior to final approval of the water supply system.”

98. Subsection 507.5, “Fire Hydrant Systems,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.8[6] and Appendix C, “Fire Hydrant Locations and Distribution.””

**507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*. A street or block more than 800 feet (244 m) in length shall have at least one fire hydrant located on it, even if covered by other fire hydrants.

**Exceptions:**

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

3. Buildings or facilities of noncombustible construction less than 500 square feet (46.45 m<sup>2</sup>).

**507.5.1.1 Hydrant for standpipe systems.** Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 400 [100] feet (122 m) [(30-480 mm)] of the fire department connections.

**Exception:** The distance shall be permitted to exceed 400 [100] feet (122 m) [(30-480 mm)] where *approved* by the *fire code official*.

**507.5.2 Inspection, testing and maintenance.** Fire hydrant systems shall be subject to periodic tests as required by the *fire code official*. Fire hydrant systems shall be maintained in an operative condition at all times this shall be repaired were defective. Additions, repairs, alterations and servicing shall comply with *approved* standards. Records of tests and required maintenance shall be maintained.

**507.5.3 Private fire service mains and water tanks.** Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25 at the following intervals:

1. Private fire hydrants of all types: Inspection annually and after each operation; flow test and maintenance annually.
2. Fire service main piping: Inspection of exposed, annually; flow test every 5 years.
3. Fire service main piping strainers: Inspection and maintenance after each use.

Records of inspections, testing and maintenance shall be maintained.

**507.5.4 Obstruction.** Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

**507.5.5 Clear space around hydrants.** A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or *approved*.

**507.5.6 Physical protection.** Where fire hydrants are subject to impact by a motor vehicle, guard posts or other *approved* means shall comply with Section 312.

**507.5.7 Hydrant color coding.** All fire hydrants shall be color coded to indicate the size of the water supply main. Each hydrant shall have at least 4 inches (102 mm) of each dome color coded as follows:

1. Red for 4-inch (102 mm) mains.
2. Silver for 6-inch (152 mm) mains.

3. Blue for 8-inch (203 mm) mains.
4. Yellow for 10-inch (254 mm) or larger mains.
5. Public hydrant barrels shall be painted silver. Private hydrant barrels shall be painted Rust-Oleum Safety Green or other *approved* color.

**507.5.8 Location.** All fire hydrants shall be located a minimum of 2½ feet (762 mm) and a maximum of 7½ feet (2286 mm) from the edge of fire apparatus access roads or as approved by the fire code official.”

102. Section 508, “Fire Command Center,” of Chapter 5, “Fire Service Features,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

## **“SECTION 508 FIRE COMMAND CENTER**

**508.1 General.** Where required by other sections of this code and in all buildings classified as high-rise buildings by the Dallas [~~International~~] *Building Code* and in all F-1 and S-1 occupancies with a building footprint greater than 500,000 square feet (46 452 m<sup>2</sup>), a *fire command center* for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.7.

**508.1.1 Location and access.** The location and access to the *fire command center* shall be in reasonable proximity to the main entry, elevator lobby, including fire service access elevator lobbies and the associated stairwell or *approved* by the fire code official.

**508.1.2 Separation.** The *fire command center* shall be separated from the remainder of the building by not less than a 1-hour *fire barrier* constructed in accordance with Section 707 of the Dallas [~~International~~] *Building Code* or *horizontal assembly* constructed in accordance with Section 711 of the Dallas [~~International~~] *Building Code*, or both.

**508.1.3 Size.** The *fire command center* shall be not less than 0.015 percent of the total building area of the facility served or 200 square feet (19 m<sup>2</sup>) in area, whichever is greater, with a minimum dimension of 0.7 times the square root of the room area or 10 feet (3048 mm), whichever is greater.

Where a *fire command center* is required for Group F-1 and S-1 occupancies with a building footprint greater than 500,000 square feet (46 452 m<sup>2</sup>) the *fire command center* shall have a minimum size of 96 square feet (9 m<sup>2</sup>) with a minimum dimension of 8 feet (2438 mm) where *approved* by the fire code official.

**508.1.4 Layout approval.** A layout of the *fire command center* and all features required by this section to be contained therein shall be submitted for approval prior to installation.

**508.1.5 Storage.** Storage unrelated to operation of the *fire command center* shall be prohibited.

**508.1.6 Required features.** The *fire command center* shall comply with NFPA 72 and shall contain the following features:

1. The emergency voice/alarm communication system control unit.
2. The fire department communications system, when approved by the fire code official.
3. Fire detection and alarm system annunciator.
4. Annunciator unit visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for air-distribution systems if mechanical air-handling equipment is used for smoke removal purposes in accordance with Section 403.4.6 of the Dallas Building Code.
6. The fire-fighter's control panel required by Section 909.16 for smoke control systems installed in the building.
7. Controls for unlocking *interior exit stairway* doors simultaneously.
8. Sprinkler valve and water-flow detector display panels.
9. Emergency and standby power status indicators.
10. A telephone for fire department use with controlled access to the public telephone system.
11. Fire pump status indicators.
12. Schematic building plans indicating the typical floor plan and detailing the building core, *means of egress, fire protection systems*, fire-fighter air-replenishment systems, fire-fighting equipment and fire department access, and the location of *fire walls, fire barriers, fire partitions, smoke barriers* and smoke partitions.
13. An *approved* Building Information Card that includes, but is not limited to, the following information:

- 13.1. General building information that includes: property name, address, the number of floors in the building above and below grade, use and occupancy classification (for mixed uses, identify the different types of occupancies on each floor), estimated building population during the day, night and weekend.
- 13.2. Building emergency contact information that includes: a list of the building's emergency contacts including but not limited to building manager, building engineer and their respective work phone number, cell phone number, and e-mail address.
- 13.3. Building construction information that includes: the type of building construction including but not limited to floors, walls, columns, and roof assembly.
- 13.4. *Exit access stairway* and *exit stairway* information that includes: number of *exit access stairways* and *exit stairways* in the building, each *exit access stairway* and *exit stairway* designation and floors served, location where each *exit access stairway* and *exit stairway* discharges, *interior exit stairways* that are pressurized, *exit stairways* provided with emergency lighting, each *exit stairway* that allows reentry, *exit stairways* providing roof access; elevator information that includes: number of elevator banks, elevator bank designation, elevator car numbers and respective floors that they serve; location of elevator machine rooms, control rooms and control spaces; location of sky lobby; and location of freight elevator banks.
- 13.5. Building services and system information that includes: location of mechanical rooms, location of building management system, location and capacity of all fuel oil tanks, location of emergency generator, and location of natural gas service.
- 13.6. *Fire protection system* information that includes: locations of standpipes, location of fire pump room, location of fire department connections, floors protected by automatic sprinklers and location of different types of *automatic sprinkler systems* installed including but not limited to dry, wet, and pre-action.
- 13.7. Hazardous material information that includes: location and quantity of hazardous material.
14. Work table.
15. Generator supervision devices, manual start and transfer features.
16. Public address system, where specifically required by other sections of this code.
17. Elevator fire recall switch in accordance with ASME A17.1/CSA B44.

18. Elevator emergency or standby power selector switch(es), where emergency or standby power is provided.

**508.1.7 Fire command center identification.** The *fire command center* shall be identified by a permanent, easily visible sign stating "FIRE COMMAND CENTER" located on the door to the *fire command center*."

103. Subsection 509.1, "Identification," of Section 509, "Fire Protection and Utility Equipment Identification and Access" of Chapter 5, "Fire Service Features", of Part III, "Building and Equipment Design Features," of the 2021 International Fire Code is amended by adding Subsection 509.1.2, "Sign Requirements," to read as follows:

**"509.1.2 Sign requirements.** Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as *approved* by the *fire code official*. The letters shall be of a color that contrasts with the background."

104. Subsection 510.1, "Emergency Responder Communication Coverage In New Buildings," of Section 510, "Emergency Responder Radio Coverage" of Chapter 5, "Fire Service Features", of Part III, "Building and Equipment Design Features," of the 2021 International Fire Code is amended to read as follows:

**"510.1 Emergency responder communication coverage in new buildings.** *Approved* in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

**Exceptions:**

1. Where *approved* by the building official and the *fire code official*, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an *approved* radio coverage system.
2. Where it is determined by the *fire code official* that the radio coverage system is not needed. A sealed report from a design professional shall be submitted to the *fire code official* for review.

3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire code official* shall have the authority to accept an automatically activated emergency responder radio coverage system.”

**510.1.2 Plan submittal and fees.** Plans submittal and fees for Emergency Responder Radio Coverage Systems shall be in accordance with the *Dallas Building Code*.”

105. Subsection 604.1, “General,” of Section 604, “Elevator Operation, Maintenance and Fire Service Keys,” of Chapter 6, “Building Services and Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Paragraph 604.1.1, “Inspections,” to read as follows:

**“604.1.1 Inspections.** New and existing elevator equipment shall be inspected and tested annually by inspectors licensed by the State of Texas to determine its safety and compliance with ASME A17.1 and ASME A17.3. The building owner shall display the current certificate of compliance in an approved location.”

106. Subsection 605.4, “Fuel Oil Storage Systems,” of Section 605, “Fuel-Fired Appliances,” of Chapter 6, “Building Services and Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended as follows:

**“605.4 Fuel oil storage systems.** Fuel oil storage systems [~~for building heating systems~~] shall be installed and maintained in accordance with this code. Tanks and fuel-oil piping systems shall be installed in accordance with Chapter 13 of the *Dallas* [~~International~~] *Mechanical Code* and Chapter 57.

**605.4.1 Fuel oil storage in outside, above-ground tanks.** Where connected to a fuel-oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660 gallons (2498 L). The storage of fuel oil above ground in quantities exceeding 660 gallons (2498 L) shall comply with NFPA 31 and Chapter 57.

**605.4.1.1 Approval.** Outdoor fuel oil storage tanks shall be in accordance with UL 142 or UL 2085, and also listed as double-wall/secondary containment tanks.

**605.4.2 Fuel oil storage inside buildings.** Fuel oil storage inside buildings shall comply with Sections 605.4.2.2 through 605.4.2.8 and~~[or]~~ Chapter 57.



**605.4.2.1 Approval.** Indoor fuel oil storage tanks shall be in accordance with UL 80, UL 142 or UL 2085.

**605.4.2.2 Quantity limits.** One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all tanks shall not exceed the following:

1. 660 gallons (2498 L) in unsprinklered buildings, where stored in a tank complying with UL 80, UL 142 or UL 2085, and also listed as a double-wall/secondary containment tank for Class II liquids.
2. 1,320 gallons (4996 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in a tank complying with UL 142 or UL 2085. The tank shall be *listed* as a secondary containment tank, and the secondary containment shall be monitored visually or automatically.
3. 3,000 gallons (11 356 L) in buildings equipped with an automatic sprinkler system in accordance with Section 903.3.1.1, where stored in protected above-ground tanks complying with UL 2085 and Section 5704.2.9.7. The tank shall be *listed* as a secondary containment tank, as required by UL 2085, and the secondary containment shall be monitored visually or automatically.

**605.4.2.3 Restricted use and connection.** Tanks installed in accordance with Section 605.4.2 shall be used only to supply fuel oil to fuel-burning equipment, generators or fire pumps installed in accordance with Section 605.4.2.5. Connections between tanks and equipment supplied by such tanks shall be made using closed piping systems in accordance with the Dallas~~[International]~~ *Mechanical Code*.

**605.4.2.4 Applicability of maximum allowable quantity and area requirements.** The quantity of *combustible liquid* stored in tanks comply with Section 605.4.2 shall not be counted towards the maximum allowable quantity set forth in table 5003.1.1(1), and such tanks shall not be required to be located in a *control area*.

**605.4.2.5 Installation.** Tanks and piping systems shall be installed in accordance with Section 915 and Chapter 13, both of the Dallas~~[International]~~ *Mechanical Code*, as applicable.

**605.4.2.6 Separation.** Rooms containing fuel oil tanks for internal combustion engines shall be separated from the remainder of the building by *fire barriers*, *horizontal assemblies*, or both, with a minimum 1-hour *fire resistance rating* with 1-hour fire-protection-rated *opening protectives* constructed in accordance with the Dallas~~[International]~~ *Building Code*.

**Exception:** Rooms containing protected above-ground tanks complying with Section 5704.2.9.7 shall not be required to be separated from surrounding areas.

**605.4.2.7 Spill containment.** Tanks exceeding 60-gallon (227 L) capacity or an aggregate capacity of 1,000 gallons (3785 L) that are not provided with integral secondary containment shall be provided with spill containment sized to contain a release from the largest tank.

**605.4.2.8 Tanks in basements.** Tanks in *basements* shall be located not more than two stories below *grade plane*.

**605.4.3 Underground storage of fuel oil.** The storage of fuel oil in underground storage tanks shall comply with UL 58 or UL 1316 and be installed in accordance with NFPA 31.”

107. Subparagraph 807.5.2.2, “Artwork In Corridors,” of Paragraph 807.5.2, “Group E,” of Subsection 807.5, “Occupancy-Based Requirements,” of Section 807, “Decorative Materials and Artificial Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials and Furnishings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“807.5.2.2 Artwork in corridors.** Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

**Exception:** Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.”

108. Subparagraph 807.5.2.3, “Artwork In Classrooms,” of Paragraph 807.5.2, “Group E,” of Subsection 807.5, “Occupancy-Based Requirements,” of Section 807, “Decorative Materials and Artificial Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials and Furnishings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“807.5.2.3 Artwork in classrooms.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.”

109. Subparagraph 807.5.5.2, “Artwork In Corridors,” of Paragraph 807.5.5, “Group I-4,” of Subsection 807.5, “Occupancy-Based Requirements,” of Section 807, “Decorative Materials and Artificial Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials and Furnishings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“807.5.5.2 Artwork in corridors.** Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

**Exception:** Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.”

110. Subparagraph 807.5.5.3, “Artwork In Classrooms,” of Paragraph 807.5.5, “Group I-4,” of Subsection 807.5, “Occupancy-Based Requirements,” of Section 807, “Decorative Materials and Artificial Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials, and Furnishings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“807.5.5.3 Artwork in classrooms.** Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.”

111. Subsection 901.3, “Permits,” of Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of

the 2021 International Fire Code is amended by adding a new Paragraph 901.3.1, “Plan Review Fees,” to read as follows:

**“901.3.1 Plan review fees.** Plan review fees for fire alarm systems shall be in accordance with the *Dallas Building Code*.”

112. Paragraph 901.4.1, “Required Fire Protection and Life Safety Systems,” of Subsection 901.4, “Fire Protection and Life Safety Systems,” of Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“901.4.1 Required fire protection and life safety systems.** *Fire protection and life safety systems* required by this code or the *Dallas* [~~*International*~~] *Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code and nationally recognized standards. A *fire protection* or *life safety system* for which a design option, exception or reduction to the provisions of this code or the *Dallas* [~~*International*~~] *Building Code* has been granted shall be considered to be a required system.”

113. Paragraph 901.4.2, “Nonrequired Fire Protection and Life Safety Systems,” of Subsection 901.4, “Fire Protection and Life Safety Systems,” of Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“901.4.2 Nonrequired fire protection systems.** *Fire protection and life safety systems* [~~or portion thereof~~] not required by this code or the *Dallas* [~~*International*~~] *Building Code* shall be allowed to be furnished for [~~partial or complete~~] protection provided that such installed systems meet the applicable requirements of this code and the *Dallas* [~~*International*~~] *Building Code*.”

114. Paragraph 901.4.4, “Fire Areas,” of Subsection 901.4, “Fire Protection and Life Safety Systems,” of Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“901.4.4 Fire areas.** Where buildings, or portions thereof, are divided into *fire areas* so as not to exceed the limits and/or occupant load established for requiring a *fire protection*

system in accordance with this chapter, such *fire areas* shall be separated by *fire barriers* constructed in accordance with Section 707 of the Dallas [~~International~~] *Building Code* or *horizontal assemblies* constructed in accordance with Section 711 of the Dallas [~~International~~] *Building Code*, or both, having a *fire-resistance rating* of not less than that determined in accordance with Section 707.3.10 of the Dallas [~~International~~] *Building Code*.”

115. Subsection 901.5, “Installation Acceptance Testing,” of Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“901.5 Installation acceptance testing.** *Fire protection and life safety systems* and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall witness [~~be notified before~~] any required acceptance testing. A retest fee shall be assessed when the testing of the system and/or appurtenances thereto fails after the contractor has acknowledged that the system has been pre-tested and is in an approved condition. The retest fee shall be \$399.00.

**901.5.1 Occupancy.** It shall be unlawful to occupy any portion of a building or structure until the required *fire protection and life safety systems* have been tested and *approved*.”

116. Paragraph 901.6.1, “Standards,” of Subsection 901.6, “Inspection, Testing and Maintenance,” of Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding new Subparagraph 901.6.1.1, “Standpipe Testing,” to read as follows:

**“901.6.1.1 Standpipe testing.** Building owners/managers shall utilize a licensed fire protection contractor to test and certify standpipe systems. In addition to the testing and maintenance requirements of NFPA 25 applying to standpipe systems, the following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the fire department connection (FDC) and the standpipe shall be hydrostatically tested for all FDCs on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the contractor shall

connect a hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water (at an approved rate and pressure) through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Verify that check valves function properly and that there are no closed control valves on the system.

3. Any pressure relief, reducing or control valves shall be tested in accordance with the requirements of NFPA 25.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDCs.
5. Upon successful completion of standpipe test, the contractor shall place an appropriate service tag as per the State of Texas provisions.
6. The contractor shall follow the procedures required by the State of Texas with regard to appropriate tags denoting noncompliance, impairment or any deficiencies noted during the testing, including the required notification of the local authority having jurisdiction.
7. Additionally, records of the testing shall be maintained by the owner and contractor, as required by the State of Texas and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected nighttime freezing conditions.”

117. Subsection 901.6, “Inspection, Testing and Maintenance,” of Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding Paragraph 901.6.4, “False Alarms and Nuisance Alarms,” to read as follows:

**“901.6.4 False alarms and nuisance alarms.** False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.”

118. Subsection 901.7, “Systems Out of Service,” of Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“901.7 Systems out of service.** Where a required *fire protection system* is out of service, or in the event of an excessive number of accidental activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall be either evacuated or *standby personnel* ~~[an approved fire watch]~~ shall be provided for all occupants left unprotected ~~[by the shutdown]~~ until the *fire protection system* has been returned to service.

Where utilized, *standby personnel* ~~[fire watches]~~ shall be provided with not less than one *approved* means for notification of the fire department and their only duty shall be to perform ~~[constant]~~ patrols of the protected premises and keep watch for fires.

~~[Exception: Facilities with an approved notification and impairment management program. The notification and impairment program for water-based fire protection systems shall comply with NFPA 25.]~~

**901.7.1 Impairment coordinator.** The building *owner* shall assign an impairment coordinator to comply with the requirements of this section. In the absence of a specific designee, the *owner* shall be considered to be the impairment coordinator.

**901.7.2 Tag required.** A tag shall be used to indicate that a system, or portion thereof, has been removed from service.

**901.7.3 Placement of tag.** The tag shall be posted at each fire department connection, system control valve, fire alarm control unit, fire alarm annunciator and *fire command center*, indicating which system, or part thereof, has been removed from service. The *fire code official* shall specify where the tag is to be placed.

**901.7.4 Preplanned impairment programs.** Preplanned impairments shall be authorized by the impairment coordinator. Before authorization is given, a designated individual shall be responsible for verifying that all of the following procedures have been implemented:

1. The extent and expected duration of the impairment have been determined.
2. The areas or buildings involved have been inspected and the increased risks determined.
3. Recommendations have been submitted to management or the building *owner/manager*.
4. The fire department has been notified.
5. The insurance carrier, the alarm company, the building *owner/manager* and other authorities having jurisdiction have been notified.
6. The supervisors in the areas to be affected have been notified.

7. A tag impairment system has been implemented.
8. Necessary tools and materials have been assembled on the impairment site.

**901.7.5 Emergency impairments.** Where unplanned impairments occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4.

**901.7.6 Restoring systems to service.** Where impaired equipment is restored to normal working order, the impairment coordinator shall verify that all of the following procedures have been implemented:

1. Necessary inspections and tests have been conducted in the presence of the fire code official, if required, to verify that affected systems are operational.
2. Supervisors have been advised that protection is restored.
3. The fire department has been advised that protection is restored.
4. The building *owner*/manager, insurance carrier, alarm company and other involved parties have been advised that protection is restored.
5. All ~~The~~ impairment tags have ~~has~~ been removed.”

119. Section 901, “General,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding new Subsection 901.11, “Auxiliary Equipment,” to read as follows:

**“901.11 Auxiliary equipment.** Auxiliary equipment installed to meet the manufacturer’s recommended requirements or the installation standards, shall be monitored for circuit integrity. This includes but is not limited to heating devices and air compressors.”

120. Subsection 903.1.1, “Alternative Protection,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“903.1.1 Alternative protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to ~~[instead of]~~ automatic sprinkler protection where recognized by the applicable standard, or as ~~[and]~~ *approved* by the *fire code official*.”



121. Subsection 903.2, “Where Required,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“903.2 Where required.** *Approved automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic sprinklers shall not be installed in elevator machine rooms, elevator machine spaces and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating: “ELEVATOR MACHINERY - NO STORAGE ALLOWED.”

~~[Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1 hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2 hour horizontal assemblies constructed in accordance with Section 711 of the International Building Code, or both.]~~

**903.2.1 Group A.** An *automatic sprinkler system* shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section.

**903.2.1.1 Group A-1.** An *automatic sprinkler system* shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the *levels of exit discharge* serving that occupancy where one of the following conditions exists:

1. The *fire area* exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.
4. The *fire area* contains a multiple-theater complex.

**903.2.1.2 Group A-2.** An *automatic sprinkler system* shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the *levels of exit discharge* serving that occupancy where one of the following conditions exists:

1. The *fire area* exceeds 5,000 square feet (464 m<sup>2</sup>).
2. The *fire area* has an *occupant load* of 100 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

**903.2.1.3 Group A-3.** An *automatic sprinkler system* shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the *levels of exit discharge* serving that occupancy where one of the following conditions exists:

1. The *fire area* exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

**903.2.1.4 Group A-4.** An *automatic sprinkler system* shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the *levels of exit discharge* serving that occupancy where one of the following conditions exists:

1. The *fire area* exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

**903.2.1.5 Group A-5.** An *automatic sprinkler system* shall be provided for all enclosed Group A-5 accessory use areas in excess of 1,000 square feet (93 m<sup>2</sup>).

**903.2.1.5.1 Spaces under grandstands or bleachers.** Enclosed spaces under *grandstands* or *bleachers* shall be equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1 where either of the following exist:

1. The enclosed area is 1,000 square feet (93 m<sup>2</sup>) or less and is not constructed in accordance with Section 1030.1.1.1.
2. The enclosed area exceeds 1,000 square feet (93 m<sup>2</sup>).

**903.2.1.6 Assembly occupancies on roofs.** Where an occupied roof has an assembly occupancy with an *occupant load* exceeding 100 for Group A-2 and 300 for other Group A occupancies, all floors between the occupied roof and the *level of exit discharge* shall

be equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.1.2.

**Exception:** Open parking garages of Type I or Type II construction.

**903.2.1.7 Multiple fire areas.** An *automatic sprinkler system* shall be provided where multiple *fire areas* of Group A-1, A-2, A-3 or A-4 occupancies share *exit* or *exit access* components and the combined *occupant load* of these *fire areas* is 300 or more.

**903.2.2 Ambulatory care facilities.** An *automatic sprinkler system* shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the *level of exit discharge* serving such a facility.

In buildings where ambulatory care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest *level of exit discharge*, the *level of exit discharge*, and all floors below the *level of exit discharge*.

**Exception:** Floors classified as an open parking garage are not required to be sprinklered.

**903.2.3 Group E.** An *automatic sprinkler system* shall be provided for Group E occupancies as follows:

1. Throughout all Group E *fire areas* greater than 12,000 square feet (1115 m<sup>2</sup>) in area.
2. The Group E *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

**Exception:** In buildings where every classroom has not fewer than one exterior exit door at ground level, an *automatic sprinkler system* is not required in any area below the lowest *level of exit discharge* serving that area.

3. The Group E *fire area* has an *occupant load* of 300 or more.

**903.2.4 Group F-1.** An *automatic sprinkler system* shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 *fire area* exceeds 12,000 square feet (1115 m<sup>2</sup>).

2. A Group F-1 *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group F-1 *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).

**903.2.4.1 Woodworking operations.** An *automatic sprinkler system* shall be provided throughout all Group F-1 occupancy *fire areas* that contain woodworking operations in excess of 2,500 square feet (232 m<sup>2</sup>) in area that generate finely divided combustible waste or use finely divided combustible materials.

**903.2.4.2 Group F-1 distilled spirits.** An *automatic sprinkler system* shall be provided throughout a Group F-1 *fire area* used for the manufacture of distilled spirits involving more than 120 gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

**903.2.4.3 Group F-1 upholstered furniture or mattresses.** An *automatic sprinkler system* shall be provided throughout a Group F-1 *fire area* that exceeds 2,500 square feet (232 m<sup>2</sup>) used for the manufacture of upholstered furniture or mattresses.

**903.2.5 Group H.** *Automatic sprinkler systems* shall be provided in high-hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.

**903.2.5.1 General.** An *automatic sprinkler system* shall be installed in Group H occupancies.

**903.2.5.2 Group H-5 occupancies.** An *automatic sprinkler system* shall be installed throughout buildings containing Group H-5 occupancies. The design of the sprinkler system shall be not less than that required under the Dallas~~[International]~~ *Building Code* for the occupancy hazard classifications in accordance with Table 903.2.5.2.

Where the design area of the sprinkler system consists of a *corridor* protected by one row of sprinklers, the maximum number of sprinklers required to be calculated is 13.

**TABLE 903.2.5.2  
GROUP H-5 SPRINKLER DESIGN CRITERIA**

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2

Storage rooms with dispensing	Extra Hazard Group 2
Corridors	Ordinary Hazard Group 2

**903.2.5.3 Pyroxylin plastics.** An *automatic sprinkler system* shall be provided in buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

**903.2.6 Group I.** An *automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

**Exceptions:**

1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. An *automatic sprinkler system* is not required where Group I-4 day care facilities are at the *level of exit discharge* and where every room where care is provided has not fewer than one exterior *exit* door.
3. In buildings where Group I-4 day care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the *level of exit discharge* and all floors below the *level of exit discharge* other than areas classified as an open parking garage.

**903.2.7 Group M.** An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. A Group M *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).

**903.2.7.1 High-piled storage.** An *automatic sprinkler system* shall be provided as required in Chapter 32 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

**903.2.7.2 Group M upholstered furniture or mattresses.** An *automatic sprinkler system* shall be provided throughout a Group M *fire area* where the area used for the

display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m<sup>2</sup>).

**903.2.8 Group R.** An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*.

**903.2.8.1 Group R-3.** An *automatic sprinkler system* shall be installed in accordance with NFPA 13, 13R and/or 13D when required by this code [~~Section 903.3.1.3 shall be permitted in Group R-3~~].

**903.2.8.1.1 Additional required suppression systems.** An approved automatic sprinkler system shall be installed throughout dwellings in which the total unsprinklered building area exceeds 7,500 square feet (697 m<sup>2</sup>).

**Exceptions:**

1. Dwellings that are separated into fire areas no greater than 7,500 square feet (697 m<sup>2</sup>) by the use of 2-hour rated fire walls. Horizontal assemblies shall not be used to satisfy this requirement.
2. The floor area of an existing nonsprinklered dwelling greater than 7,500 square feet (697 m<sup>2</sup>) and not housing a Group H occupancy may be increased by not more than 1,000 square feet (93 m<sup>2</sup>). Not more than one increase in floor area shall be permitted under this exception.

**903.2.8.1.2 Draftstop requirements.** Draftstopping shall be installed in attics and concealed roof spaces, such that any horizontal area does not exceed 3,000 square feet (278.7 m<sup>2</sup>).

**Exception:** Draftstopping is not required in dwellings equipped throughout with an automatic sprinkler system, provided that automatic sprinklers are also installed in the combustible concealed spaces.

**903.2.8.2 Group R-4, Condition 1.** An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in Group R-4, Condition 1 occupancies.

**903.2.8.3 Group R-4, Condition 2.** An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group R-4, Condition 2 occupancies.

**903.2.8.4 Care facilities.** An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in care facilities with five or fewer individuals in a single-family *dwelling*.

**903.2.9 Group S-1.** An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. A Group S-1 *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group S-1 *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).
4. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m<sup>2</sup>).

**903.2.9.1 Repair garages.** An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the Dallas~~[International]~~ *Building Code*, as shown:

1. Buildings having two or more stories above *grade plane*, including *basements*, with a *fire area* containing a repair garage exceeding 10,000 square feet (929 m<sup>2</sup>).
2. Buildings not more than one story above *grade plane*, with a *fire area* containing a repair garage exceeding 12,000 square feet (1115 m<sup>2</sup>).
3. Buildings with repair garages servicing vehicles parked in *basements*.
4. A Group S-1 *fire area* used for the repair of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m<sup>2</sup>).

**903.2.9.2 Bulk storage of tires.** Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet (566 m<sup>3</sup>) shall be equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1.

**903.2.9.3 Group S-1 distilled spirits or wine.** An *automatic sprinkler system* shall be provided throughout a Group S-1 *fire area* used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

**903.2.9.4 Group S-1 upholstered furniture and mattresses.** An *automatic sprinkler system* shall be provided throughout a Group S-1 *fire area* where the area used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m<sup>2</sup>).

**Exception:** Self-service storage facilities not greater than one story above grade plane where all storage spaces can be accessed directly from the exterior.

**903.2.9.5 Self-service storage facility.** *An automatic sprinkler system shall be installed throughout all self-service storage facilities.*

**903.2.10 Group S-2 parking garages.** *An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exist:*

1. Where the *fire area* of the enclosed parking garage, in accordance with Section 406.6 of the *Dallas*~~*International*~~ *Building Code*, exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. Where the enclosed parking garage, in accordance with Section 406.6 of the *Dallas*~~*International*~~ *Building Code*, is located beneath other groups.

**Exception:** Enclosed parking garages located beneath Group R-3 occupancies.

3. Where the *fire area* of the open parking garage, in accordance with Section 406.5 of the *Dallas*~~*International*~~ *Building Code*, exceeds 48,000 square feet (4460 m<sup>2</sup>).

**903.2.10.1 Commercial parking garages.** *An automatic sprinkler system shall be provided throughout buildings used for storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m<sup>2</sup>).*

**903.2.10.2 Mechanical-access enclosed parking garages.** *An approved automatic sprinkler system shall be provided throughout buildings used for the storage of motor vehicles in a mechanical-access enclosed parking garage. The portion of the building that contains the mechanical-access enclosed parking garage shall be protected with a specially engineered automatic sprinkler system.*

**903.2.11 Specific buildings areas and hazards.** *In all occupancies other than Group U, an automatic sprinkler system shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.6.*

**903.2.11.1 Stories without openings.** *An automatic sprinkler system shall be installed throughout all *stories*, including *basements*, of all buildings where the floor area exceeds 1,500 square feet (139 m<sup>2</sup>) and where the story does not comply with the following criteria for exterior wall openings:*

1. Openings below grade that lead directly to ground level by an exterior *stairway* complying with Section 1011 or an outside *ramp* complying with Section 1012. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of *exterior wall* in the story on not fewer than one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15 240 mm).



2. Openings entirely above the adjoining ground level totaling not less than 20 square feet (1.86 m<sup>2</sup>) in each 50 linear feet (15 240 mm), or fraction thereof, of *exterior wall* in the story on not fewer than one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15 240 mm). The height of the bottom of the clear opening shall not exceed 44 inches (1118 mm) measured from the floor.

**903.2.11.1.1 Opening dimensions and access.** Openings shall have a minimum dimension of not less than 30 inches (762 mm). *Access* to such openings shall be provided for the fire department from the exterior and shall not be obstructed in a manner such that fire fighting or rescue cannot be accomplished from the exterior.

**903.2.11.1.2 Openings on one side only.** Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be equipped throughout with an *approved automatic sprinkler system*, or openings shall be provided on not fewer than two sides of the story.

**903.2.11.1.3 Basements.** Where any portion of a *basement* is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, or where walls, partitions or other obstructions are installed that restrict the application of water from hose streams, the *basement* shall be equipped throughout with an *approved automatic sprinkler system*.

**903.2.11.2 Rubbish and linen chutes.** An *automatic sprinkler system* shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes shall have additional sprinkler heads installed at alternate floors and at the lowest intake. Where a rubbish chute extends through a building more than one floor below the lowest intake, the extension shall have sprinklers installed that are recessed from the drop area of the chute and protected from freezing in accordance with Section 903.3.1.1. Such sprinklers shall be installed at alternate floors, beginning with the second level below the last intake and ending with the floor above the discharge. *Access* to sprinklers in chutes shall be provided for servicing.

**903.2.11.3 Buildings 55 feet or more in height.** An *automatic sprinkler system* shall be installed throughout buildings that have one or more stories with an *occupant load* of 30 or more, other than penthouses in compliance with Section 1511 of the *Dallas Building Code*, located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

**Exception:** Open parking structures in compliance with Section 406.5 of the *Dallas Building Code*, having no other occupancies above the subject garage. [~~Occupancies in Group F-2.~~]

**903.2.11.4 Ducts conveying hazardous exhausts.** Where required by the *Dallas*~~[International]~~ *Mechanical Code*, automatic sprinklers shall be provided in ducts conveying hazardous exhaust or flammable or combustible materials.

**Exception:** Ducts where the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

**903.2.11.5 Commercial cooking operations.** An *automatic sprinkler system* shall be installed in commercial kitchen exhaust hood and duct systems where an *automatic sprinkler system* is used to comply with Section 904.

**903.2.11.6 Other required fire protection systems.** In addition to the requirements of Section 903.2, the provisions indicated in Table 903.2.11.6 require the installation of a fire protection system for certain buildings and areas.

**903.2.11.7 High-piled combustible storage.** For any building with a clear height exceeding 12 feet (4572 mm), refer to Chapter 32. Any Group S occupancy exceeding 12,000 square feet (1115 m<sup>2</sup>) that has a clear height in excess of 12 feet (3658 mm), making it possible to be used for storage in excess of 12 feet (3658 mm) in height, shall be considered to be high-piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a *fire protection system* shall be installed as for Class IV commodities to the maximum pile height.

**903.2.11.8 Spray booths and rooms.** New spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

**903.2.12 During construction.** *Automatic sprinkler systems* required during construction, *alteration* and demolition operations shall be provided in accordance with Section 3314.

122. Item 903.3.1.1.1, “Exempt Locations,” of Subparagraph 903.3.1.1, “NFPA 13 Sprinkler Systems,” Paragraph 903.3.1, “Standards,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“903.3.1.1.1 Exempt locations.** When approved by the fire code official, a[A]utomatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of *fire-resistance-rated* construction or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where *approved* by the *fire code official*.
3. Generator and transformer rooms under the direct control of a public utility separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a *fire-resistance rating* of not less than 2 hours.
4. ~~[Rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~

~~[5. Fire service access e]Elevator machine rooms, [and] machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.~~

~~[6. Machine rooms, machinery spaces, control rooms and control spaces associated with occupant evacuation elevators designed in accordance with Section 3008 of the *International Building Code*.]~~”

123. Subparagraph 903.3.1.1, “NFPA 13 Sprinkler Systems,” of Paragraph 903.3.1, “Standards,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding Item 903.3.1.1.3, “Residential Systems” to read as follows:

**“903.3.1.1.3 Residential systems.** Residential sprinkler systems installed in accordance with Sections 903.3.1.2 and 903.3.1.3 shall be recognized for the purposes of exceptions or reductions, commonly referred to as “trade-offs,” only if permitted by other provisions of this code.”

124. Subparagraph 903.3.1.2, “NFPA 13R Sprinkler Systems,” of Paragraph 903.3.1, “Standards,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“903.3.1.2 NFPA 13R sprinkler systems.** *Automatic sprinkler systems* in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is 35 [30] feet (10,668[9144] mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is 35 [30] feet (10,668[9144] mm) or less below the lowest level of fire department vehicle access.

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 of the Dallas [~~International~~] *Building Code* shall be measured from *grade plane*.

**903.3.1.2.1 Balconies and decks.** Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of *dwelling units* and *sleeping units* where either of the following conditions exists:

1. The building is of Type V construction, provided that there is a roof or deck above.
2. Exterior balconies, decks and ground floor patios of *dwelling units* and *sleeping units* are constructed in accordance with Section 705.2.3.1, Exception 3 of the Dallas[~~International~~] *Building Code*.

Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

**903.3.1.2.2 Corridors and balconies** [~~in the means of egress~~]. Sprinkler protection shall be provided in all *corridors* and for all balconies. [~~in the means of egress where any of the following conditions apply:~~

- ~~1. Corridors with combustible floor or walls.~~
- ~~2. Corridors with an interior change of direction exceeding 45 degrees (0.79 rad).~~
- ~~3. Corridors that are less than 50 percent open to the outside atmosphere at the ends.~~
- ~~4. Open-ended corridors and associated exterior stairways and ramps as specified in Section 1027.6, Exception 3.~~
- ~~5. Egress balconies not complying with Sections 1021.2 and 1021.3.]~~

**903.3.1.2.3 Attached garages and attics.** Sprinkler [Attie] protection is required in attached garages, and in the following attic spaces [shall be provided as follows]:

1. Attics that are used or intended for living purposes or storage shall be protected by an *automatic sprinkler system*.
2. Where fuel-fired equipment is installed in an unsprinklered attic, not fewer than one quick-response intermediate temperature sprinkler shall be installed above the equipment.
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access. [Where located in a building of Type III, Type IV or Type V construction designed in accordance with Section 510.2 or 510.4 of the *International Building Code*, attics not required by Item 1 to have sprinklers shall comply with one of the following if the roof assembly is located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access needed to meet the provisions in Section 503:

- ~~3.1. Provide *automatic sprinkler system* protection.~~
- ~~3.2. Construct the attic using noncombustible materials.~~
- ~~3.3. Construct the attic using fire-retardant treated wood complying with Section 2303.2 of the *International Building Code*.~~
- ~~3.4. Fill the attic with noncombustible insulation.~~

~~The height of the roof assembly shall be determined by measuring the distance from the lowest required fire vehicle access road surface adjacent to the building to the eave of the highest pitched roof, the intersection of the highest~~

~~roof to the exterior wall, or the top of the highest parapet, whichever yields the greatest distance. For the purpose of this measurement, required fire vehicle access roads shall include only those roads that are necessary for compliance with Section 503.]~~

4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following:

- 4.1. Provide *automatic sprinkler system* protection.
- 4.2. Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.
- 4.3. Construct the attic using noncombustible materials.
- 4.4. Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the Dallas~~[International]~~ *Building Code*.
- 4.5. Fill the attic with noncombustible insulation.

Additional guidance from the *fire code official* can be found in the Fire Code Interpretation, Subject: Attic Fire Protection, Dated May 07, 2021.”

125. Subparagraph 903.3.1.3, “NFPA 13D Sprinkler Systems,” of Paragraph 903.3.1, “Standards,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“903.3.1.3 NFPA 13D sprinkler systems.** *Automatic sprinkler systems* installed in one- and two-family *dwelling*s; Group R-3; Group R-4, Condition 1; and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.”

126. Paragraph 903.3.1, “Standards,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of the 2021 International Fire Code is amended by adding Subparagraph 903.3.1.4, “Freeze protection,” of to read as follows:

**“903.3.1.4 Freeze protection.** Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

**903.3.1.4.1 Attics.** Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

**Exception:** Wet-pipe fire sprinkler systems shall be allowed to protect nonventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building,
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building’s thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

**903.3.1.4.2 Heat trace/insulation.** Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.”

127. Paragraph 903.3.5, “Water Supplies,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“903.3.5 Water supplies.** Water supplies for *automatic sprinkler systems* shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the Dallas [International] Plumbing Code. For connections to public waterworks systems, the water supply test used for design of *fire protection systems* shall be adjusted to account for seasonal and daily pressure fluctuations based on information from the water supply authority and as *approved* by the *fire code official*. Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi (69 Pa) safety factor. Where a waterflow test is used for the purposes of system design, the test shall be conducted no more than 12 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction. Refer to Section 507.4 for additional design requirements.

**903.3.5.1 Domestic services.** Where the domestic service provides the water supply for the *automatic sprinkler system*, the supply shall be in accordance with this section.

**903.3.5.2 [Residential] Combination services.** In all NFPA 13 and 13R designs, a[A] single combination water supply shall be allowed provided that the domestic demand is added to the sprinkler demand as required by NFPA 13, 13R and 13D. Combination services 4-inches and larger shall be subject to acceptance tests as contained in the installation standards. Such tests shall be witnessed and approved by the fire code official.

128. Subsection 903.4, “Sprinkler System Supervision and Alarms,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“903.4 Sprinkler system supervision and alarms.** Valves controlling the water supply for *automatic sprinkler systems*, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a *listed* fire alarm control unit.

**Exceptions:**

1. *Automatic sprinkler systems* protecting one- and two-family *dwelling*s.
2. Limited area sprinkler systems in accordance with Section 903.3.8.
3. *Automatic sprinkler systems* installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the *automatic sprinkler system*, and a separate shutoff valve for the *automatic sprinkler system* is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.
8. Underground key or hub gate valves in roadway boxes.



Sprinkler and standpipe system water-flow detectors shall be provided for each standpipe and/or floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

**903.4.1 Monitoring.** Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an *approved* supervising station or, where *approved* by the *fire code official*, shall sound an audible signal at a constantly attended location.

**Exception:** Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

**903.4.2 Alarms.** A weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection [~~An *approved* audible device, located on the exterior of the building in an *approved* location,~~] shall be connected to every [~~each~~] *automatic sprinkler system*. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the *automatic sprinkler system* shall actuate the building fire alarm system.

**903.4.3 Floor control valves.** *Approved* supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings.”

129. Subsection 904.1, “General,” of Section 904, “Alternative Automatic Fire-Extinguishing Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Paragraph 904.1.2, “Separation,” to read as follows:

**“904.1.2 Separation.** Areas of buildings protected by an automatic fire-extinguishing system shall be separated from unprotected areas by fire barriers complying with Section 707 of the *Dallas Building Code* having a minimum fire-resistance rating of 2 hours.

**Exception:** Special application, spray booth and kitchen hood suppression systems.”

130. Subsection 905.2, “Installation Standard,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“905.2 Installation standard.** Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig (69 kPa) and a maximum of 40 psig (276 kPa) air pressure with a high/low alarm. Fire department connections for standpipe systems shall be in accordance with Section 912.”

131. Paragraph 905.3.2, “Group A,” of Subsection 905.3, “Required Installations,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“905.3.2 Group A.** Class I automatic wet standpipes shall be provided in nonsprinklered Group A buildings having an *occupant load* exceeding 1,000 persons.

**[Exceptions:**

- ~~1. Open air seating spaces without enclosed spaces.~~
- ~~2. Class I automatic dry and semiautomatic dry standpipes or manual wet standpipes are allowed in buildings that are not high rise buildings.]”~~

132. Subsection 905.3, “Required Installations,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Paragraph 905.3.9, “Buildings Exceeding 10,000 Square Feet,” to read as follows:

**“905.3.9 Buildings exceeding 10,000 square feet.** In buildings exceeding 10,000 square feet in area per story and where any portion of the building’s interior area is more than 200 feet (60 960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

**Exceptions:**

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.”

133. Subsection 905.4, “Location of Class I Standpipe Hose Connections,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“905.4 Location of Class I standpipe hose connections.** Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required [~~interior~~] *exit stairway*, a hose connection shall be provided for each story above and below *grade plane*. Hose connections shall be located at the main floor landing unless otherwise *approved by the fire code official*.

**Exception:** A single hose connection shall be permitted to be installed in the open *corridor* or open breezeway between open *stairs* that are not greater than 75 feet (22 860 mm) apart.

2. On each side of the wall adjacent to the *exit* opening of a horizontal *exit*.

**Exception:** Where floor areas adjacent to a horizontal *exit* are reachable from an [~~interior~~] *exit stairway* hose connections by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the horizontal *exit*.

3. In every *exit passageway*, at the entrance from the *exit passageway* to other areas of a building.

**Exception:** Where floor areas adjacent to an *exit passageway* are reachable from an [~~interior~~] *exit stairway* hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the entrance from the *exit passageway* to other areas of the building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an *exit passageway* or *exit corridor* to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an *exit passageway* or *exit corridor* to the mall.
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3- percent slope), each standpipe shall be provided with a two-way hose connection [~~shall be~~]

located to serve the roof or at the highest landing of an [~~interior~~] *exit stairway* with *stair* access to the roof provided in accordance with Section 1011.12.

6. Where the most remote portion of a nonsprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the *fire code official* is authorized to require that additional hose connections be provided in *approved* locations.
7. When required by this chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at 200-foot intervals along major corridors thereafter, or as otherwise approved by the fire code official.

**905.4.1 Protection.** Risers and laterals of Class I standpipe systems not located within an *interior exit stairway* shall be protected by a degree of *fire resistance* equal to that required for vertical enclosures in the building in which they are located.

**Exception:** In buildings equipped throughout with an *approved automatic sprinkler system*, laterals that are not located within an *interior exit stairway* are not required to be enclosed within fire-resistance-rated construction.

**905.4.2 Interconnection.** In buildings where more than one standpipe is provided, the standpipes shall be interconnected in accordance with NFPA 14.

**905.4.3. Additional requirements.** All Class I standpipes shall be:

1. Filled with water at all times; or
2. Supervised with a minimum of 10 psig (69 kPa) air pressure with a high/low alarm."

134. Subsection 905.11, "Locking Standpipe Outlet Caps," of Section 905, "Standpipe Systems," of Chapter 9, Fire Protection and Life Safety Systems," of Part III, "Building and Equipment Design Features," of the 2021 International Fire Code is amended to read as follows:

**"905.11 Locking standpipe outlet caps.** The *fire code official* is authorized to require locking caps on the outlets on standpipes where the responding fire department carries key wrenches for the removal that are compatible with locking FDC connection caps. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*."

135. Subsection 906.1, “Where Required,” of Section 906, “Portable Fire Extinguishers,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“906.1 Where required.** Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

**Exceptions:**

1. In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C.
2. In Group E occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each classroom is provided with a portable fire extinguisher having a minimum rating of 2-A:20-B:C.
- ~~3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:~~
  - ~~3.1 Use of vehicle mounted extinguishers shall be approved by the fire code official.~~
  - ~~3.2 Each vehicle shall be equipped with a 10 pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved by the extinguisher manufacturer or the fire code official for vehicular use.~~
  - ~~3.3 Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher.~~
  - ~~3.4 Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.~~
  - ~~3.5 Inspections of vehicle mounted extinguishers shall be performed daily.]~~
2. Within 30 feet (9144 mm) distance of travel from commercial cooking equipment and from domestic cooking equipment in Group I-1; I-2, Condition 1; and R-2 college dormitory occupancies.

3. In areas where *flammable* or *combustible liquids* are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3316.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the *fire code official*.

**Exception:** Portable fire extinguishers are not required at normally unmanned Group U occupancy buildings or structures where a portable fire extinguisher suitable to the hazard of the location is provided on the vehicle of visiting personnel.

**TABLE 906.1**  
**ADDITIONAL REQUIRED PORTABLE FIRE EXTINGUISHERS**

SECTION	SUBJECT
303.5	Asphalt kettles
307.5	Open burning
308.1.3	Open flames—torches
309.4	Powered industrial trucks
1204.10	Portable generators
2005.2	Aircraft towing vehicles
2005.3	Aircraft welding apparatus
2005.4	Aircraft fuel-servicing tank vehicles
2005.5	Aircraft hydrant fuel-servicing vehicles
2005.6	Aircraft fuel-dispensing stations
2007.7	Heliports and helistops
2108.4	Dry cleaning plants
2305.5	Motor fuel-dispensing facilities
2310.6.4	Marine motor fuel-dispensing facilities
2311.6	Repair garages
2404.4.1	Spray-finishing operations
2405.4.2	Dip-tank operations
2406.4.2	Powder-coating areas
2804.3	Lumberyards/woodworking facilities

2808.8	Recycling facilities
2809.5	Exterior lumber storage
2903.5	Organic-coating areas
3006.3	Industrial ovens
3107.9	Tents and membrane structures
3206.10	High-piled storage
3316.1	Buildings under construction or demolition
3318.3	Roofing operations
3408.2	Tire rebuilding/storage
3504.2.6	Welding and other hot work
3604.4	Marinas
3703.6	Combustible fibers
5703.2.1	Flammable and combustible liquids, general
5704.3.3.1	Indoor storage of flammable and combustible liquids
5704.3.7.5.2	Liquid storage rooms for flammable and combustible liquids
5705.4.9	Solvent distillation units
5706.2.7	Farms and construction sites—flammable and combustible liquids storage
5706.4.10.1	Bulk plants and terminals for flammable and combustible liquids
5706.5.4.5	Commercial, industrial, governmental or manufacturing establishments—fuel dispensing
5706.6.4	Tank vehicles for flammable and combustible liquids
5906.5.7	Flammable solids
6108.2	LP-gas”

136. Subsection 907.1, “General,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.1 General.** This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The

requirements of Section 907.2 are applicable to new buildings and structures. The requirements of Section 907.9 are applicable to existing buildings and structures.

**907.1.1 Construction documents.** *Construction documents* for fire alarm systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code; the Dallas~~International~~ *Building Code*; and relevant laws, ordinances, rules and regulations, as determined by the *fire code official*.

**907.1.2 Fire alarm shop drawings.** Shop drawings for fire alarm systems shall be prepared in accordance with NFPA 72 and submitted for review and approval prior to system installation.

**907.1.2.1 Document retention.** With every new system, a documentation cabinet shall be installed at the system control unit or at another approved location at the protected premises. A copy of approved plans shall be stored in the documentation cabinet. If the documentation cabinet is not at the same location as the control unit, its location shall be identified at the system control unit.

**907.1.2.2 Labeling.** The documentation cabinet shall be prominently labeled SYSTEMS RECORD DOCUMENTS.

**907.1.2.3 Security.** The contents of the cabinet shall be accessible by authorized personnel only.

**907.1.2.4 Contents.** System documentation shall include required documents regarding the system design and function and shall be maintained for the life of the system. This includes the record of installation, original or copies of approved plans and a set of the original approved engineer's review notes. Archived records may include a physical copy or an electronic copy, as long as hard copies can be made when required.

**907.1.3 Equipment.** Systems and components shall be *listed* and *approved* for the purpose for which they are installed. Where such systems are installed, they shall be designed, installed and maintained in accordance with this code and the applicable National Fire Protection Association standards.

**907.1.3.1 Prohibited equipment.** Smoke generating devices activated by a burglar alarm, motion detector, tamper alarm or other type of intruder alarms are prohibited in all buildings.

**907.1.4 Design standards.** All new or replaced fire alarm systems, including fire alarm control panel replacements, shall comply with the requirements of Section 907 and shall be addressable and in accordance with Section 907.6.3. Alarm systems utilizing more than 20 alarm initiating devices shall be analog addressable.



**Exception:** Existing systems need not comply unless the total building or fire alarm system remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30 percent of the building area. When cumulative building remodel or expansion exceeds 50 percent of the building area, all existing systems shall comply within 18 months of permit application. The owner/operator of the facility shall maintain documentation of amount of fire alarm system remodel or expansion. The documentation shall be submitted with each fire alarm system plans submittal and/or upon request from the *fire code official*.

**907.1.5 Area separation walls/fire walls.** Area separation walls/fire walls shall not be used to reduce or eliminate fire alarm requirements.

**Exception:** Adjacent spaces shall be considered separate areas for fire alarm purposes if separated by minimum fire-rated construction as required in the *Dallas Building Code* to define separate buildings. Separating walls shall not have openings that permit occupant communication between the spaces.”

137. Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.2 Where required—new buildings and structures.** An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

Not fewer than one manual fire alarm box shall be provided per building in an *approved* location to initiate a fire alarm signal for fire alarm systems and sprinkler monitoring systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

**Exception[s]:**

[1.] The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.

~~[2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the *fire code official* to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided,~~

~~the manual fire alarm box shall not be located in an area that is accessible to the public.]~~

**907.2.1 Group A.** A manual fire alarm system and automatic fire detection in paths of egress that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an~~[where the]~~ *occupant load of* ~~[due to the assembly occupancy is]~~ 300 or more persons, or where the ~~[Group A]~~ *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the Dallas ~~[International]~~ *Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1, automatic fire detection in paths of egress, and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more.** Activation of the fire alarm in Group A occupancies with an *occupant load* of 1,000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with Section 907.5.2.2.

**Exception:** Where *approved*, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an *approved*, constantly attended location.

**907.2.1.2 Emergency voice/alarm communication system captions.** Stadiums, arenas and *grandstands* required to caption audible public announcements shall be in accordance with Section 907.5.2.2.4.

**907.2.2 Group B.** A manual fire alarm system, and automatic fire detection system in paths of egress, which activates the occupant notification system in accordance with Section 907.5, shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B *occupant load* of all floors is 500 or more.
2. The Group B *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.
3. The *fire area* contains an ambulatory care facility.

**Exception:** Manual fire alarm boxes and automatic fire detection in paths of egress are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**907.2.2.1 Ambulatory care facilities.** *Fire areas* containing ambulatory care facilities shall be provided with an electronically supervised automatic smoke detection system installed within the ambulatory care facility and in public use areas outside of tenant spaces, including public *corridors* and elevator lobbies.

~~[Exception: Buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 provided the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.]~~

**907.2.3 Group E.** A manual fire alarm system and automatic fire detection in paths of egress that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. Group E daycare occupancies shall have a smoke detector in all areas used by children. Where *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. Unless separated by a minimum of 100 feet (30 480 mm) of open space, all buildings, whether portable buildings or the main building, will be considered one building for fire alarm occupant load consideration and interconnection of alarm systems.

**Exceptions:**

1. A manual fire alarm system with automatic fire detection in paths of egress shall not be required in Group E educational and day care occupancies with an *occupant load* of 30 [50] or when provided with an approved *automatic sprinkler system*.
  - 1.1. Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)
2. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the manual fire alarm system initiates an *approved* occupant notification signal in accordance with Section 907.5.

3. ~~[Manual fire alarm boxes shall not be required in Group E occupancies where all of the following apply:~~

~~3.1 Interior corridors are protected by smoke detectors.~~

~~3.2 Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved detection devices.~~

~~3.3 Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.~~

~~3.4 Manual activation is provided from a normally occupied location.~~

- 4.] Manual fire alarm boxes shall not be required in Group E occupancies where all of the following apply:

3.1.[4.1] The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1.

3.2.[4.2.] The emergency voice/alarm communication system will activate on sprinkler water flow.

3.3.[4.3.] Manual activation is provided from a normally occupied location.

**907.2.3.1 Exterior alarm-signaling device.** Alarm-signaling device(s) shall be mounted on the exterior of the building in all common use/gathering areas.

**907.2.4 Group F.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group F occupancies where both of the following conditions exist:

1. The Group F occupancy is two or more stories in height.
2. The Group F occupancy has a combined *occupant load* of 500 or more above or below the lowest *level of exit discharge*.

**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**907.2.5 Group H.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group H-5 occupancies and in occupancies used for the manufacture of organic coatings. An automatic smoke detection system shall be installed for highly toxic gases, organic peroxides and oxidizers in accordance with Chapters 60, 62 and 63, respectively.

**907.2.6 Group I.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group I occupancies. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be provided in accordance with Sections 907.2.6.1, 907.2.6.2 and 907.2.6.3.3.

**Exceptions:**

1. Manual fire alarm boxes in *sleeping units* of Group I-1 and I-2 occupancies shall not be required at *exits* if located at all care providers' control stations or other constantly attended staff locations, provided that such manual fire alarm boxes are visible and provided with *ready access*, and the distances of travel required in Section 907.4.2.1 are not exceeded.
2. Occupant notification systems are not required to be activated where private mode signaling installed in accordance with NFPA 72 is *approved* by the *fire code official* and staff evacuation responsibilities are included in the fire safety and evacuation plan required by Section 404.

**907.2.6.1 Group I-1.** An automatic smoke detection system shall be installed in *corridors*, waiting areas open to *corridors* and *habitable spaces* other than *sleeping units* and kitchens. The system shall be activated in accordance with Section 907.5.

**Exceptions:**

1. For Group I-1, Condition 1 occupancies, smoke detection in *habitable spaces* is not required where the facility is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1.
2. Smoke detection is not required for exterior balconies.

**907.2.6.1.1 Smoke alarms.** Single- and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11.

**907.2.6.2 Group I-2.** An automatic smoke detection system shall be installed in *corridors* in Group I-2, Condition 1 facilities and spaces permitted to be open to the *corridors* by Section 407.2 of the *Dallas[International] Building Code*. The system shall be activated in accordance with Section 907.4. Group I-2, Condition 2 occupancies shall be equipped with an automatic smoke detection system as required in Section 407 of the *Dallas[International] Building Code*.

**Exceptions:**

1. *Corridor* smoke detection is not required in *smoke compartments* that contain *sleeping units* where such units are provided with smoke detectors that comply with UL 268. Such detectors shall provide a visual display on the *corridor* side of each *sleeping unit* and shall provide an audible and visual alarm at the care providers' station attending each unit.
2. *Corridor* smoke detection is not required in *smoke compartments* that contain *sleeping units* where *sleeping unit* doors are equipped with automatic door-closing devices with integral smoke detectors on the unit sides installed in accordance with their listing, provided that the integral detectors perform the required alerting function.

**907.2.6.3 Group I-3 occupancies.** Group I-3 occupancies shall be equipped with a manual fire alarm system and automatic smoke detection system installed for alerting staff.

**907.2.6.3.1 System initiation.** Actuation of an automatic fire-extinguishing system, *automatic sprinkler system*, a manual fire alarm box or a fire detector shall initiate an *approved* fire alarm signal that automatically notifies staff.

**907.2.6.3.2 Manual fire alarm boxes.** Manual fire alarm boxes are not required to be located in accordance with Section 907.4.2 where the fire alarm boxes are provided at staff-attended locations having direct supervision over areas where manual fire alarm boxes have been omitted.

**907.2.6.3.2.1 Manual fire alarms boxes in detainee areas.** Manual fire alarm boxes are allowed to be locked in areas occupied by detainees, provided that staff members are present within the subject area and have keys readily available to operate the manual fire alarm boxes.

**907.2.6.3.3 Automatic smoke detection system.** An automatic smoke detection system shall be installed throughout resident housing areas, including *sleeping units* and contiguous day rooms, group activity spaces and other common spaces normally open to residents.

**Exceptions:**

1. Other *approved* smoke detection arrangements providing equivalent protection, including, but not limited to, placing detectors in exhaust ducts from cells or behind protective guards *listed* for the purpose, are allowed where necessary to prevent damage or tampering.

2. *Sleeping units* in Use Conditions 2 and 3 as described in Section 308 of the Dallas~~[International]~~ *Building Code*.
3. Smoke detectors are not required in *sleeping units* with four or fewer occupants in *smoke compartments* that are equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1.

**907.2.6.4 Institutional group I-4 day care facilities.** A manual fire alarm system and automatic fire detection in paths of egress that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group I-4 day care facility occupancies. Group 1-4 day care occupancies shall have smoke detectors in all areas used by children. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

**907.2.7 Group M.** A manual fire alarm system and automatic fire detection in paths of egress that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M *occupant load* of all floors is 500 or more persons.
2. The Group M *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.

**Exceptions:**

1. A manual fire alarm system is not required in covered or open mall buildings complying with Section 402 of the Dallas ~~[International]~~ *Building Code*.
2. Manual fire alarm boxes and automatic fire detection in paths of egress are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will automatically activate throughout the notification zones upon sprinkler water flow.

**907.2.7.1 Occupant notification.** During times that the building is occupied, the initiation of a signal from a manual fire alarm box, ~~[or from]~~ a waterflow switch or automatic fire detection system shall not be required to activate the alarm notification appliances when an alarm signal is activated at a constantly attended location from which evacuation instructions shall be initiated over an emergency voice/alarm communication system installed in accordance with Section 907.5.2.2.

**907.2.8 Group R-1.** Fire alarm systems and smoke alarms shall be installed in Group R-1 occupancies as required in Sections 907.2.8.1 through 907.2.8.3.

**907.2.8.1 Manual fire alarm system.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

**Exceptions:**

1. A manual fire alarm system is not required in buildings not more than two stories in height where all individual *sleeping units* and contiguous attic and crawl spaces to those units are separated from each other and public or common areas by not less than 1-hour *fire partitions* and each individual *sleeping unit* has an *exit* directly to a *public way*, *egress court* or yard.
2. Manual fire alarm boxes are not required throughout the building where all of the following conditions are met:
  - 2.1 The building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2.
  - 2.2 The notification appliances will activate upon sprinkler water flow.
  - 2.3 Not fewer than one manual fire alarm box is installed at an *approved* location.

**907.2.8.2 Automatic smoke detection system.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed throughout all interior *corridors* serving *sleeping units*.

**Exception:** An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units* and where each *sleeping unit* has a *means of egress* door opening directly to an *exit* or to an exterior *exit access* that leads directly to an *exit*.

**907.2.8.3 Smoke alarms.** Single- and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11.

**907.2.9 Group R-2.** Fire alarm systems and smoke alarms shall be installed in Group R-2 occupancies as required in Sections 907.2.9.1 and 907.2.9.3.

**907.2.9.1 Manual fire alarm system.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies where any of the following conditions apply:



1. Any *dwelling unit* or *sleeping unit* is located three or more stories above the lowest level of exit discharge.
2. Any *dwelling unit* or *sleeping unit* is located more than one story below the highest level of exit discharge of exits serving the *dwelling unit* or *sleeping unit*.
3. The building contains more than 16 *dwelling units* or *sleeping units*.

**Exceptions:**

1. A fire alarm system is not required in buildings not more than two stories in height where all *dwelling units* or *sleeping units* and contiguous attic and crawl spaces are separated from each other and public or common areas by not less than 1-hour *fire partitions* and each *dwelling unit* or *sleeping unit* has an *exit* directly to a *public way*, *egress court* or *yard*.
2. Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2 and the occupant notification appliances will automatically activate throughout the notification zones upon a sprinkler water flow.
3. A fire alarm system is not required in buildings that do not have interior *corridors* serving *dwelling units* and are protected by an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, provided that *dwelling units* either have a *means of egress* door opening directly to an exterior *exit access* that leads directly to the *exits* or are served by open-ended *corridors* designed in accordance with Section 1027.6, Exception 3.

**907.2.9.2 Smoke alarms.** Single- and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11.

**907.2.9.3 Group R-2 college and university buildings.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies operated by a college or university for student or staff housing in all of the following locations:

1. Common spaces outside of *dwelling units* and *sleeping units*.
2. Laundry rooms, mechanical equipment rooms and storage rooms.

3. All interior *corridors* serving *sleeping units* or *dwelling units*.

**Exception:** An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units* or *dwelling units* and where each *sleeping unit* or *dwelling unit* either has a *means of egress* door opening directly to an exterior *exit access* that leads directly to an *exit* or a *means of egress* door opening directly to an *exit*.

Required smoke alarms in *dwelling units* and *sleeping units* in Group R-2 occupancies operated by a college or university for student or staff housing shall be interconnected with the fire alarm system in accordance with NFPA 72.

**907.2.10 Group S.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies [~~three stories or greater in height~~] for interior *corridors* and interior common areas. Visible notification appliances are not required within storage units.

**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1, and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**907.2.11 Single- and multiple-station smoke alarms.** *Listed* single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.7 and NFPA 72.

**907.2.11.1 Group R-1.** Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the *means of egress* from the sleeping area to the door leading from the *sleeping unit*.
3. In each story within the *sleeping unit*, including *basements*. For *sleeping units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

**907.2.11.2 Groups R-2, R-3, R-4 and I-1.** Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of *occupant load* at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a *dwelling unit*, including *basements* but not including crawl spaces and uninhabitable attics. In *dwelling*s or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

**907.2.11.3 Installation near cooking appliances.** Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 907.2.11.1 or 907.2.11.2:

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829 mm) horizontally from a permanently installed cooking appliance.

**907.2.11.4 Installation near bathrooms.** Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 907.2.11.1 or 907.2.11.2.

**907.2.11.5 Interconnection.** Where more than one smoke alarm is required to be installed within an individual *dwelling unit* or *sleeping unit* in Group R or I-1 occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where *listed* wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

**907.2.11.6 Power source.** In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery back-up shall be connected to an emergency electrical system in accordance with Section 1203. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exception:** Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system that complies with Section 603.

**907.2.11.7 Smoke detection system.** Smoke detectors *listed* in accordance with UL 268 and provided as part of the building fire alarm system shall be an acceptable alternative to single- and multiple-station *smoke alarms* and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907.
2. Activation of a smoke detector in a *dwelling unit* or *sleeping unit* shall initiate alarm notification in the *dwelling unit* or *sleeping unit* in accordance with Section 907.5.2.
3. Activation of a smoke detector in a *dwelling unit* or *sleeping unit* shall not activate alarm notification appliances outside of the *dwelling unit* or *sleeping unit*, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.6.

**907.2.12 Special amusement buildings.** An automatic smoke detection system shall be provided in special amusement buildings in accordance with Sections 907.2.12.1 through 907.2.12.3.

**907.2.12.1 Alarm.** Activation of any single smoke detector, the *automatic sprinkler system* or any other automatic fire detection device shall immediately activate an audible and visible alarm at the building at a constantly attended location from which emergency action can be initiated, including the capability of manual initiation of requirements in Section 907.2.12.2.

**907.2.12.2 System response.** The activation of two or more smoke detectors, a single smoke detector equipped with an alarm verification feature, the *automatic sprinkler system* or other *approved* fire detection device shall automatically do all of the following:

1. Cause illumination of the *means of egress* with light of not less than 1 footcandle (11 lux) at the walking surface level.
2. Stop any conflicting or confusing sounds and visual distractions.
3. Activate an *approved* directional *exit* marking that will become apparent in an emergency.

4. Activate a prerecorded message, audible throughout the special amusement building, instructing patrons to proceed to the nearest *exit*. Alarm signals used in conjunction with the prerecorded message shall produce a sound that is distinctive from other sounds used during normal operation.

**907.2.12.3 Emergency voice/alarm communication system.** An emergency voice/alarm communication system, which is allowed to serve as a public address system, shall be installed in accordance with Section 907.5.2.2 and be audible throughout the entire special amusement building.

**907.2.13 High-rise buildings.** ~~[High-rise]~~ B[b]uildings with a floor used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection/~~fire alarm~~ system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

**Exceptions:**

1. Airport traffic control towers in accordance with Section 907.2.22 of this code and Section 412 of the Dallas ~~[International]~~ *Building Code*.
2. Open parking garages in accordance with Section 406.5 of the Dallas ~~[International]~~ *Building Code*.
3. Open air portions of b[B]uildings with an occupancy in Group A-5 in accordance with Section 303.6[4] of the Dallas ~~[International]~~ *Building Code*; however, this exception does not apply to enclosed concourses or accessory uses areas, including but not limited to sky boxes, restaurants and similarly enclosed areas.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the Dallas ~~[International]~~ *Building Code*.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the Dallas ~~[International]~~ *Building Code*.
6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and occupant notification shall be broadcast by the emergency voice/alarm communication system.

**907.2.13.1 Automatic smoke detection.** Automatic smoke detection in high-rise buildings shall be in accordance with Sections 907.2.13.1.1 and 907.2.13.1.2.

**907.2.13.1.1 Area smoke detection.** Area smoke detectors shall be provided in accordance with this section. Smoke detectors shall be connected to an automatic fire alarm system. The activation of any detector required by this section shall activate the emergency voice/alarm communication system in accordance with Section 907.5.2.2. In addition to smoke detectors required by Sections 907.2.1 through 907.2.9, smoke detectors shall be located as follows:

1. In each mechanical equipment, electrical, transformer, telephone equipment or similar room that is not provided with sprinkler protection.
2. In each elevator machine room, machinery space, control room and control space and in elevator lobbies.
3. In all interior corridors serving as a means of egress for an occupant load of 10 or more in Group R-1 and R-2 occupancies.

**907.2.13.1.2 Duct smoke detection.** Duct smoke detectors complying with Section 907.3.1 shall be located ~~as follows:~~

- ~~1.] i[In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.94 m<sup>3</sup>/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet per NFPA 72. The actuation of any such detector shall shut down the affected air-handling units or operate dampers to prevent the recirculation of smoke. Controls allowing the manual restarting of air-handling equipment during an alarm condition shall be provided.~~
- ~~2. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cfm (2.4 m<sup>3</sup>/s) and serving not more than 10 air inlet openings.]~~

**907.2.13.2 Fire department communication system.** Where a wired communication system is *approved* in lieu of an in-building, two-way emergency responder communication radio coverage system in accordance with Section 510, the wired fire department communication system shall be designed and installed in accordance with NFPA 72 and shall operate between a *fire command center* complying with Section 508, elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge and inside *interior exit stairways*. The fire department communication device shall be provided at each floor level within the *interior exit stairway*. The wired communication system and required appurtenances shall be maintained in an operable condition at all times.

**907.2.13.3 Multiple-channel voice evacuation.** In buildings with an occupied floor more than 120 feet (36 576 mm) above the lowest level of fire department vehicle access, voice evacuation systems for high-rise buildings shall be multiple-channel systems.

**907.2.14 Atriums connecting more than two stories.** A fire alarm system shall be installed in occupancies with an atrium that connects more than two stories, with smoke detection in locations required by a rational analysis in Section 909.4 and in accordance with the system operation requirements in Section 909.17. The system shall be activated in accordance with Section 907.5. Such occupancies in Group A, E or M shall be provided with an emergency voice/alarm communication system complying with the requirements of Section 907.5.2.2.

**907.2.15 High-piled combustible storage areas.** An automatic smoke detection system shall be installed throughout *high-piled combustible storage* areas where required by Section 3206.5.

**907.2.16 Aerosol storage uses.** Aerosol product rooms and general-purpose warehouses containing aerosol products shall be provided with an *approved* manual fire alarm system where required by this code.

**907.2.17 Lumber, wood structural panel and veneer mills.** Lumber, wood structural panel and veneer mills shall be provided with a manual fire alarm system.

**907.2.18 Underground buildings with smoke control systems.** Where a smoke control system is installed in an underground building in accordance with the *Dallas*~~*International*~~ *Building Code*, automatic smoke detectors shall be provided in accordance with Section 907.2.18.1.

**907.2.18.1 Smoke detectors.** Not fewer than one smoke detector *listed* for the intended purpose shall be installed in all of the following areas:

1. Mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar rooms.
2. Elevator lobbies.
3. The main return and exhaust air plenum of each air-conditioning system serving more than one story and located in a serviceable area downstream of the last duct inlet.
4. Each connection to a vertical duct or riser serving two or more floors from return air ducts or plenums of heating, ventilating and air-conditioning systems, except that in Group R occupancies, a *listed* smoke detector is allowed to be used in

each return air riser carrying not more than 5,000 cfm (2.4 m<sup>3</sup>/s) and serving not more than 10 air inlet openings.

**907.2.18.2 Alarm required.** Activation of the smoke control system shall activate an audible alarm at a constantly attended location.

**907.2.19 Deep underground buildings.** Where the lowest level of a structure is more than 60 feet (18 288 mm) below the finished floor of the lowest *level of exit discharge*, the structure shall be equipped throughout with a manual fire alarm system, including an emergency voice/alarm communication system installed in accordance with Section 907.5.2.2.

**907.2.20 Covered and open mall buildings.** Where the total floor area exceeds 50,000 square feet (4645 m<sup>2</sup>) within either a covered mall building or within the perimeter line of an open mall building, an emergency voice/alarm communication system shall be provided. *Access* to emergency voice/alarm communication systems serving a mall, required or otherwise, shall be provided for the fire department. The system shall be provided in accordance with Section 907.5.2.2.

**907.2.21 Residential aircraft hangars.** Not fewer than one single-station smoke alarm shall be installed within a residential aircraft hangar as defined in Chapter 2 of the *Dallas*~~[International]~~ *Building Code* and shall be interconnected into the residential smoke alarm or other sounding device to provide an alarm that will be audible in all sleeping areas of the *dwelling*.

**907.2.22 Airport traffic control towers.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be provided in airport control towers in accordance with Sections 907.2.22.1 and 907.2.22.2.

**Exception:** Audible appliances shall not be installed within the control tower cab.

**907.2.22.1 Airport traffic control towers with multiple exits and automatic sprinklers.** Airport traffic control towers with multiple *exits* and equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be provided with smoke detectors in all of the following locations:

1. Airport traffic control cab.
2. Electrical and mechanical equipment rooms.
3. Airport terminal radar and electronics rooms.
4. Outside each opening into *interior exit stairways*.
5. Along the single *means of egress* permitted from observation levels.



6. Outside each opening into the single *means of egress* permitted from observation levels.

**907.2.22.2 Other airport traffic control towers.** Airport traffic control towers with a single *exit* or where sprinklers are not installed throughout shall be provided with smoke detectors in all of the following locations:

1. Airport traffic control cab.
2. Electrical and mechanical equipment rooms.
3. Airport terminal radar and electronics rooms.
4. Office spaces incidental to the tower operation.
5. Lounges for employees, including sanitary facilities.
6. *Means of egress*.
7. Utility shafts where *access* to smoke detectors can be provided.

**907.2.23 Energy storage systems.** An automatic smoke detection system or radiant-energy detection system shall be installed in rooms, areas and walk-in units containing energy storage systems as required in Section 1207.5.4.”

138. Paragraph 907.4.2, “Manual Fire Alarm Boxes,” of Subsection 907.4, “Initiating Devices,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.4.2 Manual fire alarm boxes.** Where a manual fire alarm system is required by another section of this code, it shall be activated by fire alarm boxes installed in accordance with Sections 907.4.2.1 through 907.4.2.6. Manual alarm actuating devices shall be an approved double action type.

**907.4.2.1 Location.** Manual fire alarm boxes shall be located not more than 5 feet (1524 mm) from the entrance to each *exit*. In buildings not protected by an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2, additional manual fire alarm boxes shall be located so that the distance of travel to the nearest box does not exceed 200 feet (60 960 mm).

**907.4.2.2 Height.** The height of the manual fire alarm boxes shall be not less than 42 inches (1067 mm) and not more than 48 inches (1372 mm) measured vertically, from the floor level to the activating handle or lever of the box.

**907.4.2.3 Color.** Manual fire alarm boxes shall be red in color.

**Exception:** Other colors may be acceptable if red does not provide a contrast with the surrounding background, when approved by the fire code official.

**907.4.2.4 Signs.** Where fire alarm systems are not monitored by an *approved* supervising station in accordance with Section 907.6.6, an *approved* permanent sign shall be installed adjacent to each manual fire alarm box that reads: “WHEN ALARM SOUNDS—CALL FIRE DEPARTMENT.”

**Exception:** Where the manufacturer has permanently provided this information on the manual fire alarm box.

**907.4.2.5 Protective covers.** The *fire code official* is authorized to require the installation of *listed* manual fire alarm box protective covers to prevent malicious false alarms or to provide the manual fire alarm box with protection from physical damage. The protective cover shall be transparent or red in color with a transparent face to permit visibility of the manual fire alarm box. Each cover shall include proper operating instructions. A protective cover that emits a local alarm signal shall not be installed unless *approved*. Protective covers shall not project more than that permitted by Section 1003.3.3.

**907.4.2.6 Unobstructed and unobscured.** Manual fire alarm boxes shall be provided with *ready access*, unobstructed, unobscured and visible at all times.”

139. Paragraph 907.5.2, “Alarm Notification Appliances,” of Subsection 907.5, “Occupant Notification,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.5.2 Alarm notification appliances.** Alarm notification appliances shall be provided and shall be *listed* for their purpose.

**Exceptions:**

Activation of fire alarm notification appliances shall:

1. Cause illumination of the means of egress with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.”

140. Subparagraph 907.5.2.2, Emergency Voice/Alarm Communication Systems,” of Paragraph 907.5.2, “Alarm Notification Appliances,” of Subsection 907.5, “Occupant Notification,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.5.2.2 Emergency voice/alarm communication systems.** Emergency voice/alarm communication systems required by this code shall be designed and installed accordance with NFPA 72. The operation of any automatic fire detector, sprinkler waterflow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving *approved* information and directions for a general or staged evacuation in accordance with the building’s fire safety and evacuation plans required by Section 404. In high-rise buildings, the system shall operate on at least the alarming floor, the floor above and the floor below, and identify on an annunciator the zone or address from which the alarm signal originated. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. *Interior exit stairways.*
3. Each floor.
4. *Areas of refuge* as defined in Chapter 2.

**Exception:** In Group I-1 and I-2 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

**907.5.2.2.1 Manual override.** A manual override for emergency voice communication shall be provided on a selective and all-call basis for all paging zones.

**907.5.2.2.2 Live voice messages.** The emergency voice/alarm communication system shall have the capability to broadcast live voice messages by paging zones on a selective and all-call basis.

**907.5.2.2.3 Alternative uses.** The emergency voice/alarm communication system shall be allowed to be used for other announcements, provided that the manual fire alarm use takes precedence over any other use.

**907.5.2.2.4 Emergency voice/alarm communication captions.** Where stadiums, arenas and *grandstands* have 15,000 fixed seats or more and provide audible public announcements, the emergency/voice alarm communication system shall provide prerecorded or real-time captions. Prerecorded or live emergency captions shall be from an *approved* location constantly attended by personnel trained to respond to an emergency.

**907.5.2.2.5 Standby power.** Emergency voice/alarm communications systems shall be provided with standby power in accordance with Section 1203.”

141. Subparagraph 907.5.2.3, “Visible Alarms,” of Paragraph 907.5.2, “Alarm Notification Appliances,” of Subsection 907.5, “Occupant Notification,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, Building and Equipment Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.5.2.3 Visible alarms.** Visible alarm notification appliances shall be provided in accordance with Sections 907.5.2.3.1 through 907.5.2.3.3. Visual alarm notification appliances shall be provided where an existing fire alarm system is upgraded, altered or a new fire alarm system is installed.

**Exceptions:**

1. Visible alarm notification appliances are not required in storage areas of Group S occupancies (excluding parking garages and aircraft hangers used only for storage purposes [~~alterations, except where an existing fire alarm system is upgraded or replaced, or a new fire alarm system is installed~~].
2. Visible alarm notification appliances shall not be required in *exits* as defined in Chapter 2.
3. Visible alarm notification appliances shall not be required in elevator cars.
4. Visual alarm notification appliances are not required in critical care areas of Group I-2 Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.

5. A visible alarm notification appliance installed in a nurses' control station or other continuously attended staff location in a Group I-2, Condition 2 suite shall be an acceptable alternative to the installation of visible alarm notification appliances throughout the suite or unit in Group I-2, Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2 ”

**907.5.2.3.1 Public use areas and common use areas.** Visible alarm notification appliances shall be provided in *public use areas* and *common use areas*.

**Exception:** Where employee work areas have audible alarm coverage, the notification appliance circuits serving the employee work areas shall be initially designed with not less than 20-percent spare capacity to account for the potential of adding visible notification appliances in the future to accommodate hearing-impaired employee(s).

**907.5.2.3.2 Groups I-1 and R-1.** *Habitable spaces* in *dwelling units* and *sleeping units* in Group I-1 and R-1 occupancies in accordance with Table 907.5.2.3.2 shall be provided with visible alarm notification. Visible alarms shall be activated by the in-room smoke alarm and the building fire alarm system.

**TABLE 907.5.2.3.2  
VISIBLE ALARMS**

NUMBER OF SLEEPING UNITS	SLEEPING ACCOMMODATIONS WITH VISIBLE ALARMS
6 to 25	2
26 to 50	4
51 to 75	7
76 to 100	9
101 to 150	12
151 to 200	14
201 to 300	17
301 to 400	20
401 to 500	22
501 to 1,000	5% of total
1,001 and over	50 plus 3 for each 100 over 1,000

**907.5.2.3.3 Group R-2.** In Group R-2 occupancies required by Section 907 to have a fire alarm system, each *story* that contains *dwelling units* and *sleeping*

*units* shall be provided with the capability to support future visible alarm notification appliances in accordance with Chapter 11 of ICC A117.1. Such capability shall accommodate wired or wireless equipment.

**907.5.2.3.3.1 Wired equipment.** Where wired equipment is used to comply with the future capability required by Section 907.5.2.3.3, the system shall include one of the following capabilities:

1. The replacement of audible appliances with combination audible/visible appliances or additional visible notification appliances.
2. The future extension of the existing wiring from the unit smoke alarm locations to required locations for visible appliances.
3. For wired equipment, the fire alarm power supply and circuits shall have not less than 5-percent excess capacity to accommodate the future addition of visible alarm notification appliances, and a single access point to such circuits shall be available on every story. Such circuits shall not be required to be extended beyond a single access point on a story. The fire alarm system shop drawings required by Section 907.1.2 shall include the power supply and circuit documentation to accommodate the future addition of visible notification appliances.

**907.5.2.3.4 Notification alarm continuation.** Fire alarm systems shall be programmed non-silenceable for all extinguishing and suppression systems. Visible notification appliances shall continue to operate until the fire alarm system has been cleared and reset.

142. Paragraph 907.6.1, “Wiring,” of Subsection 907.6 “Installation and Monitoring,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.6.1 Wiring.** Wiring shall comply with the requirements of NFPA 70 and NFPA 72. Wireless protection systems utilizing radio-frequency transmitting devices shall comply with the special requirements for supervision of low-power wireless systems in NFPA 72.

**907.6.1.1 Installation.** All fire alarm systems shall be installed in such a manner that the failure of any single alarm initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All

initiating circuit conductors shall be Class “A” or Class “X” wired with a minimum of six foot horizontal and vertical separation between supply and return circuit conductors. All fire alarm systems shall be wired as follows: IDC — Class A or Class “X” style — D; SLC — Class A or Class “X” style 6; NAC — Class B.

**Exception:** The initiating device circuit (IDC) from an addressable device used to monitor the status of a suppression system and duct detectors may be wired Class B, Style B provided the addressable device is located within 10 feet of the suppression system device.

**907.6.1.2 Support.** Fire alarm system wiring, and cables shall be independently supported using guide wires and anchors that are attached to the building structure.

**Exception:** Independent support wires may be attached to the ceiling grid for stabilization only.

**907.6.1.3 Identification.** All fire alarm system guide wires shall be painted red or labeled “Fire Alarm Only.” All fire alarm wiring junction boxes shall be labeled “Fire Alarm Use.” All fire alarm circuits shall be identified at terminal and junction boxes.

**907.6.1.4 Inspection.** All fire alarm system wiring installations shall be inspected by the fire code official for compliance with the requirements of this code, NFPA 70 and NFPA 72.

**907.6.1.5 Surge protection.** In addition to any built-in surge protection of the fire alarm panel, each fire alarm panel and power supply panel shall have an added surge protector installed. The secondary surge protection device must be installed in a manner that it is isolated a minimum of two feet from the panel as measured along the route of electrical travel. If data lines run between separate buildings, data line surge/spike protection is required on each data line where the line enters and/or exits each building.”

143. Paragraph 907.6.3, “Initiating Device Identification,” of Subsection 907.6, “Installation and Monitoring,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.6.3 Initiating device identification.** All [The] fire alarm systems, new or replacement, shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate. Alarms shall not be permitted to be transmitted as a general alarm or zone condition.

### Exceptions:

1. Fire alarm systems in single-story buildings less than 22,500 square feet (2090 m<sup>2</sup>) in area where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.3.1.1.
2. Fire alarm systems that [only] include [~~manual fire alarm boxes, waterflow initiating devices, and~~] not more than 10 additional alarm initiating devices.
- ~~[3 Special initiating devices that do not support individual device identification.~~
- ~~4 Fire alarm systems or devices that are replacing existing equipment.]~~

**907.6.3.1 Annunciation.** The initiating device status shall be annunciated at an *approved* on-site location.”

144. Paragraph 907.6.6, “Monitoring,” of Subsection 907.6, “Installation and Monitoring,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.6.6 Monitoring.** Fire alarm systems required by this chapter, other chapters of this code, or by the *Dallas* [~~International~~] *Building Code* shall transmit device identification in accordance with Section 907.6.3 to~~[be monitored by an]~~ an *approved* central station, remote supervising station or proprietary supervising station as defined in [~~accordance with~~] NFPA 72, or a local alarm which gives audible and visual signals at a constantly attended location. A constantly attended location is defined as being occupied by 2 or more persons whose responsibility it is to monitor the fire alarm system.

**Exception:** Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. *Automatic sprinkler systems* in one- and two-family *dwellings*.



**907.6.6.1 Transmission of alarm signals.** Transmission of alarm signals to a supervising station shall be in accordance with NFPA 72.

**907.6.6.2 MIY monitoring.** Direct transmission of alarms associated with monitor it yourself (MIY) transmitters to a public safety answering point (PSAP) shall not be permitted unless approved by the *fire code official*.

**907.6.6.3 Termination of monitoring service.** Termination of fire alarm monitoring services shall be in accordance with Section 901.9.

**907.6.6.4 Communication requirements.** All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a general alarm or zone condition.

145. Subsection 907.7, “Acceptance Tests and Completion,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“907.7 Acceptance tests and completion.** Upon completion of the installation, the fire alarm system and all fire alarm components shall be tested and approved in accordance with NFPA 72 and Section 901.5.

**907.7.1 Single- and multiple-station alarm devices.** When the installation of the alarm devices is complete, each device and interconnecting wiring for multiple-station alarm devices shall be tested in accordance with the smoke alarm provisions of NFPA 72.

**907.7.2 Record of completion.** A record of completion in accordance with NFPA 72 verifying that the system has been installed and tested in accordance with the *approved* plans and specifications shall be provided.

**907.7.3 Instructions.** Operating, testing and maintenance instructions and record drawings (“as built”) and equipment specifications shall be provided at an *approved* location.”

146. Subsection 910.2, “Where Required,” of Section 910, “Smoke and Heat Removal,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“910.2 Where required.** Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1 through ~~and~~ 910.2.3~~[2]~~.

**Exceptions:**

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an *approved automatic sprinkler system*.
2. Only manual s[S]moke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual s[S]moke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index  $50(m \times s)^{1/2}$  or less that are *listed* to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

**910.2.1 Group F-1 or S-1.** Smoke and heat vents installed in accordance with Section 910.3 or a mechanical smoke removal system installed in accordance with Section 910.4 shall be installed in buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than 50,000 square feet (4645 m<sup>2</sup>) of undivided area. In occupied portions of a building equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with Section 910.4 shall be installed.

**Exception:** Group S-1 aircraft repair hangars.

**910.2.2 High-piled combustible storage.** Smoke and heat removal required by Table 3206.2 for buildings and portions thereof containing *high-piled combustible storage* shall be installed in accordance with Section 910.3 in unsprinklered buildings. In buildings and portions thereof containing *high-piled combustible storage* equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, a smoke and heat removal system shall be installed in accordance with Section 910.3 or 910.4. In occupied portions of a building equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with Section 910.4 shall be installed.

**910.2.3 Group H.** Smoke and heat vents installed in accordance with Section 910.3 or a mechanical smoke removal system in accordance with Section 910.4 shall be installed in buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m<sup>2</sup>) in single floor area.

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

**Exception:** Buildings of noncombustible construction containing only noncombustible materials.”

147. Paragraph 910.3.4, “Vent Operation,” of Subsection 910.3, “Smoke and Heat Vents,” of Section 910 “Smoke and Heat Removal,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“910.3.4 Vent operation.** Smoke and heat vents shall be capable of being operated by *approved* automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.1 through 910.3.3.

**910.3.4.1 Sprinklered buildings.** Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100°F (approximately 38°C) greater than the temperature rating of the sprinklers installed.

**Exception:** Manual only systems per Section 910.2.

**910.3.4.2 Nonsprinklered buildings.** Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (approximately 38°C) and 220°F (approximately 122°C) above ambient.

**Exception:** Listed gravity-operated drop out vents.”

148. Subparagraph 910.4.3.1, “Makeup Air,” of Paragraph 910.4.3, “System Design Criteria,” of Subsection 910.4, “Mechanical Smoke Removal Systems,” of Section 910, “Smoke and Heat Removal,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part

III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“910.4.3.1 Makeup air.** Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be ~~[manual or]~~ automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m<sup>2</sup> per 0.4719 m<sup>3</sup>/s) of smoke exhaust.”

149. Paragraph 910.4.4, “Activation,” of Subsection 910.4, “Mechanical Smoke Removal Systems,” of Section 910, “Smoke and Heat Removal,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“910.4.4 Activation.** The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by an approved fire detection system ~~[by manual controls only]~~. Individual manual controls shall also be provided.

**Exception:** Manual only systems per Section 910.2.”

150. Subsection 912.2, “Location,” of Section 912, “Fire Department Connections,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“912.2 Location.** With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. Fire apparatus access roads shall be required within 50 feet (15 240 mm) of any fire department hose connections. A ~~[The location of]~~ fire department hose connection[s] shall be located within 400 feet (122 m) of a fire hydrant and approved by the fire code official.

**912.2.1 Visible location.** Fire department connections shall be located on the street side of buildings or facing *approved* fire apparatus access roads, fully visible and recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access or as otherwise *approved* by the *fire code official*.

**912.2.2 Existing buildings.** On existing buildings, wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters “FDC” not less than 6 inches (152 mm) high and words in letters not

less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the *fire code official*.

**912.2.3 Remote and free-standing fire department connections.** Free-standing fire department connections shall be internally and externally galvanized, permanently marked with the address being served, or portion thereof, and provided with approved locking caps/covers. Means to service the drain/check valve shall be provided.

151. Subsection 913.1, “General,” of Section 913, “Fire Pumps,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“913.1 General.** Where provided, fire pumps for *fire protection systems* shall be installed in accordance with this section and NFPA 20. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 feet in width and 6 feet, 8 inches in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

**Exception:** When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by Section 506.1.~~[Pumps for automatic sprinkler systems installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.]~~

152. Subsection 913.4, “Valve Supervision,” of Section 913, “Fire Pumps,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“913.4 Valve supervision.** Where provided, the fire pump suction, discharge and bypass valves, and isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods.

1. Central-station, proprietary, or remote-station signaling service.
2. Local signaling service that will cause the sounding of an audible signal at a *constantly attended location*.
3. Locking valves open, when approved by the fire code official.

4. Sealing of valves and *approved* weekly recorded inspection where valves are located within fenced enclosures under the control of the *owner*, when approved by the fire code official.

**913.4.1 Test outlet valve supervision.** Fire pump test outlet valves shall be supervised in the closed position.”

153. Section 913, “Fire Pumps,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Subsection 913.6, “Pump Supervision,” to read as follows:

**“913.6 Pump supervision.** Where the pump room is not constantly attended, the fire pump shall transmit a supervisory signal to indicate loss of power, phase reversal and pump running conditions in accordance with NFPA 20.”

154. Subparagraph 914.3.1.2, “Water Supply to Required Fire Pumps,” of Paragraph 914.3.1, “Automatic Sprinkler System,” of Subsection 914.3, “High-Rise Buildings,” of Section 914, “Fire Protection Based on Special Detailed Requirements of Use and Occupancy,” of Chapter 9, “Fire Protection and Life Safety Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“914.3.1.2 Water supply to required fire pumps.** In buildings that are more than 120 [420] feet (36.6 [128] m) in *building height*, ~~[and buildings of Type IVA and IVB construction that are more than 120 feet (36.6 m) in building height,]~~ required fire pumps shall be supplied by connections to not fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

**Exception:** Two connections to the same main shall be permitted provided that the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through no fewer than one of the connections. The valves shall be placed a distance apart not less than one half of the length of the

diagonal dimension of the lot or area to be served, measured in a straight line between the connections.”

155. Subsection 1001.1, “General,” of Section 1001, “Administration,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“1001.1 General.** Buildings or portions thereof shall be provided with a *means of egress* system as required by this chapter. The provisions of this chapter shall control the design, construction and arrangement of *means of egress* components required to provide an *approved means of egress* from structures and portions thereof. Sections 1003 through 1031 shall apply to new construction. Section 1032 shall apply to existing buildings. Provisions of the *Dallas Building Code* and/or the *Dallas Existing Building Code* shall govern in the event of conflicts between this chapter and the corresponding section of the *Dallas Building Code* and/or *Dallas Existing Building Code*.”

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *Dallas*~~*International*~~ *Residential Code*.”

156. Section 1003, “General Means of Egress,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Subsection 1003.8, “Day Care Means of Egress,” to read as follows:

**“1003.8 Day care means of egress.** Day care facilities, rooms or spaces where care is provided for more than 10 children that are 2 ½ years of age or less, shall have access to not less than two exits or exit access doorways. Rooms normally occupied by preschool, kindergarten, or first grade students shall be located on a level of exit discharge.”

157. Subsection [BE] 1004.5, “Areas Without Fixed Seating,” of Section 1004, “Occupant Load,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“[BE] 1004.5 Areas without fixed seating.** The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.5. For areas without *fixed seating*, the *occupant load* shall not be less than that number determined by dividing the floor area under consideration by the *occupant load* factor assigned to the function of the space as set forth in Table 1004.5. Where an intended function is not listed in Table 1004.5, the building

[~~fire~~] *code official* shall establish a function based on a listed function that most nearly resembles the intended function.

~~[Exception: Where approved by the fire code official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.]~~

**[BE]1004.5.1 Increased occupant load.** The *occupant load* permitted in any building, or portion thereof, is permitted to be increased from that number established for the occupancies in Table 1004.5, provided that all other requirements of the code are met based on such modified number and the *occupant load* does not exceed one occupant per 7 square feet (0.65 m<sup>2</sup>) of occupiable floor space. Where required by the *fire code official*, an *approved aisle*, seating or fixed equipment diagram substantiating any increase in *occupant load* shall be submitted. Where required by the *fire code official*, such diagram shall be posted.”

158. Subsection [BE] 1004.7, “Outdoor Areas,” of Section 1004, “Occupant Load,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

“**[BE] 1004.7 Outdoor areas.** *Yards*, patios, occupied roofs, *courts* and similar outdoor areas accessible to and usable by the building occupants shall be provided with *means of egress* as required by this chapter. The *occupant load* of such outdoor areas shall be assigned by the building [~~fire~~] *code official* in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, *means of egress* requirements for the building shall be based on the sum of the *occupant loads* of the building plus the outdoor areas.

**Exceptions:**

1. Outdoor areas used exclusively for service of the building need only have one *means of egress*.
2. The occupant load of the outdoor area need not be added to the building’s total occupant load if: [~~Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.~~]
  - 2.1. The outdoor areas are located at grade and associated with Group R-3 and individual dwelling units of Group R-2. Means of egress must be provided from the outdoor area in accordance with this chapter.



- 2.2. The outdoor areas are not located at grade and associated with Group R-3 and individual dwelling units of Group R-2 and the outdoor area occupies not more than 10 percent of the area of the dwelling unit of a nonsprinklered building or not more than 20 percent of the area of the dwelling unit of a building provided throughout with an approved automatic sprinkler system. Means of egress must be provided from the outdoor area in accordance with this chapter.”

159. Paragraph [BE] 1007.1.1, “Two Exits or Exit Access Doorways,” of Subsection [BE] 1007.1 “General,” of Section 1007, “Exit or Exit Access Doorway Configuration,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“[BE] 1007.1.1 Two exits or exit access doorways.** Where two *exits, exit access doorways, exit access stairways or ramps*, or any combination thereof, are required from any portion of the *exit access*, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between them. Interlocking or *scissor stairways* shall be counted as one *exit stairway*.

**Exceptions:**

1. Where *interior exit stairways or ramps* are interconnected by a 1-hour *fire resistance-rated corridor* conforming to the requirements of Section 1020, the required exit separation shall be measured along the shortest direct line of travel within the *corridor*.
2. Where a building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2, the separation distance shall not be less than one-third ~~[fourth]~~ of the length of the maximum overall diagonal dimension of the area served.
3. Interlocking stairs are permitted to be counted as two exits if all of the following conditions are met:
  - 3.1. The building is not a high-rise as defined in Section 202;
  - 3.2. The distance between exit doors complies with Section 1007.1;
  - 3.3. The building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 ~~[or 903.3.1.2]~~;

- 3.4 Each stairway is separated from each other and from the remainder of the building by construction having a fire-resistance rating of not less than 2 hours with no openings or penetrations between the stairways other than hose for standpipes and automatic sprinkler systems. The separation between the stairways is permitted to be constructed as a single wall; and
- 3.5 Each exit meets all of the requirements in Section 1023, including the smokeproof enclosure provisions of Section 909.20.”

**[BE]1007.1.1.1 Measurement point.** The separation distance required in Section 1007.1.1 shall be measured in accordance with the following:

1. The separation distance to *exit* or *exit access doorways* shall be measured to any point along the width of the doorway.
2. The separation distance to *exit access stairways* shall be measured to the closest riser.
3. The separation distance to *exit access ramps* shall be measured to the start of the *ramp* run.”

160. Subsection [BE] 1009.1, “Accessible Means of Egress Required,” of Section 1009, “Accessible Means of Egress,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“[BE] 1009.1 Accessible means of egress required.** *Accessible means of egress* shall comply with this section. Accessible spaces shall be provided with not less than one *accessible means of egress*. Where more than one *means of egress* is required by Section 1006.2 or 1006.3 from any accessible space, each accessible portion of the space shall be served by not less than two *accessible means of egress*.

**Exceptions:**

1. One *accessible means of egress* is required from an accessible *mezzanine* level in accordance with Section 1009.3, 1009.4 or 1009.5.

2. In assembly areas with ramped *aisles* or stepped *aisles*, one *accessible means of egress* is permitted where the common path of travel is accessible and meets the requirements in Section 1030.8.
3. Accessible means of egress may satisfy this section if designed in accordance with Article 9102, "Architectural Barriers," of Vernon's Texas Civil Statutes and the "Texas Accessibility Standards of the Architectural Barriers Act," adopted by the Texas Commission of Licensing and Regulation and built-in accordance with state certified plans, including any variances or waivers granted by the state."

161. Subsection [BE] 1010.1, "Doors," of Section 1010, "Doors, Gates and Turnstiles," of Chapter 10, "Means of Egress," of Part III, "Building and Equipment Design Features," of the 2021 International Fire Code is amended to read as follows:

**"[BE]1010.1 Doors.** Doors in the *means of egress* shall comply with the requirements of Sections 1010.1.1 through 1010.3.4. Exterior exit doors shall also comply with the requirements of Section 1022.2. Gates in the *means of egress* shall comply with the requirements of Sections 1010.4 and 1010.4.1. Turnstiles in the *means of egress* shall comply with the requirements of Sections 1010.5 through 1010.5.4.

Doors, gates and turnstiles provided for egress purposes in numbers greater than required by this code shall comply with the requirements of this section.

Doors in the *means of egress* shall be readily distinguishable from the adjacent construction and finishes such that the doors are easily recognizable as doors. Mirrors or similar reflecting materials shall not be used on *means of egress* doors. *Means of egress* doors shall not be concealed by curtains, drapes, decorations or similar materials.

Security and electronic locking devices affecting means of egress shall be subject to approval by the building official and subject to inspections by the fire code official.

**[BE]1010.1.1 Size of doors.** The required capacity of each door opening shall be sufficient for the *occupant load* thereof and shall provide a minimum clear opening width of 32 inches (813 mm). The clear opening width of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). Where this section requires a minimum clear opening width of 32 inches (813 mm) and a door opening includes two door leaves without a mullion, one leaf shall provide a minimum clear opening width of 32 inches (813 mm). In Group I-2, doors serving as *means of egress* doors where used for the movement of beds shall provide a minimum clear opening width of 41½ inches (1054 mm). The minimum clear opening height of doors shall be not less than 80 inches (2032 mm).

**Exceptions:**

1. In Group R-2 and R-3 *dwelling* and *sleeping units* that are not required to be an Accessible unit, Type A unit or Type B unit, the minimum width shall not apply to door openings that are not part of the required *means of egress*.
2. Group I-3 door openings to resident *sleeping units* that are not required to be an Accessible unit shall have a minimum clear opening width of 28 inches (711 mm).
3. Door openings to storage closets less than 10 square feet (0.93 m<sup>2</sup>) in area shall not be limited by the minimum clear opening width.
4. The maximum width of door leaves in revolving doors that comply with Section 1010.3.1 shall not be limited.
5. The maximum width of door leaves in power-operated doors that comply with Section 1010.3.2 shall not be limited.
6. Door openings within a *dwelling unit* or *sleeping unit* shall have a minimum clear opening height of 78 inches (1981 mm).
7. In *dwelling* and *sleeping units* that are not required to be Accessible, Type A or Type B units, exterior door openings, other than the required *exit* door, shall have a minimum clear opening height of 76 inches (1930 mm).
8. In Groups I-1, R-2, R-3 and R-4, in *dwelling* and *sleeping units* that are not required to be Accessible, Type A or Type B units, the minimum clear opening widths shall not apply to interior egress doors.
9. Door openings required to be *accessible* within Type B units intended for user passage shall have a minimum clear opening width of 31.75 inches (806 mm).
10. Doors to walk-in freezers and coolers less than 1,000 square feet (93 m<sup>2</sup>) in area shall have a maximum width of 60 inches (1524 mm) nominal.
11. Doors serving nonaccessible single-user shower or sauna compartments; toilet stalls; or dressing, fitting or changing rooms shall have a minimum clear opening width of 20 inches (508 mm).

**[BE]1010.1.1.1 Projections into clear opening.** There shall not be projections into the required clear opening width lower than 34 inches (864 mm) above the floor or

ground. Projections into the clear opening width between 34 inches (864 mm) and 80 inches (2032 mm) above the floor or ground shall not exceed 4 inches (102 mm).

**Exception:** Door closers, overhead door stops, power door operators, and electromagnetic door locks shall be permitted to be 78 inches (1980 mm) minimum above the floor.

**[BE]1010.1.2 Egress door types.** Egress doors shall be of the side-hinged swinging door, pivoted door or balanced door types.

**Exceptions:**

1. Private garages, office areas, factory and storage areas with an *occupant load* of 10 or less.
2. Group I-3 occupancies used as a place of detention.
3. Critical or intensive care patient rooms within suites of health care facilities.
4. Doors within or serving a single *dwelling unit* in Groups R-2 and R-3.
5. In other than Group H occupancies, revolving doors complying with Section 1010.3.1.
6. In other than Group H occupancies, special purpose horizontal sliding, accordion or folding door assemblies complying with Section 1010.3.3.
7. Power-operated doors in accordance with Section 1010.3.2.
8. Doors serving a bathroom within an individual *sleeping unit* in Group R-1.
9. In other than Group H occupancies, manually operated horizontal sliding doors are permitted in a *means of egress* from spaces with an *occupant load* of 10 or less.

**[BE]1010.1.2.1 Direction of swing.** Side-hinged swinging doors, pivoted doors and balanced doors shall swing in the direction of egress travel where serving a room or area containing an *occupant load* of 50 or more persons or a Group H occupancy.

**[BE]1010.1.3 Forces to unlatch and open doors.** The forces to unlatch doors shall comply with the following:

1. Where door hardware operates by push or pull, the operational force to unlatch the door shall not exceed 15 pounds (66.7 N).
2. Where door hardware operates by rotation, the operational force to unlatch the door shall not exceed 28 inch-pounds (315 N-cm).

The force to open doors shall comply with the following:

1. For interior swinging egress doors that are manually operated, other than doors required to be fire rated, the force for pushing or pulling open the door shall not exceed 5 pounds (22 N).
2. For other swinging doors, sliding doors or folding doors, and doors required to be fire rated, the door shall require not more than a 30-pound (133 N) force to be set in motion and shall move to a full open position when subjected to not more than a 15-pound (67 N) force.

**[BE]1010.1.3.1 Location of applied forces.** Forces shall be applied to the latch side of the door.

**[BE]1010.1.3.2 Manual horizontal sliding doors.** Where a manual horizontal sliding door is required to latch, the latch or other mechanism shall prevent the door from rebounding into a partially open position when the door is closed.

**[BE]1010.1.4 Floor elevation.** There shall be a floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level except for exterior landings, which are permitted to have a slope not to exceed 0.25 unit vertical in 12 units horizontal (2-percent slope).

**Exceptions:**

1. At doors serving individual *dwelling units* or *sleeping units* in Groups R-2 and R-3, a door is permitted to open at the top step of an interior flight of stairs, provided that the door does not swing over the top step.
2. At exterior doors serving Groups F, H, R-2 and S and where such doors are not part of an accessible route, the landing at an exterior door shall be not more than 7 inches (178 mm) below the landing on the egress side of the door, provided that the door, other than an exterior storm or screen door, does not swing over the landing.

3. At exterior doors serving Group U and individual *dwelling units* and *sleeping units* in Groups R-2 and R-3, and where such units are not required to be Accessible units, Type A units or Type B units, the landing at an exterior doorway shall be not more than 7<sup>3</sup>/<sub>4</sub> inches (197 mm) below the landing on the egress side of the door. Such doors, including storm or screen doors, shall be permitted to swing over either landing.
4. Variations in elevation due to differences in finish materials, but not more than 1/2 inch (12.7 mm).
5. Exterior decks, patios or balconies that are part of Type B *dwelling units* or *sleeping units*, that have impervious surfaces and that are not more than 4 inches (102 mm) below the finished floor level of the adjacent interior space of the *dwelling unit* or *sleeping unit*.
6. Doors serving equipment spaces not required to be accessible in accordance with Section 1103.2.9 of the Dallas~~[International]~~ *Building Code* and serving an *occupant load* of five or less shall be permitted to have a landing on one side to be not more than 7 inches (178 mm) above or below the landing on the egress side of the door.

**[BE]1010.1.5 Landings at doors.** Landings shall have a width not less than the width of the *stairway* or the door, whichever is greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches (178 mm). Where a landing serves an *occupant load* of 50 or more, doors in any position shall not reduce the landing to less than one-half its required width. Landings shall have a length measured in the direction of travel of not less than 44 inches (1118 mm).

**Exception:** Landing length in the direction of travel in Groups R-3 and U and within individual units of Group R-2 need not exceed 36 inches (914 mm).

**[BE]1010.1.6 Thresholds.** Thresholds at doorways shall not exceed 3/4 inch (19.1 mm) in height above the finished floor or landing for sliding doors serving *dwelling units* or 1/2 inch (12.7 mm) above the finished floor or landing for other doors. Raised thresholds and floor level changes greater than 1/4 inch (6.4 mm) at doorways shall be beveled with a slope not greater than 1 unit vertical in 2 units horizontal (50-percent slope).

**Exceptions:**

1. In occupancy Group R-2 or R-3, threshold heights for sliding and side-hinged exterior doors shall be permitted to be up to 7<sup>3</sup>/<sub>4</sub> inches (197 mm) in height if all of the following apply:

- 1.1. The door is not part of the required *means of egress*.
- 1.2. The door is not part of an *accessible route* as required by Chapter 11 of the Dallas~~[International]~~ *Building Code*.
- 1.3. The door is not part of an accessible unit, Type A unit or Type B unit.
2. In Type B units, where Exception 5 to Section 1010.1.4 permits a 4-inch (102 mm) elevation change at the door, the threshold height on the exterior side of the door shall not exceed 4<sup>3</sup>/<sub>4</sub> inches (120 mm) in height above the exterior deck, patio or balcony for sliding doors or 4<sup>1</sup>/<sub>2</sub> inches (114 mm) above the exterior deck, patio or balcony for other doors.

**[BE]1010.1.7 Door arrangement.** Space between two doors in a series shall be 48 inches (1219 mm) minimum plus the width of a door swinging into the space. Doors in a series shall swing either in the same direction or away from the space between the doors.

**Exceptions:**

1. The minimum distance between horizontal sliding power-operated doors in a series shall be 48 inches (1219 mm).
2. Storm and screen doors serving individual *dwelling units* in Groups R-2 and R-3 need not be spaced 48 inches (1219 mm) from the other door.
3. Doors within individual *dwelling units* in Groups R-2 and R-3 other than within Type A *dwelling units*."

162. Paragraph [BE]1010.2.5, "Bolt Locks," of Subsection [BE] 1010.2, "Door Operations," of Section 1010, "Doors, Gates and Turnstiles," of Chapter 10, "Means of Egress," of Part III, "Building and Equipment Design Features," of the 2021 International Fire Code is amended to read as follows:

**"[BE] 1010.2.5 Bolt locks.** Manually operated flush bolts or surface bolts are not permitted.

**Exceptions:**

1. On doors not required for egress in individual *dwelling units* or *sleeping units*.



2. Where a pair of doors serves a storage or equipment room, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf.
3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf. The inactive leaf shall not contain doorknobs, panic bars or similar operating hardware.
4. Where a pair of doors serves a Group A, B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress capacity requirements and the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1. The inactive leaf shall not contain doorknobs, panic bars or similar operating hardware.
5. Where a pair of doors serves patient care rooms in Group 1-2 occupancies, self-latching edge- or surface-mounted bolts are permitted on the inactive leaf provided that the inactive leaf is not needed to meet egress capacity requirements and the inactive leaf shall not contain doorknobs, panic bars or similar operating hardware.”

163. Paragraph [BE] 1010.2.7, “Stairway Doors,” of Subsection [BE] 1010.2, “Door Operations,” of Section 1010, “Doors, Gates and Turnstiles,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Standards,” of the 2021 International Fire Code is amended to read as follows:

“[BE] 1010.2.7 **Stairway doors.** Interior *stairway means of egress* doors shall be openable from both sides without the use of a key or special knowledge or effort.

**Exceptions:**

1. *Stairway* discharge doors shall be openable from the egress side and shall only be locked from the opposite side.
2. This section shall not apply to doors arranged in accordance with Section 403.5.3 of the Dallas [~~International~~] *Building Code*.
3. In stairways serving buildings other than a high-rise building s[~~S~~] *tairway* exit doors are permitted to be locked from the side opposite the egress side, provided that they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the *fire command center*, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

4. *Stairway exit* doors shall be openable from the egress side and shall only be locked from the opposite side in Group B, F, M and S occupancies where the only interior access to the tenant space is from a single *exit stairway* where permitted in Section 1006.3.4.
5. *Stairway exit* doors shall be openable from the egress side and shall only be locked from the opposite side in Group R-2 occupancies where the only interior access to the *dwelling unit* is from a single exit stairway where permitted in Section 1006.3.4.”

164. Paragraph [BE] 1010.2.11, “Door Hardware Release of Electrically Locked Egress Doors,” of Paragraph 1010.2, “Door Operations,” of Section 1010, “Doors, Gates and Turnstiles,” of Chapter 10, “Means of Egress,” of Part III, Building and Equipment Design Standards,” of the 2021 International Fire Code is amended to read as follows:

**“[BE] 1010.2.11 Door hardware release of electrically locked egress doors. Doors in all occupancies are permitted to be equipped with approved, listed electronic locks which must be installed in accordance with this section if the building is protected throughout with an automatic sprinkler system, a fire alarm system, a smoke detection system or with UL 268 smoke detectors installed on each interior side of all doors provided with electronic locks. The locking system units shall be listed in accordance with UL 294. [hardware release of electric locking systems shall be permitted on doors in the means of egress in any occupancy except Group H where installed and operated in accordance with all of the following:**

- ~~1. The door hardware that is affixed to the door leaf has an obvious method of operation that is readily operated under all lighting conditions.~~
- ~~2. The door hardware is capable of being operated with one hand and shall comply with Section 1010.2.1.~~
- ~~3. Operation of the door hardware directly interrupts the power to the electric lock and unlocks the door immediately.~~
- ~~4. Loss of power to the electric locking system automatically unlocks the door.~~
- ~~5. Where panic or fire exit hardware is required by Section 1010.2.9, operation of the panic or fire exit hardware also releases the electric lock.~~
- ~~6. The locking system units shall be listed in accordance with UL 294.]~~

**Exception:** Electronic strikes or electronic mortise locks that do not impede egress are not subject to these requirements.

**1010.2.11.1 Ability to exit.** Regardless of the location of the device or the level of security desired, the ability to exit at the option of the individual, not the controlling authority, must always be provided.

**Exceptions:**

1. Locations for occupants needing self-protection because of reduced mental capacities such as mental or Alzheimer care hospitals may have release mechanisms as further specified in Section 1010.2.11.4
2. Locations where national security interests are present with approval of the *building official*.
3. Modified arrangements may be made for nursery and obstetric areas, assisted living facilities and other similar facilities with approval of the *building official*. (Note: For interior locations such as elevator lobbies, access includes passage into and through the tenant space being secured to provide access to the stairway. If access through the secured area is not desired, another exiting method such as providing a public corridor to the stairway should be utilized.)

**1010.2.11.2 General.** Electronic locking devices installed in such a manner that the method of unrestricted exiting relies upon electricity or electronics instead of mechanical means shall comply with the provisions set forth in this section. General guidelines for such installation are as follows:

1. Entrance doors in buildings with an occupancy in Group A, B, E or M shall not be secured from the egress side during periods that the building is open to the general public.
2. Access to exits, even in non-fire situations, shall be available to all individuals, even those individuals that are considered as unauthorized. Manually activated release mechanisms shall be made available. For specific provisions and exceptions, see Section 1010.2.11.4
3. For emergency situations, buildings shall be provided with an automatic release mechanism as specified in Section 1010.2.11.5.
4. Once released, the door shall swing freely as a push/pull door. For specific provisions and exceptions, see Section 1010.2.11.6.
5. Request to exit buttons, break glass boxes and emergency pull boxes, with their required signs, shall be installed in accordance with Sections 1010.2.11.4 and 1010.2.11.7.
6. All devices used in a fire rated/fire door situation shall be approved for such use.

**1010.2.11.3 Permits and inspections.** A separate permit is required to install electronic security devices. Permits will be issued as SE permits and the fee will be based on the value of the work. Delayed egress locks meeting the criteria set forth in Section 1010.2.11.7 will not require separate permits. Electronic security devices shall be approved by the *building official* and shall be functionally tested by the fire marshal.

**1010.2.11.4 Access to exits/manual release mechanisms.** Passage through the secured door shall be provided.

(Note: Under usual circumstances, passage by individuals on the inside, going to the outside, is made available. Controls are usually installed to prevent unauthorized entry. Examples of such installations are the lobby entrance doors where exiting is by pushing the exit button.)

Normal passage shall be provided with the use of an approved button installed in accordance with Section 1010.2.11.7.

Other acceptable normal release methods for all other occupancies may include options as follows:

1. Pushing on or making contact with an approved electronic release bar. Such bars shall be installed such that they will fail in the released position should the electrical connection with the bar be lost.
2. Where panic or fire exit hardware is required by Section 1010.2.9, operation of the listed panic or fire exit hardware also releases the electromagnetic lock.
3. Use of an approved motion detector. Upon detection of an approach, the device will unlatch. When using a motion detector, a release button in accordance with Section 1010.2.11.7 is still required to be installed in case of failure or inaccurate detection of the motion device.

When access to the exits requires passage through the device, manual release mechanisms shall be made available.

(Note: Examples of such installations that shall provide a manual override method are as follows:

1. Elevator lobbies on full floor tenants. Access to the exit stairs is controlled and the exit path is through the device and tenant space. To permit access to the stairs, a manual override system shall be installed.
2. Warehouses/factories where employees are required to enter and exit through one point. Use of other building exits are undesired and controlled. A manual override system shall still be installed at the controlled exits.

3. Secured systems where employee ingress/egress is monitored at all secured doors. A manual override system shall still be installed at each door.
4. Occupancies like jewelry stores where the desire is to buzz entry and exit. Buzzing entry is acceptable. Buzzing exit may be used but a manual override system shall still be installed at the door.)

When passage of individuals is undesired, unless other approved exits are available, access at the option of the individual shall be provided. Acceptable release methods may include options as follows:

1. An emergency pull box or a break glass emergency box may be located adjacent to the door to activate the release in an emergency. Choice of box shall be approved by the fire chief so as not to be confused with any other alarm boxes. An approved sign shall be adjacent to the box with the appropriate message such as "Pull to Open Door" or "Break Glass to Open Door."
2. When approved by the building official, a release button will not be required for buildings provided with an approved automatic sprinkler system throughout with monitored 24-hour security personnel on site, if a means for two-way communication with security such as intercom or telephone is provided in an approved location. Controls shall be provided at the security station for unlatching the electronic device. The two-way communication system shall be wired through a supervised circuit as defined in the *Dallas Fire Code*.
3. In I Occupancies provided with an approved automatic sprinkler system throughout, the release button will not be required provided a control for releasing the device is provided at a nurse station and a deactivation method, e.g. a keyed control, a control pad or card reader, is provided at the door and staff is supplied with the appropriate tool or knowledge to operate the release mechanism.

**1010.2.11.5 Automatic release mechanisms.** Electronic locking devices shall have automatic releasing that complies with the following:

1. Automatically release upon activation of the smoke detection or fire alarm system, if provided. The control devices shall remain unlocked until the system has been reset.
2. When the area of concern has a sprinkler system, automatically release upon activation of a waterflow alarm or trouble signal. The control devices shall remain unlocked until the system is reset.
3. Automatically release upon loss of electrical power to the building or to the electronic device. Locking mechanisms shall not be provided with emergency backup power such as generators or batteries.

4. Automatically release upon activation of a manual release mechanism as specified in Section 1010.2.11.4 and as further specified in Section 1010.2.11.7.

Manually resetting the devices is not required. Automatically resetting the devices may be done by zone.

**1010.2.11.5.1 Zone control.** Deactivation of the device(s) may be zone controlled as follows:

1. All devices on the same floor as the source of activation in fully sprinklered buildings.
2. All devices on the same floor as the source of activation of the smoke detection system plus one floor below and all floors above in unsprinklered buildings.

(Note: When security is still desired after the automatic release of the system, or when positive latching is necessary for fire door installation, it is still possible to maintain security provided the appropriate combination of devices is installed. As an example, use of panic hardware or doorknobs that provide mechanical exiting at all times, but do not function from the exterior unless electronically activated, will still provide a secured door. It will provide the required manual exiting but entry by card or code is not available until the system resets.

No such provision of restricting entry can be used when passage through the device is necessary for access to the exit. As an example, when the elevator lobby is secured from the exit stairs by a full floor tenant, upon automatic activation those devices shall release and access be provided through the tenant space to the stairs. A manual locking system cannot be installed to insure security.)

**1010.2.11.6 Door swing freely/single exit motion.** Doors shall swing freely when the device is released.

(Note: It is required that the exit motion require only one activity. With normal doors, one activity is pushing the mechanical panic bar or turning the mechanical doorknob. With an electronic device, one motion is pushing the button; therefore, pushing the button and pushing a panic bar or turning a doorknob would be two activities. An acceptable alternative is to use a motion detector (push button is still required). The motion detector will release the device upon approach and turning the doorknob is now just one activity. The push button is only necessary should the motion device fail. Another option is to use an electronic panic bar. One motion, pushing the bar, is for exiting but entry is controlled. Or, use of an electronic doorknob where exiting is always mechanical but the entry side does not engage without electronic activation.)

**Exception:** When doors are required to have positive latching, the building official and fire chief shall determine:

1. if a double motion to exit, i.e. the release of the electronic device then the operation of a door knob or push bar, is an acceptable exit means; or
2. if the latch should be designed to fail in the secure position; or
3. whether to deny the usage of the locks.

**1010.2.11.7 Request to exit buttons/break glass boxes/emergency pull boxes.** Exit buttons, break glass boxes and emergency pull boxes shall be installed as follows:

1. **Button.** The release button shall be red in color and at least a two-inch (50.8 mm) mushroom switch or two-inch (50.8 mm) square lexan palm button.
2. **Location.** The button, break glass box or emergency pull box shall be located 40 inches (1016 mm) to 48 inches (1219 mm) vertically above the floor and within five feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device.
3. **Sign.** An approved sign shall be adjacent to the button, break glass box or emergency pull box with the words “Push to Exit” or “Pull to Exit” as applicable. Sign lettering shall be white on a red background and at least one inch (25 mm) in height and shall have a stroke of not less than <sup>1</sup>/<sub>RR8RR</sub> inch (3.2 mm).
4. **Activation.** When operated, the manual unlocking device shall result in direct interruption of power to the device, independent of the access control system electronics, and the device shall remain unlocked for a minimum of 30 seconds. It shall not be required that the release mechanism be constantly held, such as holding down the button, to get out.  
  
(Note: When buzzing someone out, holding down the button is acceptable; however, the manual release device installed at the door, even those required in the occupancy using buzzing, shall not require constant holding down to exit.)
5. **Time delay.** Exit devices in accordance with this section shall not possess a time delay option.”

165. Subsection [BE] 1011.9, “Curved Stairways,” of Section 1011, “Stairways,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“[BE]1011.9 Curved stairways.** Curved *stairways* with *winder* treads shall have treads and risers in accordance with Section 1011.5 and the smallest radius shall be not less than twice the minimum width or required capacity of the *stairway*.

**Exceptions:**

1. The radius restriction shall not apply to curved *stairways* in Group R-3, and within individual *dwelling units* in Group R-2.
2. Private circular stairways may be used as convenience stairways, provided the width of the stairway shall not be less than 44 inches (1711.6 mm) with the interior radius not less than 44 inches (1711.6 mm). In all cases, the stairway shall comply with the structural provisions and Chapter 6 of the *Dallas Building Code*.

166. Subsection [BE]1016.2, “Egress Through Intervening Spaces,” of Section 1016, “Exit Access,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“[BE]1016.2 Egress through intervening spaces.** Egress through intervening spaces shall comply with this section.

1. *Exit access* through an enclosed elevator lobby is permitted. Where access to two or more *exits* or *exit access doorways* is required in Section 1006.2.1, access to not less than one of the required *exits* shall be provided without travel through the enclosed elevator lobbies required by Section 3006 of the *Dallas* [~~*International*~~] *Building Code*. Where the path of *exit access* travel passes through an enclosed elevator lobby the level of protection required for the enclosed elevator lobby is not required to be extended to the *exit* unless direct access to an *exit* is required by other sections of this code.
2. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other; are not a Group H occupancy and provide a discernible path of egress travel to an *exit*.

**Exception:** *Means of egress* are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy where the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.

3. An *exit access* shall not pass through a room that can be locked to prevent egress.
4. *Means of egress* from *dwelling units* or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.



5. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

**Exceptions:**

1. *Means of egress* are not prohibited through a kitchen area serving adjoining rooms constituting part of the same *dwelling unit* or *sleeping unit*.
2. *Means of egress* are not prohibited through stockrooms in Group M occupancies when all of the following are met:
  - 2.1. The stock is of the same hazard classification as that found in the main retail area.
  - 2.2. Not more than 50 percent of the *exit access* is through the stockroom.
  - 2.3. The stockroom is not subject to locking from the egress side.
  - 2.4. There is a demarcated, minimum 44-inch-wide (1118 mm) *aisle* defined by full- or partial-height fixed walls or similar construction that will maintain the required width and lead directly from the retail area to the *exit* without obstructions.
3. In a building protected throughout by an approved automatic sprinkler system, one exit may pass through a kitchen or storeroom provided the following are met:
  - 3.1. The exit door is visible upon entering the kitchen or storeroom and is clearly marked and identifiable as an exit.
  - 3.2. The required exit width through the kitchen or storeroom is permanently marked and maintained clear and unobstructed.

**[BE]1016.2.1 Multiple tenants.** Where more than one tenant occupies any one floor of a building or structure, each tenant space, *dwelling unit* and *sleeping unit* shall be provided with access to the required *exits* without passing through adjacent tenant spaces, *dwelling units* and *sleeping units*.

**Exception:** The *means of egress* from a smaller tenant space shall not be prohibited from passing through a larger adjoining tenant space where such rooms or spaces of the smaller tenant occupy less than 10 percent of the area of the larger tenant space through which they pass; are the same or similar occupancy group; a discernable path of egress travel to an *exit* is provided; and the *means of egress* into the adjoining space is not subject to locking from the egress side. A required *means of egress* serving the larger tenant space shall not pass through the smaller tenant space or spaces.”

167. Subsection [BE] 1020.2, “Construction,” of Section 1020, “Corridors,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

“[BE] **1020.2 Construction.** *Corridors shall be fire-resistance rated in accordance with Table 1020.2. The corridor walls required to be fire-resistance rated shall comply with Section 708 of the Dallas [~~International~~] Building Code for fire partitions.*

**Exceptions:**

1. *A fire-resistance rating is not required for corridors in an occupancy in Group E where each room that is used for instruction has not less than one door opening directly to the exterior and rooms for assembly purposes have not less than one-half of the required means of egress doors opening directly to the exterior. Exterior doors specified in this exception are required to be at ground level.*
2. *A fire-resistance rating is not required for corridors contained within a dwelling unit or sleeping unit in an occupancy in Groups I-1 and R.*
3. *A fire-resistance rating is not required for corridors in open parking garages.*
4. *A fire-resistance rating is not required for corridors in an occupancy in Group B that is a space requiring only a single means of egress complying with Section 1006.2.*
5. *Corridors adjacent to the exterior walls of buildings shall be permitted to have unprotected openings on unrated exterior walls where unrated walls are permitted by Table 705.5 of the Dallas [~~International~~] Building Code and unprotected openings are permitted by Table 705.8 of the Dallas [~~International~~] Building Code.*
6. *Corridor walls and ceilings need not be of fire-resistive construction within the applicable single tenant space as listed in Table 1020.2 in the Dallas Building Code when the space is equipped with an approved automatic smoke detection system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor. The smoke detection system shall be connected to the building’s fire alarm system where such a system is provided.*

**[BE]1020.2.1 Hoistway opening protection.** Elevator hoistway openings shall be protected in accordance with Section 3006.2.1 of the Dallas[~~International~~] Building Code.”

168. Subsection [BE] 1031.2, “Where Required,” of Section 1031, “Emergency Escape and Rescue,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“[BE] 1031.2 Where required.** In addition to the *means of egress* required by this chapter, *emergency escape and rescue openings* shall be provided in Group R and I-1.

*Basements* and sleeping rooms below the fourth *story above grade plane* shall have not fewer than one *emergency escape and rescue opening* in accordance with this section. Where *basements* contain one or more sleeping rooms, an *emergency escape and rescue opening* shall be required in each sleeping room but shall not be required in adjoining areas of the *basement*. Such openings shall open directly into a *public way* or to a yard or *court* that opens to a *public way*.

**Exceptions:**

1. *Basements* with a ceiling height of less than 80 inches (2032 mm) shall not be required to have *emergency escape and rescue openings*.
2. *Emergency escape and rescue openings* are not required from *basements* or sleeping rooms that have an *exit door* or *exit access door* that opens directly into a *public way* or to a *yard, court* or exterior egress balcony that opens to a *public way*.
3. *Basements* without *habitable spaces* and having not more than 200 square feet (18.6 m<sup>2</sup>) in floor area shall not be required to have *emergency escape and rescue openings*.
4. *Storm shelters* are not required to comply with this section where the shelter is constructed in accordance with ICC 500.
5. Within individual *dwelling* and *sleeping units* in Groups R-2 and R-3, where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, sleeping rooms in *basements* shall not be required to have *emergency escape and rescue openings* provided that the *basement* has one of the following:
  - 5.1. One *means of egress* and one *emergency escape and rescue opening*.
  - 5.2. Two *means of egress*.

**[BE]1031.2.1 Operational constraints and opening control devices.** Emergency escape and rescue openings shall be operational from inside the room without the use of keys or tools. Window-opening control devices complying with ASTM F2090 shall be permitted for use on windows serving as a required emergency escape and rescue opening.”

169. Subsection 1032.2, “Reliability,” of Section 1032, “Maintenance of the Means of Egress,” of Chapter 10, “Means of Egress,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“1032.2 Reliability.** Required *exit accesses*, *exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency [~~where the building area served by the means of egress is occupied~~]. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a *means of egress*.

**1032.2.1 Security devices and egress locks.** Security devices affecting *means of egress* shall be subject to approval of the *fire code official*. Security devices and locking arrangements in the *means of egress* that restrict, control, or delay egress shall be installed and maintained as required by this chapter.

**1032.2.1.1 Fire escapes.** Security enclosures, fences or screening for fire escape stairways shall be *approved* by the *fire code official* and shall be constructed such that they do not impede egress to the *public way*. Means shall be provided for emergency personnel to access the fire escape stair from the exterior of the enclosure.

**[BE] 1032.2.2 Locking arrangements in educational occupancies.** In Group E occupancies, Group B educational occupancies and Group I-4 occupancies, egress doors from classrooms, offices and other occupied rooms shall be permitted to be provided with locking arrangements designed to keep intruders from entering the room where all of the following conditions are met:

1. The door shall be capable of being unlocked from outside the room with a key or other approved means.
2. The door shall be openable from within the room in accordance with Section 1010.2.
3. Modifications shall not be made to existing listed panic hardware, fire door hardware or door closers.
4. Modifications to fire door assemblies shall be in accordance with NFPA 80.”

170. Section 1101, “General,” of Chapter 11, “Construction Requirements for Existing Buildings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Subsection 1101.5, “Installation Acceptance Testing of Fire and Life Safety System Components for Existing Buildings,” to read as follows:

**“1101.5 Installation acceptance testing of fire and life safety system components for existing buildings.** The installation, upgrades or repairs to fire and life safety systems in existing buildings and appurtenances thereto shall be in accordance with Section 901.5.

**1101.5.1 Fire alarm system design standards.** Where an existing fire alarm system is upgraded or replaced, including fire alarm control panel replacements, the devices shall be addressable. Fire alarm systems utilizing more than 20 initiating devices shall be analog addressable systems. When provided, visual alarm notification appliances shall be installed throughout all contiguous spaces (tenant space, lease space or other definable boundaries) as approved by the *fire code official*.

**Exception:** Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application pending *fire code official* approval.

**1101.5.2 Monitoring requirements.** Refer to Section 907.6.6 for applicable requirements.”

171. Subsection 1103.5, “Sprinkler Systems,” of Section 1103, “Fire Safety Requirements for Existing Buildings,” of Chapter 11, “Construction Requirements for Existing Buildings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Paragraph 1103.5.6, “Spray Booths and Rooms,” to read as follows:

**“1103.5.6 Spray booths and rooms.** Existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.”

172. Subsection 1103.7, “Fire Alarm Systems,” of Section 1103, “Fire Safety Requirements for Existing Buildings,” of Chapter 11, “Construction Requirements for Existing Buildings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding Paragraph 1103.7.7, “Group A,” to read as follows:

**“1103.7.7 Group A.** A fire alarm system shall be installed in existing Group A occupancies in accordance with Section 907.2.1.

**Exception:** Group A-S occupancies.”

173. Subsection 1103.7, “Fire Alarm Systems,” of Section 1103, “Fire Safety Requirements for Existing Buildings,” of Chapter 11, “Construction Requirements for Existing Buildings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding Paragraph 1103.7.8, “Group B,” to read as follows:

**“1103.7.8 Group B.** A fire alarm system shall be installed in existing Group B occupancies in accordance with Section 907.2.2.”

174. Subsection 1103.7, “Fire Alarm Systems,” of Section 1103, “Fire Safety Requirements for Existing Buildings,” of Chapter 11, “Construction Requirements for Existing Buildings,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding Paragraph 1103.7.9, “Group M,” to read as follows:

**“1103.7.9 Group M.** A fire alarm system shall be installed in existing Group M occupancies in accordance with Section 907.2.7.”

175. Paragraph 1203.1.3, “Installation,” of Subsection 1203.1, “General,” of Section 1203, “Emergency and Standby Power Systems,” of Chapter 12, “Energy Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“1203.1.3 Installation.** Emergency power systems and standby power systems shall be installed in accordance with the *Dallas [International] Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.”

176. Paragraph 1203.1.5, “Load Duration,” of Subsection 1203.1, “General,” of Section 1203, “Emergency and Standby Power Systems,” of Chapter 12, “Energy Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“1203.1.5 Load duration.** Emergency power systems and standby power systems shall be designed to provide the required power for a minimum duration of 2 hours without being refueled or recharged, unless specified otherwise in this code.

**Exception:** Where the system is supplied with natural gas from a utility provider and is approved.”

177. Subsection 1203.1, “General,” of Section 1203, “Emergency and Standby Power Systems,” of Chapter 12, “Energy Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended by adding a new Paragraph 1203.1.10, “Critical Operations Power Systems (COPS),” to read as follows:

**“1203.1.10 Critical operations power systems (COPS).** For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security or business continuity, see NFPA 70.”

178. Subsection 1203.2, “Where Required,” of Section 1203, “Emergency and Standby Power Systems,” of Chapter 12, “Energy Systems,” of Part III, “Building and Equipment Design Features,” of the 2021 International Fire Code is amended to read as follows:

**“1203.2 Where required.** Emergency and standby power systems shall be provided where required by Sections 1203.2.1 through 1203.2.26 or elsewhere identified in this code or any other referenced code[1203.2.19].”

**1203.2.1 Ambulatory care facilities.** Essential electrical systems for ambulatory care facilities shall be in accordance with Section 422.6 of the Dallas[~~International~~] *Building Code*.

**1203.2.2 Elevators and platform lifts.** Standby power shall be provided for elevators and platform lifts as required in Sections 604.3, 1009.4.1 and 1009.5.

**1203.2.3 Emergency responder communication coverage systems.** Standby power shall be provided for inbuilding, two-way emergency responder communication coverage systems as required in Section 510.4.2.3. The standby power supply shall be capable of operating the in-building, two-way emergency responder communication coverage system at 100-percent system operation capacity for a duration of not less than 12 hours.

**1203.2.4 Emergency voice/alarm communications systems.** Standby power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, in accordance with NFPA 72:

Covered and Open Malls, Section 907.2.19 and 914.2.3.

Group A Occupancies, Sections 907.2.1 and 907.5.2.2.4.

Special Amusement Buildings, Section 907.2.11.

High-rise Buildings, Section 907.2.12.

Atriums, Section 907.2.13.

Deep Underground Buildings, Section 907.2.18.

**1203.2.5 Exhaust ventilation.** Standby power shall be provided for mechanical exhaust ventilation systems as required in Section 1207.6.1.2.1. The system shall be capable of powering the required load for a duration of not less than 2 hours.

**1203.2.6 Exit signs.** Emergency power shall be provided for exit signs as required in Section 1013.6.3. The system shall be capable of powering the required load for a duration of not less than 90 minutes.

**1203.2.7 Gas detection systems.** Emergency power shall be provided for gas detection systems where required by Sections 1203.2.10 and 1203.2.17. Standby power shall be provided for gas detection systems where required by Sections 916.5 and 1207.6.1.2.4.

**1203.2.8 Group I-2 occupancies.** Essential electrical systems for Group I-2 occupancies shall be in accordance with Section 407.11 of the Dallas [~~International~~] *Building Code*.

**1203.2.9 Group I-3 occupancies.** Power-operated sliding doors or power-operated locks for swinging doors in Group I-3 occupancies shall be operable by a manual release mechanism at the door. Emergency power shall be provided for the doors and locks.

**Exceptions:**

1. Emergency power is not required in facilities where provisions for remote locking and unlocking of occupied rooms in Occupancy Condition 4 are not required as set forth in the Dallas [~~International~~] *Building Code*.
2. Emergency power is not required where remote mechanical operating releases are provided.



**1203.2.10 Hazardous materials.** Emergency and standby power shall be provided in occupancies with hazardous materials as required in the following sections:

1. Sections 5004.7 and 5005.1.5 for hazardous materials.
2. Sections 6004.2.2.8 and 6004.3.4.2 for highly toxic and toxic gases.
3. Section 6204.1.11 for organic peroxides.

**1203.2.11 High-rise buildings.** Standby power and emergency power shall be provided for high-rise buildings as required in Section 403 of the Dallas [~~International~~] *Building Code*, and shall be in accordance with Section 1203.

**1203.2.12 Special purpose horizontal sliding doors.** Standby power shall be provided for horizontal sliding doors as required in Section 1010.3.3. The standby power supply shall have a capacity to operate not fewer than 50 closing cycles of the door.

**1203.2.13 Hydrogen fuel gas rooms.** Standby power shall be provided for hydrogen fuel gas rooms as required by Section 5808.7.

**1203.2.14 Laboratory suites.** Standby or emergency power shall be provided in accordance with Section 5004.7 where *laboratory suites* are located above the sixth story above *grade plane* or located in a story below *grade plane*.

**1203.2.15 Means of egress illumination.** Emergency power shall be provided for *means of egress* illumination in accordance with Sections 1008.3 and 1104.5.1

**1203.2.16 Membrane structures.** Emergency power shall be provided for exit signs in temporary tents and membrane structures in accordance with Section 3103.12.6. Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the Dallas [~~International~~] *Building Code*. Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4.

**1203.2.17 Semiconductor fabrication facilities.** Emergency power shall be provided for semiconductor fabrication facilities as required in Section 2703.15.

**1203.2.18 Smoke control systems.** Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11;

Covered Mall Building, *Dallas Building Code*, Section 402.7

Atriums, *Dallas Building Code*, Section 404.7

Underground Buildings, *Dallas Building Code*, Section 405.8

Group I-3, Dallas Building Code, Section 408.4.2

Stages, Dallas Building Code, Section 410.2.5

Special Amusement Buildings (as applicable to Group A's), Dallas Building Code, Section 411.1

Smoke Protected Seating, Section 1030.6.2.

**1203.2.19 Underground buildings.** Emergency and standby power shall be provided in underground buildings as required in Section 405 of the Dallas [International] Building Code and shall be in accordance with Section 1203.

**1203.2.20 Covered and open mall buildings.** Emergency power shall be provided in accordance with Section 907.2.19 and 914.2.3.

**1203.2.21 Airport traffic control towers.** A standby power system shall be provided in airport traffic control towers more than 65 feet in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

**1203.2.22 Smokeproof enclosures and stair pressurization alternative.** Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by Section 909.20.6.2 of the Dallas Building Code.

**1203.2.23 Elevator pressurization.** Standby power shall be provided for elevator pressurization system as required by Section 909.21.5 of the Dallas Building Code.

**1203.2.24 Elimination of smoke dampers in shaft penetrations.** Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with Section 717.5.3, exception 2.3 of the Dallas Building Code.

**1203.2.25 Common exhaust systems for clothes dryers.** Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the Section 504.10, Item 7 Dallas Mechanical Code.

**1203.2.26 Means of egress illumination in existing buildings.** Emergency power shall be provided for means of egress illumination in accordance with Section 1104.5 when required by the fire code official."

179. Subsection 2301.1, “Scope,” of Section 2301, “General,” of Chapter 23, “Motor Fuel-Dispensing Facilities and Repair Garages,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“2301.1 Scope.** Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, aircraft motor-vehicle fuel-dispensing facilities and repair garages shall be in accordance with this chapter and the Dallas [International] Building Code, Dallas [International] Fuel Gas Code and Dallas [International] Mechanical Code. Such operations shall include both those that are open to the public and private operations. Flammable and combustible liquids, compressed natural gas, hydrogen and liquefied petroleum gas shall also be in accordance with Chapters 57, 58 and 61.”

180. Subsection 2301.3, “Construction Documents,” of Section 2301, “General,” of Chapter 23, “Motor Fuel-Dispensing Facilities and Repair Garages,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“2301.3 Construction documents.** *Construction documents* shall be submitted for review and approval prior to the installation or construction of automotive, marine or fleet vehicle motor fuel-dispensing facilities and repair garages [~~in accordance with Section 106.1~~]. Site plans shall be submitted that illustrate the location of flammable liquid, LP-gas, compressed natural gas (CNG), or hydrogen storage vessels, or liquefied natural gas (LNG) and their spatial relation to each other, property lines and building openings. Both aboveground and underground storage vessels shall be shown on plans. For each type of station, plans and specifications shall include, but not be limited to, the following:

1. **Flammable and combustible liquids:** the type and design of underground and aboveground liquid storage tanks; the location and design of the fuel dispensers and dispenser nozzles; the design and specifications for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and venting components.
2. **Liquefied petroleum gas:** equipment and components as required in NFPA 58; the location and design of the LP-gas dispensers and dispenser nozzles; the design, specifications and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components.

3. **Compressed natural gas:** when provided, the location of CNG compressors; the location and design of CNG dispensers and vehicle fueling connections; the design, specification and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specification for fuel storage and pressure-relief components.
4. **Hydrogen:** when provided, the location of equipment used for generation of hydrogen; the location of hydrogen compressors; the location and design of hydrogen dispensers and vehicle fueling connections; the design, specification and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specification for fuel storage and pressure-relief components.
5. **Liquefied natural gas:** equipment and components as required in NFPA 52 and NFPA 59A; the location and design of the LP-gas dispensers and dispenser nozzles; the design, specifications and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components.”

181. Subsection 2304.1, “Supervision of Dispensing,” of Section 2304, “Dispensing Operations,” of Chapter 23, “Motor Fuel-Dispensing Facilities and Repair Garages,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“2304.1 Supervision of dispensing.** The dispensing of fuel at motor fuel-dispensing facilities shall be ~~[conducted by a qualified attendant or shall be under the supervision of a qualified attendant at all times or shall be]~~ in accordance with the following:

1. Conducted by a qualified attendant;
2. Conducted under the supervision of a qualified attendant; or
3. Conducted as an unattended self-service facility in accordance with Section 2304.3.

At any time the qualified attendant of item number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall comply with Section 2304.3.”

182. Subsection 2401.2, “Nonapplicability,” of Section 2401, “General,” of Chapter 24, “Flammable Finishes,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is deleted.

183. Subsection 2404.2, “Location of Spray-Finishing Operations,” of Section 2404, “Spray Finishing,” of Chapter 24, “Flammable Finishes,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended by adding a new Paragraph 2404.2.1, “Prohibited Locations,” to read as follows:

**“2404.2.1 Prohibited locations.** Outside spraying or spray-finishing operations in basements or subbasements are prohibited except when approved by the *fire code official*.”

184. Subsection 2404.4, “Fire Protection,” of Section 2404, “Spray Finishing,” of Chapter 24, “Flammable Finishes,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“2404.4 Fire protection.** New and existing s[§]pray booths and spray rooms shall be protected by an *approved* automatic fire-extinguishing system complying with Chapter 9. Protection shall also extend to exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.

**2404.4.1 Fire extinguishers.** Portable fire extinguishers complying with Section 906 shall be provided for spraying areas in accordance with the requirements for an extra (high) hazard occupancy.”

185. Subsection 2410.4, “Ignition Sources,” of Section 2410, “Floor Surfacing and Finishing Operations,” of Chapter 24, “Flammable Finishes,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“2410.4 Ignition sources.** The power shall be shut down to all electrical sources of ignition within the flammable vapor area, unless those devices are classified for use in Class I, Division 1 hazardous locations. Open-flame devices and electrical equipment not classified for use in Class I locations, as defined in the *Dallas Electrical Code*, shall not be operated during or within four hours of the application of flammable or combustible liquids.”

186. Paragraph 2703.12.3, “Alarm Signals,” of Subsection 2703.12, “Emergency Alarm System,” of Section 2703, “General Safety Provisions,” of Chapter 27, “Semiconductor Fabrication Facilities,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“2703.12.3 Alarm signals.** Activation of the emergency alarm system shall sound a local alarm and transmit a signal to the *emergency control station*. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where the hazard is detected. The audible alarm shall be distinct from all other alarms.”

187. Chapter 31, “Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is retitled as Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures.”

188. Subsection 3103.2, “Approval Required,” of Section 3103, “Temporary Tents and Membrane Structures,” of Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3103.2 Approval required.** *Tents, ~~and~~ membrane structures, and canopies* having an area in excess of 399[400] square feet (37 m<sup>2</sup>) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official*. Site plans shall be submitted at least 15 days before the event for review and approval by the fire code official.

**Exceptions:**

1. *Tents* used exclusively for recreational camping purposes.
2. Fabric canopies and ~~t~~[~~T~~]ents open on all sides that comply with all of the following:
  - 2.1. Individual *tents and canopies* having a maximum size of 700 square feet (65 m<sup>2</sup>).

- 2.2. The aggregate area of multiple *tents or canopies* placed side by side without a fire break clearance of 12 feet (3658 mm) not exceeding 700 square feet (65 m<sup>2</sup>) total.
- 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other *tents or canopies*.
3. Awnings.
4. Tents or canopies having an occupant load of less than 10 persons.
5. Tents, membrane structures, and canopies required to be issued by the building official.”

189. Paragraph 3103.3.1, “Special Amusement Area,” of Subsection 3103.3, “Outdoor Assembly Event,” of Section 3103, “Temporary Tents and Membrane Structures,” of Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is deleted.

190. Subsection 3107.2, “Combustible Materials,” of Section 3107, “Operational Requirements,” of Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3107.2 Combustible materials.** Hay, straw, shavings or similar combustible materials shall not be located within any *tent* or *membrane structure* containing an assembly occupancy, except the materials necessary for the daily feeding and care of animals. Sawdust and shavings utilized for a public performance or exhibit shall not be prohibited provided the sawdust and shavings are kept damp. Combustible materials shall not be permitted under stands or seats at any time.

**Exception:** Hay, straw and similar combustible materials treated with a flame retardant in an approved manner when approved by the fire code official.”

191. Subsection 3107.3, “Smoking,” of Section 3107, “Operational Requirements,” of Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other

Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3107.3 Smoking.** Smoking shall not be permitted in *tents or membrane structures, or in adjacent areas where hay, straw, sawdust or other combustible materials are stored or used.* *Approved* “No Smoking” signs shall be conspicuously posted in accordance with Section 310.”

192. Subsection 3107.4, “Open or Exposed Flame,” of Section 3107, “Operational Requirements,” of Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3107.4 Open or exposed flame.** Open flame or other devices emitting flame, fire or heat or any *flammable or combustible liquids*, gas, charcoal or other cooking device or any other unapproved devices shall not be permitted inside or located within 20 feet (6096 mm) of the *tent canopy or membrane structures* while open to the public unless *approved* by the *fire code official*. When approved, cooking devices shall be located so there is a separation of 4 feet (1219 mm) between the flame and the tent, canopy or membrane structure material.”

193. Paragraph 3107.12.5, “Cooking Tents,” of Subsection 3107.12, “Heating and Cooking Equipment,” of Section 3107, “Operational Requirements,” of Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3107.12.5 Cooking tents.** *Tents* with sidewalks or drops where cooking is performed shall be separated from other *tents or membrane structures* by not less than of 20 feet (6096 mm). Cooking equipment shall be located so there is a separation of 4 feet (1219 mm) between the flame and the tent, canopy or membrane structure material.”

194. Subsection 3107.13, “LP-Gas,” of Section 3107, “Operational Requirements,” of Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021



International Fire Code is amended by adding a new Paragraph 3107.13.4, “Places of Exhibition,” to read as follows:

**“3107.13.4 Places of exhibition.** The operator of and exhibitors at premises used as a place of exhibition may use LP-gas inside a structure if:

1. The use is *approved* by the *fire code official* in writing; or
2. The use satisfies the requirements of Chapter 61 of this code and, when applied inside Fair Park, satisfies the requirements of Section 32-19 of the *Dallas City Code*.

**3107.13.4.1 Capacity.** When used inside structures, LP-gas containers shall not exceed a water capacity greater than 12 pounds (5 kg).”

195. Paragraph 3107.14.3, “Refueling,” of Subsection 3107.14, “Flammable and Combustible Liquids,” of Section 3107, “Operational Requirements,” of Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3107.14.3 Refueling.** Refueling shall be performed in an *approved* location not less than 20 feet (6096 mm) from *tents, canopies, or membrane structures*. Fuel tanks shall be of adequate capacity to permit uninterrupted operation during normal operating hours. Refueling in a place of assembly shall be conducted only when the equipment is not in use and shall be approved by the *fire code official*.”

196. Chapter 31, “Exhibition Halls, Tents, Temporary Special Event Structures and Other Membrane Structures,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended by adding a new Section 3108, “Exhibition Halls,” to read as follows:

## **“SECTION 3108 EXHIBITION HALLS**

**3108.1 General.** No display or exhibit shall be installed or operated in a manner that would interfere in any way with access to any required exit or with visibility of any required exit or any required exit sign, nor shall any display block access to fire-fighting equipment or fire alarm notification appliance.

**3108.1.1 Lessee notification.** The operator of premises used as a place of exhibition shall notify each lessee and the person in charge of the lessee’s proposed exhibition of the requirements of this section at the time the lease is made.

**3108.1.2 Description and plans.** Two copies of accurately-scaled floor plans are required to be submitted to the *fire code official* for approval at least 15 days prior to the move-in of any exhibit. No exhibition shall occupy any facility without approved plans. The plans shall include a detailed description of the nature of the exhibit and the following information:

1. Exhibit layout.
2. Aisles.
3. Exits.
4. Exhibits.
5. Show decorator’s booth.
6. Location and nature of the fire-extinguishing equipment.
7. Dates of show preparation.
8. Dates when open to public or trade.

**3108.1.3 Compliance with plans.** The exhibit shall be constructed, operated and maintained in accordance with this code and the *approved* plans.

**3108.2 Structures within structures.** The operator of a premises used as a place of exhibition where a structure is to be erected within another structure as a display shall submit to the *fire code official* two copies of accurately scaled plans and two lists of materials to be used in the construction to determine the fire protection requirements.

**3108.3 Storage of combustible containers.** Combustible materials not on display, including combustible packing crates used to ship exhibitors’ supplies and products, shall be stored:

1. In a location separated from the exhibit area by a 1-hour fire-resistive barrier;
2. In an area protected by an automatic sprinkler system; or
3. Otherwise isolated and secured in a manner adequate to provide safety from fire.

**3108.4 Liquefied petroleum gas inside structures.** The operator of and exhibitors at premises used as a place of exhibition may use LP-gas inside a structure if:

1. The use is *approved* by the *fire code official* in writing; or
2. The use satisfies the requirements of Chapter 61 and, when applied inside Fair Park, satisfies the requirements of Section 32-19 of the *Dallas City Code*.
3. When allowed, a single container shall not exceed a water capacity of 12 pounds (5 kg).

**3108.5 Flammable and combustible liquids and compressed flammable gas prohibited.** Flammable and combustible liquids, compressed flammable gas and other similar hazardous materials are prohibited within a place of exhibition.

**Exception:** The *fire code official* may permit limited use of the above prohibited materials under special circumstances.

**3108.6 Smoking and open flames.** The operator of premises used as a place of exhibition shall do the following:

1. Conspicuously post and maintain signs stating “NO SMOKING” in areas designated by the *fire code official*.
2. Provide and maintain noncombustible ashtrays in areas where smoking is not prohibited by the *fire code official*.
3. Prohibit the use of open flames, burning or smoke-emitting materials as part of an act, display or show without approval of the *fire code official*.

**3108.7 Combustible waste.** The operator of premises used as a place of exhibition shall do the following:

1. Provide and maintain approved containers for the collection and storage of combustible waste.
2. Collect combustible waste as it accumulates.
3. Remove the contents of waste containers at least once each day.

**3108.8 Cooking appliances.** The operator of and exhibitors at premises used as a place of exhibition may use cooking appliances if the appliances are:

1. Equipped with ventilating hoods or other equipment when required by the *fire code official*;
2. Installed in a manner satisfying the requirements of the *Dallas Plumbing Code* and *Dallas Mechanical Code*; and
3. Separated from combustible materials by an unobstructed spatial separation adequate to maintain surface temperature of adjacent combustibles below 160°F (71°C) or by metal or another approved guard adequate to maintain the same heat control.

**3108.9 Gas fired heating units.** The operator of premises used as a place of exhibition shall prohibit the use of gas-fired heating units unless specifically *approved* by the mechanical or plumbing inspector and the *fire code official*.

**3108.10 Sawdust and shavings.** The operator of premises used as a place of exhibition shall keep sawdust and shavings flameproofed.

**3108.11 Hay and straw.** The operator of premises used as a place of exhibition shall store and maintain hay and straw in a manner approved by the *fire code official*.

**3108.12 Flameproof materials.** The operator of a premise used as a place of exhibition shall prevent:

1. The use of tents, awnings, curtains, drapes, decorations and similar items; or
2. The hanging of materials, merchandise, signs and similar items over or in booth enclosures.

**Exception:** Noncombustible or flameproof items may be used or hung.

**3108.13 Vehicles.** Liquid- or gas-fueled vehicles, boats or other motorcraft shall not be located indoors unless:

1. Batteries are disconnected.
2. Fuel in fuel tanks does not exceed the lesser of one-quarter tank or 5 gallons (19 L). Fuel tank levels shall be inspected and *approved* by the *fire code official* prior to locating the vehicles or equipment indoors.
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.

4. Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.
5. Fuel systems are inspected for leaks.
6. The location of vehicles or equipment does not block or obstruct means of egress.
7. Fuel for the vehicle or equipment is stored in approved containers in an approved location outside of the building.
8. Fuel spills are cleaned up immediately.
9. Refueling is performed outside of the building at an approved site.
10. Keys to all vehicles, boats or other motorcraft are maintained at the display site and available for use by the *fire code official*.

Electric and hybrid vehicles on display shall be safeguarded per the vehicle manufacturer's written directions."

197. Footnote h of Table 3206.2, "General Fire Protection and Life Safety Requirements," of Section 3206, "General Fire Protection and Life Safety Features," of Chapter 32, "High-Piled Combustible Storage," of Part IV, "Special Occupancies and Operations," of the 2021 International Fire Code is amended to read as follows:

"h. ~~[Not required w]~~Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of 50 (meters-seconds)<sup>1/2</sup> or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems are required within these areas."

198. Paragraph 3206.3.1, "Size of High-Piled Storage Area," of Subsection 3206.3, "High-Piled Storage Areas," of Section 3206, "General Fire Protection and Life Safety Features," of Chapter 32, "High-Piled Combustible Storage," of Part IV, "Special Occupancies and Operations," of the 2021 International Fire Code is amended by adding Subparagraph 3206.3.1.1, "High Hazard High-Piled Storage Areas," to read as follows:

**“3206.3.1.1 High hazard high-piled storage areas.** High hazard high-piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with Section 706 of the *Dallas Building Code* shall be used to divide high-piled storage exceeding 500,000 square feet in area.”

199. Subsection 3207.2, “Fire Protection,” of Section 3207, “Solid-Piled and Shelf Storage,” of Chapter 32, “High-Piled Combustible Storage,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3207.2 Fire protection.** Where automatic sprinklers are required by Table 3206.2, an *approved automatic sprinkler system* shall be installed throughout the building or to 2 [4]-hour *fire barriers* constructed in accordance with Section 707 of the *Dallas* [~~International~~] *Building Code*. Openings in such *fire barriers* shall be protected by opening protectives having a 1.5-hour *fire protection rating*. The design and installation of the *automatic sprinkler system* and other applicable fire protection shall be in accordance with the *Dallas* [~~International~~] *Building Code* and NFPA 13.

**3207.2.1 Shelf storage.** Shelf storage greater than 12 feet (3658 mm) but less than 15 feet (4572 mm) in height shall be in accordance with the fire protection requirements set forth in NFPA 13. Shelf storage 15 feet (4572 mm) or more in height shall be protected in an *approved* manner with special fire protection, such as in-rack sprinklers.”

200. Subsection 3208.2, “Fire Protection,” of Section 3208, “Rack Storage,” of Chapter 32, “High-Piled Combustible Storage,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3208.2 Fire protection.** Where automatic sprinklers are required by Table 3206.2, an *approved automatic sprinkler system* shall be installed throughout the building or to 2 [4]-hour *fire barriers* constructed in accordance with Section 707 of the *Dallas* [~~International~~] *Building Code*. Openings in such *fire barriers* shall be protected by opening protectives having a 1.5-hour *fire protection rating*. The design and installation of the *automatic sprinkler system* and other applicable fire protection shall be in accordance with Section 903.3.1.1 and the *Dallas* [~~International~~] *Building Code*.”

**3208.2.1 Plastic shelves.** Storage on plastic shelves shall be protected by *approved* specially engineered *fire protection systems*.

**3208.2.2 Racks with solid shelving.** Racks with solid shelving having an area greater than 20 square feet (1.9 m<sup>2</sup>), measured between *approved* flue spaces at all four edges of the shelf, shall be in accordance with this section.

### Exceptions:

1. Racks with mesh, grated, slatted or similar shelves having uniform openings not more than 6 inches (152 mm) apart, comprising not less than 50 percent of the overall shelf area, and with *approved* flue spaces are allowed to be treated as racks without solid shelves.
2. Racks used for the storage of combustible paper records, with solid shelving, shall be in accordance with NFPA 13.

**3208.2.2.1 Fire protection.** Fire protection for racks with solid shelving shall be in accordance with NFPA 13.”

201. Subsection 3311.1, “Required Access,” of Section 3311, “Access for Fire Fighting,” of Chapter 33, “Fire Safety During Construction and Demolition,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3311.1 Required access.** *Approved* vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 50 [100] feet (15 240 [30-480] mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, they shall be approved by the fire code official prior to the time of which construction has progressed beyond completion of the foundation of the structure. Construction material shall not block access to buildings, hydrants or fire appliances. Wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign.”

202. Subsection [BE] 3312.1, “Stairways Required,” of Section 3312, “Means of Egress,” of Chapter 33, “Fire Safety During Construction and Demolition,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“[BE] 3312.1 Stairways required.** Where building construction exceeds 35 [40] feet (10 668 [12-192] mm) in height above the lowest level of fire department vehicle access, a temporary or permanent lighted *stairway* shall be provided. As construction progresses, such *stairway*

shall be extended to within one floor of the highest point of construction having secured decking or flooring.”

203. Subsection 3314.1, “Where Required,” of Section 3314, “Standpipes,” of Chapter 33, “Fire Safety During Construction and Demolition,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3314.1 Where required.** Buildings four or more stories in height shall be provided with not less than one standpipe for use during construction. ~~[In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction.]~~ Such standpipes shall be installed prior to construction exceeding 35 [40] feet (10 668 [12 192] mm) in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connections at locations adjacent to *stairways* complying with Section 3312.1. Such standpipes, wet or dry, shall be monitored for damage by a waterflow or pressure switch (10 psi minimum) and audible alarm. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring.”

204. Section 3409, “Indoor Storage Arrangement,” of Chapter 34, “Tire Rebuilding and Tire Storage,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

#### **“SECTION 3409 INDOOR STORAGE ARRANGEMENT**

**3409.1 Pile dimensions less than 6 feet in height.** Where tires are stored on-tread, the dimension of the pile in the direction of the wheel hole shall be not more than 50 feet (15 240 mm). Tires stored adjacent to or along one wall shall not extend more than 25 feet (7620 mm) from that wall. Other piles shall be not more than 50 feet (15 240 mm) in width.

**3409.2 Pile dimensions 6 feet in height or greater.** Where tires are stored in piles 6 feet (1829 mm) in height or greater, storage shall comply with Chapter 32.”



205. Subsection 3502.1, “Definitions,” of Section 3502, “Definitions,” of Chapter 35, “Welding and Other Hot Work,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3502.1 Definitions.** The following words and terms are defined in Chapter 2:

**HOT WORK.**

**HOT WORK AREA.**

**HOT WORK EQUIPMENT.**

**HOT WORK PERMITS.**

**~~[HOT WORK PROGRAM.]~~**

**~~[RESPONSIBLE PERSON.]~~**

**TORCH-APPLIED ROOF SYSTEM.”**

206. Subsection 3503.3, “Hot Work Program Permit,” of Section 3503, “General Requirements,” of Chapter 35, “Welding and Other Hot Work,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is deleted.

207. Paragraph 3504.2.1, “When Required,” of Subsection 3504.2, “Fire Watch,” of Section 3504, “Fire Safety Requirements,” of Chapter 35, “Welding and Other Hot Work,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3504.2.1 When required.** A fire watch shall be provided during hot work activities and shall continue for not less than 30 minutes after the conclusion of the work. The *fire code official* [~~–or the responsible manager under a hot work program,~~] is authorized to extend the fire watch based on the hazards or work being performed.

**Exception:** Where the hot work area has no fire hazards or combustible exposures.”

208. Subsection 3504.3, “Area Reviews,” of Section 3504, “Fire Safety Requirements,” of Chapter 35, “Welding and Other Hot Work,” of Part IV, “Special

Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3504.3 Area reviews.** Before hot work is conducted ~~[permitted]~~ and not less than once per day ~~[while the permit is in effect]~~, the area shall be inspected by the individual responsible for the ~~[authorizing]~~ hot work operations to ensure that it is a fire safe area. ~~[Information shown on the permit shall be verified prior to signing the permit in accordance with Section 105.6.]”~~

**3504.3.1 Pre-hot-work check.** A pre-hot-work check shall be conducted prior to work to ensure that all equipment is safe and hazards are recognized and protected. A report of the check shall be kept at the work site during the work and available upon request. The pre-hot-work check shall determine all of the following:

1. Hot work equipment to be used shall be in satisfactory operating condition and in good repair.
2. Hot work site is clear of combustibles or combustibles are protected.
3. Exposed construction is of noncombustible materials or, if combustible, then protected.
4. Openings are protected.
5. Floors are kept clean.
6. Exposed combustibles are not located on the opposite side of partitions, walls, ceilings or floors.
7. Fire watches, where required, are assigned.
8. *Approved* actions have been taken to prevent accidental activation of fire protection system equipment in accordance with Sections 3504.1.8 and 3504.1.9.
9. Fire extinguishers and fire hoses (where provided) are operable and available.”

209. Subsection 3505.5, “Remote Locations,” of Section 3505, “Gas Welding and Cutting,” of Chapter 35, “Welding and Other Hot Work,” of Part IV, “Special Occupancies and Operations,” of the 2021 International Fire Code is amended to read as follows:

**“3505.5 Remote locations.** Oxygen and fuel-gas cylinders and acetylene generators shall be located away from the hot work area to prevent such cylinders or generators from being heated by radiation from heated materials, sparks or slag, or misdirection of the torch flame. Portable oxygen/fuel gas welding equipment located inside buildings shall be stored in a well-ventilated, dry location at least 20 feet (6096 mm) from combustible material and away from elevators, stairs, gangways or means of egress.”

210. Subsection 5001.5, “Permits,” of Section 5001, “General,” of Chapter 50, “Hazardous Materials—General Provisions,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended by adding a new Paragraph 5001.5.3, “Plan Review,” to read as follows:

**“5001.5.3 Plan review.** Plans detailing outdoor storage, dispensing, use and handling of hazardous materials must be submitted for review and approval to the *fire code official*. Plans must include the following:

1. Amounts of hazardous materials involved.
2. Safety data sheets on all materials involved.
3. Location on property.
4. Property lines.
5. Buildings and structures.
6. Fire apparatus access roads.
7. Fire hydrants.
8. Manufacturer’s specifications on all equipment involved (tanks, dispensers, pumps, etc.).
9. Process description.

**5001.5.3.1 Plan review fees.** Plans for hazardous materials shall be accompanied by a nonrefundable \$200.00 review fee.”

211. Subsection 5003.12, “Outdoor Control Areas,” of Section 5003, “General Requirements,” of Chapter 50, “Hazardous Materials—General Provisions,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5003.12 Outdoor control areas.** *Outdoor control areas* for hazardous materials in amounts not exceeding the maximum allowable quantity per outdoor control area shall be in accordance with the following general requirements:

1. *Outdoor control area* shall be kept free from weeds, debris and common combustible materials not necessary to the storage. The area surrounding an *outdoor control area* shall be kept clear of such materials for not less than 15 feet (4572 mm).
2. *Outdoor control areas* shall be located not closer than 20 feet (6096 mm) from a public street, public alley, *public way* or *lot line* that can be built on.

**Exceptions:**

1. For solid and liquid hazardous materials, a 2-hour *fire-resistance-rated* wall without openings extending not less than 30 inches (762mm) above and to the sides of the storage area shall be allowed in lieu of such distance.
2. For *compressed gas* hazardous materials, unless otherwise specified, the minimum required distances shall not apply where *fire barriers* without openings or penetrations having a minimum *fire-resistance rating* of 2 hours interrupt the line of sight between the storage and the exposure. The configuration of the *fire barrier* shall be designed to allow natural ventilation to prevent the accumulation of hazardous gas concentrations.
3. Where a property exceeds 10,000 square feet (929 m<sup>2</sup>), a group of two *outdoor control areas* is allowed where *approved* and where each control area is separated by a minimum distance of 50 feet (15 240mm).
4. Where a property exceeds 35,000 square feet (3252 m<sup>2</sup>), additional groups of *outdoor control areas* are allowed where *approved* and where each group is separated by a minimum distance of 300 feet (91 440 mm).
5. Outdoor storage of hazardous materials shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5.”

212. Paragraph 5005.4.4, “Dispensing, Use and Handling,” of Subsection 5005.4, “Handling,” of Section 5005, “Use, Dispensing and Handling,” of Chapter 50, “Hazardous Materials—General Provisions,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5005.4.4 Dispensing, use and handling.** Where hazardous materials having a hazard ranking of 3 or 4 in accordance with NFPA 704 are transported through *corridors*, interior *exit stairways* or *ramps* or *exit passageways*, there shall be an emergency telephone system, a local manual alarm station or an *approved* alarm-initiating device at not more than 150-foot (45 720 mm) intervals and at each *exit* and *exit access* doorway throughout the transport route. The signal shall be relayed to an *approved* central, proprietary or remote station service or constantly attended on-site location and shall also initiate a local, visual, and audible alarm. The alarm shall provide warning both inside and outside the area where the hazard is detected. The audible alarm shall be distinct from all other alarms.”

213. Subsection 5306.2, ‘Interior Supply Location,’ of Section 5306, “Medical Gasses,” of Chapter 53, “Compressed Gases,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5306.2 Interior supply location.** Medical gases shall be located in areas dedicated to the storage of such gases without other storage or uses. Where containers of medical gases in quantities greater than the exempt [~~permit~~] amount are located inside buildings, they shall be in a 1-hour exterior room, a 1-hour interior room or a gas cabinet in accordance with Section 5306.2.1, 5306.2.2 or 5306.2.3, respectively. Rooms or areas where medical gases are stored or used in quantities exceeding the *maximum allowable quantity per control area* as set forth in Section 5003.1 shall be in accordance with the Dallas [~~International~~] *Building Code* for high-hazard Group H occupancies.

**5306.2.1 One-hour exterior rooms.** A 1-hour exterior room shall be a room or enclosure separated from the remainder of the building by *fire barriers* constructed in accordance with Section 707 of the Dallas [~~International~~] *Building Code* or *horizontal assemblies* constructed in accordance with Section 711 of the Dallas [~~International~~] *Building Code*, or both, with a *fire-resistance rating* of not less than 1 hour. Openings between the room or enclosure and interior spaces shall be self-closing smoke- and draft-control assemblies having a *fire protection rating* of not less than 1 hour. Rooms shall have not less than one exterior wall that is provided with not less than two vents. Each vent shall have a minimum free opening area of 36 square inches (232 cm<sup>2</sup>) for each 1,000 cubic feet (28 m<sup>3</sup>) at *normal temperature and pressure* (NTP) of gas stored in the room and shall be not less than 72 square inches (465 cm<sup>2</sup>) in aggregate free opening area. One vent shall be within 6 inches (152 mm) of the floor and one shall be within 6 inches (152 mm) of the

ceiling. Rooms shall be provided with not less than one automatic sprinkler to provide container cooling in case of fire.

**5306.2.2 One-hour interior room.** Where an exterior wall cannot be provided for the room, a 1-hour interior room shall be provided and shall be a room or enclosure separated from the remainder of the building by *fire barriers* constructed in accordance with Section 707 of the Dallas [~~International~~] *Building Code* or *horizontal assemblies* constructed in accordance with Section 711 of the Dallas [~~International~~] *Building Code*, or both, with a *fire-resistance rating* of not less than 1 hour. Openings between the room or enclosure and interior spaces shall be provided with self-closing, smoke- and draft-control assemblies having a *fire protection rating* of not less than 1 hour. An *automatic sprinkler system* shall be installed within the room. The room shall be exhausted through a duct to the exterior. Supply and exhaust ducts shall be enclosed in a 1-hour-rated shaft enclosure from the room to the exterior. *Approved* mechanical ventilation shall comply with the Dallas [~~International~~] *Mechanical Code* and be provided at a minimum rate of 1 cfm per square foot [ $0.00508 \text{ m}^3/(\text{s} \times \text{m}^2)$ ] of the area of the room.

**5306.2.3 Gas cabinets.** Gas cabinets shall be constructed in accordance with Section 5003.8.6 and shall comply with the following:

1. Exhausted to the exterior through dedicated exhaust duct system installed in accordance with Chapter 5 of the Dallas [~~International~~] *Mechanical Code*.
2. Supply and exhaust ducts shall be enclosed in a 1-hour *fire-resistance-rated* shaft enclosure from the cabinet to the exterior. The average velocity of ventilation at the face of access ports or windows shall be not less than 200 feet per minute (1.02 m/s) with not less than 150 feet per minute (0.76 m/s) at any point of the access port or window.
3. Provided with an *automatic sprinkler system* internal to the cabinet.

214. Subsection 5601.1, “Scope,” of Section 5601, “General,” of Chapter 56, “Explosives and Fireworks,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5601.1 Scope.** The provisions of this chapter shall govern the possession, manufacture, storage, handling, transportation, sale and use of *explosives*, *explosive materials*, fireworks and small arms ammunition.

**Exceptions:**

1. The Armed Forces of the United States, Coast Guard or National Guard.
2. *Explosives* in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage, transportation and use of small arms ammunition where packaged in accordance with DOTn packaging requirements.
4. The possession, storage, transportation and use of not more than 1 pound (0.454 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption.
5. The transportation and use of *explosive materials* by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
6. Special industrial *explosive* devices that in the aggregate contain less than 50 pounds (23 kg) of *explosive materials*.
7. The possession, storage, transportation and use of blank industrial-power load cartridges where packaged in accordance with DOTn packaging regulations.
8. Transportation in accordance with DOTn 49 CFR Parts 100-185.
9. Items preempted by federal regulations.

**5601.1.1 Explosive material standard.** In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of *explosive materials*.

**5601.1.2 Explosive material terminals.** In addition to the requirements of this chapter, the operation of *explosive material* terminals shall conform to the provisions of NFPA 498.

**5601.1.3 Fireworks.** The possession, manufacture, storage, sale, handling, transportation and use of fireworks are prohibited.

**Exceptions:**

1. The display, s[S]torage, transportation and handling of fireworks when approved and permitted as provided [allowed] in Section 5604.

2. ~~[Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~

3.]The use of fireworks for approved fireworks displays as allowed in Section 5608.

~~[4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided that such fireworks and facilities comply with the 2006 edition of NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, as applicable for consumer fireworks]~~

**5601.1.4 Rocketry.** The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125 and NFPA 1127.

**5601.1.5 Ammonium nitrate.** The storage and handling of ammonium nitrate shall comply with the requirements of NFPA 400 and Chapter 63.

**Exception:** Storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.”

215. Section 5608, “Fireworks Display,” of Chapter 56, “Explosives and Fireworks,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“SECTION 5608  
FIREWORKS DISPLAY AND PYROTECHNIC  
SPECIAL EFFECTS MATERIAL**

**5608.1 General.** The display, transportation and temporary storage of fireworks, including proximate audience displays ~~[Outdoor fireworks displays, use of pyrotechnics before a proximate audience]~~and pyrotechnic special effects in motion picture, television, theatrical and group entertainment productions, shall be in accordance ~~[comply]~~ with Section[s] 5608, [5608.2 through 5608.10 and] NFPA 1123 or NFPA 1126, Chapter 2154 of the Texas Occupations Code, and the Texas Fireworks Rules.

**5608.1.1 Jurisdiction.** This chapter applies within:

1. The corporate limits of the city of Dallas; and
2. The area immediately adjacent and contiguous to the Dallas city limits and extending outside the city limits for a distance of 5,000 feet (1520 m), unless such area is within the corporate limits of another city.



**5608.1.2 Public nuisance and seizure.** The presence of fireworks within the jurisdiction of the city of Dallas in violation of this chapter is declared to be a common and public nuisance. The fire code official shall seize, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this chapter and cause the fireworks to be safely destroyed. It is not necessary to obtain injunctive relief as a prerequisite to seizure and destruction of illegal fireworks.

**5608.1.3 Prohibition.** It shall be unlawful for any person to possess, use, manufacture, sell, offer for sale, give away, transport or discharge fireworks of any description.

**Exception:** The use of fireworks for display is allowed as set forth in Section 5608.

**5608.1.4 Smoking and open flames.** Smoking and use of open flames are prohibited in the aerial shell storage area. “NO SMOKING OR OPEN FLAME” signs shall be conspicuously posted.

**5608.2 Permits [application].** Permits are required to conduct fireworks and pyrotechnic displays in accordance with Section 105.6. The permit application shall be submitted to the fire code official for approval at least 15 days prior to the scheduled date of the display. Prior to issuing permits for fireworks display, plans for the display, inspections of the display site and demonstrations of the display operations shall be *approved*. A plan establishing procedures to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from, a mortar or fails to function over the fallout area or other malfunctions shall be provided to the fire code official.

**5608.2.1 Outdoor fireworks displays.** In addition to the requirements of Section 403, permit applications for outdoor fireworks displays using Division 1.3G fireworks shall include: ~~[a diagram of the location at which the fireworks display will be conducted, including the site from which fireworks will be discharged; the location of buildings, highways, overhead obstructions and utilities; and the lines behind which the audience will be restrained.]~~

1. Site plans prepared by the display operator, sponsor or both.
2. A site diagram of the display site drawn to scale which shall include identifying significant ground features, public rights of way, significant buildings or structures, overhead obstructions, location of nearby trees, telegraph or telephone lines, parking areas and spectator viewing areas at which the display will be conducted. The site diagram shall also include the site from which fireworks will be discharged and the lines behind which the audience will be restrained.
3. The location of fireworks storage areas.

4. The fallout area, including dimensions.
5. A north arrow.
6. Likely wind direction.
7. The location of significant roadways and utilities including access and control points.
8. Traffic plans indicating the flow of vehicles into and out of the site before and after the display.
9. The location of emergency vehicle staging areas and access routes. At the time of permit application, the fire code official shall be consulted regarding requirements for standby fire apparatus.
10. Diagrams illustrating the general arrangement and size of mortars and the location of shell storage at the discharge site. The diagrams should include the location of the electrical firing unit.
11. The Texas Department of Insurance application for permit and site certification and a copy of the state permit once approved by the Texas Department of Insurance.
12. A certificate of insurance as required in Section 5608.5.2.2.
13. A list of the amount and type of fireworks to be used.
14. A copy of the transportation route from the Dallas city limits to the display site.
15. A copy of the pyrotechnic operator's state license and picture identification.

**5608.2.2 Use of pyrotechnics before a proximate audience.** Where the separation distances required in Section 5608[-4] and NFPA 1123 are unavailable or cannot be secured, fireworks displays shall be conducted in accordance with NFPA 1126 for *proximate audiences*. Permits are required to conduct a special effects display in accordance with Section 105.6. Applications for use of pyrotechnics before a *proximate audience* shall include plans indicating the required clearances for spectators and combustibles, crowd control measures, smoke control measures and requirements for standby personnel and equipment where provision of such personnel or equipment is required by the *fire code official*. The permit application shall be made not less than 15 days prior to the scheduled date of the display. A rush fee of \$310.00 shall be required in the event the required

documentation and/or permit application is not submitted more than 15 days prior to the requested date of the display. In addition to the requirements of Section 403, permit applications for special effects pyrotechnic material using Division 1.4G fireworks shall include:

1. The name of the person, group or organization sponsoring the production.
2. The date and time of day of the production.
3. The exact location of the production.
4. The name of the pyrotechnic operator.
5. The number, names and ages of all assistants who are to be present.
6. The qualifications of the pyrotechnic operator.
7. The pyrotechnic experience of the operator.
8. Confirmation of any applicable state and federal licenses held by the operator or assistants.
9. Evidence of the permittee's insurance carrier or financial responsibility.
10. The number and type of pyrotechnic devices and materials to be used, the operator's experience with those devices and effects, and a definition of the general responsibility of the assistants.
11. A diagram of the grounds of the facilities where the production is to be held. This diagram shall show the point at which the pyrotechnic devices are to be fired, the fallout radius for each pyrotechnic device used in the performance, and the lines behind which the audience shall be restrained.
12. The point of on-site assembly of pyrotechnic devices.
13. The manner and place of storage of the pyrotechnic materials and devices.
14. The safety data sheet (SDS) for the pyrotechnic materials to be used.
15. Certification that the set, scenery and rigging materials are inherently flame retardant or have been treated to achieve flame retardancy.
16. Certification that all materials worn by performers in the fallout area during use of pyrotechnic effects shall be inherently flame retardant or have been treated to achieve flame retardancy.

**5608.2.2.1 Pyrotechnics demonstration.** The fire code official shall approve a walkthrough and a representative demonstration of the pyrotechnics. The demonstration

shall be scheduled with sufficient time allowed to reset/reload the pyrotechnics before the arrival of the audience.

**Exception:** The fire code official shall be permitted to waive this requirement based upon past history, prior knowledge and other factors, provided the authority is confident that the discharge of pyrotechnics can be conducted safely.

**5608.2.3 Pyrotechnic special effects material.** A display permit is required to use pyrotechnic special effects material in accordance with Section 105.6. A permit for use shall be granted only to a pyrotechnic operator licensed by the State of Texas.

**5608.2.4 Transportation and storage.** A permit is required for the transportation and storage of fireworks in accordance with Section 105.6.

**5608.2.5 Manufacturing.** The manufacturing of fireworks is prohibited except under special permits as required by local and state regulations.

**5608.2.6 Refusal to issue permit.** The fire code official shall refuse to approve issuance of a permit if the applicant:

1. Intentionally makes a false statement as to a material matter in the permit application;
2. Is a fugitive from justice;
3. Is under a felony indictment;
4. Has been finally convicted of a felony offense within the 5-year period immediately preceding the filing of the application;
5. Has been finally convicted of a misdemeanor violation of an explosive law or regulation within the 2-year period immediately preceding the filing of the application;
6. Held a permit issued under this chapter which was revoked within the 1-year period immediately preceding the filing of the application;
7. Has been adjudicated a mental defective; is an unlawful user of, or is addicted to, a controlled substance or dangerous drug; or suffers from any other handicap, infirmity, defect or condition which might reasonably diminish competency to safely conduct the proposed activity or would create an unreasonable risk of injury to life or property in the performance of the proposed activity;
8. Submits an application which indicates that the proposed display will not comply with the provisions of this chapter: or

9. Proposes a display which will create an unreasonable risk of injury to life or property in the performance of the proposed activity.

**5608.3 Approved fireworks displays.** *Approved* fireworks displays shall include only the *approved* fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles, 1.4G, which shall be handled by an *approved*, competent operator. The *approved* fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.

**5608.3.1 Violations.** A person who knowingly violates a provision of this chapter shall be fined not less than \$200 nor more than \$2000 for each offense.

**5608.3.2 Separate offenses.** A person who knowingly violates a provision of this chapter is guilty of a separate offense for:

1. Each separate package of fireworks, if the fireworks are packaged separately; and
2. Each day or part of a day during which the violation is committed, continued or permitted.

**5608.3.3 Pyrotechnic operator.** Fireworks display operations shall be under the direct supervision of a pyrotechnic operator. The pyrotechnic operator shall be responsible for all aspects of a display related to pyrotechnics.

**5608.3.3.1 Bond.** The permittee shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire code official for the payment of damages which could be caused either to a person or persons or to property by reason of the permitted display and arising from acts of the permittee, agents, employees or subcontractors.

**5608.3.4 Barriers.** The *fire code official* is authorized to require rope barriers, fences, signs or other devices to be installed around the display area to aid in crowd control.

**5608.3.5 Fire protection.** When required by the *fire code official*, the pyrotechnic operator shall provide two or more portable fire extinguishers of the proper classification and size for the discharge area and shall be readily accessible while the pyrotechnics are being loaded, fired or prepared for firing. The pyrotechnic operator shall arrange for standby fire apparatus for protection down range when required by the *fire code official*.

**5608.3.6 Monitors.** The pyrotechnic operator shall employ monitors whose sole duty shall be the enforcement of crowd control around the display area. Unauthorized persons shall not be allowed to enter the discharge site until the site has been inspected after the display by the pyrotechnic operator.

**5608.4 Clearance.** Spectators, spectator parking areas, and *dwelling*s, buildings or structures shall not be located within the display site.

**Exceptions:**

1. This provision shall not apply to pyrotechnic special effects and fireworks displays using Division 1.4G materials before a *proximate audience* in accordance with NFPA 1126.
2. This provision shall not apply to unoccupied *dwelling*s, buildings and structures with the approval of the building *owner* and the *fire code official*.

**5608.5 Storage, use and handling of fireworks ~~[at display site]~~.** ~~[The s]~~ Storage, use and handling of fireworks ~~[at the display site]~~ shall be in accordance ~~[comply]~~ with ~~[the requirements of this s]~~ Sections 5604 and 5608, Chapter 2154 of the Texas Occupations Code, the Texas Fireworks Rules, NFPA 1123 or NFPA 1126.

**Exceptions:**

1. The use of fireworks by railroads or other transportation agencies for signaling or illumination.
2. The sale or use of blank cartridges for theatrics, signaling or ceremonial purposes.
3. The use of fireworks by the United States Armed Forces.

**5608.5.1 Supervision and weather protection.** Beginning as soon as fireworks have been delivered to the display site, they shall not be left unattended.

**5608.5.2 Weather protection.** Fireworks shall be kept dry after delivery to the display site.

**5608.5.3 Inspection.** Shells shall be inspected by the operator or assistants after delivery to the display site. Shells having tears, leaks, broken fuses or signs of having been wet shall be set aside and shall not be fired. Aerial shells shall be checked by the operator or assistants for proper fit in mortars prior to discharge. Aerial shells that do not fit properly shall not be fired. After the fireworks display, damaged, deteriorated or dud shells shall either be returned to the supplier or destroyed in accordance with the supplier's instructions and Section 5604.10.

**Exception:** Minor repairs to fuses shall be allowed. For electrically ignited displays, attachment of electric matches and similar tasks shall be allowed.

**5608.5.4 Reserved. ~~[Sorting and separation.~~** ~~After delivery to the display site and prior to the fireworks display, all shells shall be separated according to their size and their designation as salutes.~~

**Exception:** ~~For electrically fired displays, or displays where all shells are loaded into mortars prior to the show, separation of shells according to their size or their designation as salutes is not required.]~~

**5608.5.5 Reserved.** ~~[Ready boxes. Display fireworks, 1.3G, that will be temporarily stored at the site during the fireworks display shall be stored in ready boxes located upwind and not less than 25 feet (7620 mm) from the mortar placement and separated according to their size and their designation as salutes.~~

~~**Exception:** For electrically fired fireworks displays, or fireworks displays where all shells are loaded into mortars prior to the show, separation of shells according to their size, their designation as salutes or for the use of ready boxes is not required.]~~

**5608.6 Ground pieces.** Ground pieces shall be located not less than 150 feet (45 720 mm) from spectators and vehicles; not less than 100 feet (30 480 mm) from tents, canopies or membrane structures; not less than 100 feet (30 480 mm) from mortars; and outside of the designated landing area.

**Exceptions:**

1. Fixed ground pieces are allowed not less than 75 feet (22 860 mm) from spectators and vehicles.
2. Electrically fired ground pieces are allowed in the designated landing area. ~~[**Installation of mortars.** Mortars for firing fireworks shells shall be installed in accordance with NFPA 1123 and shall be positioned so that shells are propelled away from spectators and over the fallout area. Mortars shall not be angled toward the spectator viewing area. Prior to placement, mortars shall be inspected for defects, such as dents, bent ends, damaged interiors and damaged plugs. Defective mortars shall not be used.]~~

**5608.7 Reserved.** ~~[**Handling.** Aerial shells shall be carried to mortars by the shell body. For the purpose of loading mortars, aerial shells shall be held by the thick portion of the fuse and carefully loaded into mortars.]~~

**5608.8 Fireworks display supervision.** Whenever in the opinion of the *fire code official* or the pyrotechnic operator a hazardous condition exists, such as a lack of crowd control or the crowd is in danger, the fireworks display shall be discontinued immediately until such time as the dangerous situation is corrected. If at any time high winds or wet weather creates a danger, the display shall be postponed until weather conditions are acceptable to the fire code official.

**5608.9 Post-fireworks display inspection.** After the fireworks display, the firing crew shall conduct an inspection of the fallout area for the purpose of locating unexploded aerial shells or live components. This inspection shall be conducted before public access to the site shall be allowed. Where fireworks are displayed at night and it is not possible to inspect the site thoroughly, the operator or designated assistant shall inspect the entire site at first light.

~~[A report identifying any shells that fail to ignite in, or discharge from, a mortar or fail to function over the fallout area or otherwise malfunction, shall be filed with the *fire code official*.]~~

**5608.10 Disposal.** Any shells found during the inspection required in Section 5608.9 shall not be handled until not less than 15 minutes have elapsed from the time the shells were fired. The fireworks shall then be doused with water and allowed to remain for not less than 5 additional minutes before being placed in a plastic bucket or fiberboard box. The disposal instructions of the manufacturer as provided by the fireworks supplier shall then be followed in disposing of the fireworks in accordance with Section 5604.10.

**5608.11 Pyrotechnic special effects material.** Temporary storage, use and handling of pyrotechnic special effects material used in motion picture, television, theatrical and group entertainment productions shall be in accordance with Sections 5608.2 through 5608.10. Permanent storage of pyrotechnic special effects material shall be in accordance with Section 5604.

**5608.11.1 Classification of materials.** Pyrotechnic special effects material shall be classified in accordance with U.S. Department of Transportation regulations and procedures.

**Exception:** Pyrotechnic special effects material which is manufactured on-site and which is in storage or use need not be classified.

**5608.11.2 Construction of magazines.** Magazines used for the storage of pyrotechnic special effects material shall be constructed in accordance with Section 5604.6.

**5608.11.3 Storage.** Storage of fireworks and pyrotechnic special effects material shall be in accordance with Sections 5608.11.3.1 through 5608.11.3.6.

**5608.11.3.1 Fireworks 1.4G.** Fireworks and all explosive material including Division 1.4G fireworks (class C common fireworks) shall be stored in accordance with the requirements for explosives in Section 5604 and Table 5604.3.

**5608.11.3.2 Other pyrotechnic special effects material.** Storage of pyrotechnic special effects material other than Division 1.4G fireworks (class C common fireworks) shall be in accordance with the requirements of Section 5604. Containers of explosive materials shall be closed when stored. For amounts and requirements for indoor and outdoor storage see Section 5604.

**5608.11.3.3 Storage against walls.** Explosive materials within a magazine shall not be placed directly against interior walls and shall not interfere with ventilation. To prevent contact of stored explosive materials with walls, a nonsparking lattice-work or other nonsparking material is allowed to be used.

**5608.11.3.4 Marking of containers.** Containers of explosive materials shall be stored such that identifying marks are visible. Stocks of explosive materials shall be stored so they can be easily counted and checked upon inspection.



**5608.11.3.5 Unpacking and repacking containers.** Containers of explosive materials shall not be unpacked or repacked inside a magazine or within 50 feet (15 240 mm) of a magazine, and shall not be unpacked or repacked close to other explosive materials.

**Exception:** Unpacking and repacking of fiberboard and other nonmetallic containers.

**5608.11.3.6 Tools.** Tools used for opening or closing containers of explosive materials shall be of non-sparking materials. A wood wedge and a fiber, rubber or wooden mallet shall be used for opening or closing wood containers of explosive materials. Metal tools, other than non-sparking transfer conveyors, shall not be stored in magazines containing high explosives.

**Exception:** Metal slitters are allowed to be used for opening fiberboard containers.

**5608.11.4 Smoking and open flames.** Smoking, matches, flame-producing devices, open flames, firearms and firearms cartridges shall not be permitted inside of or within 50 feet (15 240 mm) of magazines. Where low explosives are stored in magazines, spark-producing tools shall not be used. Such magazines shall be bonded and grounded.

**5608.11.5 Housekeeping.** Housekeeping shall be in accordance with Section 5604.8.1.

**5608.11.6 Pyrotechnic operators.** A pyrotechnic operator shall obtain required permits and be responsible for notifying the fire code official prior to using the pyrotechnic special effects material. The pyrotechnic operator shall have the authority and responsibility for the storage, use and handling of the pyrotechnic special effects material. The authority of the pyrotechnic operator shall not be assumed by anyone and shall be superseded only by the fire code official.

**5608.11.7 Use of pyrotechnic special effects material.** Use of pyrotechnic special effects material shall be in accordance with Sections 5608.11.7.1 through 5608.11.7.3.

**5608.11.7.1 General precautions.**

**5608.11.7.1.1 Demonstration and approval.** When required by the fire code official, a test shall be conducted to demonstrate the safe use of pyrotechnic special effects material prior to normal use. The use of pyrotechnic special effects material shall be approved by the fire code official and the pyrotechnic operator in charge.

**5608.11.7.1.2 Preparation.** The company or producer shall allocate sufficient time to the pyrotechnic operator to prepare for the transportation, packing, storing and daily securing, and to dispose of or otherwise handle pyrotechnic special effects material in a safe manner.

**5608.11.7.1.3 Separation distances for audiences.** Each pyrotechnic device fired during a performance shall be separated from the audience by at least 15 feet (5 m) but not by less than twice the fallout radius of the device.

**Exception:** Where otherwise approved by the authority having jurisdiction. Concussion mortars shall be separated from the audience by a minimum of 25 feet (8 m). There shall be no glowing or flaming particles within 10 feet (3 m) of the audience.

**5608.11.7.1.4 Crowd control.** Onlookers shall be kept at a safe distance from the area where the pyrotechnic special effects material is discharged and so restrained until the area is cleared.

**5608.11.7.1.5 Smoke control.** When pyrotechnic special effects material is fired within a building, the quantity of smoke developed shall not obscure the visibility of exit signs or paths of egress travel. The maximum density of smoke shall be approved, and the pyrotechnic operator shall ensure that the maximum density is not exceeded. When required by the fire code official, provisions shall be made to confine smoke generated by pyrotechnic special effects material to an approved area and to remove such smoke from the building.

**5608.11.7.2 Binary explosives.** When binary explosives are used, the compounding and firing shall be performed by a pyrotechnic operator. Firing shall be subject to the conditions described in the permit.

**5608.11.7.3 Surplus materials.** Surplus materials shall be properly stored until they can be disposed of in a safe manner.

**5608.12 Standby personnel and equipment.** When necessary for the preservation of life or property, the *fire code official* is authorized to require the attendance of standby personnel and fire equipment. Where the use of certain indoor pyrotechnics requires smoke detectors to be bypassed or air-handling systems to be disengaged, the fire department shall be notified and a representative shall be present. The individual responsible for the life safety systems of the building shall return those systems to normal operating conditions as soon as the likelihood of false alarms from the pyrotechnics has passed.

216. Subsection 5701.4, “Permits,” of Section 5701, “General,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5701.4 Permits.** Permits shall be required as set forth in Sections 105.5, ~~[and]~~ 105.6, and this chapter.”

217. Section 5701, “General,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended by adding a new Subsection 5701.6, “Construction Documents,” to read as follows:

**“5701.6 Construction documents.** Plans detailing indoor or outdoor storage (above or below grade), dispensing, use and handling of flammable and combustible liquids shall be submitted for review and approval to the fire code official. Plans shall include, but not be limited to, the following:

1. Amounts of flammable or combustible liquid involved.
2. Safety data sheets of all flammable or combustible liquid involved.
3. Room construction, dimensions, ventilation, sprinkler design, etc.
4. Secondary containment.
5. Piping specifications (vents, ports, etc.).
6. Location on property.
7. Property lines.
8. Buildings and structures.
9. Fire apparatus access roads.
10. Fire hydrants.
11. Manufacturer’s specifications on all equipment involved (tanks, dispensers, pumps, etc.).

**5701.6.1 Plan review fees.** Plan review fees for flammable and combustible liquids storage tanks shall be in accordance with the *Dallas Building Code*.”

218. Subsection 5703.2, “Fire Protection,” of Section 5703, “General Requirements,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended by adding a new Paragraph 5703.2.2, “Access,” to read as follows:

**“5703.2.2 Access.** Fire apparatus access roads for storage, use, dispensing, mixing and handling of flammable and combustible liquids shall be in accordance with Chapter 5.”

219. Subsection 5703.4, “Spill Control and Secondary Containment,” of Section 5703, “General Requirements,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5703.4 Spill control and secondary containment.** Where the *maximum allowable quantity per control area* is exceeded, and where required by Section 5004.2, rooms, buildings or areas used for storage, dispensing, use, mixing or handling of flammable and combustible [~~Class I, H and IIIA~~] liquids shall be provided with spill control and secondary containment in accordance with Section 5004.2.”

220. Subsection 5703.6, “Piping Systems,” of Section 5703, “General Requirements,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5703.6 Piping systems.** Piping systems, and their component parts, for *flammable and combustible liquids* shall be in accordance with Sections 5703.6.1 through 5703.6.11. An approved method of secondary containment shall be provided for underground tank and piping systems.

**5703.6.1 Nonapplicability.** The provisions of Section 5703.6 shall not apply to gas or oil well installations; piping that is integral to stationary or portable engines, including aircraft, watercraft and motor vehicles; and piping in connection with boilers and pressure vessels regulated by the Dallas[~~International~~] *Mechanical Code*.

**5703.6.2 Design and fabrication of piping systems and components.** Piping system components shall be designed and fabricated in accordance with the applicable standard listed in Table 5703.6.2 and Chapter 27 of NFPA 30, except as modified by Section 5703.6.2.1.

**5703.6.2.1 Special materials.** Low-melting-point materials (such as aluminum, copper or brass), materials that soften on fire exposure (such as nonmetallic materials) and nonductile material (such as cast iron) shall be acceptable for use underground in accordance with the applicable standard listed in Table 5703.6.2. Where such materials are used outdoors in above-ground piping systems or within buildings, they shall be in accordance with the applicable standard listed in Table 5703.6.2 and one of the following:

1. Suitably protected against fire exposure.

2. Located where leakage from failure would not unduly expose people or structures.
3. Located where leakage can be readily controlled by operation of remotely located valves in a location provided with *ready access*.

In all cases, nonmetallic piping shall be used in accordance with Section 27.4.6 of NFPA 30.

**5703.6.3 Testing.** Unless tested in accordance with the applicable section of ASME B31.9, piping, before being covered, enclosed or placed in use, shall be hydrostatically tested to 150 percent of the maximum anticipated pressure of the system, or pneumatically tested to 110 percent of the maximum anticipated pressure of the system, but not less than 5 pounds per square inch gauge (psig) (34.47 kPa) at the highest point of the system. This test shall be maintained for a sufficient time period to complete visual inspection of joints and connections. For not less than 10 minutes, there shall be no leakage or permanent distortion. Care shall be exercised to ensure that these pressures are not applied to vented storage tanks. Such storage tanks shall be tested independently from the piping.

**5703.6.3.1 Existing piping.** Existing piping shall be tested in accordance with this section where the *fire code official* has reasonable cause to believe that a leak exists. Piping that could contain flammable or *combustible liquids* shall not be tested pneumatically. Such tests shall be at the expense of the *owner* or operator.

**Exception:** Vapor-recovery piping is allowed to be tested using an inert gas.

**5703.6.4 Protection from vehicles.** Guard posts or other *approved* means shall be provided to protect piping, valves or fittings subject to vehicular damage in accordance with Section 312.

**5703.6.5 Protection from external corrosion and galvanic action.** Where subject to external corrosion, piping, related fluid-handling components and supports for both underground and above-ground applications shall be fabricated from noncorrosive materials, and coated or provided with corrosion protection. Dissimilar metallic parts that promote galvanic action shall not be joined.

**5703.6.6 Valves.** Piping systems shall contain a sufficient number of manual control valves and check valves to operate the system properly and to protect the plant under both normal and emergency conditions. Piping systems in connection with pumps shall contain a sufficient number of such valves to control properly the flow of liquids in normal operation and in the event of physical damage or fire exposure.

**5703.6.6.1 Backflow protections.** Connections to pipelines or piping by which equipment (such as tank cars, tank vehicles or marine vessels) discharges liquids into storage tanks shall be provided with check valves or block valves for automatic

protection against backflow where the piping arrangement is such that backflow from the system is possible. Where loading and unloading is done through a common pipe system, a check valve is not required. However, a block valve, located in an area where it is provided with *ready access* or remotely operable, shall be provided.

**5703.6.6.2 Manual drainage.** Manual drainage-control valves shall be located at *approved* locations remote from the tanks, diked area, drainage system and impounding basin to ensure their operation in a fire condition.

**5703.6.7 Connections.** Above-ground tanks with connections located below normal liquid level shall be provided with internal or external isolation valves located as close as practical to the shell of the tank. Except for liquids whose chemical characteristics are incompatible with steel, such valves, where external, and their connections to the tank shall be of steel.

**5703.6.8 Piping supports.** Piping systems shall be substantially supported and protected against physical damage and excessive stresses arising from settlement, vibration, expansion, contraction or exposure to fire. The supports shall be protected against exposure to fire by one of the following:

1. Draining liquid away from the piping system at a minimum slope of not less than 1 percent.
2. Providing protection with a *fire-resistance rating* of not less than 2 hours.
3. Other *approved* methods.

**5703.6.9 Flexible joints.** Flexible joints shall be *listed* and *approved* and shall be installed on underground liquid, vapor and vent piping at all of the following locations:

1. Where piping connects to underground tanks.
2. Where piping ends at pump islands and vent risers.
3. At points where differential movement in the piping can occur.

**5703.6.9.1 Fiberglass-reinforced plastic piping.** Fiberglass-reinforced plastic (FRP) piping is not required to be provided with flexible joints in locations where both of the following conditions are present:

1. Piping does not exceed 4 inches (102 mm) in diameter.
2. Piping has a straight run of not less than 4 feet (1219 mm) on one side of the connection where such connections result in a change of direction.

In lieu of the minimum 4-foot (1219 mm) straight run length, *approved* and *listed* flexible joints are allowed to be used under dispensers

and suction pumps, at submerged pumps and tanks, and where vents extend above ground.

**5703.6.10 Pipe joints.** Joints shall be liquid tight and shall be welded, flanged or threaded except that *listed* flexible connectors are allowed in accordance with Section 5703.6.9. Threaded or flanged joints shall fit tightly by using *approved* methods and materials for the type of joint. Joints in piping systems used for Class I liquids shall be welded where located in concealed spaces within buildings.

Nonmetallic joints shall be *approved* and shall be installed in accordance with the manufacturer's instructions.

Pipe joints that are dependent on the friction characteristics or resiliency of combustible materials for liquid tightness of piping shall not be used in buildings. Piping shall be secured to prevent disengagement at the fitting.

**5703.6.11 Bends.** Pipe and tubing shall be bent in accordance with ASME B31.9.

221. Subparagraph 5704.2.7.4, "Emergency Venting," of Paragraph 5704.2.7, "Design, Fabrication and Construction Requirements for Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of Part V, "Hazardous Materials," of the 2021 International Fire Code is amended to read as follows:

**"5704.2.7.4 Emergency venting.** Stationary, aboveground storage tanks shall be equipped with additional venting that will relieve excessive internal pressure caused by exposure to fires. Emergency vents for Class I, II and IIIA liquids shall not discharge inside buildings. The venting shall be installed and maintained in accordance with Section 22.7 of NFPA 30.

**Exception[s]:**

[1.] Tanks larger than 12,000 gallons (45 420 L) in capacity storing Class IIIB liquids that are not within the diked area or the drainage path of Class I or II liquids do not require emergency relief venting.

~~[2. Emergency vents on protected aboveground tanks complying with UL 2085 containing Class II or IIIA liquids are allowed to discharge inside the building.]~~

222. Item 5704.2.7.5.8, “Overfill Prevention,” of Subparagraph 5704.2.7.5, “Tank Openings Other Than Vents,” of Paragraph 5704.2.7, “Design, Fabrication and Construction Requirements for Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5704.2.7.5.8 Overfill prevention.** An *approved* means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfill of all Class I, II or IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Section 5706.4 or 5706.7 shall have overfill protection accordance with API 2350.

An *approved* means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

~~[Exception: Outside above-ground tanks with a capacity of 1,320 gallons (5000 L) or less.]”~~

223. Subparagraph 5704.2.9.5, “Above-Ground Tanks Inside of Buildings,” of Paragraph 5704.2.9, “Above-Ground Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5704.2.9.5 Above-ground tanks inside of buildings.** Above-ground tanks inside of buildings shall comply with Sections 5704.2.9.5.1 through 5704.2.9.5.3 ~~[and 5704.2.9.5.2]~~.

**5704.2.9.5.1 Overfill prevention.** Above-ground tanks storing Class I, II and IIIA liquids inside buildings shall be equipped with a device or other means to prevent overflow into the building including, but not limited to: a float valve; a preset meter on the fill line; a valve actuated by the weight of the tank’s contents; a low-head pump that is incapable of producing overflow; or a liquid-tight overflow pipe not less than one pipe size larger than the fill pipe and discharging by gravity back to the outside source of liquid or to an *approved* location. Tanks containing Class IIIB liquids and connected to fuel-burning equipment shall be provided with a means to prevent overflow into buildings in accordance with Section 5704.2.7.5.8.



**5704.2.9.5.2 Fill pipe connections.** Fill pipe connections for tanks storing Class I, II and IIIA liquids and Class IIIB liquids connected to fuel-burning equipment shall be in accordance with Section 5704.2.9.7.6.

**5704.2.9.5.3 Combustible liquid storage tanks inside of buildings.** The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;
2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;
3. The tanks shall be located in a room protected by an automatic sprinkler system complying with Section 903.3.1.1; and
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an approved closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.”

224. Paragraph 5704.2.11, “Underground Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5704.2.11 Underground tanks.** Underground storage of *flammable* and *combustible liquids* in tanks shall comply with Section 5704.2 and Sections 5704.2.11.1 through 5704.2.11.4.4[5704.2.11.4.2.4].

**5704.2.11.1 Location.** *Flammable* and *combustible liquid* storage tanks located underground, either outside or under buildings, shall be in accordance with all of the following:

1. Tanks shall be located with respect to existing foundations and supports such that the loads carried by the latter cannot be transmitted to the tank.

2. The distance from any part of a tank storing liquids to the nearest wall of a *basement*, pit, cellar or *lot line* shall be not less than 3 feet (914 mm).
3. A minimum distance of 1 foot (305 mm), shell to shell, shall be maintained between underground tanks.

**5704.2.11.2 Depth and cover.** Excavation for underground storage tanks shall be made with due care to avoid undermining of foundations of existing structures. Underground tanks shall be set on firm foundations and surrounded with not less than 6 inches (152 mm) of noncorrosive inert material, such as clean sand or gravel well tamped in place or in accordance with the manufacturer's installation instructions. Tanks shall be covered with a minimum of 2 feet (610 mm) of earth or shall be covered by not less than 1 foot (305 mm) of earth, on top of which shall be placed a slab of reinforced concrete not less than 4 inches (102 mm) thick.

When underground tanks are, or are likely to be, subjected to traffic, they shall be protected against damage from vehicles passing over them by at least 3 feet (914 mm) of earth cover, or 18 inches (457 mm) of well-tamped earth plus 6 inches (152 mm) of reinforced concrete, or 8 inches (203 mm) of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection, it shall extend at least 1 foot (305 mm) horizontally beyond the outline of the tank in all directions.

For tanks built in accordance with Section 5704.2.7, the burial depth and the height of the vent line shall be such that the static head imposed at the bottom of the tank will not exceed 10 psig (69 kPa) if the fill or vent pipe is filled with liquid.

If the depth of cover exceeds 7 feet (2157 mm) or the manufacturer's specifications, reinforcements shall be provided in accordance with the tank manufacturer's recommendations.

Nonmetallic underground tanks shall be installed in accordance with the manufacturer's instructions. The minimum depth of cover shall be as specified above.

**5704.2.11.3 Overfill protection and prevention systems.** Fill pipes shall be equipped with a spill container and an overfill prevention system in accordance with NFPA 30.

**5704.2.11.4 Leak prevention.** Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through [and] 5704.2.11.4.4[2].

**5704.2.11.4.1 Inventory control.** Daily inventory records for underground storage tank systems shall be maintained.

**5704.2.11.4.2 Leak detection.** Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that

is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

**5704.2.11.4.2.1 Location.** The leak detection panel status shall be annunciated at an *approved* on-site location.

**5704.2.11.4.3 Observation wells.** Approved sampling tubes of a minimum of 4 inches (102 mm) in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches (305 mm) below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of four sumps. Sampling tubes shall be placed in the product line excavation within 10 feet (3048 mm) of the tank excavation and one every 50 feet (15 240 mm) routed along product lines towards the dispensers. A minimum of two sampling tubes are required.

**5704.2.11.4.4 Secondary containment.** An approved method of secondary containment shall be provided for underground tank and piping systems.”

225. Subparagraph 5704.2.12.1, “Acceptance Testing,” of Paragraph 5704.2.12, “Testing,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5704.2.12.1 Acceptance testing.** Prior to being fueled, or placed into service, tanks shall be tested for tightness in the presence of the *fire code official* in accordance with Section 21.5 of NFPA 30.”

226. Item 5704.2.13.1.4, “Tanks Abandoned in Place,” of Subparagraph 5704.2.13.1, “Underground Tanks,” of Paragraph 5704.2.13, “Abandonment and Status of Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5704.2.13.1.4 Tanks abandoned in place.** Tanks abandoned in place shall be as follows:

1. *Flammable* and *combustible liquids* shall be removed from the tank and connected piping.
2. The suction, inlet, gauge, vapor return and vapor lines shall be disconnected.
3. The tank shall be filled completely with an *approved* inert solid material.
4. Remaining underground piping shall be capped or plugged.
5. A record of tank size, location and date of abandonment shall be retained.
6. All exterior above-grade fill piping shall be permanently removed when tanks are abandoned or removed.
7. Abandonment of tanks shall be in the presence of the fire code official.

227. Subparagraph 5704.2.14.1, "Removal," of Paragraph 5704.2.14, "Removal and Disposal of Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of Part V, "Hazardous Materials," of the 2021 International Fire Code is amended to read as follows:

**"5704.2.14.1 Removal.** Removal of above-ground and underground tanks shall be in accordance with all of the following:

1. *Flammable* and *combustible liquids* shall be removed from the tank and connected piping.
2. Piping at tank openings that is not to be used further shall be disconnected.
3. Piping shall be removed from the ground.

**Exception:** Piping is allowed to be abandoned in place where the *fire code official* determines that removal is not practical. Abandoned piping shall be capped and safeguarded as required by the *fire code official*.

4. Tank openings shall be capped or plugged, leaving a 1/8-inch to 1/4-inch diameter (3.2 mm to 6.4 mm) opening for pressure equalization.
5. Tanks shall be purged of vapor and inerted prior to removal.
6. All exterior above-grade fill and vent piping shall be permanently removed.

**Exception:** Piping associated with bulk plants, terminal facilities and refineries.

7. Removal of tanks shall be in the presence of the *fire code official*.

228. Paragraph 5706.5.4, “Dispensing From Tank Vehicles and Tank Cars,” of Subsection 5706.5, “Bulk Transfer and Process Transfer Operations,” of Section 5706, “Special Operations,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“5706.5.4 Dispensing from tank vehicles and tank cars.** Dispensing from tank vehicles and tank cars into the fuel tanks of motor vehicles shall be prohibited unless allowed by and conducted in accordance with Sections 5706.5.4.1 through 5706.5.4.5. A permit shall be issued for each site where mobile dispensing of Class II or Class III liquids into the fuel tanks of motor vehicles occurs in accordance with this chapter. A mobile fueling permit shall be issued for each fuel dispensing vehicle that dispenses Class II or Class III liquids in accordance with this chapter.

**5706.5.4.1 Marine craft and special equipment.** Liquids intended for use as motor fuels are allowed to be transferred from tank vehicles into the fuel tanks of marine craft and special equipment where *approved* by the *fire code official*, and where:

1. The tank vehicle’s specific function is that of supplying fuel to fuel tanks.
2. The operation is not performed where the public has access or where there is unusual exposure to life and property.
3. The dispensing line does not exceed 50 feet (15 240 mm) in length.
4. The dispensing nozzle is *approved*.

**5706.5.4.2 Emergency refueling.** Where *approved* by the *fire code official*, dispensing of motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles is allowed during emergencies. Dispensing from tank vehicles shall be in accordance with Sections 5706.2.8 and 5706.6.

**5706.5.4.3 Aircraft fueling.** Transfer of liquids from tank vehicles to the fuel tanks of aircraft shall be in accordance with Chapter 20. Mobile fuel dispensing vehicles are prohibited from dispensing flammable or combustible liquids into the fuel tanks of aircraft on non-airport property.

**Exception:** Requests for temporary dispensing of flammable or combustible liquids into the fuel tanks of aircraft on non-airport property will be reviewed on an individual basis. If approved by the *fire code official*, standby personnel shall be

required. Charges for standby personnel shall be as normally calculated by the fire department.

**5706.5.4.4 Fueling of vehicles at farms, construction sites and similar areas.**

Transfer of liquid from tank vehicles to motor vehicles for private use on farms and rural areas and at construction sites, earth-moving projects, gravel pits and borrow pits is allowed in accordance with Section 5706.2.8.

**5706.5.4.5 Commercial, industrial, governmental or manufacturing.** Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted, provided that such dispensing operations are conducted in accordance with the following:

1. Dispensing shall occur only at sites that have been issued a permit to conduct mobile fueling.
2. The *owner* of a mobile fueling operation shall provide to the jurisdiction a written response plan that demonstrates readiness to respond to a fuel spill and carry out appropriate mitigation measures, and describes the process to dispose properly of contaminated materials.
3. A detailed site plan shall be submitted with each application for a permit. The site plan shall indicate: all buildings, structures and appurtenances on site and their use or function; all uses adjacent to the *lot lines* of the site; the locations of all storm drain openings, adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be retained on the site property; and the scale of the site plan.

Provisions shall be made to prevent liquids spilled during dispensing operations from flowing into buildings or off-site. Acceptable methods include, but shall not be limited to, grading driveways, raising doorsills or other *approved* means.

4. The *fire code official* is allowed to impose limits on the times and days during which mobile fueling operations is allowed to take place, and specific locations on a site where fueling is permitted.
5. Mobile fueling operations shall be conducted in areas not open to the public or shall be limited to times when the public is not present.
6. Mobile fueling shall not take place within 15 feet (4572 mm) of buildings, property lines, combustible storage or storm drains.

**Exceptions:**

1. The distance to storm drains shall not apply where an *approved* storm drain cover or an *approved* equivalent that will prevent any fuel from reaching the drain is in place prior to fueling or a fueling hose being placed within 15 feet (4572 mm) of the drain. Where placement of a storm drain cover will cause the accumulation of excessive water or difficulty in conducting the fueling, such cover shall not be used and the fueling shall not take place within 15 feet (4572 mm) of a drain.
2. The distance to storm drains shall not apply for drains that direct influent to *approved* oil interceptors.
7. The tank vehicle shall comply with the requirements of NFPA 385 and local, state and federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.
8. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the tank vehicle or the point of fueling shall be prominently posted on three sides of the vehicle including the back and both sides.
9. A portable fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.
10. The dispensing nozzles and hoses shall be of an *approved* and *listed* type.
11. The dispensing hose shall not be extended from the reel more than 100 feet (30 480 mm) in length.
12. Absorbent materials, nonwater-absorbent pads, a 10-foot-long (3048 mm) containment boom, an *approved* container with lid and a nonmetallic shovel shall be provided to mitigate a minimum 5-gallon (19 L) fuel spill.
13. Tank vehicles shall be equipped with a "fuel limit" switch such as a count-back switch, to limit the amount of a single fueling operation to not more than 500 gallons (1893 L) before resetting the limit switch.

**Exception:** Tank vehicles where the operator carries and can utilize a remote emergency shutoff device that, when activated, immediately causes flow of fuel from the tank vehicle to cease.

14. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill. Training records shall be maintained by the dispensing company.

15. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.
16. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
17. Fuel dispensing shall be prohibited within 25 feet (7620 mm) of any source of ignition.
18. The engines of vehicles being fueled shall be shut off during dispensing operations.
19. Nighttime fueling operations shall only take place in adequately lighted areas.
20. The tank vehicle shall be positioned with respect to vehicles being fueled to prevent traffic from driving over the delivery hose.
21. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.
22. Motor vehicle fuel tanks shall not be topped off.
23. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the tank vehicle.
24. The *fire code official* and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.
25. Operators shall place a drip pan or an absorbent pillow under each fuel fill opening prior to and during dispensing operations. Drip pans shall be liquid-tight. The pan or absorbent pillow shall have a capacity of not less than 3 gallons (11.36 L). Spills retained in the drip pan or absorbent pillow need not be reported. Operators, when fueling, shall have on their person an absorbent pad capable of capturing diesel fuel overfills. Except during fueling, the nozzle shall face upward and an absorbent pad shall be kept under the nozzle to catch drips. Contaminated absorbent pads or pillows shall be disposed of regularly in accordance with local, state and federal requirements.”

229. Section 5707, “On-Demand Mobile Fueling Operations,” of Chapter 57, “Flammable and Combustible Liquids,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:



**“SECTION 5707  
ON-DEMAND MOBILE FUELING OPERATIONS**

**5707.1 General.** On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5706.5.4.5 and 5707.1 through 5707.6.6.

**Exception:** Fueling from an *approved* portable container in cases of an emergency or for personal use.

**5707.1.1 Approval required.** Mobile fueling operations shall not be conducted without first obtaining a *permit* and approval from the *fire code official*. Mobile fueling operations shall occur only at *approved* locations. The *fire code official* is authorized to approve individual locations or geographic areas where mobile fueling is allowed.

**5707.1.2 Permits.** Permits shall be required as set forth in Section 105. A mobile fueling permit shall be issued for each fuel dispensing vehicle that dispenses flammable and combustible liquids in accordance with this chapter. The fire department shall inspect each vehicle annually to ensure that the equipment is in good working order and in compliance with the provisions of this chapter before issuing a permit to operate.

**5707.1.3 Site plan review fee.** Site plans, in a format acceptable to the fire code official, shall be submitted prior to conducting mobile fueling operations and comply with Section 5707.3.3. Plans for mobile fueling operations shall be submitted with a nonrefundable \$216.00 site plan review fee.

**5707.2 Mobile fueling vehicle.** An on-demand mobile fueling vehicle shall be that which is utilized in on-demand fueling operations for the dispensing of Class I, II or III liquids into the fuel tanks of motor vehicles.

**5707.2.1 Mobile fueling vehicle classifications.** An on- demand mobile fueling vehicle shall be characterized as one of the following:

1. Tier 1 mobile fueling vehicle. A tank vehicle that complies with NFPA 385 and that has chassis- mounted tanks where the aggregate capacity does not exceed 1,600 gallons (6057 L).
2. Tier 2 mobile fueling vehicle. A vehicle with one or more chassis-mounted tanks or containers that do not exceed 110 gallons (416 L) in capacity with an aggregate capacity that does not exceed 800 gallons (3028 L) or the weight capacity of the vehicle in accordance with DOTn.
- ~~3. Tier 3 mobile fueling vehicle. A vehicle that carries a maximum aggregate capacity of 60 gallons (227 L) of motor fuel in metal safety cans listed in accordance with UL 30 or other approved metal containers, each not to exceed 5 gallons (19L) in capacity.]~~

**5707.2.2 Mobile fueling vehicle requirements.** The mobile fueling vehicle and its equipment shall be maintained in good repair. Each mobile fueling vehicle shall comply with all local, state and federal requirements, as well as the following:

1. Mobile fueling vehicles with a chassis-mounted tank in excess of 110 gallons (416 L) shall also comply with the requirements of Section 5706.6 and NFPA 385.
2. The mobile fueling vehicle and its equipment shall be maintained in good repair
3. Safety cans and *approved* metal containers shall be secured to the mobile fueling vehicle except when in use.
4. Fueling a motor vehicle from tanks or containers mounted in a trailer connected to a mobile fueling vehicle shall be prohibited.

**5707.3 Required documents.** Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the *owner* of the mobile fueling operation and shall be maintained in compliance with Section 109.3.

**5707.3.1 Safety and emergency response plan.** Mobile fueling operators shall have an *approved* written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.

**5707.3.2 Training records.** Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures and the safety and emergency response plan. Training records of operators shall be maintained.

**5707.3.3 Site plan.** Where required by the *fire code official*, a site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

1. All buildings and structures.
2. *Lot lines* or property lines.
3. Electric car chargers.
4. Solar photovoltaic parking lot canopies.
5. Appurtenances on-site and their use or function.
6. All uses adjacent to the *lot lines* of the site.
7. Fueling locations.
8. Locations of all storm drain openings and adjacent waterways or wetlands.

9. Information regarding slope, natural drainage, curbing and impounding.
10. How a spill will be kept on the site property.
11. Scale of the site plan.

**5707.4 Mobile fueling areas.** The fire code official is authorized to impose limits on the times and days during which mobile fueling operations are allowed to take place, and specific locations on a site where fueling is permitted. During fueling, the mobile fueling vehicle and point of connection to the vehicle shall not be located on public streets, *public ways* or inside *buildings*. Fueling on the roof level of parking structures or other *buildings* is prohibited. Mobile fueling sites shall be restricted to commercial, industrial, governmental or manufacturing, where the parking area having such operations is primarily intended for employee vehicles. Mobile fueling shall be conducted for fleet fueling or employee vehicles only, not the general public. Commercial sites shall be restricted to office-type or similar occupancies that are not primarily intended for use by the public.

**5707.4.1 Separation.** During fueling, the point of connection to the vehicle being fueled shall not take place within 25 feet (7620 mm) of buildings, *lot lines*, property lines or combustible storage. Mobile fueling vehicles shall not park within 10 feet (3048 mm) of buildings, *lot lines*, property lines or combustible storage.

**Exception[s]:**

- ~~1. The fire code official shall be authorized to decrease the separation distance for dispensing from metal safety cans or other approved metal containers in accordance with Section 5707.2.~~
- 2]. The point of fueling shall not take place within 10 feet (3048 mm) of buildings, *lot lines*, property lines or combustible storage where the mobile fueling vehicle has an *approved* vapor recovery system or is servicing vehicles with onboard refueling vapor recovery.

Where dispensing operations occur within 15 feet (4572 mm) of a storm drain, an *approved* storm drain cover or an *approved* equivalent method that will prevent any fuel from reaching the drain shall be used.

**5707.4.2 Sources of ignition.** Smoking, open flames and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the vehicle or the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

**5707.4.3 Electrical equipment.** Mobile fueling shall not occur within 20 feet (6096 mm) of electrical equipment located within 18 inches (457 mm) of the ground unless such electrical equipment is rated for Class I, Division 2, hazardous locations in accordance with NFPA 70.

**5707.5 Equipment.** Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.5.

**5707.5.1 Dispensing hoses and nozzles.** Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles and hoses shall be of an *approved* and *listed* type. Where metal-to-metal contact cannot be made between the nozzle and the fuel fill opening, a means for bonding the mobile fueling vehicle to the motor vehicle shall be provided and employed during fueling operations.

**5707.5.2 Breakaway device.** A *listed* breakaway device shall be provided at the nozzle.

**Exception:** Mobile fueling vehicles equipped with an approved brake interlock tied to the nozzle holder that prohibits movement of the mobile fueling vehicle when the nozzle is removed from its holder or tied to the delivery of fuel that prevents activation of the pumping system.

**5707.5.3 Shutoff valve and fuel limit.** Mobile fueling vehicles shall be equipped with a *listed* shutoff valve assembly and a fuel limit switch set to a maximum of 30 gallons (116 L).

**5707.5.4 Fire extinguisher.** An *approved* portable fire extinguisher complying with Section 906 with a minimum rating of 4-A:80-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

**5707.5.5 Spill kit.** Mobile fueling vehicles shall contain a minimum 5-gallon (19 L) spill kit of an *approved* type.

**5707.6 Operations.** Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads. Provisions shall be made to prevent liquids spilled during dispensing operations from flowing into buildings or off-site. Acceptable methods include, but shall not be limited to, grading driveways, raising doorsills or other approved means.

**5707.6.1 Dispensing hose.** Where equipped, mobile fueling vehicles shall be positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the mobile fueling vehicle.

**5707.6.2 Drip control.** Operators shall place a drip pan or an absorbent pillow under the nozzle and each fuel fill opening prior to and during dispensing operations to catch drips.

**5707.6.3 Safety cones.** Safety cones or other visual barriers shall be employed as warning devices to highlight the vehicle fueling area.

**5707.6.4 Vehicle lights.** The mobile fueling vehicle flasher lights shall be in operation while dispensing operations are in progress.

**5707.6.5 Nighttime deliveries.** Nighttime deliveries shall be made only in areas deemed adequately lighted by the *fire code official*.

**5707.6.6 Spill reporting.** Any spill in excess of 5-gallons (19 L) [~~Spills~~] shall be immediately reported to the *fire code official* in the manner prescribed. [~~in accordance with Section 5003.3.1.~~]

230. Section 6101, “General,” of Chapter 61, “Liquefied Petroleum Gases,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

### **“SECTION 6101 GENERAL**

**6101.1 Scope.** Storage, handling and transportation of liquefied petroleum gas (LP-gas) and the installation of LP-gas equipment pertinent to systems for such uses shall comply with this chapter, ~~and~~ NFPA 58 and NFPA 160. Properties of LP-gases shall be determined in accordance with Appendix B of NFPA 58 and NFPA 160. Storage and use of LP-gas inside Fair Park shall be in accordance with Section 32-19 of the *Dallas City Code*.

**6101.2 Permits.** Permits shall be required as set forth in Sections 105.5 and 105.6.

Distributors shall not fill an LP-gas container for which a permit is required unless a permit for installation has been issued for that location by the *fire code official*.

**6101.2.1 Permit duration.** A permit expires on the earliest of the following dates:

1. On the expiration date shown on the permit.
2. When the permittee completes the permitted activity.
3. If the permittee is an employee conducting the permitted activity within the course and scope of employment, when the employer’s permit expires or is revoked, whichever occurs first.

**6101.2.2 Demonstration or portable cooking permits.** A permit to use LP-gas for demonstration or portable cooking purposes that are temporary in nature, including but not limited to convention and promotional uses, may be issued for a period not to exceed 10 days, and, upon expiration, may be renewed by the *fire code official* upon application and the payment of all required permit fees. The *fire code official* may issue an annual permit for portable cooking purposes that are long term and continuous in nature and performed at a fixed location, including, but not limited to, street vending uses. The annual permit expires one year from the date of issuance and may be renewed by the *fire code official* upon

application and the payment of all required permit fees. See Section 105.6 for additional permits required.

**6101.3 Construction documents.** Where a single LP-gas container is 250 [~~more than 2,000~~] gallons (~~1136~~[~~7570~~]L) in water capacity or the aggregate water capacity of LP-gas containers is 2,000 [~~more than 4,000~~] gallons (~~7570~~[~~15–140~~]L) or more, the installer shall submit *construction documents* for such installation.

Plans detailing indoor or outdoor storage (above or below grade), dispensing, use and handling of LP-gas shall be submitted for review and approval to the building official. Plans shall include, but not be limited to, the following:

1. Amounts of LP-gas involved.
2. Safety data sheets of all LP-gas involved.
3. Room construction, dimensions, ventilation, sprinkler design, etc.
4. Secondary containment.
5. Piping specifications (vents, ports, etc.).
6. Location on property.
7. Property lines.
8. Buildings and structures.
9. Fire apparatus access roads.
10. Fire hydrants.
11. Manufacturer's specifications on all equipment involved (tanks, dispensers, pumps, etc.).

**6101.4 LP-gas equipment.** All LP-gas devices shall be listed for their intended use.”

231. Subparagraph 6103.2.1.5, “Demonstration Uses,” of Paragraph 6103.2.1, “Portable Containers,” of Subsection 6103.2, “Use of LP-Gas Containers in Buildings,” of Section 6103, “Installation of Equipment,” of Chapter 61, “Liquefied Petroleum Gases,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“6103.2.1.5 Demonstration uses.** Portable LP-gas containers are allowed to be used temporarily for demonstrations and public exhibitions. Such containers shall not exceed a water capacity of 12 pounds (5 kg). Where more than one such container is present in the same room, each container shall be separated from other containers by a distance of not less than 20 feet (6096 mm). Portable LP-gas containers inside exhibition halls shall also comply with Section 3105.”

232. Paragraph 6103.2.1, “Portable Containers,” of Subsection 6103.2, “Use of LP-Gas Containers in Buildings,” of Section 6103, “Installation of Equipment,” of Chapter 61, “Liquefied Petroleum Gases,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended by adding a new Subparagraph 6103.2.1.8, “Jewelry Repair, Dental Labs and Similar Occupancies,” to read as follows:

**“6103.2.1.8 Jewelry repair, dental labs and similar occupancies.** Where natural gas service is not available, portable LP-gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet (6096 mm). A hot work permit is required.”

233. Subsection 6104.2, “Maximum Capacity Within Established Limits,” of Section 6104, “Location of LP-Gas Containers,” of Chapter 61, “Liquefied Petroleum Gases,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“6104.2 Maximum capacity within established limits.** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) [~~JURISDICTION TO SPECIFY~~].

**Exceptions:**

1. In particular installations, this capacity limit shall be determined by the *fire code official*, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

2. Except as permitted in Sections 308, 6104.3.3, and as to the extent allowed by state law, LP-gas containers are not permitted in residential areas.”

234. Subsection 6104.3, “Container Location,” of Section 6104, “Location of LP-Gas Containers,” of Chapter 61, “Liquefied Petroleum Gases,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended by adding a new Paragraph 6104.3.3, “Spas, Pool Heaters and Other Listed Devices,” to read as follows:

**“6104.3.3 Spas, pool heaters and other listed devices.** Where natural gas service is not available, LP-gas containers are allowed to be used to supply spa and pool heaters or other listed devices. Such containers shall not exceed 250-gallon (946 L) water capacity per lot. See Table 6104.3 for location of containers.

**Exception:** Lots where LP-gas can be off-loaded wholly on the property where the tank is located may install 500 gallon above ground or 1,000 gallon underground containers.”

235. Subsection 6107.4, “Protecting Containers From Vehicles,” of Section 6107, “Safety Precautions and Devices,” of Chapter 61, “Liquefied Petroleum Gases,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“6107.4 Protecting containers from vehicles.** Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312 ~~[NFPA 58]~~.”

236. Subsection 6109.13, “Protection of Containers,” of Section 6109, “Storage of Portable LP-Gas Containers Awaiting Use or Resale,” of Chapter 61, “Liquefied Petroleum Gases,” of Part V, “Hazardous Materials,” of the 2021 International Fire Code is amended to read as follows:

**“6109.13 Protection of containers.** LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

~~[Exception: Vehicle impact protection shall not be required for protection of LP-gas containers where the containers are kept in lockable, ventilated cabinets of metal construction.]”~~



237. The CGR Standard of Chapter 80, “Referenced Standards,” of Part VI, “Referenced Standards,” of the 2021 International Fire Code is amended to read as follows:

“46 CFR Parts 30, 32, 35 & 39—~~2000~~ [1999] **Shipping**  
5706.8”

238. Appendices A, K, and M of the 2021 International Fire Code are not adopted.

239. Appendices C, E, F, G, H, I, J, and L of the 2021 International Fire Code are adopted.

240. Appendix B, “Fire-Flow Requirements for Buildings,” of the 2021 International Fire Code is adopted with the following amendment:

A. Footnote a of Table B105.2, “Required Fire Flow for Buildings Other Than One-and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses,” of Subsection B105.2, “Buildings Other Than One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses” is amended to read as follows:

“a. The reduced fire-flow shall be not less than 1,500 [~~1,000~~] gallons per minute.”

241. Appendix D, “Fire Apparatus Access Roads,” of the 2021 International Fire Code is adopted with the following amendments:

A. Subsection D102.1, “Access and Loading,” of Section D102, “Required Access,” is amended to read as follows:

“**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 81,500 [~~75,000~~] pounds (36 968 [~~34 050~~] kg).”

B. Subsection D103.2, “Grade,” of Section D103, “Minimum Specifications,” is amended to read as follows:

**“D103.2 Grade.** See Section 503.2.7. ~~[Fire apparatus access roads shall not exceed 10 percent in grade.~~

**Exception:** ~~Grades steeper than 10 percent as approved by the fire code official.]”~~

C. Subsection D103.5, “Fire Apparatus Access Road Gates,” of Section D103, “Minimum Specifications,” is amended to read as follows:

**“D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with Section O104, “Limited Access Gates,” of Appendix O. ~~[all of the following criteria:~~

- ~~1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm).~~
- ~~2. Gates shall be of the horizontal swing, horizontal slide, vertical lift or vertical pivot type.~~
- ~~3. Construction of gates shall be of materials that allow manual operation by one person.~~
- ~~4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.~~
- ~~5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.~~
- ~~6. Methods of locking shall be submitted for approval by the fire code official.~~
- ~~7. Electric gate operators, where provided, shall be listed in accordance with UL 325.~~
- ~~8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.]”~~

D. Subsection D103.6, “Signs,” of Section D103, “Minimum Specifications,” is amended to read as follows:

**~~“D103.6 Signs.~~** See Section 503.3. [~~Where required by the fire code official, fire apparatus access roads shall be marked with permanent “NO PARKING FIRE LANE” signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.~~

~~— **D103.6.1 Roads 20 to 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).~~

~~**D103.6.2 Roads more than 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).]~~

E. Figure D103.6, “Fire Lane Signs,” of Section D103, “Minimum Specifications,” of the 2021 International Fire Code is deleted.

242. Appendix L, “Requirements for Fire Fighter Air Replenishment Systems,” of the 2021 International Fire Code is adopted with the following amendments

A. Subsection L101.1, “Scope,” of Section L101, “General,” is amended to read as follows:

**~~“L101.1 Scope.~~** Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in new buildings when any of the following conditions occur. [~~The adopting ordinance shall specify building characteristics or special hazards that establish thresholds triggering a requirement for the installation of a FARS. The requirement shall be based on the fire department's capability of replenishing fire fighter breathing air during sustained emergency operations. Considerations shall include:~~]

1. Any new buildings 5 or more stories in height. [~~Building characteristics, such as number of stories above or below grade plane, floor area, type of construction and fire resistance of the primary structural frame to allow sustained fire fighting operations based on a rating of not less than 2 hours.~~]
2. Any new building with 2 or more floors below grade. [~~Special hazards, other than buildings, that require unique accommodations to allow the fire department to replenish fire fighter breathing air.~~]

3. Any new building 500,000 square feet or more in floor area. [Fire department staffing level.]

**L101.1.1 Supply Riser.** Each stairwell shall have a supply riser. SCBA fill panels shall be located on odd numbered floors commencing at the first level in the primary stairwell and on even numbered floors commencing at level 2 in the remaining stairwells. Fill panels in buildings over 500,000 square feet in floor area shall be located adjacent to each standpipe connection[Availability of a fire department breathing air replenishment vehicle].”

B. Paragraph L104.13.1, “Location,” of Subsection L104.13, “fill Stations,” of Section L104, “Design and Installation,” is amended as follows:

**“L104.13.1 Reserved. [Location.** Fill stations for refilling breathing air cylinders shall be located as follows:

1. Fill stations shall be provided at the fifth floor above and below the ground level floor and every third floor level thereafter.
2. On floor levels requiring fill stations, one fill station shall be provided adjacent to a required exit stair at a location designated by the fire code official. In buildings required to have three or more exit stairs, additional fill stations shall be provided at a ratio of one fill station for every three stairways.]

C. Paragraph L104.14.1, “Location,” of Subsection L104.14, “External Mobile Air Connection,” of Section L104, “Design and Installation,” is amended to read as follows:

**“L104.14.1 Location.** The external mobile air connection shall be located with approved separation from the fire department connection (fdc) to allow functionality of both devices by first responders; shall be visible from and within 50 feet of a fire apparatus access road along an unobstructed path; and shall be located in a secured cabinet with an approved sign. [The location of the external mobile air connection shall be accessible to mobile air apparatus and approved by the fire code official.]”

243. The 2021 International Fire Code is amended by adding a new Appendix O, “Miscellaneous Dallas Fire-Rescue Department Standards,” to read as follows:

**“APPENDIX O  
MISCELLANEOUS DALLAS FIRE-RESCUE DEPARTMENT  
STANDARDS**

## **SECTION O101 GENERAL**

**O101.1 General.** The following standards of the Dallas Fire-Rescue Department are codified as a supplement to the Dallas Fire Code.

## **SECTION O102 SPECIFICATIONS FOR SECURING UNSECURED VACANT STRUCTURES**

**O102.1 General.** The diagrams and/or specifications in this standard delineate the *approved* methods for properly securing windows, doors and oversized openings of an unsecured vacant structure. All first-floor openings shall be secured. Openings above the first floor shall be secured if they are subject to unauthorized entry or vandalism. All open vacant structures shall comply with these standards. Enforcement is accomplished pursuant to the *Dallas Fire Code*.

**O102.2 First notification to secure a structure.** Upon receipt of a first notification to secure an unsecured vacant structure, the operator shall secure the structure within 48 hours. Doors and windows which are not in disrepair can be locked and shall be considered secured. All other openings shall be adequately secured to prevent unauthorized entry.

**O102.3 Second notification to secure a structure.** Should a second notification to secure a structure be necessary within one year of the initial notification, all openings shall be secured as specified in Section O102.4.

**O102.4 Specifications and materials.** Specifications and materials are outlined in this section (see attached diagrams and specifications).

**O102.4.1 Specifications and materials for securing windows.** The following specifications and materials are to be used in securing windows:

1. ½-inch (12.7-mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides secured on exterior side.
2. 8 penny cement coated, hot dipped zinc or galvanized nails.<sup>a</sup>
3. 2 inch (50.8 mm) steel washer.
4. ¼-inch (6.4 mm) steel plate 6-inch square (0.003 87 m<sup>2</sup>) for use as a washer.
5. 2-inch X 4-inch (50 mm by 101.6 mm) pine board cut to provide an overlap of 2 inches (50.8 mm) on both sides.<sup>b</sup>

6. ½-inch (12.7 mm) carriage bolt and ½-inch (12.7 mm) lock nut.
  - a. If applicable, 1½-inch (38.1 mm) masonry nails or # 8 1¼-inch (31.8 mm) sheet metal screws shall be used. All nails and screws on all installations may not exceed a maximum spacing of 12 inches (304.8 mm).
  - b. 2-inch X 4-inch (50.8 mm by 101.6 mm) pine board assembly should be centered if possible. Window shall have to be raised if not broken.

Casement, other window types which open outward, and picture windows with glass intact are exempt from the 2-inch X 4-inch (50 mm by 101.6 mm) pine board assembly requirement. However, they shall still be boarded from the exterior. Nails or screws may not exceed a maximum spacing of 6 inches (152.4 mm).

**O102.4.2 Specifications and materials for securing doors.** The following specifications and materials are to be used in securing doors:

1. ½-inch (12.7 mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides.
2. 8 penny cement coated, hot dipped zinc or galvanized nails.<sup>a</sup>
3. All doors are to be secured on the exterior side.
  - a. If applicable 1½-inch (38.1 mm) masonry nails or # 8 1¼-inch (31.75 mm) sheet metal screws shall be used. All nails and screws on installations may not exceed a maximum spacing of 6 inches (152.4 mm).

**O102.4.3 Specifications and materials for securing oversized openings.** The following specifications and materials are to be used for securing oversized openings:

1. ½-inch (12.7 mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides.
2. 2-inch X 4-inch (50.8 mm by 101.6 mm) pine board center support.<sup>a</sup>
3. 8 penny cement coated, hot dipped zinc or galvanized nails<sup>b</sup>
  - a. 2-inch X 4-inch (50.8 mm by 101.6 mm) center support shall be substantially anchored to prevent the separation of the adjoining sections of plywood [plywood clip couplers may not be used in lieu of 2-inch X 4-inch (50.8 mm by 101.6 mm) pine board].

- b. If applicable, 1½-inch (38.1 mm) masonry nails or #8 ¼-inch (31.75 mm) sheet metal screws shall be used. All nails and screws on all installations may not exceed a maximum spacing of 6 inches (152.4 mm).

**O102.4.4 Specifications for securing a structure using fencing materials.** In instances where a structure cannot be secured in accordance with the standards previously provided in this section, a fence may be used. Structures of this nature include, but are not limited to, buildings burned or dilapidated to the point that the windows and/or doors cannot be used to secure the building. The use of fencing shall require prior approval by the *fire code official*, and meet these specifications:

1. 6-foot (1828.8 mm) chain link fence posts are to be anchored in concrete or a comparable approved material.
2. Gates of like materials.
3. Padlocks.
4. One strand of 7-gauge spring wire tightly woven and secured along the base of the fence.
5. Fence shall secure the perimeter of the structure(s) to prevent unauthorized entry.

## **SECTION O103**

### **GENERAL FIRE SAFETY REQUIREMENTS FOR HIGH-RISE BUILDINGS**

**O103.1 Fire safety plan.** The operator of a high-rise building is required to submit a fire safety plan to the *fire code official* for review and approval. Copies of the fire safety plan shall be distributed to all tenants and employees of the building.

**O103.2 Fire safety personnel assignments.** The following fire safety personnel are required in high-rise buildings:

**O103.2.1 Fire safety director.** The fire safety director shall:

1. Be responsible for the fire safety plan and its implementation.
2. Select qualified building service employees for a fire brigade and ensure proper training.
3. Appoint fire wardens and ensure proper training.

4. In the event of fire, ensure the fire department is immediately notified and that evacuation procedures are initiated.
5. Ensure that all life safety systems are maintained, including:
  - 5.1. Fire alarm system.
  - 5.2. Automatic fire extinguishing systems.
  - 5.3. Elevator recall system.
  - 5.4. Fire pump, emergency generator and lighting.
6. Ensure fire drills are conducted quarterly and keep written records.

**O103.2.2 Fire warden.** A fire warden shall be designated for each floor.

**O103.2.2.1 Knowledge of fire warden.** The fire wardens shall be familiar with:

1. The fire safety plan.
2. Location of exits.
3. The fire alarm system.
4. Portable fire extinguishing equipment.

**O103.2.2.2 Duties of fire warden in the event of fire.** In the event of a fire, fire wardens shall:

1. Execute the fire safety plan.
2. Close all doors while notifying floor occupants.
3. Direct the evacuation of the fire floor, as appropriate, to three floors below the fire or outside the building.
4. Assign a responsible person to any person who is physically challenged and in need of assistance.
5. Prevent the use of elevators.



6. Notify the fire safety director of any persons who require assistance or persons not accounted for.

**O103.2.3 Fire brigade.** Key building personnel shall be organized into a trained fire brigade that may include engineering, security and management personnel who shall carry out the following tasks in the event of fire.

1. When safe to do so, respond to the fire location, report on the situation and sound alarm if necessary, assist in evacuation and extinguish the fire if possible.
2. Check fire pump and emergency generator for proper operation.
3. Adjust the HVAC so that smoke is not spread throughout the building.
4. Ensure all elevators are brought to the ground floor.

**O103.3 Fire safety plan.** The following items shall be included in a high-rise building's fire safety plan:

**O103.3.1 Emergency phone numbers.** The following phone numbers are required:

1. Fire/ambulance/police: 9-1-1.
2. Management and fire safety director.
3. Security.

**O103.3.2 Procedures.**<sup>a</sup> The following procedures shall be included in a high-rise building's fire safety plan:

1. RESCUE: Remove anyone from the immediate danger area.
2. CONFINE: Close the door to the room of origin to help contain the smoke and fire in that area.
3. ALERT:
  - 3.1. Activate the alarm.
  - 3.2. Call building management and give your name, the nature of the emergency and the floor number and suite.

- 3.3. Call the Dallas Fire-Rescue Department 9-1-1 and give your name; the nature of the emergency; and the building name, street address, floor and suite number.
4. FIGHT: If the fire is small and confined to one object (such as a trash can), attempt to fight the fire if the proper type of extinguisher is available, the person is familiar with extinguisher operation, and there are two ways out.

<sup>a</sup>. NOTE: Alternate wording may be used when *approved* by the *fire code official*.

**O103.3.3 Fire alarm system.** A high-rise building safety plan shall:

1. Explain how the alarm system is activated:
  - 1.1. Manual pull stations;
  - 1.2. Smoke detectors/heat detectors; or
  - 1.3. Water flow/tamper alarms on the sprinkler system.
2. Explain what is activated in an alarm condition and give examples:
  - 2.1. Horns or bells, either throughout the building, on the fire floor, two floors above, one floor below, or on the fire floor only;
  - 2.2. Elevators recalled to the ground floor;
  - 2.3. Heating, ventilating, and air-conditioning systems (HVAC) on the fire floor turned off. Exhaust fans are activated to remove smoke in the building.
  - 2.4. Pressurized stairwells, if applicable.
  - 2.5. Automatically unlocks stairwell doors from the stairwell side to permit re-entry onto other floors if smoke is encountered in the stairwell. For example, if stairwell re-entry is only available on every fifth floor, signs shall be posted indicating reentry points.

**O103.3.4 Evacuation procedures.** When the fire alarm is activated, use the closest stairwell to evacuate:

1. To three floors below the fire floor or to the ground floor and exit the building if so instructed.
2. If the closest stairwell is blocked by fire or smoke, evacuate by an alternate stairwell.

3. If all stairwells are blocked by fire or smoke, return to an office or room and close the doors. Call the fire department (number for outside line) 9-1-1, and building management (management office number) and notify them of your location. Seal doorway openings and air-conditioning vents with towels, clothing, etc. Stay low, below the smoke, and use a wet towel to cover your mouth and nose. Break windows only as a last resort.

**O103.4 Emergency plan.** An emergency plan shall be provided for fire-fighter use in the control room and shall include an emergency plan layout showing:

1. Means of egress from each floor.
2. Doors through which entry to safe floor areas may be made from the stairwell.
3. Where present, the location of:
  - 3.1. Emergency power for the fire alarm system.
  - 3.2. Fire-extinguishing systems.
  - 3.3. Smoke removal system.
  - 3.4. Public address system.
  - 3.5. Two-way communication system.
  - 3.6. Fire control station.
  - 3.7. Heat, smoke and flame detectors.
  - 3.8. Elevators having manual override controls.

**O103.5 General requirements for high-rise buildings.** High-rise buildings shall meet the following requirements.

**O103.5.1 Elevator warning signs.** The operator of the premises shall post and maintain in each elevator lobby, on all floors, a sign which has the words “**IN FIRE EMERGENCY, DO NOT USE ELEVATOR. USE EXIT STAIRS.**” Existing *approved* signs that read “**ELEVATORS MAY NOT BE USED IN CASE OF FIRE -USE STAIRWELLS WHICH ARE MARKED AS EXITS**” installed prior to the adoption of this code shall be permitted. Sign shall be marked:

1. In letters at least ½ inch (12.7 mm) high and on a contrasting background.
2. With a floor evacuation diagram oriented from each posted location showing the location of at least two of the nearest stairs.

**O103.5.2 Information sign.** The operator of the premises shall post and maintain at the main elevator lobby a sign, which has the words, “Fire Emergency Plan Available for Review from the Management Office” of letters at least ½ inch (12.7 mm) high and on a contrasting background.

## **SECTION O104**

### **LIMITED ACCESS GATES**

**O104.1 General.** Limited access gates which obstruct fire department access roads (fire lanes) shall be installed and maintained in accordance with the provisions of this section.

**O104.1.1 Plans required.** Submit two sets of plans drawn to scale for plan review and approval prior to installation. See the “Limited Access Gate Requirements” handout for information required for plan designs.

**O104.1.2 Building permit required.** A building permit is required to install fencing over 6 feet (1828.8 mm) high.

**O104.1.3 Electrical permit required.** An electrical permit is required for all electrical work.

**O104.1.4 Limited access gates.** An annual permit is required for the operation and maintenance of limited access gates which obstruct fire apparatus access roads and which open electro-mechanically, using an *approved* Dallas Fire-Rescue Department radio receiver and transmitter.

**O104.2 Design.** Limited access gates which obstruct fire department access roads shall:

1. Be set back a minimum of 20 feet (6096 mm) from public access roadways.
2. Open electro-mechanically using equipment *approved* by the *fire code official* when installed at residential occupancies (to include apartments, hotels/motels, gated residential communities, etc.), institutional occupancies, and other locations when, in the opinion of the fire chief, life safety needs must be addressed. When *approved* by the *fire code official*, general business occupancies may utilize manual Knox entry equipment, such as a Knox padlock and chain.
  - 2.1. Each Dallas Fire-Rescue Department radio receiver shall comply with the following design criteria:
    - 2.1.1. Consist of a receiver having a digital channel module preset to a specified digital code designated by the fire code official;
    - 2.1.2. Be equipped with an external, weather-tight, antenna assembly;

- 2.1.3. Be equipped with a flasher unit and external lamp assembly with a red globe and guard to be mounted separate from the enclosure. This shall be wired to 115 volts and clearly visible from the entry side of the gate;
  - 2.1.4. Be located so that it can receive a clear signal from the transmitter when activated from inside responding emergency vehicles from a distance of 100 feet (30 480 mm);
  - 2.1.5. Shall override all other opening systems;
  - 2.1.6. Be protected from weather and physical damage; and
  - 2.1.7. When activated, the gate shall open at a minimum speed of 1 foot per second and remain open until closed by the fire department.
- 3. Gate designs that involve installing gates within close proximity of each other shall be relayed so that both gates will open when activated. One Dallas Fire-Rescue Department transmitter and compatible radio receiver may be used to achieve this requirement.
- 4. A manual back-up system shall be provided for all electro-mechanical gates. It shall be accessible on the entry side of the gate, using the Knox padlock that conforms to the Dallas Fire-Rescue Department Knox security key that is used at all other locations.
  - 4.1. A fail-safe manual back-up system shall be installed to allow access through the gate in the event of operational failure.
  - 4.2. On swing gates and barrier arms, this manual system shall be designed:
    - 4.2.1. To be clearly visible and easily accessible from the entry side of the gate.
    - 4.2.2. To open manually by one person removing the Knox padlock and/or pin that is secured in the arm.
  - 4.3. On slide gates this manual system shall be designed:
    - 4.3.1. To be clearly visible and easily accessible from the entry side of the gate.
    - 4.3.2. To be mounted within 10 feet (3048 mm) of the gate and open manually by one person utilizing an approved single manual release device.
- 5. Commercial locations not required to install radio receivers shall utilize approved manual Knox entry equipment, such as a Knox padlock and chain.

**O104.3 Weather-resistant box required.** The manual release device as required in Item 4 of Section O104.2 shall be protected from weather and physical damage in a weather-resistant box which is:

1. Red in color.
2. At least 5 inches high, 5 inches wide and 1½ inches deep (127 mm high, 127 mm wide and 38.1 mm deep).
3. Clearly labeled 'Fire Dept.' in white block letters 1 inch (25.4 mm) tall with a ¼-inch (6.35 mm) stroke.
4. Located within 10 feet (3048 mm) of the gate.
5. Clearly visible and easily accessible.
6. Designed to accept a Knox padlock that conforms.

**O104.4 Pedestrian walkway gates.** Limited access gates may be installed across pedestrian walkways provided they swing in the direction of egress travel. Gates serving as part of a required means of egress shall also comply with Chapter 10. Gates obstructing fire department access required in Section 503 shall comply with the following designs:

1. Electronic locking devices installed on pedestrian walkway gates shall have a manually operated weatherproof Knox key switch and be compatible with the Dallas Fire-Rescue Department Knox security key. In the event of a power failure or other failure of the electro-mechanical system, a fail-safe system shall automatically unlock the gate to allow free entry and exit.
2. Pedestrian walkway gates using Simplex-style doorknob locks shall conform with the attached fire department access window diagrams. Fire department access windows shall have a required minimum dimension of 9 inches by 12 inches (228.6 mm by 304.8 mm) and include a hasp for the Dallas Fire Department Knox padlock that is compatible with the Dallas Fire-Rescue Department Knox security key.

**O104.5 Maintenance.** The gate opening systems shall be serviced on a regular basis and maintained in an approved operating condition. Unless otherwise approved by the *fire code official*, out of service gates shall be maintained in a chained open position until repaired and acceptance tested.

1. The mechanical and electrical components shall be serviced on a regular basis and maintained in an approved operating condition.
2. A power supply shall be maintained to electronic components at all times.

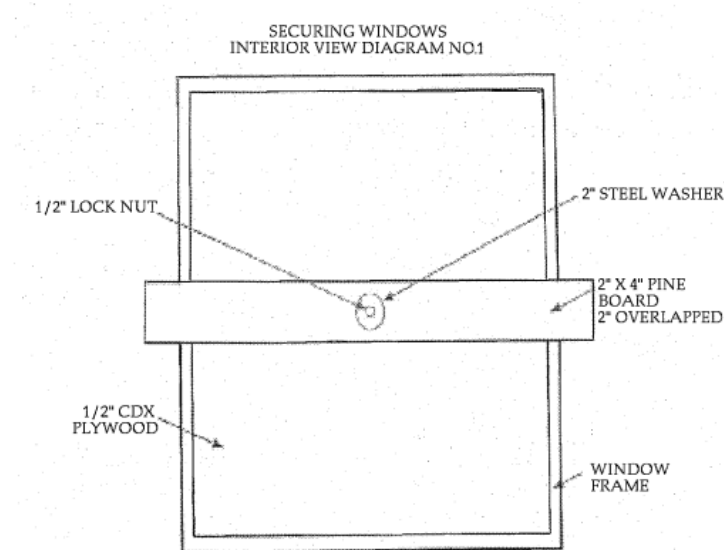
**O104.6 Performance test required.**

1. A performance test shall be conducted annually to verify proper operation of equipment.
2. Upon failure of the performance test, the security gate system shall be disabled and maintained in the open position until repaired and tested by the *fire code official*.

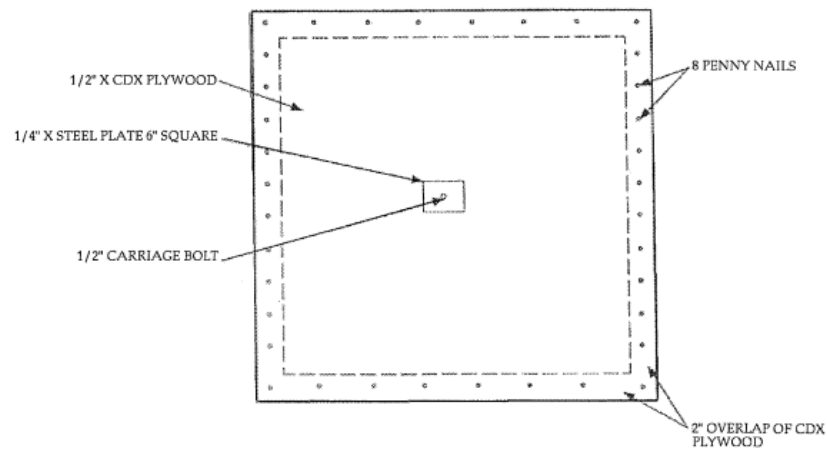
**O104.7 Illegal secondary obstructions to limited access gates.**

1. Barrier arms in front of access gates are not allowed.
2. Magnetic locking devices interconnected to Dallas Fire-Rescue Department radio receivers on limited access gates are prohibited.

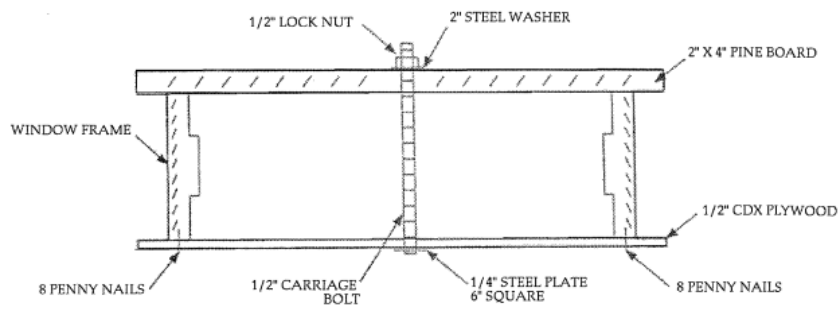
**O104.8 Appendix O Diagrams and Examples.**



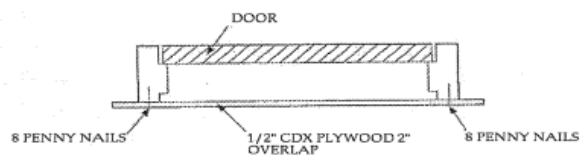
EXTERIOR VIEW DIAGRAM NO. 1A



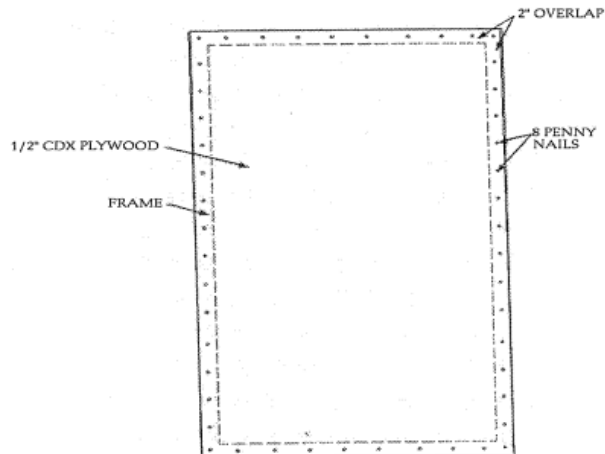
SECURING WINDOWS  
TOP VIEW CROSS SECTION DIAGRAM NO. 1B



TOP VIEW CROSS SECTION  
DIAGRAM NO. 2

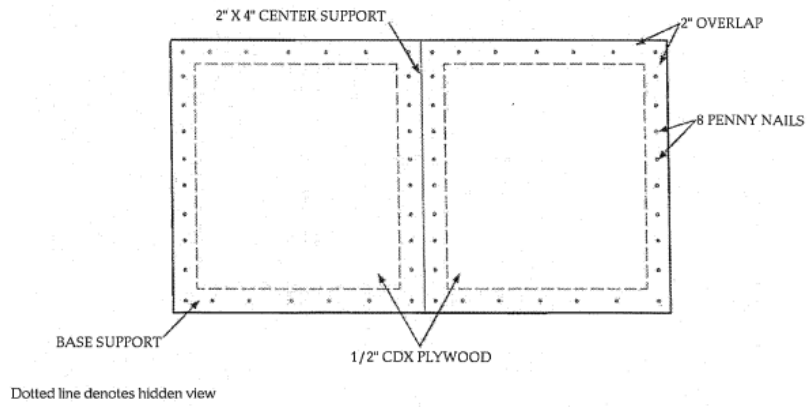


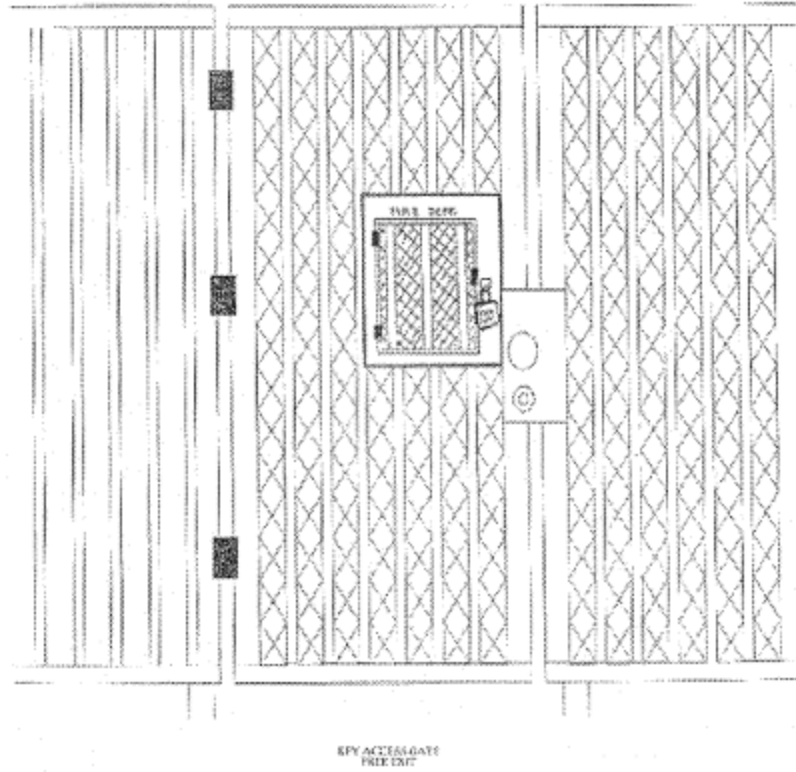
EXTERIOR VIEW  
DIAGRAM NO. 2A



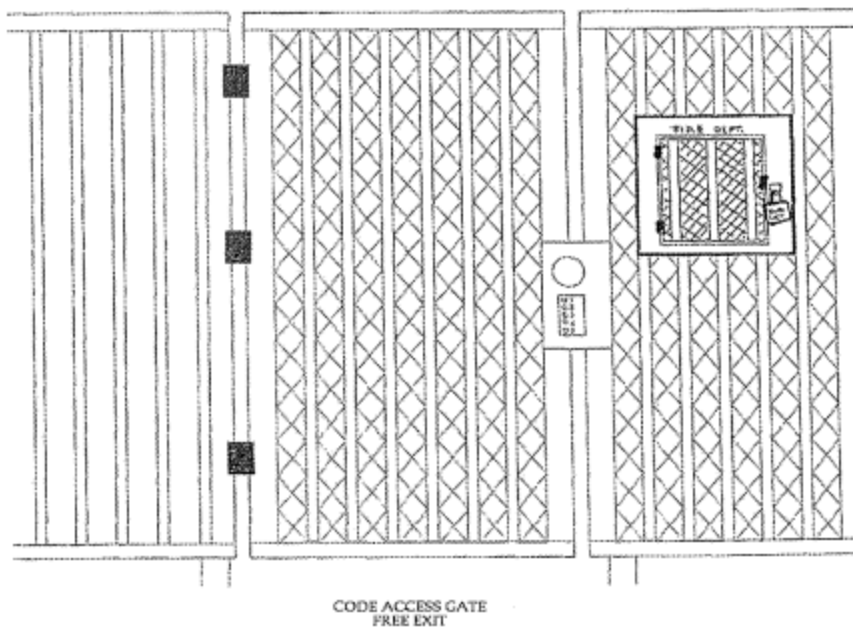


SECURING OVERSIZED OPENINGS  
EXTERIOR DIAGRAM NO. 3

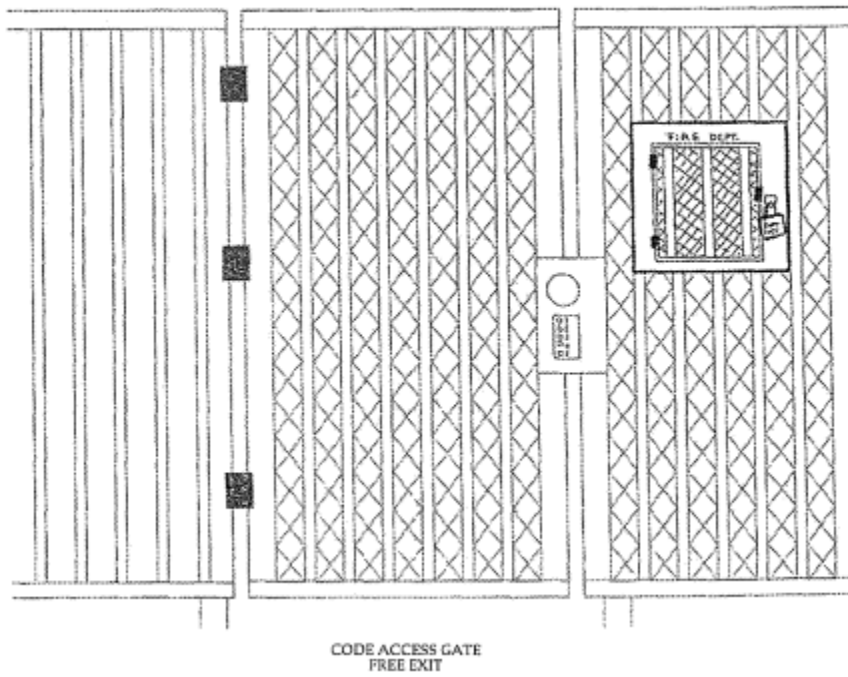




PEDESTRIAN WALKWAY SECURITY GATES



PEDESTRIAN WALKWAY SECURITY GATES



288. All chapters of the 2021 International Fire Code adopted by this ordinance are subchapters of Chapter 16 of the Dallas City Code, as amended.

289. All references in the 2021 International Fire Code to the building code, plumbing code, mechanical code, electrical code, residential code, existing building code, energy conservation code, fuel gas code, green construction code, and swimming pool and spa code refer, respectively to Chapters 53, 54, 55, 56, 57, 58, 59, 60, 61, and 62 of the Dallas City Code.

SECTION 2. Any errata corrections of the 2021 International Fire Code published by the International Fire Code Institute are considered as part of this code.

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the effective date of this ordinance will be discharged or affected by this ordinance. Prosecutions and suits for such offenses, liabilities, penalties, and forfeitures may be instituted, and causes of action pending on the effective date of this ordinance may proceed, as if the former laws applicable at the time the offense, liability, penalty, or forfeiture was committed or incurred had not been amended, repealed, reenacted, or superseded, and all former laws will continue in effect for these purposes.

SECTION 4. That Chapter 16 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any existing structure, system, development project, or registration that is not required to come into compliance with a requirement of this ordinance will be governed by the requirement as it existed in the former law last applicable to the structure, system, development project, or registration, and all former laws will continue in effect for this purpose.

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 on February 10, 2023, in accordance with 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 \_\_\_\_\_



## Agenda Information Sheet

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**File #:** 23-21

**Item #:** 17.

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**STRATEGIC PRIORITY:** Human and Social Needs  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Office of Community Care  
**EXECUTIVE:** M. Elizabeth Cedillo-Pereira

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### **SUBJECT**

Authorize a letter amendment to the Lease between the City of Dallas ("City") and Foremost Family Health Centers ("Foremost") to allow Foremost to accept grant funding from the Health Resources and Services Administration ("HRSA") American Rescue Plan to renovate Building B of the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Blvd. ("the premises") in accordance with grant requirements, including a City grant of federal interest in the improvements to HRSA - Financing: No cost consideration to the City

### **BACKGROUND**

The City leases space to Foremost to operate an affordable and comprehensive medical, dental, and behavioral health services center on the premises, which is a benefit to the City's residents. Since 1986, Foremost Family Health Centers has offered families comprehensive healthcare from leading physicians, dentists and other providers at the Martin Luther King, Jr. Community Center. The health care center offers health care services with short wait times, flexible payment options and discounted rates, along with a host of other benefits based on partnerships with local hospitals and other organizations and is designated as a Patient-Centered Medical Home by the National Committee for Quality Assurance, a national healthcare accrediting agency. In 2021, Foremost was awarded funding from HRSA to renovate the premises, which will enable Foremost to upgrade flooring, lighting, paint, and finishes for all medical exam rooms. Additionally, the renovations will include the addition of a dedicated behavioral health office, nursing station, and other office space to accommodate growth. Foremost desires to make the improvements to the premises to be able to see more patients and better serve the community. In order for Foremost to secure grant funding from HRSA for the improvements, it is necessary for the City to amend its existing lease with Foremost to authorize the renovation and to grant HRSA an interest in the proposed improvements. This letter amendment to the City's lease with Foremost will enable Foremost to make these improvements, and therefore benefit the community.

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

On June 24, 2020, City Council authorized the City to enter into a lease agreement with Foremost for space located in Building B of 2922 Martin Luther King, Jr. Blvd. to be used as a community-based family health and wellness center by Resolution No. 20-0980. The lease agreement, executed on May 14, 2021, runs through June 30, 2025, and contains two five-year renewal options.

[The Workforce, Education and Equity Committee was briefed by memorandum regarding this matter on December 12, 2022.](#)

**FISCAL INFORMATION**

No cost consideration to the City.

January 11, 2023

**WHEREAS**, on June 24, 2020, the City Council of the City of Dallas by Resolution 20-0980, authorized the City Manager to execute a lease agreement (the “Lease”) between the City of Dallas (“City”), as landlord, and Foremost Family Health Centers (“Foremost”), as tenant, for office space within Building B of the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Blvd., to be used by Foremost to operate an affordable and comprehensive medical, dental, and behavioral health services center (“the premises”); and

**WHEREAS**, the Lease expires by its own terms on June 30, 2025; and

**WHEREAS**, in 2021, Foremost was awarded grant funding from the Health Resources and Services Administration (“HRSA”) American Rescue Plan – Health Center Cost Construction and Capital Improvements funding opportunity to renovate the premises; and;

**WHEREAS**, Foremost desires to utilize the grant funding to make premises renovations consisting of an upgrade to flooring, lighting, paint, and finishes for all medical exam rooms, and will include the addition of a dedicated behavioral health office, nursing station, and other office space to accommodate growth. Foremost desires to make the improvements to the premises to be able to see more patients and better serve the community; and

**WHEREAS**, the HRSA grant funding to Foremost for the renovation improvements to the premises is conditioned on City approval and an amendment of the lease to provide a City grant of federal interest in the improvements to HRSA; and

**WHEREAS**, to serve the public purpose of the lease with Foremost and continue to meet the needs of Foremost client residents, City desires and authorizes the renovation and is agreed to amend the lease with Foremost to enable the renovation and grant HRSA the required interest in the proposed improvements.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to execute a letter amendment to the Lease between the City of Dallas (“City”) and Foremost Family Health Centers (“Foremost”) to allow Foremost to accept grant funding from the Health Resources and Services Administration (“HRSA”) American Rescue Plan to renovate the premises in accordance with grant requirements, including a City grant of federal interest in the improvements to HRSA.



January 11, 2023

**SECTION 2.** That the special terms and conditions of the letter amendment to the lease are as follows:

- (a) Foremost agrees not to sublease, assign, or otherwise transfer its interest in the premises, or use the premises for a non-grant-related purpose without the written approval from HRSA and City (at any time during the term of the lease agreement, whether or not grant support has ended).
- (b) In accordance with the notice provisions of the lease, the City will notify HRSA of any default by Foremost under the lease agreement; provided however City's failure to notify shall not constitute a default thereunder.
- (c) Notwithstanding that HRSA is not a party to the lease, City agrees that in consideration of HRSA funding grant to Foremost for the renovations to the premises, HRSA shall have 60 days from the date of receipt of the City's notice of Foremost's default in which to attempt to cure and eliminate the default, and that the City will delay exercising remedies until the end of the 60-day period.
- (d) HRSA may intervene on Foremost's behalf to ensure that the default is eliminated by Foremost in the manner required under the lease.
- (e) The City agrees to accept payment of money or performance of any other obligation by HRSA or the HRSA's designee, for Foremost, as if such payment of money or performance had been made by Foremost.
- (f) In the event that Foremost defaults, Foremost vacates the property before the end of the lease term, or the grant to Foremost is otherwise terminated, HRSA shall have the right to coordinate with the City to find a replacement tenant recipient for the balance of the lease term, subject to approval by the City, which will not be withheld except for good reason.
- (g) The City acknowledges that there will be a federal interest in the proposed improvements on the premises, and the City agrees to file a Notice of Federal Interest, in form acceptable to the City and HRSA prior to work commencing, if required by HRSA.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

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**File #:** 23-2

**Item #:** 18.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a three-year consultant contract for asset marketing and sponsorship consulting services for the Park & Recreation Department - The Superlative Group, Inc., most advantageous proposer of three - Estimated amount of \$249,650 - Financing: General Fund (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of a consultant contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This consultant contract will provide for asset marketing and sponsorship consulting services for the Park & Recreation Department. The contract will engage the services of a consultant to review, inventory, identify, and evaluate Park & Recreation Department assets for marketing and sponsorship opportunities. The services include the development of mutually beneficial sponsorship contracts that deliver revenue dollars and/or products or services to the Park & Recreational Department in exchange for certain advertising, naming rights, marketing and/or promotional considerations granted by the Park & Recreation Department. This contract also provides commodity line pricing for Citywide Department advertising options.

The total asset marketing and sponsorship revenue share between the Park & Recreation Department and the Contractor shall be a 75%/25% split. The Contractor will earn a 25% commission on all sales with the Park & Recreation Department retaining 75% of secured sponsorship revenue.

A five-member committee from the following departments reviewed and evaluated the qualifications:

- Communications Outreach Marketing (1)
- Office of Environmental, Quality & Sustainability (1)
- Budget and Management Services (1)
- Park & Recreation Department (1)
- Office of Procurement Services (1) \*

\*The Office of Procurement Services only evaluated the cost and local preference, if applicable.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 35 points
- Experience, capability, and expertise 30 points
- Overall approach and methodology 25 points
- Revenue 5 points
- Local Preference 5 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is \$15.21; the selected vendor meets this requirement.

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

On October 6, 2022, the Park and Recreation Board authorized a three-year consultant contract for asset marketing and sponsorship consulting services for the Park & Recreation Department with The Superlative Group, Inc.

#### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	\$80,750.00	\$56,300.00	\$112,600.00

#### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$249,650.00	Other Services	N/A
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
N/A	N/A	N/A
• The Business Inclusion and Development Policy does not apply to Other Service contracts.		
• The Superlative Group, Inc. - Non-local; Workforce - 0.00% Local		

## **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none"> <li>• Utilized for high technology procurements, insurance procurements, and other goods and services</li> <li>• Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications</li> <li>• Always involves a team evaluation</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposals from solicitation number BPZ-2100017177. We opened them on September 24, 2021. This consultant contract is being awarded in its entirety to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*The Superlative Group, Inc.	2843 Franklin Boulevard Cleveland OH 44113	90.00
Entertainment 3Sixty, Inc.	17440 Dallas Parkway Dallas, TX 75287	60.96
D.A.M. Promoters, LLC	2247 East 68th Street Cleveland, OH 44106	Non-responsive

## **OWNER**

**The Superlative Group, Inc.**

J. Patrick Gallagher, Jr., President

January 11, 2023

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** The City Manager is hereby authorized to execute a consultant contract with The Superlative Group, Inc. (VC25663), approved as to form by the City Attorney, for asset marketing and sponsorship consulting services for the Park & Recreation Department for a term of three years, in the estimated amount of \$249,650 but may not exceed the amount of budgetary appropriations for this consultant contract during its term. Payments made to The Superlative Group, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by The Superlative Group, Inc. under the consultant contract. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$249,650, but not more than the amount of budgetary appropriations for this consultant contract during its term to The Superlative Group, Inc. from Consultant Contract No. PKR-2021-000017177.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-11

**Item #:** 19.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a two-year cooperative purchasing agreement for the purchase of network cabling installation services and equipment for the Department of Information and Technology Services with Shelby Communications, LLC through the Texas Department of Information Resources cooperative agreement - Not to exceed \$7,213,690 - Financing: Coronavirus State and Local Fiscal Recovery Fund (\$3,506,845), Data Services Fund (\$100,000), and Information Technology Equipment (\$3,606,845) (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of a cooperative purchasing agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This cooperative purchasing agreement will provide for the purchase of network cabling installation services and equipment for the Department of Information and Technology Services. This agreement will allow the City to complete projects to improve network access, complete digital divide projects, and ensure voice and data is reliably delivered over cables installed throughout the City. Network cabling ensures City employees can effectively provide direct services to those disproportionately impacted through limited access to technology.

The Texas Department of Information Resources cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

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

On August 26, 2015, City Council Authorized a five-year service contract, with two one-year renewal options, for voice and data cable installation services to connect computers and phones at City facilities with AAA Data Communications, Inc. by Resolution No. 15-1519.

On January 25, 2017, City Council authorized Supplemental Agreement No. 1 to increase the service contract with AAA Data Communications, Inc. for voice and data cable installation services to connect computers and phones to City facilities by Resolution No. 17-0185.

On September 27, 2017, City Council authorized Supplemental Agreement No. 2 to exercise the first one-year renewal option to the service contract with AAA Data Communications, Inc. for voice and data cable installation services to connect computers and phones at City facilities by Resolution No. 17-1531.

On November 11, 2020, City Council authorized Supplemental Agreement No. 5 to exercise the second of two, one-year renewal options, to the service contract with AAA Data Communications, Inc. for voice and data cable installation services at City facilities for the Department of Information and Technology Services by Resolution No. 20-1830.

On June 23, 2021, City Council authorized the acceptance of grant funds from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Fund to provide relief during the ongoing COVID-19 pandemic by Resolution No. 21-1149.

On September 22, 2021, City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the ARPA funds from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Funds by Resolution No. 21-1590.

On March 9, 2022, City Council authorized Supplemental Agreement No. 6 to increase the service contract with AAA Data Communications, Inc. for voice and data cable installation services at City facilities for the Department of Information and Technology Services by Resolution No. 22-0488.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Coronavirus State and Local Fiscal Recovery Fund	\$3,506,845.00	\$ 0.00	\$0.00
Data Services Fund	\$ 100,000.00	\$ 0.00	\$0.00
Information Technology Equipment Fund	\$ 0.00	\$3,606,845.00	\$0.00
Total	\$3,606,845.00	\$3,606,845.00	\$0.00

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$7,213,690.00	Other Services	N/A

M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> </ul>		
<ul style="list-style-type: none"> <li>Shelby Communications, LLC - Non-local; Workforce - 0.00% Local</li> </ul>		

## **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreements	<ul style="list-style-type: none"> <li>Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>The cooperative purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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## **EQUITY INVESTMENT FRAMEWORK INFORMATION**

Equitable Investment Framework	Department Input
<b>Benefits &amp; Burdens</b>	Households without reliable broadband service face barriers in accessing telehealth, applying for jobs and completing online homework. Funds will support the effort to expand available infrastructure to connect unserved and underserved areas of the City and to deliver digital services to Dallas residents.
<b>Data Analysis</b>	Source data is from the 2019 Equity Indicators Report and the City's Racial Equity Plan
<b>Community Engagement</b>	Addressing areas severely lacking broadband infrastructure was one of the most mentioned topics from the community
<b>Transparency &amp; Accountability</b>	Staff will evaluate the success of the program based on the availability of broadband and the percentage of households with internet service in identified areas.
<b>Alignment</b>	Expanding broadband infrastructure aligns with the City's goal to deliver high-speed, low-cost internet services to targeted communities and to address disparities across Dallas.
<b>Amplification</b>	Progress and achievements will be reported and shared with the public
<b>Applicable Tier</b>	Tier 1 - Immediate Relief or Tier 4 - Regional Partnerships



**OWNER**

**Shelby Communications, LLC**

1505 Denise Court  
Keller, TX 76248

Curtis Shelby, President

January 11, 2023

**WHEREAS**, on August 26, 2015, City Council authorized a five-year service contract, with two one-year renewal options, for voice and data cable installation services to connect computers and phones at City facilities with AAA Data Communications, Inc. in an amount not to exceed \$2,453,512.50, by Resolution No. 15-1519; and

**WHEREAS**, on January 25, 2017, City Council authorized Supplemental Agreement No. 1 to increase the service contract with AAA Data Communications, Inc. for voice and data cable installation services to connect computers and phones at City facilities, in an amount not to exceed \$613,379, from \$2,453,512 to \$3,066,891, by Resolution No. 17-0185; and

**WHEREAS**, on September 27, 2017, City Council authorized Supplemental Agreement No. 2 to exercise the first one-year renewal option to the service contract with AAA Data Communications, Inc. for voice and data cable installation services to connect computers and phones at City facilities, in an amount not to exceed \$3,055,200, from \$3,066,891 to \$6,122,091, by Resolution No. 17-1519; and

**WHEREAS**, on July 12, 2018, Administrative Action No. 18-6196 authorized Supplemental Agreement No. 3 to extend the term of the first renewal option for the Network & Data Cabling Services Contract for an additional year, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on April 18, 2019, Administrative Action No. 19-5895 authorized supplemental agreement number 4 to extend the first exercised renewal option for a new term, October 23, 2019 to October 31, 2020, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 11, 2020, City Council authorized Supplemental Agreement No. 5 to exercise the second of two, one-year renewal options, to the service contract with AAA Data Communications, Inc. for voice and data cable installation services at City facilities for the Department of Information and Technology Services in an amount not to exceed \$2,900,000, by Resolution No. 20-1830; and

**WHEREAS**, on September 22, 2021, City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the ARPA funds from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Funds by Resolution No. 21-1590; and

**WHEREAS**, on March 9, 2022, City Council authorized Supplemental Agreement No. 6 to increase the service contract with AAA Data Communications, Inc. for voice and data cable installation services at City facilities for the Department of Information and Technology Services in an amount not to exceed \$1,488,800.01, from \$9,022,090.62 to \$10,510,890.63, by Resolution No. 22-0488.

January 11, 2023

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a cooperative purchasing agreement with Shelby Communications, LLC (VC25785) through the Texas Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for the purchase of network cabling installation services and equipment for the Department of Information and Technology Services, for a term of two years, in an amount not to exceed \$7,213,690. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Shelby Communications, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Shelby Communications, LLC under the cooperative purchasing agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$7,213,690 (subject to annual appropriations) to Shelby Communications, LLC, as follows:

Coronavirus State and Local Fiscal Recovery Funds Fund FC18, Department DSV, Unit AD46, Object 3099 Service Contract No. DSV-2023-00020612	\$3,506,845
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Data Services Fund Fund 0198, Department DSV, Unit 1510, Object 3099 Service Contract No. DSV-2023-00020612	\$ 100,000
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Information Technology Equipment Fund Fund 0897, Department DSV, Unit 3719, Object 3099 Service Contract No. DSV-2023-00020612	<u>\$3,606,845</u>
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Total amount not to exceed	\$7,213,690
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**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

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**File #:** 23-27

**Item #:** 20.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a three-year master agreement for the purchase of traffic cones, delineators, and barrels for citywide departments - Dallas Lite & Barricade, lowest responsible bidder of seven - Estimated amount of \$511,130 - Financing: General Fund (\$81,130), Dallas Water Utilities Fund (\$409,000), Aviation Fund (\$20,000) and Stormwater Drainage Management Fund (\$1,000)

### **BACKGROUND**

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of traffic cones, delineators, and barrels for citywide departments to be used throughout the City. These items provide guidance to the general public for police emergency situations and street closures as well as traffic management due to construction/maintenance of streets. Additionally, properly placed traffic cones provide protection to workers and equipment at work. Replacement of these traffic cones is required due to damage, theft, aging, and regular wear and tear.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	\$ 22,675.33	\$ 32,509.33	\$ 25,945.34
Dallas Water Utilities Fund	\$102,274.99	\$152,975.01	\$153,750.00
Aviation Fund	\$ 7,000.00	\$ 7,000.00	\$ 6,000.00
Stormwater Drainage Management Fund	\$ 250.00	\$ 375.00	\$ 375.00
Total	\$132,200.32	\$192,859.34	\$186,070.34

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$511,830.00	Goods	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
0.00%	0.00%	\$0.00
<ul style="list-style-type: none"> <li>The Request for Bid method of procurement resulted in the lowest responsive bidder being selected, which resulted in no M/WBE participation.</li> <li>Dallas Lite &amp; Barricade - Local; Workforce - 32.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bids from solicitation number BV22-00019534. We opened them on September 9, 2022. We recommend the City Council award this master agreement to the lowest responsive and responsible bidder by group. Information related to this solicitation is available upon request.

\*Denotes successful bidder

**Bidders****Address****Amount**

\*Dallas Lite & Barricade

2727 North Westmoreland Rd.  
Dallas, TX 75212

Multiple Groups

Agni Enterprises, LLC (dba) Head to Heels Safety Supplies	7950 NW 155th St. Suite 103 Miami Lakes, FL 3301	Multiple Groups
Altus Traffic Management	511 Compton Ave. Irving, TX 75061	Multiple Groups
Eagle Barricade, LLC	2162 County Ln. McKinney, TX 75069	Multiple Groups
Site Barricades	4841 Freeman Dr. Fort Worth, TX 76140	Multiple Groups
U.S. Traffic Control	518 East Main St. Lewisville, TX 75057	Multiple Groups
Wenzel Wenzel Associates, Inc.	1332 Azalea Ln. New Braunfels, TX 78130	Multiple Groups

**OWNER****Dallas Lite & Barricade**

Shane Howell, President  
Robert Galler, Vice President

January 11, 2023

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That a master agreement for the purchase of traffic cones, delineators, and barrels for citywide departments is authorized with Dallas Lite & Barricade (053684), approved as to form by the City Attorney, for a term of three years, in the estimated amount of \$511,130. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for the purchase of traffic cones, delineators and barrels for citywide departments. If a written contract is required or requested for any or all purchases of traffic cones, delineators, and barrels for citywide departments under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$511,130, but not more than the amount of budgetary appropriations for this master agreement during its term to Dallas Lite & Barricade from Master Agreement Contract No. POM-2022-00019534.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

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**File #:** 23-24

**Item #:** 21.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a three-year master agreement for the purchase of fire hydrant backflow preventers and parts for the Water Utilities Department - Test Gauge & Backflow Supply, Inc. in the estimated amount of \$212,000 and Fortiline, Inc. dba Fortiline Waterworks in the estimated amount of \$57,000, lowest responsible bidders of three - Total estimated amount of \$269,000 - Financing: Dallas Water Utilities Fund

### **BACKGROUND**

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of fire hydrant backflow preventers and parts for the Water Utilities Department. The backflow preventers restrict the reverse flow of non-potable water into the water supply through the fire hydrants. Backflow preventers provided under this agreement will be used to replace old and worn-out models and any preventers damaged beyond repair. This agreement will also provide replacement parts for general maintenance of backflow preventers. The average life expectancy of the backflow preventer is approximately three years.

Additionally, under a licensing/leasing program the City supplies backflow preventers to the commercial customer for construction projects, demolition, and special events. Currently the City manages approximately 800 accounts which require this equipment. A customer applies for a permit and is required to place a deposit for use of the backflow preventer. The customer is charged a monthly service fee for the use of the equipment.



As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

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

On January 24, 2018, City Council authorized a three-year master agreement for fire hydrant backflow preventers and parts with Ferguson Enterprises, Inc., Fortiline, Inc., and Core & Main, LP by Resolution No. 18-0207.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Dallas Water Utilities Fund	\$68,200.00	\$100,400.00	\$100,400.00

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$269,000.00	Goods	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
0.00%	0.00%	\$0.00
<ul style="list-style-type: none"> <li>• The Request for Bid method of procurement resulted in the lowest responsive bidders being selected, which resulted in no M/WBE participation.</li> <li>• Test Gauge &amp; Backflow Supply, Inc. - Non-local; Workforce - 25.00% Local • Fortiline, Inc. dba Fortiline Waterworks - Non-local; Workforce - 0.00% Local</li> </ul>		

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>• Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bids from solicitation number BV22-00019965. We opened them on August 26, 2022. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Test Gauge & Backflow Supply, Inc.	2587 Millennium Dr. Elgin, IL 60124	Multiple Lines
*Fortiline, Inc. dba Fortiline Waterworks	11200 Seagoville Rd. Balch Springs, TX 75180	Multiple Lines
Core & Main, LP	4333 Irving Blvd. Dallas, TX 75247	Multiple Lines

### **OWNERS**

#### **Test Gauge & Backflow Supply, Inc.**

Brian Fiorisi, President  
Nick Shelley, Vice President

#### **Fortiline, Inc. dba Fortiline Waterworks**

Sasha Nikolic, Chief Executive Officer  
Sherry Becken, Chief Financial Officer

January 11, 2023

**WHEREAS**, on January 24, 2018, City Council authorized a three-year master agreement for the purchase of fire hydrant backflow preventers and parts with Ferguson Enterprises, Inc. in an amount not to exceed \$173,824.80, Fortiline, Inc. in an amount not to exceed \$45,062.50, and Core & Main, LP, in an amount not to exceed \$3,000.00, by Resolution No. 18-0207.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That a master agreement for the purchase of fire hydrant backflow preventers and parts for the Water Utilities Department is authorized with Test Gauge & Backflow Supply, Inc. (VS0000049318) in the estimated amount of \$212,000.00 and Fortiline, Inc. dba Fortiline Waterworks (VS0000073028) in the estimated amount of \$57,000.00, approved as to form by the City Attorney, for a term of three years, in the total estimated amount of \$269,000.00. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for fire hydrant backflow preventers and parts for the Water Utilities Department. If a written contract is required or requested for any or all purchases of fire hydrant backflow preventers and parts for the Water Utilities Department under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$269,000.00, but not more than the amount of budgetary appropriations for this master agreement during its term to Test Gauge & Backflow Supply, Inc. and Fortiline, Inc. dba Fortiline Waterworks from Master Agreement Contract No. DWU-2022-00019965.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

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**File #:** 23-22

**Item #:** 22.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a two-year service price agreement for routine and emergency water extraction services and structure and content drying services at various City facilities for the Building Services Department - Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central in the estimated amount of \$440,045.56 and Restoration Specialists, LLC in the estimated amount of \$74,714.30, lowest responsible bidders of five - Total estimated amount of \$514,759.86 - Financing: General Fund (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide for routine and emergency water extraction services and structure and content drying services at various City facilities for the Building Services Department. Services include, but are not limited to, emergency service calls, water extraction from carpeted and non-carpeted floors, odor control, biocide deployment, decontamination, moisture content monitoring and reporting, non-hazardous waste removal and disposal, and hazardous waste removal and disposal. Disposal of all waste associated with services through this agreement must comply with all local, state, and federal environmental protection regulations.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$15.21; the selected vendor meets this requirement.

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

On December 9, 2020, City Council authorized a two-year service price agreement for routine and emergency water extraction services and structure and content drying services at various City facilities for the Building Services Department with MBW Serv Corporation by Resolution No. 20-1907.

### **FISCAL INFORMATION**

Fund		FY 2023	FY 2024	Future Years
General Fund		\$171,586.60	\$171,586.60	\$171,586.66

### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$514,759.86	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
0.00%	14.51%	\$74,714.30
<ul style="list-style-type: none"> <li>• The Business Inclusion and Development Policy does not apply to Other Service contracts, however the prime contractor is a certified WBE.</li> <li>• Tigerhawk LLC dba SERVEPRO of Southwest Dallas, SERVEPRO of Dallas Central - Local; Workforce - 33.33% Local • Restoration Specialists, LLC. - Local; Workforce - 25.00% Local</li> </ul>		

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>• Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bids from solicitation number BJ22-00019176. We opened them on June 10, 2022. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central	1133 South Madison Bldg. B Dallas, TX 75208	Multiple Groups
*Restoration Specialists, LLC	4808 Simonton Rd. Dallas, TX 75244	Multiple Groups
Interstate Restoration LLC Dbas First Onsite Property Restoration	3401 Quorum Dr. Suite 300 Fort Worth, TX 76137	Multiple Groups
The Steam Team Restoration	1191 Empire Central Dallas, TX 75247	Multiple Groups
RestorationXP	1745 Hayden Dr. Suite 150 Carrollton, TX 75006	Multiple Groups

## **OWNERS**

### **Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central**

Tyler Swoner, Owner  
Shane Meyer, Owner

### **Restoration Specialists, LLC**

Sheri DeMattia, Chief Executive Officer  
David DeMattia, President

January 11, 2023

**WHEREAS**, on October 23, 2019, Administrative Action No. 19-7086 authorized a one-year service contract for emergency water extraction and structure and content drying services at City facilities with Dalworth Restoration, in an amount not to exceed \$70,000.00; and

**WHEREAS**, on September 9, 2020, Administrative Action No. 20-1119 authorized Supplemental Agreement No.1 to extend the service contract with Dalworth Restoration for emergency water extraction and structure and content drying services at City facilities through March 30, 2021, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on December 9, 2020, authorized a two-year service price agreement for routine and emergency water extraction services and structure and content drying services at various City facilities for the Building Services Department with MBW Serv Corporation in the estimated amount of \$225,903.95, by Resolution No. 20-1907.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a service price agreement with Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central (VC26450) in the estimated amount of \$440,045.56 and Restoration Specialists, LLC (VS0000044823) in the estimated amount of \$74,714.30, approved as to form by the City Attorney, for routine and emergency water extraction services and structure and content drying services at various City facilities for the Building Services Department for a term of two years, in the total estimated amount of \$514,759.86. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term. Payments made to Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central and Restoration Specialists, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central and Restoration Specialists, LLC under the service price agreement. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$514,759.86 (subject to annual appropriations), but not more than the amount of budgetary appropriations for this service price agreement during its term to Tigerhawk LLC dba SERVPRO of Southwest Dallas, SERVPRO of Dallas Central and Restoration Specialists, LLC from Service Price Agreement Contract No. BSD-2022-00019176.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-28

**Item #:** 23.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a three-year service price agreement for the purchase and installation, monitoring, and maintenance of citywide alarms systems and annual fire alarm inspections - Communicon, Inc. dba Communication Concepts, only proposer - Estimated amount of \$1,820,547 - Financing: General Fund (~~\$1,475,181~~ [\\$1,468,181](#)), Dallas Water Utilities Fund (\$163,018) Aviation Fund (\$140,206), Sanitation Operation Fund (\$22,142), ~~and~~ Equipment and Fleet Management Fund (\$20,000), ~~and~~ [WIC Program-Women, Infants, and Children Grant Fund \(\\$7,000\)](#) (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This agreement will provide for the purchase and installation, monitoring, and maintenance of citywide alarms systems and annual fire alarm inspections. The supplier will provide for continued fire and intrusion alarm monitoring and maintenance for approximately 296 City facilities. This agreement will also provide alarm equipment, programming alarm panels, annual fire alarm inspections, design, and installation of new alarm systems.

This agreement is separated into groups which is reflected by the following:

- Monitoring services for fire and intrusion alarm systems
- Fire alarm inspection and testing per the National Fire Protection Association standard
- Installation, maintenance, and repair of existing systems as well as installation of new systems as needed



A four-member committee from the following departments reviewed and evaluated the qualifications:

- Department of Aviation (1)
- Park & Recreation Department (1)
- Water Utilities Department (1)
- Office of Procurement Services (1)\*

\*The Office of Procurement Services evaluated cost and local preference, if applicable.

The committee selected the successful respondents on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 35 points
- Approach 30 points
- Experience 30 points
- Local Preference 5 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$15.21; the selected vendor meets this requirement.

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

On March 23, 2016, City Council authorized a three-year service contract for installation, monitoring and maintenance of alarm systems and annual fire alarm inspections with Communication, LTD dba Communication Concepts and International Systems of America, LLC dba ISA Fire & Security by Resolution No. 16-0416.

On February 27, 2019, City Council authorized Supplemental Agreement No. 2 to increase the service contract with Communication, LTD dba Communication Concepts and International Systems of America, LLC dba ISA Fire & Security for citywide installation, monitoring, and maintenance of alarm systems and annual fire alarms inspections and to extend the term from March 23, 2019 to March 22, 2020, by Resolution No. 19-0330.

On November 13, 2019, City Council authorized a two-year cooperative purchasing agreement for installation, monitoring, and maintenance of citywide alarm systems and annual fire alarm inspections with Communication LTD dba Communication Concepts through the Texas Association of School Boards cooperative agreement by Resolution No. 19-1778.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	<del>\$372,198.25</del> \$365,198.25	\$488,927.43	\$614,055.32
Aviation Fund	\$ 46,735.34	\$ 46,735.33	\$ 46,735.33
Dallas Water Utilities Fund	\$ 38,021.00	\$ 62,360.00	\$ 62,637.00
Sanitation Operation Fund	\$ 7,380.67	\$ 7,380.67	\$ 7,380.66
Equipment and Fleet Management Fund	\$ 6,667.00	\$ 6,667.00	\$ 6,666.00
WIC Program-Women, Infants, and Children Grant Fund	\$ 7,000.00	\$ 0.00	\$ 0.00
Totals	\$471,002.26	\$612,070.43	\$737,474.31

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$1,820,547.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
• The Business Inclusion and Development Policy does not apply to Other Service contracts.		
• Communicon, Inc. dba Communication Concepts - Non-local; Workforce - 0.00% Local		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none"> <li>• Utilized for high technology procurements, insurance procurements, and other goods and services</li> <li>• Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications</li> <li>• Always involves a team evaluation</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposal from solicitation number BPZ22-00017939. We opened it on January 21, 2022. We recommend the City Council award this service price agreement in its entirety to the only proposer.

<b><u>Proposer</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
Communicon, Inc. dba Communication Concepts	4216 Hahn Blvd. Ft. Worth, TX 76117	89.33

Note: The Office of Procurement Services conducted a single bid review and found no exceptions.

**OWNER**

**Communicon, Inc. dba Communication Concepts**

Jeff Mauldin, President

January 11, 2023

**WHEREAS**, on March 23, 2016, City Council authorized a three-year service contract for installation, monitoring and maintenance of alarm systems and annual fire alarm inspections with Communication, LTD dba Communication Concepts in the amount of \$3,186,904.36 and International Systems of America, LLC dba ISA Fire & Security in the amount of \$245,464.00, by Resolution No. 16-0416; and

**WHEREAS**, on February 27, 2019, City Council authorized a supplemental agreement no. 2 to increase the service contract with Communication, LTD dba Communication Concepts (VS0000019084) \$796,726.09, from \$3,186,904.36 to \$3,983,630.45 and International Systems of America, LLC dba ISA Fire & Security (VS87469) in the amount of \$61,366.00, from \$245,464.00 to \$306,830.00 for citywide installation, monitoring, and maintenance of alarm systems and annual fire alarm inspections and to extend the term from March 23, 2019 to March 22, 2020, by Resolution No. 19-0330; and

**WHEREAS**, on November 13, 2019, City Council authorized a two-year cooperative purchasing agreement for installation, monitoring, and maintenance of citywide alarm systems and annual fire alarm inspections with Communicon LTD dba Communication Concepts through the Texas Association of School Boards cooperative agreement in the estimated amount of \$2,068,405.22, by Resolution No. 19-1778.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a service price agreement with Communicon, Inc. dba Communication Concepts (VS0000019084), approved as to form by the City Attorney, for the purchase and installation, monitoring, and maintenance of citywide alarms systems and annual fire alarm inspections for a term of three-years, in the estimated amount of \$1,820,547.00. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term. Payments made to Communicon, Inc. dba Communication Concepts shall be based only on the amount of the services directed to be performed by the City and properly performed by Communicon, Inc. dba Communication Concepts under the service price agreement. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$1,820,547.00 (subject to annual appropriations), but not more than the amount of budgetary appropriations for this service price agreement during its term to Communicon, Inc. dba Communication Concepts from Service Price Agreement Contract No. POM-2022-00017739.

January 11, 2023

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-26

**Item #:** 24.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

### **SUBJECT**

Authorize a five-year service price agreement for hot water and steam boilers maintenance and parts for the Water Utilities Department - Denali Construction Services, most advantageous proposer of three - Estimated amount of \$137,755 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide for hot water and steam boilers maintenance and parts for the Water Utilities Department. The processing of the residuals at the wastewater treatment plant involves maintaining the temperature at a minimum of 95 degrees Fahrenheit. In order to operate the residual equipment at their optimum performance, the boilers must maintain the internal temperature at a range of 95 to 98 degrees, 24 hours a day. Additionally, the boilers are also used to provide heat for the various offices and process buildings at the wastewater treatment plant. This service price agreement will ensure the equipment will remain operational at an optimum level.

A four-member committee from the following departments reviewed and evaluated the qualifications:

- Building Services Department (1)
- Department of Equipment Fleet Management (1)
- Water Utilities Department (1)
- Office of Procurement Services (1)\*

\*The Office of Procurement Services evaluated cost and local preference, if applicable.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Capabilities and experience 35 points
- Approach 30 points
- Cost 30 points
- Local Preference 5 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$17.82; the selected vendor meets this requirement.

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

This item has no prior action.

#### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Dallas Water Utilities Fund	\$20,663.00	\$27,551.00	\$89,541.00

#### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$137,755.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	100.00%	\$137,755.00
• The Business Inclusion and Development Policy does not apply to Other Service contracts. However, the prime contractor is a certified WBE.		
• Denali Construction Services - Non-local; Workforce - 0.00% Local		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none"> <li>• Utilized for high technology procurements, insurance procurements, and other goods and services</li> <li>• Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications</li> <li>• Always involves a team evaluation</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposals from solicitation number BV21-00016674. We opened them on December 17, 2021. We recommend the City Council award this service price agreement in its entirety to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*Denali Construction Services	1707 Briercroft Court #100 Carrollton, TX 75006	76.06
RushCo Energy Specialist	10765 Tube Drive Hurst, TX 76053	69.67
Techno Mechanical Solutions LLC	3315 Hidalgo Loop Round Rock, TX 78665	46.67

**OWNER****Denali Construction Services**

Michelle Thrailkill, Chief Executive Officer  
Rik Thrailkill, Vice President



January 11, 2023

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a service price agreement with Denali Construction Services (VC0000008671), approved as to form by the City Attorney, for hot water and steam boilers maintenance and parts for the Water Utilities Department for a term of five years, in the estimated amount of \$137,755. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term. Payments made to Denali Construction Services shall be based only on the amount of the services directed to be performed by the City and properly performed by Denali Construction Services under the service price agreement. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$137,755 (subject to annual appropriations), but not more than the amount of budgetary appropriations for this service price agreement during its term to Denali Construction Services from Service Price Agreement Contract No. DWU-2021-00016674.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-25

**Item #:** 25.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

### **SUBJECT**

Authorize the purchase of one clarifier drive unit for the Water Utilities Department - Rebuild-it Services Group, LLC, only bidder - Not to exceed \$114,862 - Financing: Water Construction Fund

### **BACKGROUND**

This purchase will provide for one clarifier drive unit for the Water Utilities Department. The clarifier drive unit will be used at the Bachman Water Treatment Plant. Clarifier drives serve a critical role in the sedimentation process, continuously operating to remove accumulated residuals from the water treatment process. The replacement of the clarifier will allow for continuous and timely removal of residuals supporting the plant's continued compliance with the Texas Commission on Environmental Quality requirements for drinking water.

Delaying the purchase of the clarifier drive hinders the effectiveness of the sedimentation process, resulting in plant restrictions to accommodate manual removal of residuals.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Water Construction Fund	\$114,862.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$114,862.00	Goods	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
0.00%	0.00%	\$0.00
<ul style="list-style-type: none"> <li>• The Request for Bid method of procurement resulted in the lowest responsive bidder being selected which resulted in no M/WBE participation.</li> <li>• Rebuild-it Services Group, LLC - Non-local; Workforce - 0.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>• Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bid from solicitation number BV22-00019394. We opened it on July 8, 2022. We recommend the City Council award this purchase in its entirety to the only bidder.

<b><u>Bidder</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
Rebuild-it Services Group, LLC	6810 South 300 W. Suite 8 Midvale, UT 84047	\$114,862.00

Note: The Office of Procurement Services conducted a single bid review and found no exceptions.

**OWNER****Rebuild-it Services Group, LLC**

Terry Reyburn, President  
Tom Strottner, Vice President

January 11, 2023

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the purchase of one clarifier drive unit for the Water Utilities Department is authorized with Rebuild-it Services Group, LLC (VS94195), in an amount not to exceed \$114,862.

**SECTION 2.** That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for one clarifier drive unit for the Water Utilities Department. If a formal contract is required for this purchase instead of a purchase order, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$114,862 to Rebuild-it Services Group, LLC from the Water Construction Fund, Fund 0102, Department DWU, Unit CW50, Object 4720, Purchase Order No. 00000171901.

**SECTION 4.** That this contract is designated as Contract No. DWU-2022-00019394.

**SECTION 5.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

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**File #:** 23-10

**Item #:** 26.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize Supplemental Agreement No. 3 to exercise the first of three one-year renewal options to the service contract with Incapsulate, LLC for maintenance and support to host a customer relationship management software for the Department of Information and Technology Services - Not to exceed \$412,000 - Financing: Data Services Fund

### **BACKGROUND**

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This Supplemental Agreement will provide for continued maintenance and support to host a customer relationship management software for the Department of Information and Technology Services. The customer relationship management software allows 3-1-1 dispatchers to log and document resident's non-emergency service requests and route them to appropriate City departments. Departments can then document what actions were taken to complete the service request. The customer relationship management software offers residents the ability to submit service requests by phone, online, or using a mobile application. Additionally, residents can track and receive updates on service requests that have been submitted. The customer relationship management software is fully integrated with various city applications which are utilized by City departments such as Department of Code Compliance, Department of Dallas Animal Services, Department of Sanitation Services, and Water Utilities Department.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. This contract renewal option includes the most current living wage of \$17.82.

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

On October 25, 2017, City Council authorized a five-year subscription and maintenance contract with three one-year renewal options, for the hosting and implementation of a Customer Relationship Management (CRM) application with Incapsulate, LLC by Resolution No. 17-1664.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Data Services Fund	\$412,000.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$412,000.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
• The Business Inclusion and Development Policy does not apply to Proprietary Software.		
• Incapsulate, LLC - Non-local; Workforce - 0.00% Local		

**OWNER****Incapsulate, LLC**

650 Massachusetts Ave. NW  
Suite 600  
Washington, DC 20001

Ajay Batish, Chief Executive Officer

January 11, 2023

**WHEREAS**, on October 25, 2017, City Council authorized a five-year subscription and maintenance contract, with three one-year renewal options, for the hosting and implementation of a Customer Relationship Management (CRM) application with Incapsulate, LLC in an amount not to exceed \$3,150,000, by Resolution No. 17-1664; and

**WHEREAS**, on June 1, 2018, Administrative Action No. 18-5917 authorized Supplemental Agreement No. 1 to the service contract with Incapsulate, LLC for the adoption of several statements of work associated with the implementation of the new 311 CRM application, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on July 17, 2018, Administration Action No. 18-6214 authorized supplemental agreement No. 2 to the service contract with Incapsulate, LLC for the integration of CityFront mobile app to the new 311 Customer Relationship Management application in an amount not to exceed \$45,000, from \$3,150,000 to \$3,195,000.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute Supplemental Agreement No. 3 to exercise the first of three one-year renewal options to the service contract with Incapsulate, LLC (VS89716), approved as to form by the City Attorney, for maintenance and support to host a customer relationship management software, in an amount not to exceed \$412,000.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$412,000 to Incapsulate, LLC from Service Contract No. POM-2017-00002905.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

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**File #:** 23-30

**Item #:** 27.

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**STRATEGIC PRIORITY:** Quality of Life, Arts & Culture  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

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### **SUBJECT**

Authorize a three-year service price agreement for the provision of an annual subscription, maintenance and support service to the CivicEngage system software application for the Park & Recreation Department in the estimated amount of \$69,939.93 - CIVICPLUS dba CivicPlus, sole source - Total estimated amount of \$69,939.93 - Financing: Recreation Program Fund (subject to annual appropriations)

### **BACKGROUND**

CIVICPLUS dba CivicPlus is the sole provider of the CivicEngage system (formerly Government Content Management System or GCMS®) and associated product and service package that enables the Park & Recreation Department to manage critical aspects of its website via software content management, maintenance and support.

CivicEngage differs from other content management software in that it has been optimized for use by government entities. Not only have many of the applications been developed specifically for use by municipal governments, but CivicEngage is also hosted at a network operations center dedicated to serving local government websites.

CivicEngage helps governments optimize digital interactions for residents and staff with its full suite of integrated solutions, resulting in greater revenue generation, more efficient operations and more positive civic experiences.

The scope of work for this service agreement shall include 24/7 emergency support, system enhancements and upgrades, service patches updates and fixes, routine follow-up check-ins, training and dedicated support personnel as needed.



On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is \$15.21; the selected vendor meets this requirement.

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

On December 8, 2022, the Park and Recreation Board authorized a three-year service price agreement for the provision of an annual subscription, maintenance and support service to the CivicEngage system software application with CIVICPLUS dba CivicPlus for the Park & Recreation Department.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Recreation Program Fund	\$30,720.44	\$19,131.46	\$20,088.03

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Sole Source	<ul style="list-style-type: none"><li>• Utilized for procurements where functional requirements can only be satisfied by one vendor, such as those where patents, copyrights or monopolies exists</li><li>• Exempted from competitive bidding process</li><li>• The Office of Procurement Services conducted a sole source review and found no exceptions</li></ul>
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### **OWNER**

**CIVICPLUS dba CivicPlus**  
302 South 4th Street, Suite 500  
Manhattan, KS 66502

Brian Rempe, President/Chief Executive Officer

January 11, 2023

**WHEREAS**, on December 8, 2022, the Park and Recreation Board authorized a three-year service price agreement with CIVICPLUS dba CivicPlus for the provision of an annual subscription, maintenance and support service to the CivicEngage system software application for the Park & Recreation Department.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute a three-year service price agreement with CIVICPLUS dba CivicPlus, approved as to form by the City Attorney, for the annual subscription maintenance and support services of the CivicEngage software application for the City of Dallas Park & Recreation Department for a term of three years, in an amount not to exceed \$69,939.93. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to CIVICPLUS dba CivicPlus, shall be based only on the amount of the services directed to be performed by the City and properly performed by CIVICPLUS dba CivicPlus, under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$69,939.93 to CIVICPLUS dba CivicPlus from the Recreation Program Fund, Fund 0341, Department PKR, Unit 5021, Object 3070, Commodity 92045, Vendor VS0000021214, Service Price Agreement No. PKR-2022-00019883.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-19

**Item #:** 28.

**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** N/A  
**DEPARTMENT:** Police Department  
**EXECUTIVE:** Jon Fortune

### **SUBJECT**

Authorize the **(1)** application for and acceptance of a grant from the U.S. Department of Justice for the 2022 FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Grant (Federal/State Award ID. No. 15JCOPS-22-GG-04555-PPSE, CFDA No. 16.710) in the amount of \$250,000.00 passed through the Dallas Police Department for the purpose of funding two staff members dedicated to proving compliance with 168 Texas law enforcement best practices for two years for the period September 1, 2022 through August 31, 2024; **(2)** establishment of appropriations in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund; **(4)** addition of one Administrative Specialist and Supervisor; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the agreement - Not to exceed \$250,000.00 - Financing: U.S. Department of Justice Grant Funds

### **BACKGROUND**

This item will help the Dallas Police Department (DPD) fund an Administrative Specialist and Supervisor position. This funding will be for the two staff members dedicated to this specific accreditation program, under the umbrella of the DPD Planning Unit. This staff will identify the required data and collect that data to show we are meeting current standards where applicable, and to identify gaps in our current policies and procedures where more work is needed to meet the standard. The staff will attend specific accreditation training offered by Texas Police Chiefs Association Foundation.

Pursuing accreditation will allow the department to show that we are following statewide public safety practices while ensuring our community that our policies and actions remain as transparent as possible. The accreditation process will include a comprehensive review of all units and structures within DPD to better align operations with current best practices as identified by law enforcement professionals. Once accreditation is received, there is ongoing compliance and reporting needed to maintain it, and to renew at the end of the four-year period, which may necessitate updating additional policies and procedures as innovative new strategies are identified.

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

The Public Safety Committee will be briefed by memorandum regarding this matter on January 9, 2023.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
U.S. Department of Justice Grant Funds	\$125,000.00	\$125,000.00	\$0.00

January 11, 2023

**WHEREAS**, funding was awarded to the City of Dallas under the Community Oriented Policing Services (COPS), 2022 FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Grant, Grant No. 15JCOPS-22-GG-04555-PPSE, CFDA No. 16.710 for the Fiscal Years (FY) 2023 and 2024; and

**WHEREAS**, it is in the best interest of the City of Dallas to accept such funding.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to apply and accept a grant for the 2022 FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Grant (Federal/State Award ID. No. 15JCOPS-22-GG-04555-PPSE, CFDA No. 16.710) in the amount of \$250,000.00 from the U.S. Department of Justice passed through the Dallas Police Department for the purpose of funding one administrative specialist and supervisor position dedicated to proving compliance with 168 Texas law enforcement best practices for two years for the period September 1, 2022 through August 31, 2024; and execution of the grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$250,000.00 in the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund, Fund F727, Department DPD, Unit 328C, various Object Codes, in accordance with the attached Schedule A.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed \$250,000.00 FY22 in Supporting Law Enforcement Agencies in Seeking Accreditation Fund, Fund F727, Department DPD, Unit 328C, Revenue Code 6506.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$250,000.00 from the FY22 Supporting Law Enforcement Agencies in Seeking Accreditation Fund, Fund F727, Department DPD, Unit 328C, various Object Codes, in accordance with the attached Schedule A.

**SECTION 5.** That in the event of loss or misuse of funds, the grantee will return grant funds to the Department of Justice in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**SECTION 6.** That the City Manager shall keep the appropriate City Council Committee informed of all the Department of Justice final monitoring reports not later than 30 days after the receipt of the report.

January 11, 2023

**SECTION 7.** That this contract is designated as Contract No. DPD-2023-00020868.

**SECTION 8.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

## SCHEDULE A

### 2022 FY22 Supporting Law Enforcement Agencies in Seeking Accreditation

Fund F727, Department DPD, Unit 328C, Revenue Code  
6506

September 1, 2022 - August 31, 2024

Object Code	Description	Amount
1101	Salary/Civilian (2 positions)	\$ 191,198.88
1301	Pensions/Civilian	\$ 26,997.29
1303	Life	\$ 132.00
1304	Benefits	\$ 17,318.78
1306	FICA	\$ 2,772.38
3361	Professional Development	\$ 11,580.67
<b>Total</b>		<b>\$ 250,000.00</b>



## Agenda Information Sheet

**File #:** 23-20

**Item #:** 29.

**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** N/A  
**DEPARTMENT:** Police Department  
**EXECUTIVE:** Jon Fortune

### **SUBJECT**

Authorize the **(1)** application for and acceptance of a grant from the Office of the Governor, Criminal Justice Division for the Digital Forensic Lab Grant (Grant No. 4536301, CFDA No. 16.738) in the amount of \$99,998.08 to provide more modern crime fighting response with respect to data and digital currency for the period October 1, 2021 through June 30, 2023; **(2)** establishment of appropriations in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement with the Office of the Governor, Criminal Justice Division - Not to exceed \$99,998.08 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

### **BACKGROUND**

In order for the Dallas Police Department (DPD) digital forensic investigators to extract data from damaged or destroyed devices, locate individual items of evidence among vast quantities of data, and ensure their methods capture data reliably without altering it in any way, a world-class "one-stop shop" Digital Forensics Crime Laboratory is needed to alleviate barriers to achieving those goals and to providing comprehensive data to regional partners. A modernized approach is necessary as technology and data are part of every aspect of life, it's also connected to nearly every crime.

With the requested funds, DPD will make one-time purchases of necessary digital forensics equipment that will modernize the Lab. A complete list of equipment can be found in the line item budget of the grant, but a sample of requested equipment includes: smart board, breakdown station, forensic desktops, tool chest, charging station for multiple USB devices, and forensic workbenches. With this equipment, DPD digital forensic officers will be able to complete multiple types of digital forensics, as outlined below:

Computer forensics: The DPD Digital Forensics Lab is currently capable of extracting and analyzing data from laptops and computer. The Digital Forensics Lab will expand this to an on-demand service to the Department with rush capability.



Mobile Device Forensics: The Lab has access to the Department's Cellebrite license and Gray Key license as part of the general fund budget, which provides officers and investigators the capability of extracting data from mobile devices. If this grant is approved, the number of devices extracted will increase by an estimated 90 percent from FY 2019.

Vehicle forensics: The Lab will utilize the Berla iVe Software platform to extract vehicle data such as routes and GPS locations. Additionally, Berla iVe provides data related to contacts, call logs, SMS messages, unique identifiers, and media files from connected devices.

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

The Public Safety Committee will be briefed by memorandum regarding this matter on January 9, 2023.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Office of the Governor, Criminal Justice Division State Grant Funds	\$99,998.08	\$0.00	\$0.00

January 11, 2023

**WHEREAS**, this grant will benefit the City of Dallas in its endeavor to promote public safety, reduce crime, and improve the criminal justice system by using computer, mobile device, and vehicle forensics; and

**WHEREAS**, the City of Dallas agrees that in the event of loss or misuse of the CJD funds, the City of Dallas assures that the funds will be returned to the CJD in full; and

**WHEREAS**, it is in the best interest of the City of Dallas to accept such funding.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to apply for and accept a grant from the Office of the Governor, Criminal Justice Division for the Digital Forensic Lab Grant (Grant No. 4536301, CFDA No. 16.738) in the amount of \$99,998.08 to provide more modern crime fighting response with respect to data and digital currency for the period October 1, 2022 through June 30, 2023; and execute the grant agreement and all terms, conditions and documents required by the grant/contract with the Office of the Governor, Criminal Justice Division, approved as to form by the City Attorney.

**SECTION 2.** That the City of Dallas designates the City Manager or designee as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**SECTION 3.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$99,998.08 in the Digital Forensic Lab Grant FY23 Fund, Fund F730, Department DPD, Unit 331C, various Object Codes, in accordance with the attached Schedule.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed \$99,998.08 into the Digital Forensic Lab Grant FY23 Fund, Fund F730, Department DPD, Unit 331C Revenue Code 6506.

**SECTION 5.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$99,998.08 from the Digital Forensic Lab Grant FY23 Fund, Fund F730, Department DPD, Unit 331C, various Object Codes, in accordance with the attached Schedule.

**SECTION 6.** That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the CJD, in full.

January 11, 2023

**SECTION 7.** That the City Manager is hereby authorized to reimburse the CJD in the event of loss, or misuse of funds, in full. The City Manager shall notify the appropriate City Council Committee of any return of grants funds not later than 30 days after the reimbursement.

**SECTION 8.** That the City Manager shall keep the appropriate City Council Committee informed of all CJD final monitoring reports not later than 30 days after the receipt of the report.

**SECTION 9.** That this contract is designated as Contract No. DPD-2023-00020939.

**SECTION 10.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**SCHEDULE**  
**Digital Forensic Lab**

**Fund F730, Department DPD, Unit 331C, Revenue Source Code 6506**  
**October 1, 2022 - June 30, 2023**

<b>Object Code</b>	<b>Description</b>	<b>Amount</b>
2280	Other Supplies	\$ 1,610.00
2710	Furniture and Fixtures	\$ 1,437.00
2731	Data Processing Equipment	\$ 41,595.00
2770	Audiovisual Equipment	\$ 7,083.00
2890	Miscellaneous Equipment (Parts)	\$ 25,031.00
3364	Personnel Development	\$ 7,940.00
4890	Miscellaneous Equipment(Captital)	\$ 15,302.08
	<b>Grand Total</b>	<b>\$ 99,998.08</b>



## Agenda Information Sheet

**File #:** 23-98

**Item #:** 30.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Small Business Center Department  
**EXECUTIVE:** Kimberly Bizer Tolbert

### **SUBJECT**

Authorize the amendment of the South Dallas/Fair Park Opportunity Fund Program to increase the not to exceed grant amount for human development contracts from \$100,000.00 to \$200,000.00 and update to 2020 Census Tract - Financing: This action has no cost consideration to the City (see Fiscal Information)

### **BACKGROUND**

All Human Development Contracts must accomplish a public purpose, as required by the Small Business Center's underwriting criteria. The City Council finds that the Human Development contracts serve a valid public purpose.

Each proposal will be analyzed to ensure the incentive serves a public purpose and provides a public benefit in conformance with the program statement and in conformance with the state law and controlling caselaw. Financial awards will be documented in written agreements to ensure the City retains control over the public funds to guarantee the public purpose is actually accomplished as a return benefit to the City.

This increase will further the City's goals for ensuring non-profits have access to capital for Human Development in South Dallas Fair Park within the designated 2020 Census Tract 25, 26.03, 209, 37, 208, 115, 203.

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

On June 27, 2018, City Council authorized a variety of changes and clarifications to the SDFPOF including establishing a purpose for the fund to "provide loans and grants to promote economic development and support human development initiatives in the neighborhoods surrounding Fair Park" by Resolution No. 18-0922 and Ordinance No. 30905.

On March 9, 2022, City Council authorized (1) the transfer of programmatic elements and funding of the South Dallas Fair Park Opportunity Funds from the Office of Economic Development (OED) to

the Small Business Center (SBC); and (2) the SBC Director to take any actions necessary to administer those programs and related agreements that transferred from OED to SBC under Section 4(11) in the Operating and Capital Budgets' Appropriations Ordinance (Ordinance No. 32000), by Resolution No. 22-0457.

[The Economic Development Committee was briefed by memorandum regarding this matter on December 5, 2022.](#)

### **FISCAL INFORMATION**

This action has no additional cost consideration to the City. Future Fiscal Years are expected to continue to have an impact of \$200,000.00 for the Human Development portion of the South Dallas Fair Park Opportunity Fund.

January 11, 2023

**WHEREAS**, on September 22, 2021, City Council adopted the Operating and Capital Budgets' Appropriations Ordinance which transferred certain program and funding from the Office of Economic Development (OED) to the Small Business Center (SBC) and created the SBC effective October 1, 2021, by Resolution No. 21-1950; and

**WHEREAS**, the specific programs, funding and related contracts that were transferred from OED to SBC are identified in Section 4(11) of the Operating and Capital Budgets' Appropriations Ordinance; and

**WHEREAS**, the SBC was established to assist small emerging firms to increase opportunities by navigating through Dallas' business and economic ecosystems; and

**WHEREAS**, in 1989, City Council authorized the creation of an advisory board to oversee funds generated by Fair Park activities and the investment of these funds back into the South Dallas Fair Park community by Resolution No 89-3605; and

**WHEREAS**, on June 27, 2018, City Council authorized a variety of changes and clarifications to the South Dallas/Fair Park Opportunity Fund (SDFPOF), including establishing a purpose for the fund to "provide loans and grants to promote economic development and support human development initiatives in the neighborhoods surrounding Fair Park" as determined by federal Census tract data by Resolution No. 18-0922; Ordinance No. 30905; and

**WHEREAS**, on March 9, 2022, City Council authorized (1) the transfer of programmatic elements and funding of the South Dallas Fair Park Opportunity Funds from the Office of Economic Development (OED) to the Small Business Center (SBC); and (2) the SBC Director to take any actions necessary to administer those programs and related agreements that transferred from OED to SBC under Section 4(11) in the Operating and Capital Budgets' Appropriations Ordinance (Ordinance No. 32000), by Resolution No. 22-0457.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager hereby authorizes the amendment of the City of Dallas South Dallas/Fair Park Opportunity Fund Program Statement, attached as **Exhibit A**, to increase the not to exceed grant amount from \$100,000.00 to \$200,000.00 for eligible entities for qualifying human development initiatives. Funding of contracts and agreements, cash balances and any transaction established through the date of this resolution for the South Dallas Fair Park Opportunity Fund shall use SDFPOF, Fund 0443, Department MGT-SBC, Unit W812, various Objects; as well as authorizes the

January 11, 2023

**SECTION 1.** (continued)

federal Census tract amendment included in the South Dallas Fair Park Opportunity Fund Program Statement, attached as Exhibit A to reflect the 2020 Census Tract 25, 27.03, 209, 37, 208, 209, 115, and 203.

**SECTION 2.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# **EXHIBIT A**

## **CITY OF DALLAS**

### **SOUTH DALLAS/FAIR PARK OPPORTUNITY FUND**

### **PROGRAM STATEMENT**

#### **HISTORY**

In 1987, the City Council adopted the South Dallas/Fair Park Neighborhood Preservation and Economic Development Plan (CR 87-0632), a land use plan for the neighborhoods surrounding Fair Park. One of the plan recommendations was to "establish a South Dallas/Fair Park Trust Fund that is capitalized with a special assessment on admissions to Fair Park to generate funding for the Trust Fund." In 1989, the Council established a Fair Park Task Force to develop a strategy to invest funds generated by Fair Park into the surrounding community (CR 89-1159). Among other things, the Task Force recommended the creation of an advisory board to oversee the administration of the funds and recommended annual funding from Fair Park activities, amphitheater ticket sales, general fund contributions, and other sources. The Task Force funding recommendations were adopted by CR-89-3605, and the advisory board was codified in Dallas City Code Sections 2-130 through 2-132. The trust fund's funding, policies, and purpose have been amended several times over the past 20 years. This program statement is intended to provide a clear summation of the current program and replaces and supersedes all prior Council actions related to the trust fund. Pursuant to Ordinance No. 30905, approved on June 27, 2018, the name of the advisory board was amended to the "South Dallas/Fair Park Opportunity Fund Board," and therefore the funds the board directs are referred to herein as the "South Dallas/Fair Park Opportunity Fund."

#### **PURPOSE**

The purpose of the South Dallas/Fair Park Opportunity Fund (the "Opportunity Fund") is to provide loans and grants to promote economic development and support human development initiatives in the neighborhoods surrounding Fair Park.

#### **SERVICE AREA**

The Opportunity Fund will only issue loans or grants to businesses or entities located within, relocating to, or serving a population at least 90% of which are residents of the following census tracts (the "Service Area"): 25, 27.03, 209, 37, 208, 209, 115, and 203. A map of the Service Area is attached as **Exhibit A-1**.

#### **ADMINISTRATION**

The Opportunity Fund is administered by the Small Business Center, in coordination with the South Dallas/Fair Park Opportunity Fund advisory board. The board is appointed by the council in conformance with Dallas City Code 2-130 through 2-132. The Opportunity Fund shall

reimburse the Small Business Center for staff time and expenses allocable to oversight and administration of the Opportunity Fund.

## FUNDING SOURCES

The funding sources of the Opportunity Fund are:

1. **GENERAL FUNDS:** \$3.2 Million in general funds, to be paid out in four installments beginning in FY16/17. The first such payment was made in July of 2017 and the second payment was made in May of 2018, and two additional payments will be made in 2019 and 2020 subject to availability of appropriations.
2. **FAIR PARK ACTIVITIES:** For each ticket sold for an event at the amphitheater located in Fair Park, 20 cents will be contributed to the Opportunity Fund. Additionally, half of all profits from flea markets and antique shows at Fair Park will be contributed to the Opportunity Fund annually. The Park and Recreation Department is responsible for calculation of the Fair Park Activities payments, and for the annual transfer of the payment to the Small Business Center.
3. **PILOT:** If the Fair Park Activities generate less than \$500,000 in any year, the Small Business Center will allocate a portion of its PILOT funding to make up the balance, so that the minimum amount of Fair Park Activities plus PILOT funds paid to the Opportunity Fund in any year is \$500,000.
4. **REVENUE:** This includes operating revenue such as loan repayments and earned interest.

## FINANCIAL AWARDS

The following general provisions apply to financial awards by the Opportunity Fund:

1. Funds may be used for human development contracts or economic development projects, as defined below.
2. In each fiscal year:
  - a. a maximum of 25% of budgeted funds may be awarded as grants;
  - b. a minimum of 75% of budgeted funds must be awarded as repayable loans;
  - c. a maximum of \$200,000 may be awarded for human development contracts with all other funds awarded for economic development projects, as both terms are defined below;
  - d. other than as described above there is no minimum or maximum loan or grant size;
  - and
  - e. unawarded or reprogrammable funds from any fiscal year roll into the next fiscal year's budget.
3. **"Human development contracts"** are defined as contracts for services directly benefitting residents of the Service Area which accomplish one of the five goals identified in Section 3(e) below.

- a. **Eligibility.** Human development applicants, including their affiliates and subsidiaries, shall only be eligible for Opportunity Funds awards twice in any 5-year period. Human development contracts shall only be awarded for new or expanded services to residents of the Service Area, and shall only be used to pay for costs attributable to that new or expanded service. Grants shall not be awarded to persons or entities who have outstanding city liens or tax liens, who are party to a lawsuit against the City, who have filed for bankruptcy in the previous 5 years, who are currently in default under any other agreement with the City, or who have in the previous 5 years been party to a contract with the City that was terminated due to default.
- b. **Payment.** Human development contract awards will be paid on a reimbursement of expense basis. Each request for reimbursement shall include evidence of expense satisfactory to the Director of the Small Business Center in his or her sole discretion, as well as an explanation of how the expense was related to the human development program.
- c. **Match.** Each human development contract application must include evidence of a dollar-for-dollar match from a third-party funding source. The match must be specific to the human development and must be received within the contract term. At least 80% of match must be in the form of cash. Up to 20% of match may be in the form of volunteer labor or other in-kind source acceptable to and valued by the director of the Small Business Center in his or her sole discretion. Volunteer labor will be valued at the then-current federal minimum wage. Evidence of the volunteer labor match must be submitted with each reimbursement request in the form of a volunteer hours log on grantee letterhead. Each entry must include the date and hours of service, as well as the legible printed name, address, phone number, and signature of each volunteer.
- d. **Persons Served.** Human development services must be targeted to residents of the Service Area. Each awardee must keep records documenting that at least 90% of the persons served under the contract are residents of the Service Area. This documentation must be submitted to the City with each reimbursement request.
- e. **Contracts.** Human development contracts must include a provision requiring the grantee to track and report measurable outcomes to demonstrate progress toward one of the following goals in the Service Area:
  - i. Increase workforce participation and readiness
  - ii. Stimulate small business activity and growth
  - iii. Improve health outcomes
  - iv. Improve public safety
  - v. Improve educational outcomes

4. **“Economic development projects”** are defined as projects or programs that result in the creation of new jobs, the retention of existing jobs, or an increase in the Service Area tax base.

- a. **Eligibility.** Loans or grants shall not be awarded to persons or entities who have outstanding city liens or tax liens, who are party to a lawsuit against the City, who have filed for bankruptcy in the previous 5 years, who are currently in default under any other agreement with the City, or who have in the previous 5 years been party to a contract with the City that was terminated due to default.

b. **Contracts.** Economic development project contracts must include a provision requiring the grantee or borrower to track and report measurable outcomes to demonstrate progress toward one of the following goals in the Service Area:

- i. Creation of jobs
- ii. Retention of jobs
- iii. Increase in Service Area tax base
- iv. Stimulate small business activity and growth

## **PUBLIC PURPOSE**

All loans and grants must accomplish a public purpose, as required by the Small Business Center's underwriting criteria. The City Council finds that the human development contracts and economic development projects described herein serve a valid public purpose.

Each proposal will be analyzed to ensure that the incentive serves a public purpose and provides a public benefit in conformance with this program statement and in conformance with state law and controlling caselaw. Financial awards will be documented in written agreements to ensure that the City retains control over the public funds to guarantee that the public purpose is actually accomplished as a return benefit to the City.

## **APPLICATION**

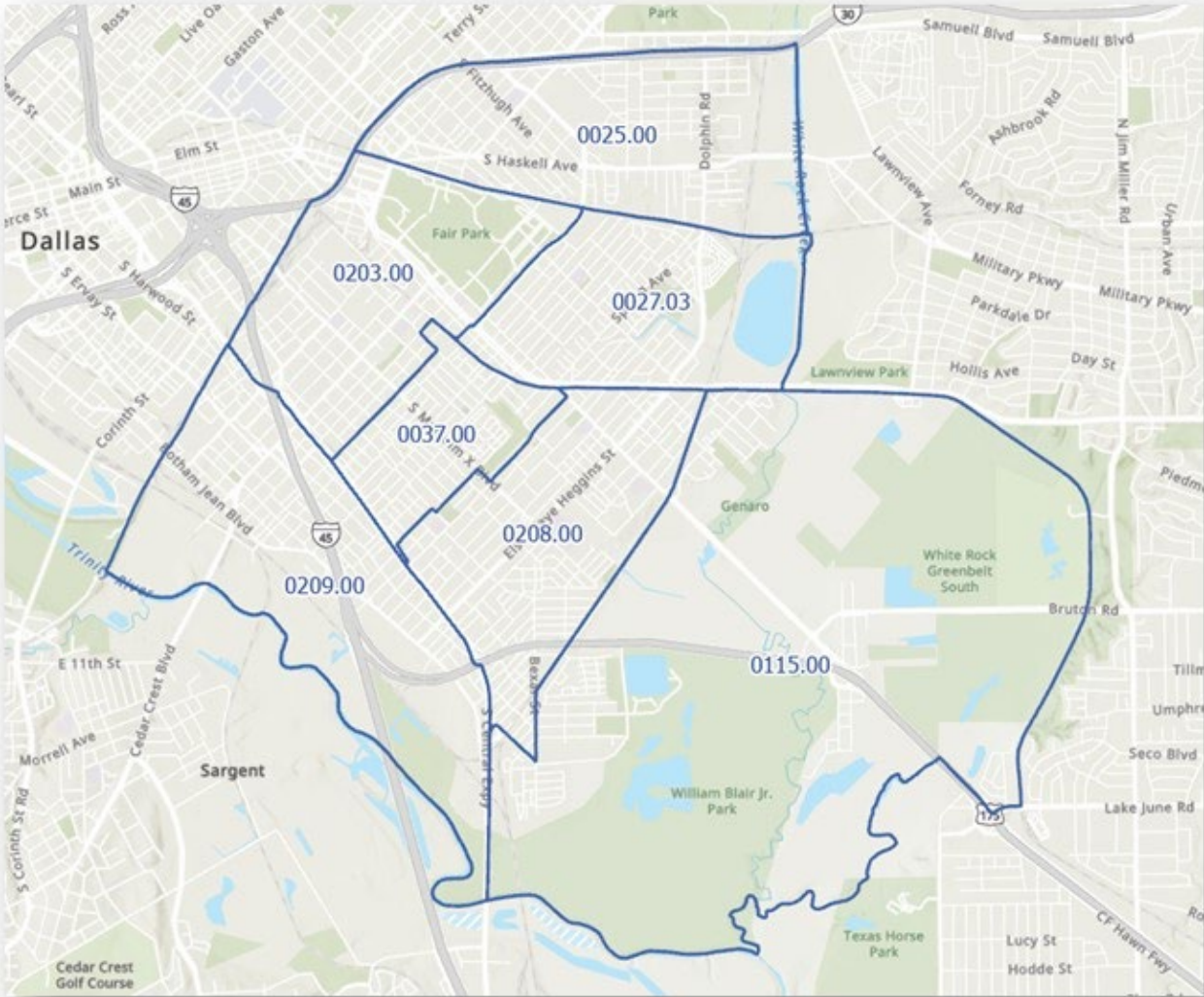
### **Economic Development Projects:**

- Applications for economic development loans and grants will be accepted on a rolling basis. The application form and underwriting criteria will be the current forms and criteria in use by the Small Business Center, and the size of any loan or grant will be determined based on that underwriting criteria.
- Staff will review each application for completeness, to ensure that the proposed project meets the criteria of this program statement, and to ensure that the proposal complies with all underwriting criteria of the Small Business Center.
- Based on the review and underwriting findings, staff will either decline the application, or recommend funding.
- Projects recommended for funding will be briefed to the Opportunity Fund advisory board.

### **Human Development Contracts:**

- Applications for human development awards will be accepted no more than once per year, in response to a Notice of Funding Availability (NOFA) issued by the Small Business Center.
- The application form, procedures, and underwriting criteria will be released as exhibits to each NOFA. The size of any grant will be determined in conformance with that underwriting criteria.
- Staff will review all applications for completeness and for compliance with the NOFA and this program statement.
- Projects recommended for funding will be briefed to the Opportunity Fund advisory board.

**Exhibit A-1**  
**Service Area Map**





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-23

**Item #:** 31.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Kimberly Bizer Tolbert

### **SUBJECT**

Authorize acquisition from heirs of Byrd B. Fisher and husband W.W. Fisher, Ballard Y. Burgher, W.L. Burgher, Cedric Burgher, Laura B. Atwell and husband Webster Atwell, and Robert S. Burgher, for the purpose of acquiring sand and gravel rights to approximately 43 acres of land for the Dallas Floodway Project - Not to exceed \$4,311.00 - Financing: Flood Protection and Storm Drainage Facilities (2006 General Obligation Bond Funds)

### **BACKGROUND**

This item authorizes the acquisition from heirs of Byrd B. Fisher and husband W.W. Fisher, Ballard Y. Burgher, W.L. Burgher, Cedric Burgher, Laura B. Atwell and husband Webster Atwell, and Robert S. Burgher, for the purpose of acquiring sand and gravel rights to approximately 43 acres of land. The property is located on Canada Drive near its intersection at North Hampton Road and will be used for the Dallas Floodway Project. The consideration is based on an independent appraisal. There are no relocation benefits associated.

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

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Flood Protection and Storm Drainage Facilities (2006 General Obligation Bond Funds)	\$4,311.00	\$0.00	\$0.00

**OWNERS**

Heirs of Byrd B. Fisher and husband W.W. Fisher

Ballard Y. Burgher

W.L. Burgher

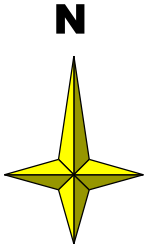
Cedric Burgher

Laura B. Atwell and husband Webster Atwell

Robert S. Burgher

**MAP**

Attached



*TRINITY RIVER*

E. DURBIN SURVEY  
ABSTRACT NO. 384

**BLOCK  
8663**

**HAMPTON ROAD**

Centerline of the West Levee

**CANADA DRIVE**



Field Notes Describing the Land Boundary of Sand and Gravel Rights  
in the Trinity Greenbelt to be Acquired  
Parcel 11, Block 8663

Being situated in the E. Durbin Survey, Abstract No. 384, Dallas County, Texas, and being all of that property noted as "SECOND TRACT" in a deed to the City and County of Dallas Levee Improvement District recorded in Volume 1502, Page 202 of the Deed Records of Dallas County, Texas, and being a part of the property conveyed to the City of Dallas by deed recorded in Volume 68196, Page 138 of the Deed Records of Dallas County, Texas and being more particularly described as follows in the first deed above referenced:

BEGINNING at a point on East line of said Survey 433.9 feet north of the S.E. corner of said Durbin Survey in the North line of the tract of land above described:

THENCE North 1,149.6 feet to the N.E. corner of Burgher tract:


THENCE West along said line to center of West Fork of the Trinity River:

THENCE up said River with its meanders to the South line of said Durbin Survey:

THENCE East to the North line of the tract of land above described a point 200 feet North of and at right angles from the center line of the West Levee of the City and County of Dallas Levee Improvement District:

THENCE in an easterly direction parallel to and 200 feet from said levee center line to the place of beginning, containing 43.11 acres of land.

This description is approved as to form.

  
\_\_\_\_\_  
Scott Holt, RPLS  
Chief City Surveyor

  
\_\_\_\_\_  
Date

City of Dallas  
Volume 73066, Page 1073

City of Dallas  
Volume 13252, Page 392



Old Channel  
West Fork  
Trinity River

1,126.22', N 90°00'00" E

E. DURBIN SURVEY  
ABSTRACT NO. 384

City of Dallas  
Volume 73012  
Page 479

**Trinity Greenbelt Parcel 11**  
**43.11 Acres**

City of Dallas  
Volume 68196, Page 138  
(City and County of Dallas  
Levee Improvement District  
Volume 1502, Page 202  
SECOND TRACT)

**BLOCK  
8663**

East Line of  
Durbin Survey  
1,388.97', S 00°00'00" E  
(Deed: 1,149.6')

**POINT OF  
BEGINNING**

1,289.77', N 89°05'33" W

200'

Centerline of the West Levee

411.45'  
N 53°56'23" E

160.25'  
N 33°06'30" E

345.12'  
N 03°52'41" E

128.34'  
N 40°23'10" W

252.33'  
N 81°21'13" W

181.41'  
N 25°44'17" W

153.20'  
N 00°00'00" E

235.50'  
N 33°53'02" E

South Line of  
Durbin Survey

**CANADA DRIVE**  
(Variable Width Right-of-Way)

Page 2 of 2



**DALLAS WATER UTILITIES**  
**Floodplain Management**

**Trinity Greenbelt Parcel 11**

**PUBLIC WORKS DEPARTMENT**

**SURVEY DIVISION CITY OF DALLAS, TEXAS**

OPER. NAME	DESIGN FILE NAME	SCALE	DATE
Holt	N:\ENGR\SURVEY\HOLT\Trinity\Delta Pump Station.dgn	As Noted	4-22-22
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
Peck	Holt	Block 8662	

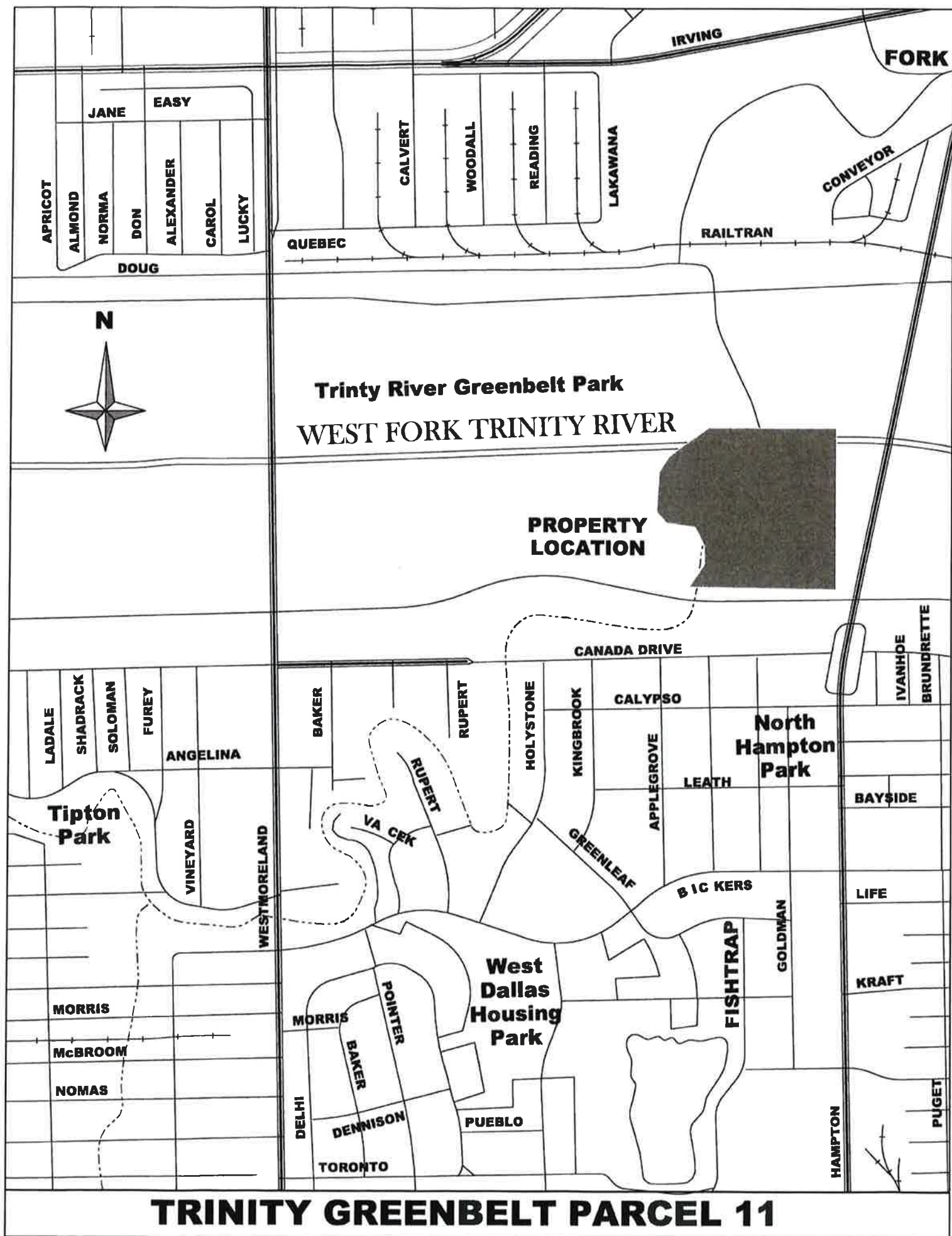


Exhibit B

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**WARRANTY DEED**

THE STATE OF TEXAS   §  
                                     §       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS   §

That Heirs of Byrd B. Fisher and husband W.W. Fisher, Ballard Y. Burgher, W.L. Burgher, Cedric Burgher, Laura B. Atwell and husband Webster Atwell, and Robert S. Burgher (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of FOUR THOUSAND THREE HUNDRED ELEVEN AND 00/100 DOLLARS (\$4,311.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the sand and gravel rights for the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

\* \* \* \* \*

STATE OF TEXAS  
COUNTY OF DALLAS

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_,  
2022 by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

\* \* \* \* \*

After recording return to:  
City of Dallas  
Department of Sustainable Development and Construction  
Real Estate Division  
320 East Jefferson Boulevard, Room 203  
Dallas, Texas 75203  
attn: Byron Cole

Warranty Deed Log No. BC/DWU818

January 11, 2023

**A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.**

**DEFINITIONS:** For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Authorize acquisition of sand and gravel rights in approximately 43 acres of land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Dallas Floodway Project

"USE": The installation, use, and maintenance of a levee, swale, channel or other improvements as may be necessary for the control of drainage and flooding provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Fee Simple, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Heirs of Byrd B. Fisher and husband W.W. Fisher, Ballard Y. Burgher, W.L. Burgher, Cedric Burgher, Laura B. Atwell and husband Webster Atwell, and Robert S. Burgher provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": \$4,311.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$0.00

"AUTHORIZED AMOUNT": Not to exceed \$4,311.00

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the USE of the PROPERTY for the PROJECT is a public use.

**SECTION 2.** That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.



January 11, 2023

**SECTION 3.** That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

**SECTION 4.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

**SECTION 5.** That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

**SECTION 6.** That in the event this acquisition closes, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of the Flood Protection and Storm Drainage Facilities, Fund BT23, Department SDM, Unit W446, Activity TRPP, Program No. PB98W397, Object 4230, Encumbrance/Contract No. SDM-2023-00020750. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

**SECTION 7.** That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

**SECTION 8.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:  
Christopher J. Caso, City Attorney

BY: Molly P. Ward  
Assistant City Attorney



## Agenda Information Sheet

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**File #:** 23-4

**Item #:** 32.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** Outside City Limits

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Kimberly Bizer Tolbert

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### **SUBJECT**

Authorize Supplemental Agreement No. 5 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. to provide additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant - Not to exceed \$5,784,047.00, from \$28,279,359.00 to \$34,063,406.00 - Financing: Water Capital Improvement F Fund

### **BACKGROUND**

In June 2006, Dallas Water Utilities (DWU) initiated a study to investigate the cause of water quality concerns in parts of the water distribution system. The study and requisite testing confirmed that the treated water chemically changes as it moves through the water system. Recommendations to stabilize the water included process changes and the implementation of improvements at all three water treatment plants. Three firms, one firm for each water treatment plant, were selected to perform engineering and design services. It was anticipated that each firm would be awarded planned supplemental agreements as work progresses to ensure a targeted approach to design.

One major recommendation from the 2006 study included the implementation of biologically active filtration at each plant. DWU has successfully implemented biologically active filtration at the East Side and Bachman Water Treatment Plants and is working to implement these improvements at the Elm Fork Water Treatment Plant. The next step includes the construction of a new Filter Complex to convert treatment operations, address hydraulic limitations, and upgrade existing infrastructure at the end of its useful life. The Elm Fork Water Treatment Plant located in Carrollton, Texas, is the second largest of the three water treatment plants serving DWU customers. It was constructed in the 1950s, underwent an expansion and renovation to its current capacity of 300 million gallons per day in the early 1990s, and is now in need of water quality improvements to continue providing reliable service and producing high-quality water to customers.



On July 9, 2021, two bids were received for the Elm Fork Filter Complex project. After reviewing bids, it was determined that they were significantly higher than the engineer's estimate and the available project budget. The high costs were found to be influenced by shortages in labor and materials, limited contractor competition in the North Texas market for the scope and scale of the project, and the risks associated with pricing volatility of raw materials given the multi-year project schedule. DWU rejected the bids and has been working with the engineer to repackage the project into phases to receive more bids and better prices. Supplemental Agreement No. 4 was approved on January 26, 2022 and authorized Arcadis CE, Inc. to provide engineering services for repackaging the Filter Complex and completing the design and bid phase services for Package #1. DWU received bids for the first phase of construction on June 24, 2022, and Dallas City Council authorized a construction contract for \$155,100,000.00 on September 14, 2022.

This Supplemental Agreement No. 5 continues to advance the goals of the Water Quality Improvements Program at the Elm Fork Water Treatment Plant by providing construction administration and start-up services for the first phase of the Filter Complex project, engineering design, bid and construction phase services for the next construction package associated with the Filter Complex project that includes Backwash Water Tanks, and engineering design and bid phase services for the second and final phase of the Filter Complex Project. A future supplemental agreement will be required for construction administration and start-up of the Filter Complex Phase 2 and potentially other improvements to complete the overall Water Quality Program at the Elm Fork Water Treatment Plant.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Services	January 2023
Complete Services	March 2027

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

On June 23, 2010, City Council authorized a professional services contract with Malcolm Pirnie, Inc. to provide engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant by Resolution No. 10-1641.

On September 14, 2011, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant by Resolution No. 11-2422.

On August 28, 2013, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant by Resolution No. 13-1469.

On January 10, 2018, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant by Resolution No. 18-0102.

On January 26, 2022, City Council Supplemental Agreement No. 4 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. to provide additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant by Resolution No. 22-0255.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Water Capital Improvement F Fund	\$5,784,047.00	\$0.00	\$0.00

Original Contract	\$ 7,562,770.00
Supplemental Agreement No. 1	\$ 6,500,000.00
Supplemental Agreement No. 2	\$ 5,622,236.00
Supplemental Agreement No. 3	\$ 6,223,300.00
Supplemental Agreement No. 4	\$ 2,371,053.00
Supplemental Agreement No. 5 (this action)	<u>\$ 5,784,047.00</u>

Project Total \$34,063,406.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$5,784,047.00	Architecture & Engineering	<del>25.66%*</del> <u>24.39%</u>
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
26.47%	26.47%	<del>\$1,531,012.00</del> <u>\$1,371,947.00</u>
• *This item reflects previous Business Inclusion and Development Policy M/WBE.		
• This contract exceeds the M/WBE goal.		
• Supplemental Agreement No. 5 - 23.25% Overall M/WBE Participation		
• Arcadis U.S. Inc - Local; Workforce - 1.06% Local		

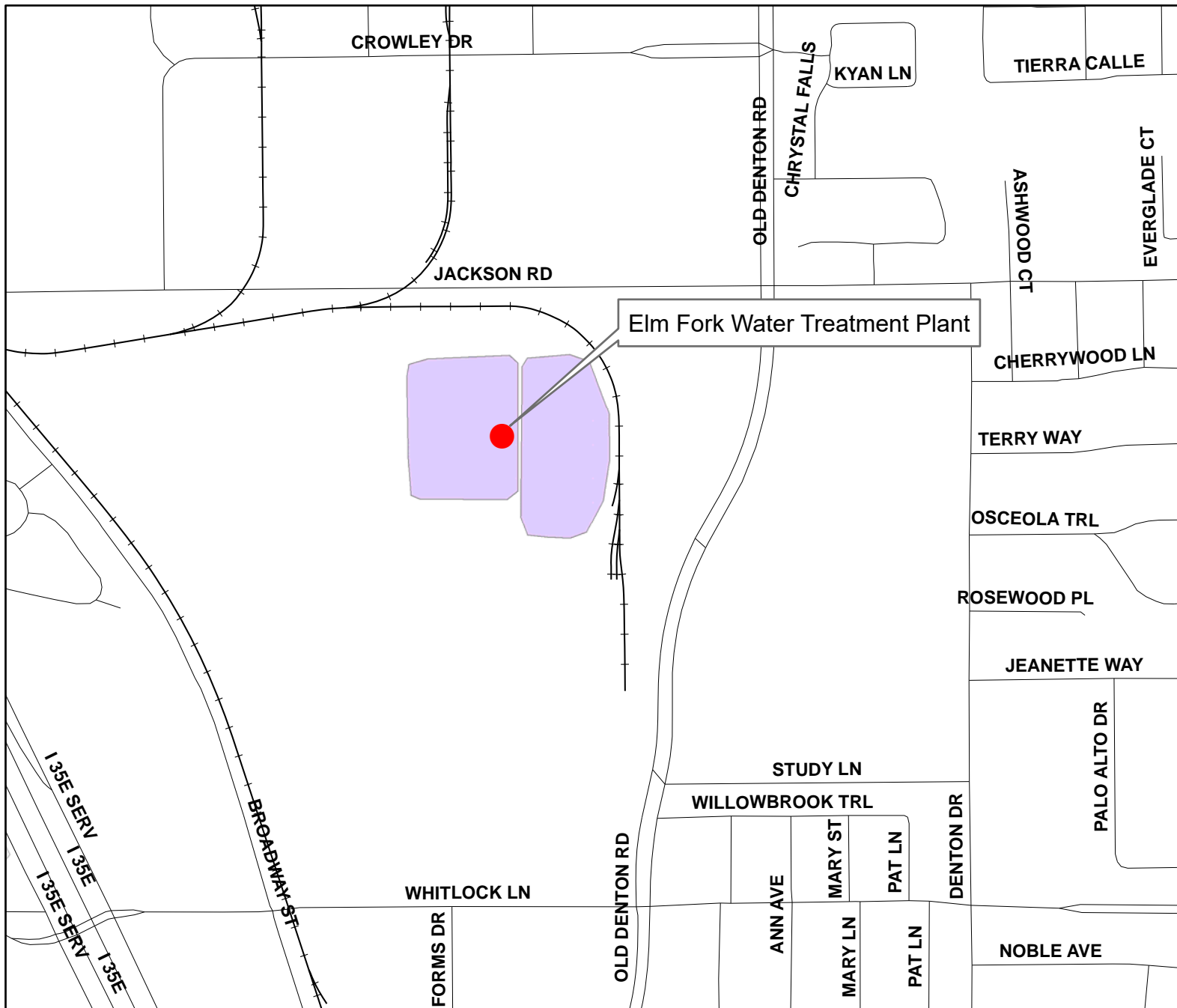
**OWNER**

**Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc.**

Alex Rothchild, Global Commercial Excellence Officer

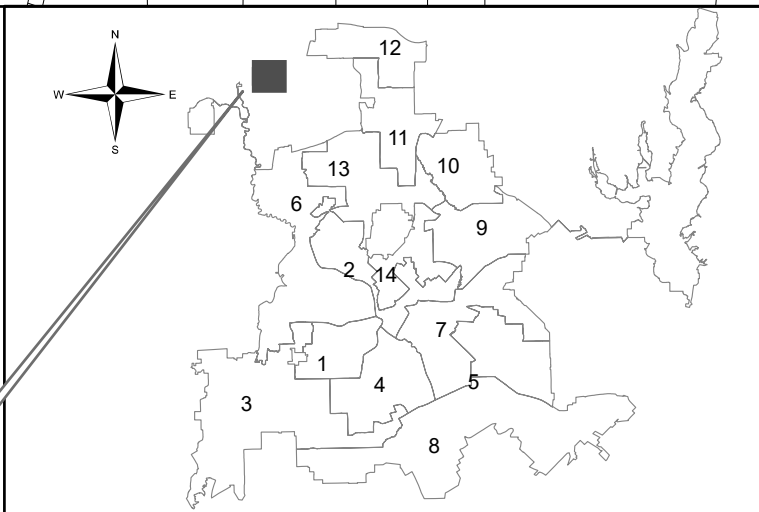
**MAP**

Attached



Mapsc0: 2 T

Council District: Outside City Limits



January 11, 2023

**WHEREAS**, on June 23, 2010, City Council authorized a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for the Elm Fork Water Treatment Plant water quality improvements, in an amount not to exceed \$7,562,770.00, by Resolution No. 10-1641; and

**WHEREAS**, on September 14, 2011, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services for the Elm Fork Water Treatment Plant water quality improvements in an amount not to exceed \$6,500,000.00, increasing the contract amount from \$7,562,770.00 to \$14,062,770.00, by Resolution No. 11-2422; and

**WHEREAS**, on August 28, 2013, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant in an amount not to exceed \$5,622,236.00, increasing the contract amount from \$14,062,770.00 to \$19,685,006.00, by Resolution No. 13-1469; and

**WHEREAS**, on January 10, 2018, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant in an amount not to exceed \$6,223,300.00, increasing the contract amount from \$19,685,006.00 to \$25,908,306.00, by Resolution No. 18-0102; and

**WHEREAS**, on January 26, 2022, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. to provide additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant in an amount not to exceed \$2,371,053.00, increasing the contract amount from \$25,908,306.00 to \$28,279,359.00, by Resolution No. 22-0255; and

**WHEREAS**, the Elm Fork Water Treatment Plant is in need of water quality improvements to continue providing high quality water to customers; and

**WHEREAS**, additional engineering services are required to provide construction administration and start-up services for the first phase of the Filter Complex project, to provide design, bid and construction phase services for the next construction package including Backwash Water Tanks, and to provide design and bid phase services for the second and final phase of the Filter Complex project to convert treatment operations, address hydraulic limitations, and upgrade existing infrastructure at the end of its useful life; and

**WHEREAS**, Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc., 12400 Coit Road, Suite 1200, Dallas, Texas 75251, has submitted an acceptable proposal to provide these engineering services; and

January 11, 2023

**WHEREAS**, Dallas Water Utilities recommends that Contract No. 10-027E be increased by \$5,784,047.00, from \$28,279,359.00 to \$34,063,406.00.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the proposed Supplemental Agreement No. 5 to the professional services contract be accepted and that Contract No. 10-027E with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc. be revised accordingly.

**SECTION 2.** That the City Manager is hereby authorized to execute Supplemental Agreement No. 5 to the professional services contract with Arcadis CE, Inc. f/k/a Malcolm Pirnie, Inc., approved as to form by the City Attorney, to provide additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant, in an amount not to exceed \$5,784,047.00, increasing the contract amount from \$28,279,359.00 to \$34,063,406.00.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$5,784,047.00 to Arcadis CE, Inc. from the Water Capital Improvement F Fund, Fund 4115, Department DWU, Unit PW31, Object 4111, Program 710027, Encumbrance CT-DWU710027CP, Vendor 341680.

**SECTION 4.** That this contract is designated as Contract No. DWU-2017-00003497.

**SECTION 5.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 23-31

**Item #:** 33.

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**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Secretary's Office

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**SUBJECT**

Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 23-108

**Item #:** 34.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Secretary's Office

**EXECUTIVE:** Bilierae Johnson

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### **SUBJECT**

A resolution authorizing the submission by the Records Management Officer of the City of Dallas Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act form (Form SLR 508) to the director and librarian of the Texas State Library and Archives Commission on behalf of the City of Dallas; with the following exceptions for longer retention periods for: **(1)** Dallas 3-1-1 Service Requests Complaints; **(2)** Dallas Police Department Communication Tapes and Printouts; and **(3)** Election Campaign Contributions reports - Financing: No cost consideration to the City

### **BACKGROUND**

This agenda item is requesting consideration and approval from the city council to maintain compliance with TSLAC Retention Schedules, along with authorizing the Records Management Officer to submit on behalf of the City of Dallas the Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act (Form SLR 508) to the director and librarian of TSLAC; with the following exceptions for longer retention periods for: 1) Dallas 3-1-1 Service Requests Complaints; 2) Dallas Police Department Communication Tapes and Printouts; and 3) City Secretary's Office election reports (Election Campaign Contributions).

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

On November 14, 1990, City Council adopted the requirements of the Local Government Records Act in the Dallas City Code, Chapter 39C, by Ordinance No. 20787, and later amended Chapter 39C of the Dallas City Code by Ordinance No. 23267 on September 24, 1997.

On October 28, 1998, City Council authorized the Records Management Officer to submit on behalf of the City of Dallas a Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act form (Form SLR 508) to the director and librarian of the Texas State Library and Archives Commission by Resolution No. 98-3152.

On April 11, 2007, City Council adopted longer retention periods for specific record series maintained by the City Secretary's Office: (1) Application for a Place on the Ballot, (2) Campaign Treasurer, (3) Election Campaign Contributions, (4) Conflict of Interest Questionnaire, and (5) Conflict of Interest Disclosure Statement by Resolution No. 07-1168.

On May 24, 2017, the Administrative Ad Hoc Committee reviewed and unanimously approved reinstatement of the retention periods to that of the Texas State Library and Archives Commission (TSLAC) and recommended City Council approval.

On August 09, 2017, City Council authorized the reinstatement of the Texas State Library and Archives Commission (TSLAC) required retention period for specific records series maintained by the City Secretary's Office by Resolution No 17-1195.

The Government Performance & Financial Management Committee was briefed on the City of Dallas' *Compliance with Texas State Library and Archives Commission (TSLAC) Retention Schedules*, along with authorizing the Records Management Officer to submit on behalf of the City of Dallas the Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act (Form SLR 508) to the director and librarian of TSLAC. The Government Performance & Financial Management Committee recommended unanimously the item be sent to the City Council for consideration and adoption.

On August 12, 2020, City Council authorized compliance with TSLAC Retention Schedules, along with authorizing the Records Management Officer to submit on behalf of the City of Dallas the Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act (Form SLR 508) to the director and librarian of TSLAC; with the exception of Dallas Fire and Rescue Department's request for an increase in the retention period for their 'Individual Training' records by Resolution No. 20-1124.

### **FISCAL INFORMATION**

No cost consideration to the City.



January 11, 2023

**WHEREAS**, the Local Government Records Act, adopted by the Texas State Legislature in 1989 and codified in Chapters 201 to 205 of the Local Government Code, requires all Texas local governments to file either a records control schedule or a certification of compliance with records retention and disposition schedules with the Texas State Library and Archives Commission by January 4, 1999; and

**WHEREAS**, on September 24, 1997 City Council adopted the requirements of the Local Government Records Act in Dallas City Code, Chapter 39C, by Ordinance No. 20787 on November 14, 1990, and later amended Chapter 39C of the Dallas City Code by Ordinance No.23267; and

**WHEREAS**, certification of compliance with state records requirements regarding retention may be accomplished by the approval and submission of a Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act form (Form SLR 508); and

**WHEREAS**, the Records Management Officer was authorized to submit on behalf of the City of Dallas a Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act (Form SLR 508) to the director and librarian of the Texas State Library and Archives Commission on October 28, 1998; and

**WHEREAS**, on August 9, 2017, City Council authorized the reinstatement of the Texas State Library and Archives Commission (TSLAC) required retention period for specific records series maintained by the City Secretary's Office by Resolution No. 17-1195; and

**WHEREAS**, on August 12, 2020, City Council authorized compliance with TSLAC Retention Schedules, along with authorizing the Records Management Officer to submit on behalf of the City of Dallas the Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act (Form SLR 508) to the director and librarian of TSLAC; with the exception of Dallas Fire and Rescue Department's request for an increase in in the retention period for their 'Individual Training' records by Resolution No. 20-1124; and

**WHEREAS**, Dallas City Code, section 39-C (7) requires the City Council to approve all records retention and disposition schedules, after review and approval of the department director, the Records Management Officer and the Records Management Policy Committee;

**WHEREAS**, the Dallas City Code, section 39-C (7) the City Council shall direct the Records Management Officer to file approved records retention schedules or a written certification of compliance (Form SLR 508) with the Texas State Library and Archives Commission as required by state law and this chapter; and

January 11, 2023

**WHEREAS**, Dallas City Code, Section 39C-9(10) requires the Records Management Officer to file in accordance with state law a written certification of compliance (Form SLR 508) with the director and librarian of the Texas State Library and Archives Commission; and

**WHEREAS**, exceptions for longer retention periods for: 1) Dallas 311 Service Requests Complaints; 2) Dallas Police Department (DPD) Communication Tapes and Printouts; and 3) City Secretary's Office election reports (Election Campaign Contributions) have been submitted to the Records Management Officer requesting longer retention periods (see Exhibit A).

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF DALLAS, TEXAS:**

**SECTION 1.** That the City of Dallas approves and adopts all Texas State Library and Archives Commission Local Government Retention Schedules for city departments; with exceptions for longer retention periods for: 1) Dallas 311 Service Requests Complaints; 2) DPD Communication Tapes and Printouts; and 3) City Secretary's Office election reports (Election Campaign Contributions).

**SECTION 2.** That the Records Management Officer is authorized to submit on behalf of the City of Dallas a Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act (SLR Form 508) to the director and librarian of the Texas State Library and Archives Commission.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

# EXHIBIT A

## Dallas 311 Department

Complaints (Service Requests)	Complaints recived from the public by a governing body or any office or employee of a local government relating to a government policy. This includes City of Dallas Service Requests. Includes complaints received via email.	GR 1000-24 Resolution or Dismissal of complaint + 2 years
Exception Recommendation:		GR 1000-24 Resolution or Dismissal of complaint + 10 years
Justification: To retain longer for historical, trending and operational purposes.		

## Dallas Police Department

DPD Communication Tapes and Printouts	Tapes and Prinouts of incoming and outgoing telephone and radio communications. Radio Dispatch Logging tapes and MDT Logs	PS 4100-04 30 days
Exception Recommendation:		PS 4100-04 180 days
Justification: To comply with the Richard Miles Act (Texas H.B. NO. 1125) and the Michael Morton Act (Texas S.B. No. 1161)		

## City Secretary's Office

Election Campaign Contributions (Campaign Finance Reports)	Complaints recived from the public by a governing body or any office or employee of a local government relating to a government policy. This includes City of Dallas Service Requests. Includes complaints received via	ELA 3125-01A Date of filing + 2 years
Exception Recommendation:		ELA 3125-01A Date of filing + 5 years
Justification: Per recommendation of the Council Government Performance & Financial Management Committee, December 13, 2022.		



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 23-239

**Item #:** 35.

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Discuss, consider, and take all appropriate actions pursuant to the performance review and evaluation of City Attorney Chris Caso (This item was deferred on August 23, 2022)



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 23-92

**Item #:** Z1.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a WR-3 Walkable Urban Residential District on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northwest of the intersection of Kimsey Drive and Maple Avenue  
Recommendation of Staff: Approval  
Recommendation of CPC: Approval  
Z212-231(MP)

**HONORABLE MAYOR & CITY COUNCIL**

**WEDNESDAY, JANUARY 11, 2023**

**ACM: Majed Al-Ghafry**

**FILE NUMBER:** Z212-231(MP)

**DATE FILED:** April 13, 2022

**LOCATION:** Southeast line of Kimsey Drive, northeast of the intersection of Kimsey Drive and Maple Avenue

**COUNCIL DISTRICT:** 2

**SIZE OF REQUEST:** 7,500 sq. ft.

**CENSUS TRACT:** 4.06

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**APPLICANT:** Jay Adeyina, President, Silverline Custom Homes LLC.

**OWNER:** Alexander and Maria Martinez

**REQUEST:** An application for a WR-3 Walkable Urban Residential District on property zoned an IR Industrial/Research District.

**SUMMARY:** The purpose of the request is to permit the redevelopment of the site with a multifamily project.

**STAFF RECOMMENDATION:** Approval.

**CPC RECOMMENDATION:** Approval.

**BACKGROUND INFORMATION:**

- The area of request is currently zoned an IR Industrial/Research District and is currently undeveloped.
- The applicant proposes to redevelop the site with multifamily under the standards of a WR-3 Walkable Urban Residential District from Article XIII, "Form Districts," of Chapter 51A. The applicant plans to develop five units of multifamily on a single lot.
- There has been a trend of lots within the vicinity being rezoned from the industrial zoning to allow multifamily uses, most recently to WR-3 Walkable Urban Residential.
- The proposed zoning allows the applicant to develop the desired multifamily use but with an improved street presence and urban form.

**Zoning History:**

There have been five zoning cases in the area in the last five years.

1. **Z178-220:** On June 27, 2018, City Council approved an MF-2(A) Multifamily District on property zoned an IR Industrial/Research District, on the south line of Kimsey Drive, northeast of Maple Avenue.
2. **Z178-251:** On August 22, 2018, City Council approved an MF-2(A) Multifamily District on property zoned an IR Industrial/Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue.
3. **Z178-389:** On January 23, 2019, City Council approved an MF-2(A) Multifamily District on property zoned an IR Industrial/Research District, on the southeast line of Kimsey Drive, northeast of Maple Avenue.
4. **Z190-216:** On October 13, 2020, City Council approved Planned Development District No. 1037 for MU-2 Mixed Use District uses on property zoned an IR Industrial/
5. **Z212-175:** On August 10, 2022, City Council approved an application for a WR-3 Walkable Urban Residential District on property zoned an IR Industrial/Research District on the southeast line of Kimsey Drive, northeast of Maple Avenue.
6. **Z212-249:** An ongoing application for MF-2(A) Multifamily District on property zoned an IR Industrial/Research District on the southeast line of Kimsey Drive, northeast of Maple Avenue.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Kimsey Drive	Local Street	-

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

**LAND USE ELEMENT**

**GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**GOAL 1.3** PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

**Policy 1.3.1** Create housing opportunities throughout Dallas.

**GOAL 1.4** COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE, AND THE ENVIRONMENT

**Policy 1.4.2** Develop a multi-modal transportation network.

**ECONOMIC ELEMENT**

**GOAL 2.1** PROMOTE BALANCED GROWTH



**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**Policy 2.5.2** Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

**TRANSPORTATION ELEMENT**

**GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS**

**Policy 4.2.2** Promote a network of on street and off-street walking and biking paths.

**URBAN DESIGN ELEMENT**

**GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY**

**Policy 5.1.1** Promote pedestrian friendly streetscapes.

**Policy 5.1.2** Define urban character in Downtown and urban cores.

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

**Policy 5.1.4** Enhance visual enjoyment of public space.

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

**NEIGHBORHOOD PLUS**

**GOAL 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

**GOAL 5.1** Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

**GOAL 5.2** Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.

**Area Plan:**

**Stemmons Corridor – Southwestern Medical District Area Plan**

The comprehensive plan identifies the Stemmons Corridor – Southwestern Medical District area as an area of growth and stresses the need for an area plan to guide this growth to foster desirable development patterns. The study area has numerous assets and opportunities including the Southwestern Medical District, DART light rail and Trinity Railway Express, Love Field Airport, the Victory Plaza and American Airlines Center area, stable single-family neighborhoods, trails and connectivity potential, Market Center, the Design District, and the Trinity River Park.

The plan designates the area of request as part of an Urban Residential – Medium area and as part of the DART Inwood Station strategic opportunity area. Urban Residential – Medium is characterized as offering a diversity of housing options ranging from townhomes to condos with a height of up to seven stories with limited commercial in a mixed-use format encouraged on main corridors. The goals of the Dart Inwood Station strategic opportunity area include the following:

- Increase connectivity in the area uniting existing and new amenities
- Use DART Green Line right-of-way for trail
- Create new pedestrian connections
- Enhance area streets amenities to encourage pedestrian activity
- Encourage mixed use development with ground-floor retail
- Ensure appropriate transitions to adjacent single-family neighborhoods

Staff finds the applicant's request for a WR-3 Walkable Urban Residential District to be compatible with the goals of the Stemmons Corridor – Southwestern Medical District Area Plan because it would provide design standards in an urban form as well as an enhanced pedestrian experience along the street frontage. Although the frontage requirement is in effect along the front of the property, the applicant should still be able to situate an access driveway due to Sec. 51A-13.304. (a) (3) (F), which states: "The required street frontage may be interrupted to allow for a maximum 30-foot-wide vehicular entrance to a parking structure or area." Based on this, the applicant should be able to develop a vehicular access to the side or rear with appropriate parking located behind the 30-foot front parking setback. The planned use of multifamily will be permitted by right.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IR Industrial/Research District	Single family
<b>Northeast</b>	IR Industrial/Research District, WR-3 Walkable Urban Residential District	Undeveloped
<b>Southeast</b>	IR Industrial/Research District	Undeveloped
<b>Southwest</b>	IR Industrial/Research District	Single family
<b>Northwest</b>	MF-2(A) Multifamily District	Multifamily

**Land Use Compatibility:**

The area of request currently abuts existing single family zoned an IR Industrial Research District to the northeast and southwest. Southeast of the site is undeveloped land as well as vehicle display, sales, and service. Northwest of the request area, across Kimsey Drive, is developed with multifamily uses. Staff finds the applicant's requested land use to be compatible with existing land uses in the surrounding area.

The applicant proposes to redevelop the site with multifamily under the standards of a WR-3 Walkable Urban Residential District from Article XIII, "Form Districts," of Chapter 51A. Staff supports the applicant's request because the enhanced development standards of a WR-3 District emphasize walkability and a pedestrian friendly environment, which are appropriate for this denser, urban style neighborhood with immediate proximity to the Inwood/Love Field DART station.

**Overview of Form Districts**

Form-based zoning differs from traditional zoning in that development standards focus primarily on the form of the building rather than its intended land use. Under form-based zoning, the desired form of buildings is typically more urban in style. Buildings are constructed with multiple stories and are located at the front of the site, closer to the street. This, coupled with enhanced standards for transparency, building articulation, and pedestrian amenities, are intended to ensure an active streetscape.

Another key feature that lends itself to a more urban development form is a requirement that buildings fill a percentage of the width of the lot with the building façade. This street frontage requirement creates a streetscape that encourages and supports pedestrian activity and screens parking. Benefits to property owners include additional buildable area on the site; increased height, density, and floor area; and reduced parking requirements that encourage the use of multi-modal transportation.

The applicant's request is for a WR-3 District, which is classified as low intensity among the several WR Walkable Urban Residential districts available in Article XIII. The WR districts are intended to create residential neighborhoods with mixed housing options in a pedestrian friendly environment. Although parcels of any size are eligible for a WR district, Article XIII indicates these districts are intended for locations where a sufficient critical mass of dense, walkable urban mixed-use development exists or is definitely planned. This critical mass is present when:

- (A) The surrounding area consists of at least 40 acres of existing or definitely planned WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics.
- (B) The surrounding area consists of at least 25 acres proposed by and is part of and adopted area plan pursuant to *forwardDallas!* for WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics; or
- (C) The applicant demonstrates that the surrounding area is at least 25 acres and is or will be a mix of dense residential, commercial, and other uses that will achieve the intent of this article for increased walkability, reduced vehicular trip generation, and reduced parking demand.

Article XIII also states that the WR districts are appropriate for major job centers and concentrations of multifamily housing where an area plan pursuant to *forwardDallas!* has been adopted.

Staff finds the area of request to be appropriate for a WR-3 District due to its proximity to existing high density multifamily and mixed-use zoning, comparable planned development zoning, and other existing form districts to the immediate northwest and west of the site. Southeast of the request area along Inwood Road are other comparable planned development zoning and form districts as well as the Inwood/Love Field DART station. The area of request is also part of the adopted Stemmons Corridor – Southwestern Medical District Area Plan, which recommends high density zoning and land uses in addition to an enhanced pedestrian experience.

This is further supported by the Vision Illustration map of the comprehensive plan, which designates the request area as compatible with the recommendations for the Campus building block associated with the Southwestern Medical District. This style of development focuses on areas around large, master-planned educational, institutional, or business facilities outside downtown. Such areas include a range of single family and multifamily housing as well as a variety of offices, shops, services, and open space to support the major campus employer and area residents. Campus areas should also have convenient transit options as an integral component.

#### **Land Use Comparison**

Form-based zoning in Article XIII achieves complementary urban form by regulating land uses through several development types that allow different use categories. For example, the multifamily living use category is allowed under the Apartment (Apt.) development type.

A development containing three or more dwelling units consolidated into a single structure qualifies for the Apt. development type. Standards for the Apt. development type further specify that an apartment contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building must be pulled up to the street. On-site surface parking must be situated away from the front of the property, and no on-site surface parking is permitted between the building and the street. Primary entrances must be prominent and street facing, and an elevated ground floor for residential uses is recommended to ensure privacy.

The applicant's proposed use of the site would fall under the multifamily living use category within the Apt. development type. However, the WR-3 District would also allow other development types and use categories. Following is a comparison table showing differences in the permitted uses between the current IR District and the proposed WR-3 District. Blank cells indicate a comparable land use is not specified for that district.

**Land Use Comparison Chart**

Existing: IR	Proposed: WR-3
<u>Agricultural uses.</u> -- Crop production.	
<u>Commercial and business service uses.</u> -- Building repair and maintenance shop. [RAR] -- Bus or rail transit vehicle maintenance or storage facility. [RAR] -- Catering service. -- Commercial cleaning or laundry plant. [RAR] -- Custom business services. -- Custom woodworking, furniture construction, or repair. -- Electronics service center. -- Job or lithographic printing. [RAR] -- Labor hall. [SUP may be required. See Section <a href="#">51A-4.202</a> (8.1).] -- Machine or welding shop. [RAR] -- Machinery, heavy equipment, or truck sales and services. [RAR] -- Medical or scientific laboratory. -- Technical school. -- Tool or equipment rental. -- Vehicle or engine repair or maintenance.	

### Land Use Comparison Chart

Existing: IR	Proposed: WR-3
<u>Industrial uses.</u> -- Alcoholic beverage manufacturing. [RAR] -- Gas drilling and production. [SUP] -- Industrial (inside). [See Section <a href="#">51A-4.203(b)(1).</a> ] -- Industrial (inside) for light manufacturing. -- Industrial (outside). [See Section <a href="#">51A-4.203(b)(2).</a> ] -- Medical/infectious waste incinerator. [SUP] -- Municipal waste incinerator. [SUP] -- Organic compost recycling facility. [SUP] -- Pathological waste incinerator. [SUP] -- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]	
<u>Institutional and community service uses.</u> -- Adult day care facility. -- Cemetery or mausoleum. [SUP] -- Child-care facility. -- Church. -- College, university, or seminary. -- Community service center. -- Hospital. [RAR] -- Public or private school. [SUP]	<u>Civic use categories.</u> -- Ss, ground story only: Community service [SUP], museum, library; daycare; educational; government service, except detention center, jail, or prison; social service [SUP]; transit station -- Ts, ground story only: Community service [SUP], museum, library -- Civ: Community service [SUP], museum, library; daycare; educational; government service, except detention center, jail, or prison; detention center, jail, or prison [SUP]; transit station  <u>Place of worship use categories.</u> -- Ss, ground story only: Place of worship -- Civ: Place of worship
<u>Lodging uses.</u> -- Extended stay hotel or motel. [SUP] -- Hotel or motel. [RAR] -- Lodging or boarding house. -- Overnight general-purpose shelter. [See Section <a href="#">51A-4.205(2.1).</a> ]	
<u>Miscellaneous uses.</u> -- Attached non-premise sign. [SUP] -- Carnival or circus (temporary). [By special authorization of the building official.]	

### Land Use Comparison Chart

Existing: IR	Proposed: WR-3
<ul style="list-style-type: none"> <li>-- Hazardous waste management facility. <i>[Except when operated as a hazardous waste incinerator.]</i></li> <li>-- Temporary construction or sales office.</li> </ul>	
<u>Office uses.</u> <ul style="list-style-type: none"> <li>-- Alternative financial establishment. <i>[SUP]</i></li> <li>-- Financial institution without drive-in window.</li> <li>-- Financial institution with drive-in window. <i>[RAR]</i></li> <li>-- Medical clinic or ambulatory surgical center.</li> <li>-- Office.</li> </ul>	<u>Office use categories.</u> <ul style="list-style-type: none"> <li>-- Ss, ground story only: Medical, office (office and medical only allowed along thoroughfare)</li> <li>-- Ts, ground story only: Office</li> </ul>
<u>Recreation uses.</u> <ul style="list-style-type: none"> <li>-- Country club with private membership.</li> <li>-- Private recreation center, club, or area.</li> <li>-- Public park, playground, or golf course.</li> </ul>	<u>Civic use categories.</u> <ul style="list-style-type: none"> <li>-- O: Park or open space, utilities</li> </ul>
<u>Residential uses.</u> <ul style="list-style-type: none"> <li>-- None permitted.</li> </ul>	<u>Residential use categories.</u> <ul style="list-style-type: none"> <li>-- Ts: Single-family living, multifamily living, group living</li> <li>-- Th: Single family living, multifamily living, group living</li> <li>-- Mh: Single-family living, multifamily living, group living</li> <li>-- Apt: Multifamily living, group living</li> </ul>
<u>Retail and personal service uses.</u> <ul style="list-style-type: none"> <li>-- Alcoholic beverage establishments. <i>[See Section <a href="#">51A-4.210(b)(4).</a>]</i></li> <li>-- Animal shelter or clinic without outside runs.</li> <li>-- Animal shelter or clinic with outside runs. <i>[SUP may be required. See Section <a href="#">51A-4.210(b)(2).</a>]</i></li> <li>-- Auto service center. <i>[RAR]</i></li> <li>-- Business school.</li> <li>-- Car wash. <i>[RAR]</i></li> <li>-- Commercial amusement (inside). <i>[SUP may be required. See Section <a href="#">51A-4.210(b)(7)(B).</a>]</i></li> <li>-- Commercial motor vehicle parking. <i>[By SUP only if within 500 feet of a residential district.]</i></li> <li>-- Commercial parking lot or garage. <i>[RAR]</i></li> <li>-- Convenience store with drive-through. <i>[SUP]</i></li> </ul>	<u>Retail use categories.</u> <ul style="list-style-type: none"> <li>-- Ss, ground story only: Drive-thru facility <i>[SUP]</i>, restaurant or bar, retail sales, vehicle sales</li> </ul> <u>Service and entertainment use categories.</u> <ul style="list-style-type: none"> <li>-- Ss, ground story only: Commercial amusement (inside) <i>[SUP]</i>; indoor recreation; personal service, including animal care</li> </ul> <u>Commerce use categories.</u> <ul style="list-style-type: none"> <li>-- O: Commercial parking</li> </ul>

### Land Use Comparison Chart

Existing: IR	Proposed: WR-3
<ul style="list-style-type: none"> <li>-- Dry cleaning or laundry store.</li> <li>-- Furniture store.</li> <li>-- General merchandise or food store 3,500 square feet or less.</li> <li>-- Home improvement center, lumber, brick or building materials sales yard. <i>[RAR]</i></li> <li>-- Household equipment and appliance repair.</li> <li>-- Liquefied natural gas fueling station. <i>[By SUP only if the use has more than four fuel pumps or is within 1,000 feet of a residential zoning district or a planned development district that allows residential uses.]</i></li> <li>-- Motor vehicle fueling station.</li> <li>-- Paraphernalia shop. <i>[SUP]</i></li> <li>-- Pawn shop.</li> <li>-- Personal service uses.</li> <li>-- Restaurant without drive-in or drive-through service. <i>[RAR]</i></li> <li>-- Restaurant with drive-in or drive-through service. <i>[DIR]</i></li> <li>-- Taxidermist.</li> <li>-- Temporary retail use.</li> <li>-- Theater.</li> <li>-- Truck stop. <i>[SUP]</i></li> <li>-- Vehicle display, sales, and service. <i>[RAR]</i></li> </ul>	
<p><u>Transportation uses.</u></p> <ul style="list-style-type: none"> <li>-- Airport or landing field. <i>[SUP]</i>.</li> <li>-- Commercial bus station and terminal. <i>[RAR]</i>.</li> <li>-- Heliport. <i>[RAR]</i></li> <li>-- Helistop. <i>[RAR]</i></li> <li>-- Railroad passenger station. <i>[SUP]</i></li> <li>-- STOL (short take-off or landing) port. <i>[SUP]</i></li> <li>-- Transit passenger shelter.</li> <li>-- Transit passenger station or transfer center. <i>[By SUP or city council resolution. See Section <a href="#">51A-4.211.</a>]</i></li> </ul>	
<p><u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> <li>-- Commercial radio or television transmitting station.</li> <li>-- Electrical substation.</li> <li>-- Local utilities. <i>[SUP or RAR may be required. See Section <a href="#">51A-4.212(4).</a>]</i></li> </ul>	



### Land Use Comparison Chart

Existing: IR	Proposed: WR-3
<ul style="list-style-type: none"> <li>-- Police or fire station.</li> <li>-- Post office.</li> <li>-- Radio, television, or microwave tower. [RAR]</li> <li>-- Tower/antenna for cellular communication. [See Section <a href="#">51A-4.212</a>(10.1).]</li> <li>-- Utility or government installation other than listed. [SUP]</li> <li>-- Water treatment plant. [SUP]</li> </ul>	
<u>Wholesale, distribution, and storage uses.</u> <ul style="list-style-type: none"> <li>-- Freight terminal. [RAR]</li> <li>-- Manufactured building sales lot. [RAR]</li> <li>-- Mini-warehouse.</li> <li>-- Office showroom/warehouse.</li> <li>-- Outside storage. [RAR]</li> <li>-- Recycling buy-back center. [See Section <a href="#">51A-4.213</a>(11).]</li> <li>-- Recycling collection center. [See Section <a href="#">51A-4.213</a>(11.1).]</li> <li>-- Recycling drop-off container. [See Section <a href="#">51A-4.213</a>(11.2).]</li> <li>-- Recycling drop-off for special occasion collection. [See Section <a href="#">51A-4.213</a>(11.3).]</li> <li>-- Trade center.</li> <li>-- Warehouse. [RAR]</li> </ul>	

### Development Standards

Beyond the regulation of land uses through development types in Article XIII, each development type includes more traditional development standards (setbacks, density, height, etc.) in addition to enhanced development standards that contribute to a pedestrian friendly environment (street frontage, parking setbacks, transparency, etc.).

Following is a comparison table showing differences between the development standards of the current IR District and the proposed WR-3 District. Included in the WR-3 column are the development standards applicable to the Apt. development type. Development standards have been consolidated to indicate what is applicable to the context of this site. Blank cells indicate a requirement is not specified for that development standard.

\* Kimsey Drive is designated as a primary street

### Development Standards Comparison Chart

Standard	Existing: IR	Proposed: WR-3	For Comparison: MF-2(A)
<b>Front setback</b>	15' min	Primary street: 5' min / 15' max	Primary street: 15' min / No max
<b>Required street frontage</b>		Primary street: 70% min May exempt 30' driveway access	None
<b>Parking setback</b>		Primary street: 30' min Adj nonresidential district: 5' min	None
<b>Side setback</b>	30' adj to res Other: No min	Adj nonresidential district: 0' or 5' min	10'
<b>Rear setback</b>	30' adj to res Else: No min	Adj nonresidential district: 0' or 5' min	Abutting nonresidential district: 10' Or 15' min
<b>Density / Lot Area Required</b>	2.0 FAR overall 0.75 office/retail 0.5 retail	No max	800 sf – Efficiency 1,000 sf – 1BR 1,200 sf – 2BR +150 sf each add BR
<b>Height</b>	200' 15 stories	1 story min 3.5 stories / 50' max	36'
<b>Story height</b>		Ground story: 10' min / 15' max Upper story: 10' min / 15' max	N/A
<b>Lot coverage</b>	80%	80% max	60% max
<b>Transparency</b>		Ground story: 30% Upper story: 20%	None
<b>Entrance</b>		Required on primary street	None
<b>Blank wall area</b>		Primary street: 30' max	None
<b>Special standards</b>	Proximity slope	Proximity slope	Proximity slope

**Landscaping:**

Under the proposed WR-3 District, landscaping for multifamily living uses in an Apt. development type must be in accordance with Article X, as amended. Additionally, Article XIII requires that at least 8% of the net land area of a building site in a form district be provided as open space. Compliance with the open space requirement must be demonstrated at the time of application for a building permit.

**Parking:**

Under the proposed WR-3 District, the site must comply with the parking requirement for household living uses in Article XIII. This requirement is 1.15 spaces per one-bedroom or smaller multifamily living unit, 1.65 spaces per two-bedroom multifamily living unit, and two spaces per three-bedroom or larger multifamily living unit. Article XIII offers parking reductions for residential based on proximity to transit stations, tandem parking, or on street parking.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is currently in an “E” MVA area.

**CPC Action**

**November 17, 2022**

**Motion:** It was moved to recommend **approval** of a WR-3 Walkable Urban Residential District on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northwest of the intersection of Kimsey Drive and Maple Avenue.

Maker: Hampton  
Second: Carpenter  
Result: Carried: 11 to 0

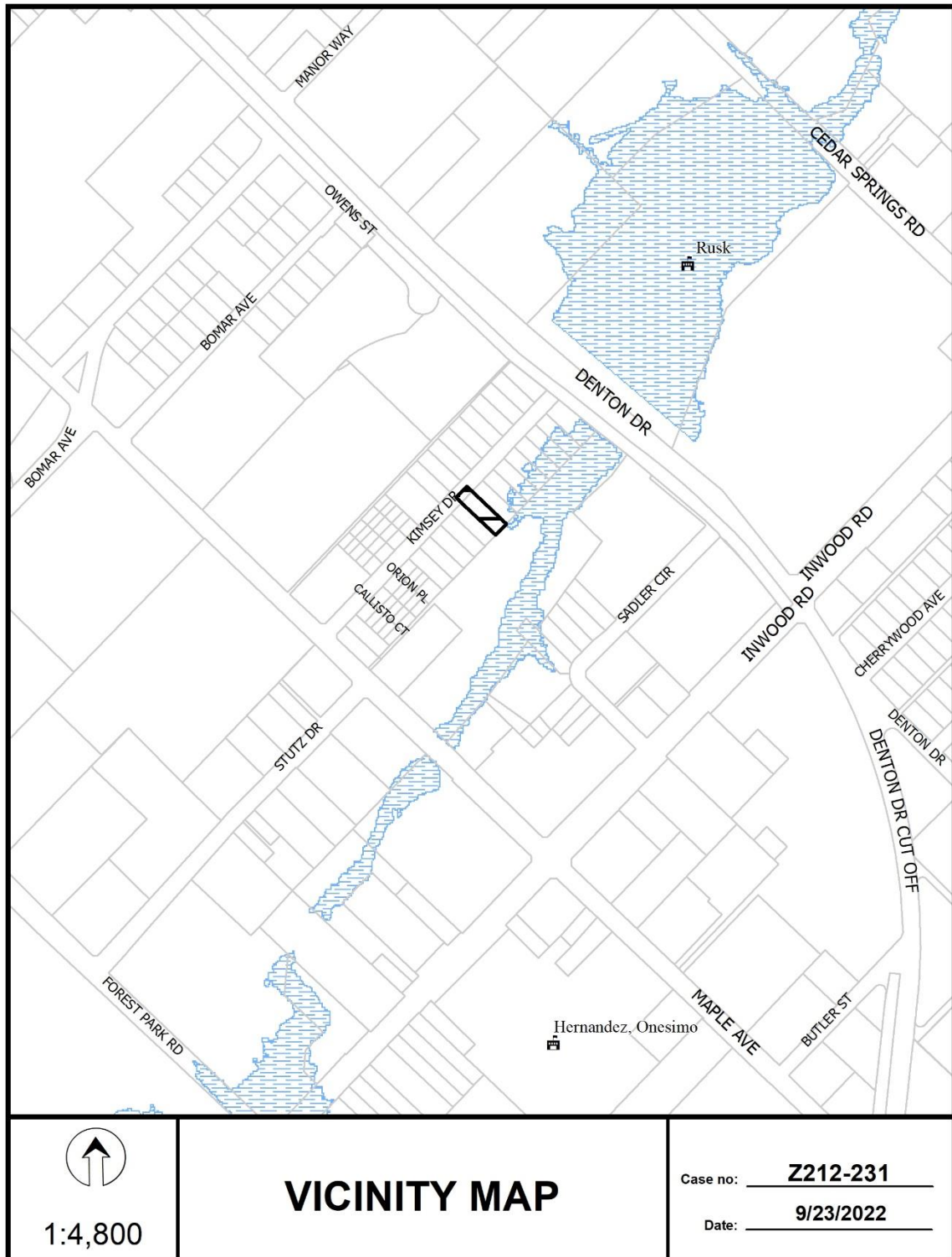
For: 11 - Hampton, Gracey, Shidid, Carpenter, Blair,  
Jung, Housewright, Treadway, Haqq, Stanard,  
Kingston

Against: 0  
Absent: 2 - Popken, Rubin  
Vacancy: 2 - District 4, District 7

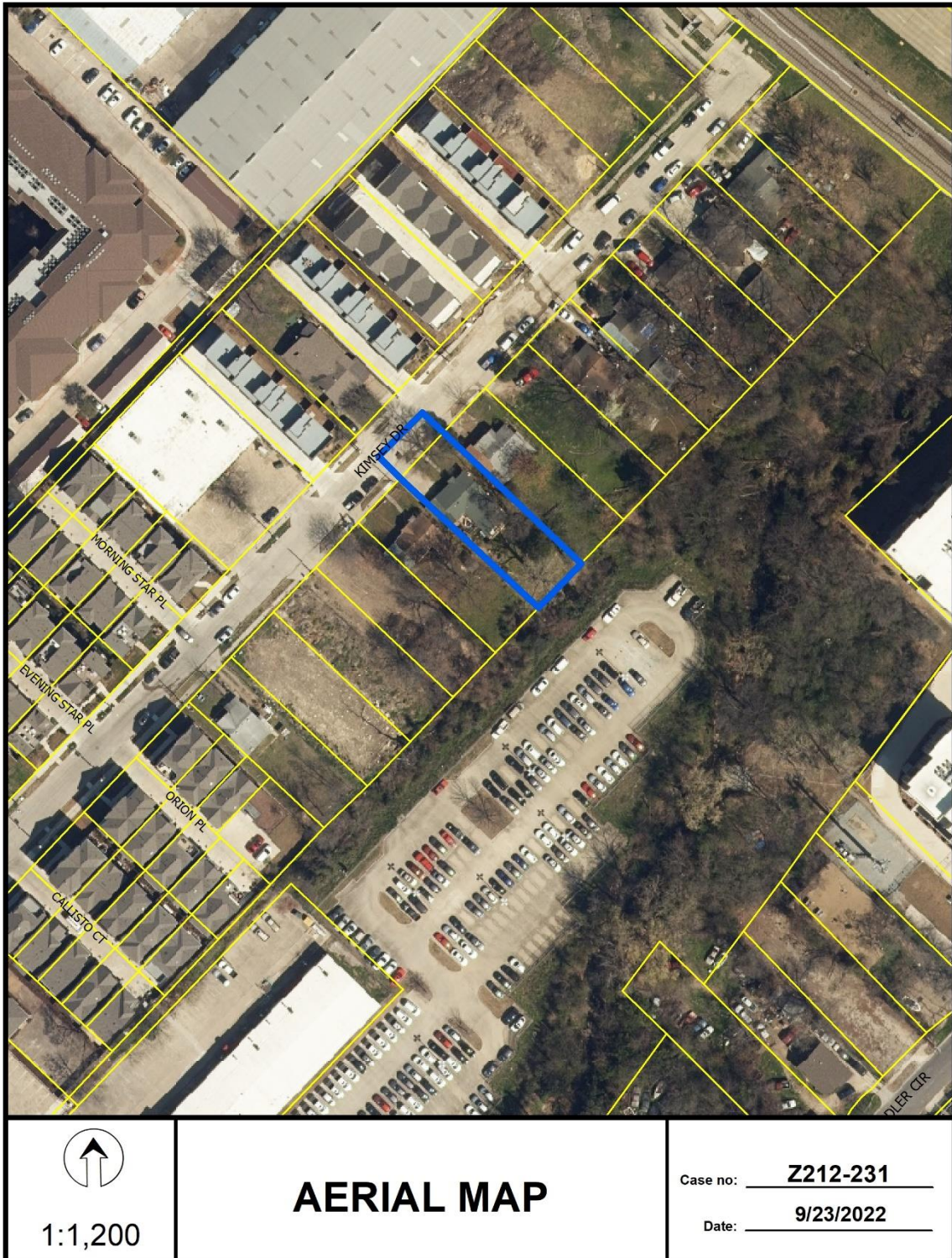
\*out of the room, shown voting in favor

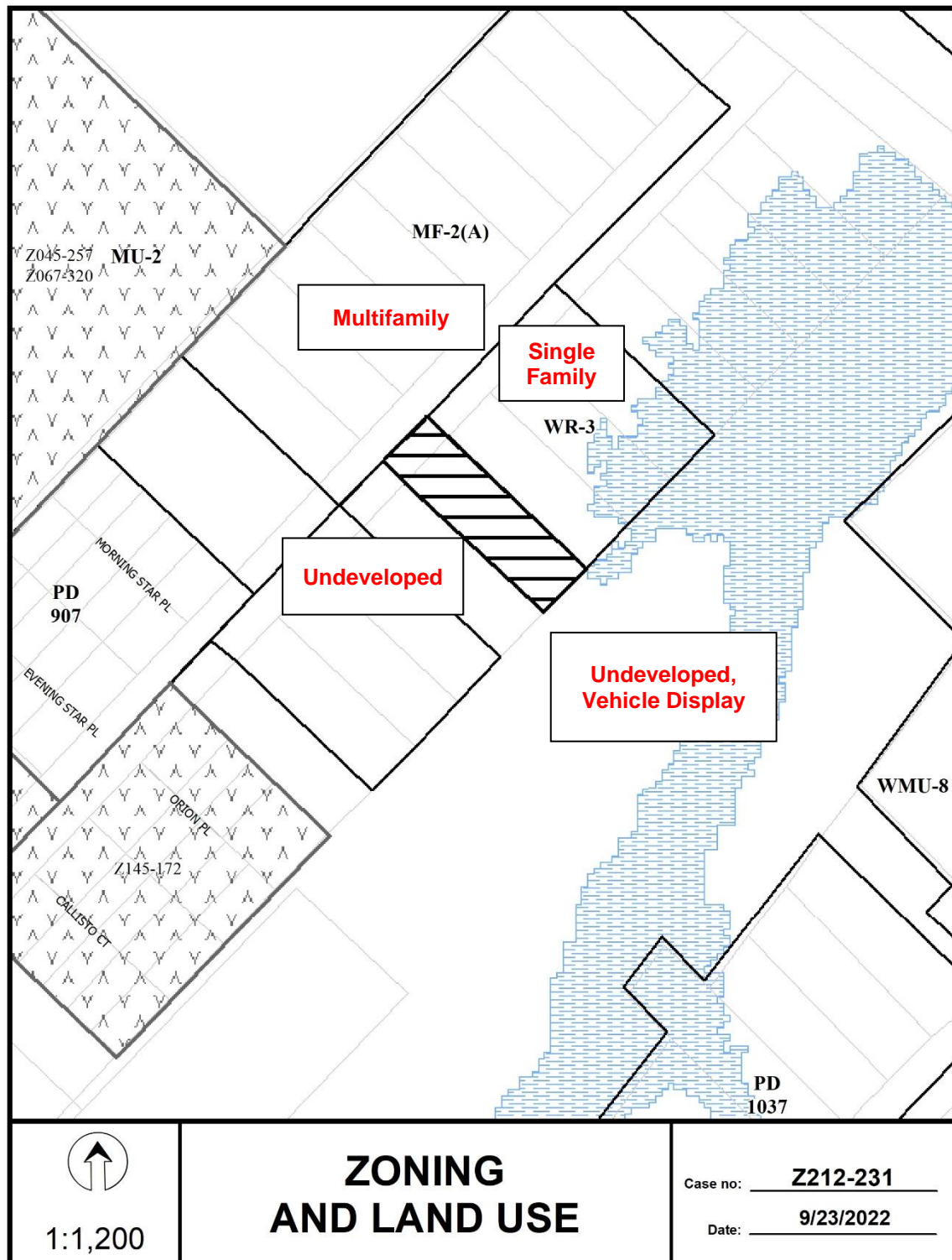
<b>Notices:</b>	Area: 200	Mailed: 28
<b>Replies:</b>	For: 0	Against: 0

**Speakers:** None

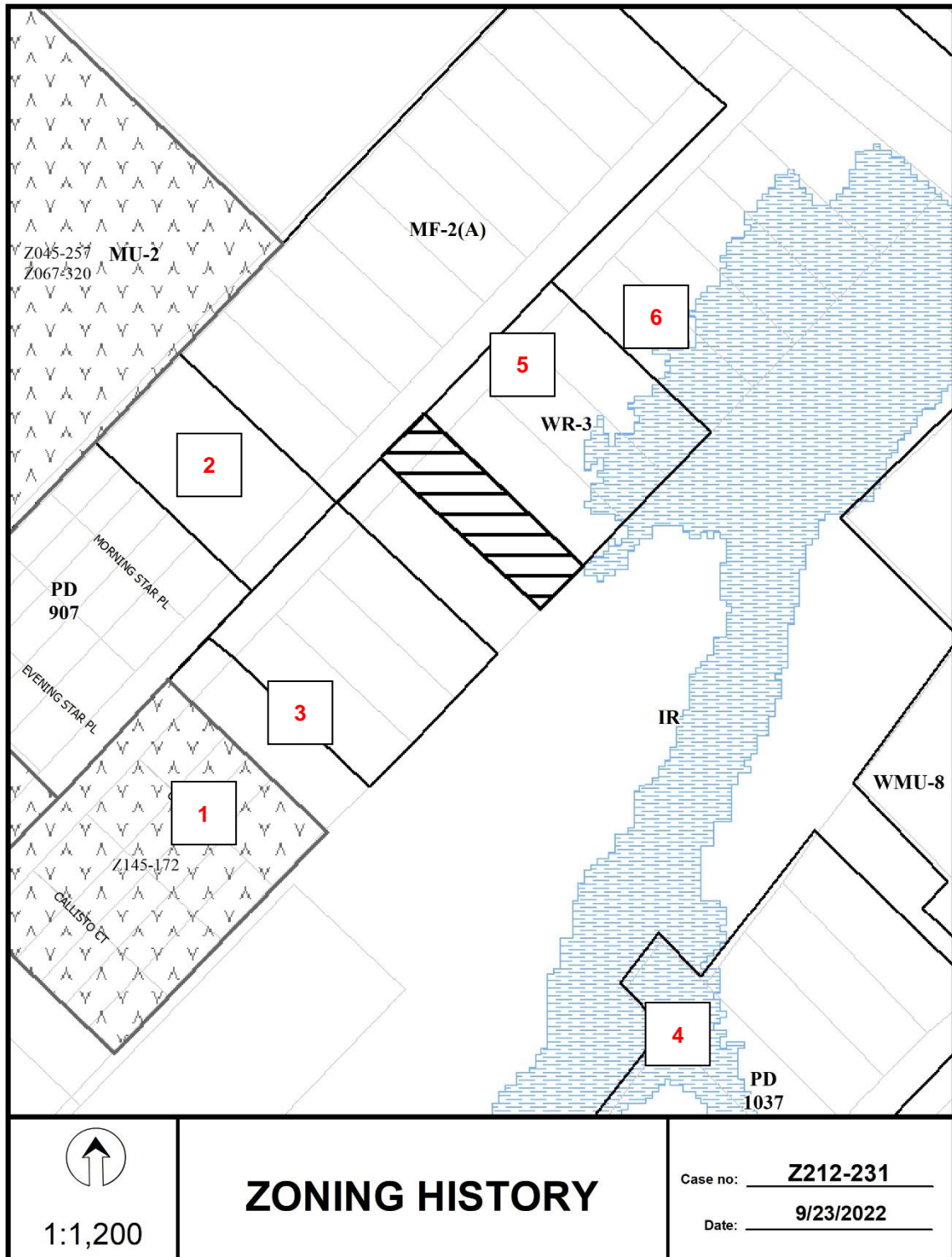






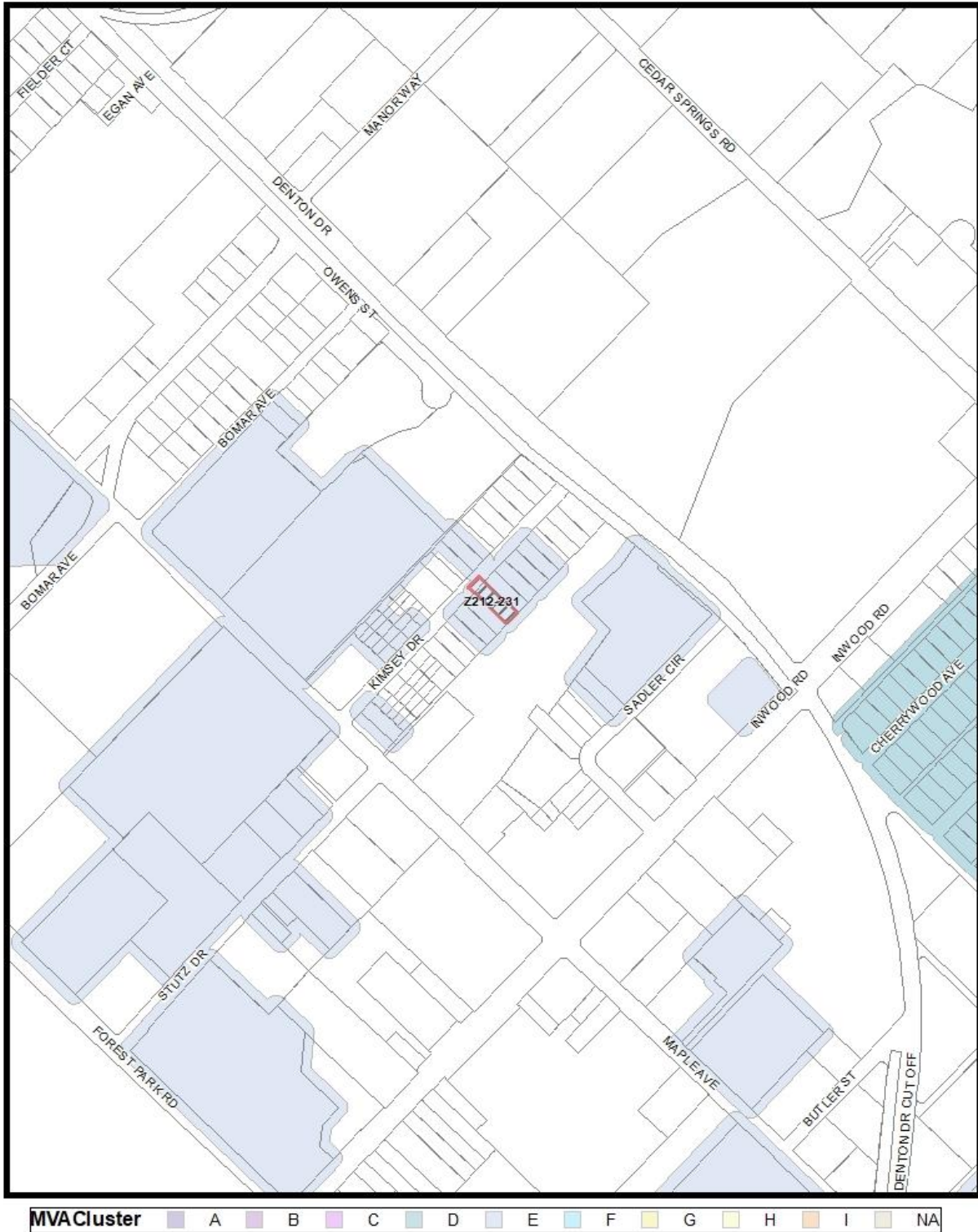








Z212-231(MP)



MVACluster A B C D E F G H I NA



1:4,800

## Market Value Analysis

Printed Date: 5/12/2022

# Z212-231(MP)



11/16/2022

***Reply List of Property Owners******Z212-231******28 Property Owners Notified    0 Property Owners in Favor    0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1    2622	KIMSEY DR	MARTINEZ ALEXANDER C &
	2    2602	KIMSEY DR	PERKINS JANIE L
	3    2606	KIMSEY DR	MODERN TH LLC
	4    2610	KIMSEY DR	LACUNA CONCEPTS LLC
	5    2618	KIMSEY DR	HEED CYNTHIA LOUISE
	6    2626	KIMSEY DR	RG SHEKINAH LLC
	7    2706	KIMSEY DR	RG SHEKINAH LLC
	8    2710	KIMSEY DR	CORONADO JOSE & ANA M
	9    2714	KIMSEY DR	PECINA DAGOBERTO R &
	10    2619	KIMSEY DR	DOLLINGER MICHAEL G &
	11    2711	KIMSEY DR	ASAI RYO
	12    5760	MAPLE AVE	Taxpayer at
	13    5916	MORNING STAR PL	LASHER JAMIE E
	14    5932	MORNING STAR PL	HUANG JIAXIN &
	15    5948	MORNING STAR PL	MEHTA AKSHITA &
	16    5964	MORNING STAR PL	GU TONY &
	17    2611	KIMSEY DR	WINE MAISON LLC
	18    6008	MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC
	19    6025	OWENS ST	Taxpayer at
	20    2703	KIMSEY DR	KJWJ HOLDINGS CORP
	21    2703	KIMSEY DR	BAKER STREET HOLDINGS LLC
	22    2703	KIMSEY DR	MAHENDRAN SABARI
	23    2707	KIMSEY DR	DEVONSHIRE VENTURES LLC
	24    2623	KIMSEY DR	WILSON KENNETH WAYNE JR
	25    2623	KIMSEY DR	TRUE STEVEN M & AMBER K
	26    2623	KIMSEY DR	CHEN LIFENG

Z212-231(MP)

11/16/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27 2623	KIMSEY DR	SAYLER CLIFT E
	28 2623	KIMSEY DR	RAZOMADRID RAMON MOISES



## Agenda Information Sheet

**File #:** 23-93  
PH1.

**Item #:**

**STRATEGIC PRIORITY:** Economic Development

**AGENDA DATE:** January 11, 2023

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Development Services

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments and to approve an ordinance granting a request to change the name of Audrey Street, between Agnes Street and Greenbay Street, to "Dimple Jackson Street" - NC212-008 - Financing: New street blades to be prepared and paid for by the City of Dallas (see Fiscal Information for potential future costs)

### **BACKGROUND**

On August 31, 2022, the City Manager received a memorandum signed by three Council members to consider an application for a Street Name change of Audrey Street, between Agnes Street and Greenbay Street, to "Dimple Jackson Street".

On September 14, 2022, notification signs were put up on Audrey Street, between Agnes Street and Greenbay Street in accordance with Section 51A-9.503(b) of the Dallas Development Code to change the street name to "Dimple Jackson Street".

On September 16, 2022, the newspaper notice for the Subdivision Review Committee hearing was published. On September 16, 2022, notices were sent to 54 property owners notifying them of the proposed street name change. On Thursday October 6, 2022, the Subdivision Review Committee by unanimous vote recommended approval of the Street Name Change.

On October 17, 2022, the newspaper notice for the City Plan Commission hearing was published. On October 17, 2022, notices were sent to 54 property owners notifying them of the proposed street name change. On Thursday November 17, 2022, the City Plan Commission by unanimous vote recommended approval of the Street Name Change.

On December 26, 2022, the newspaper notice for the City Council hearing was published. December 23, 2022, notices were sent on to 54 property owners notifying them of the proposed street name change. The City Council hearing is scheduled on January 11, 2023.

**WAIVERS ARE NEEDED FOR:**

**SECTION 51A-9.304(a)(5)** “A street name may not contain more than 14 characters providing; however, that the street-type designation may be abbreviated to comply with this requirement.”

The proposed street name, “Dimple Jackson Street” contains 19 characters. The street-type designation “Street” can be abbreviated to “St.” but “Dimple Jackson Street” still contains 15 characters. The approval of this request will require a waiver of Section 51A-9.304(a)(5).

**SECTION 51A-9.304(g)** The city council, by a three-fourths vote of its members, may waive any of the standards contained in this section when waiver would be in the public interest and would not impair the public health, safety, or welfare. (Ord. Nos. 19832; 23407)

**STAFF RECOMMENDATION:** This request requires a waiver of Section 51A-9.304(a) (5). Staff recommends approval provided that the required waiver is granted.

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

On October 6, 2022, the Subdivision Review Committee by unanimous vote recommended approval of the Street Name Change of Audrey Street, between Agnes Street and Greenbay Street, to “Dimple Jackson Street”.

On November 17, 2022, the City Plan Commission by unanimous vote recommended approval of the Street Name Change of Audrey Street, between Agnes Street and Greenbay Street, to “Dimple Jackson Street”.

The City Council hearing is scheduled on January 11, 2023.

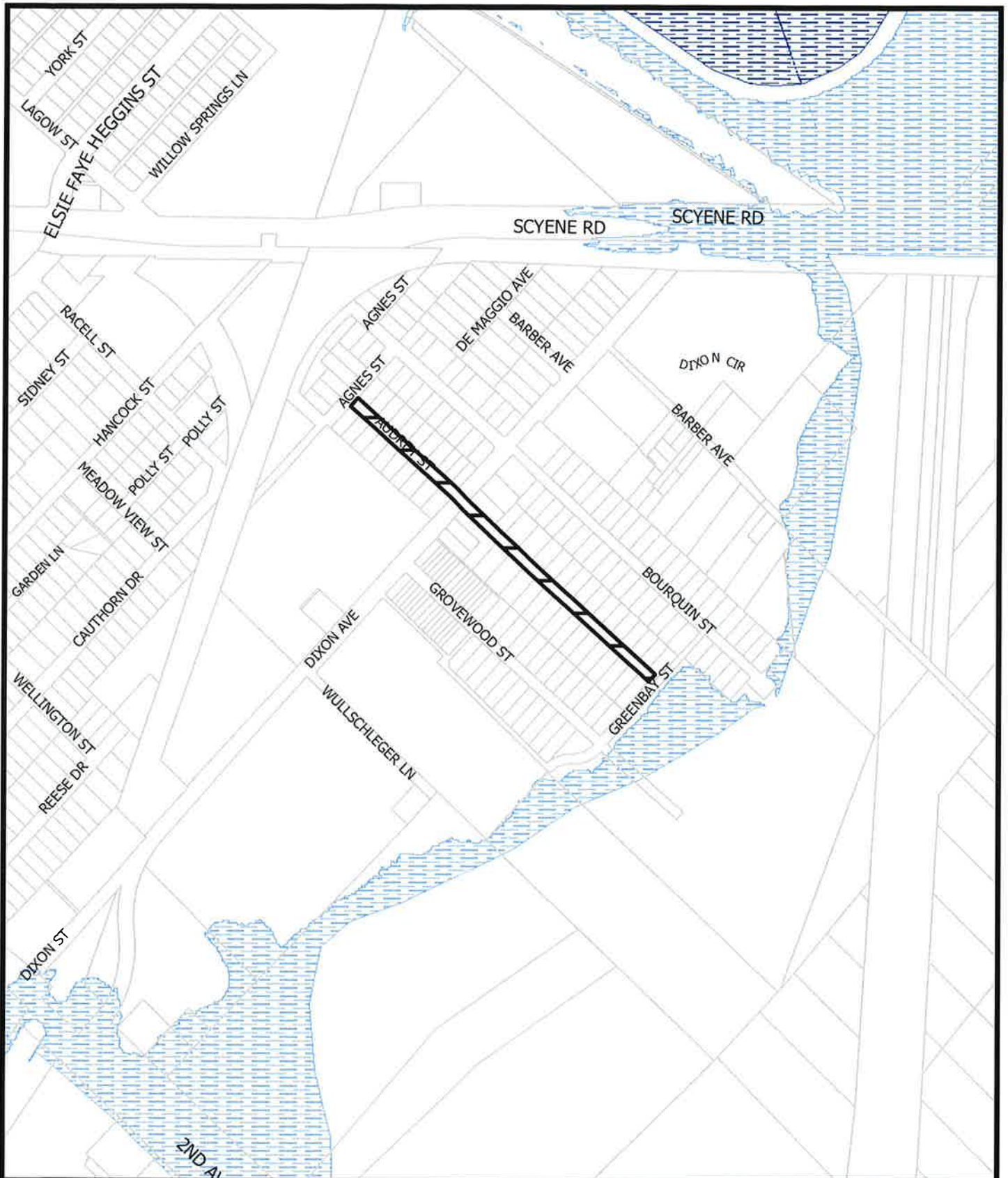
**FISCAL INFORMATION**

New street blades to be prepared and paid for by the City of Dallas; potential future costs to the City are estimated at \$932.00.

**MAP**

Attached



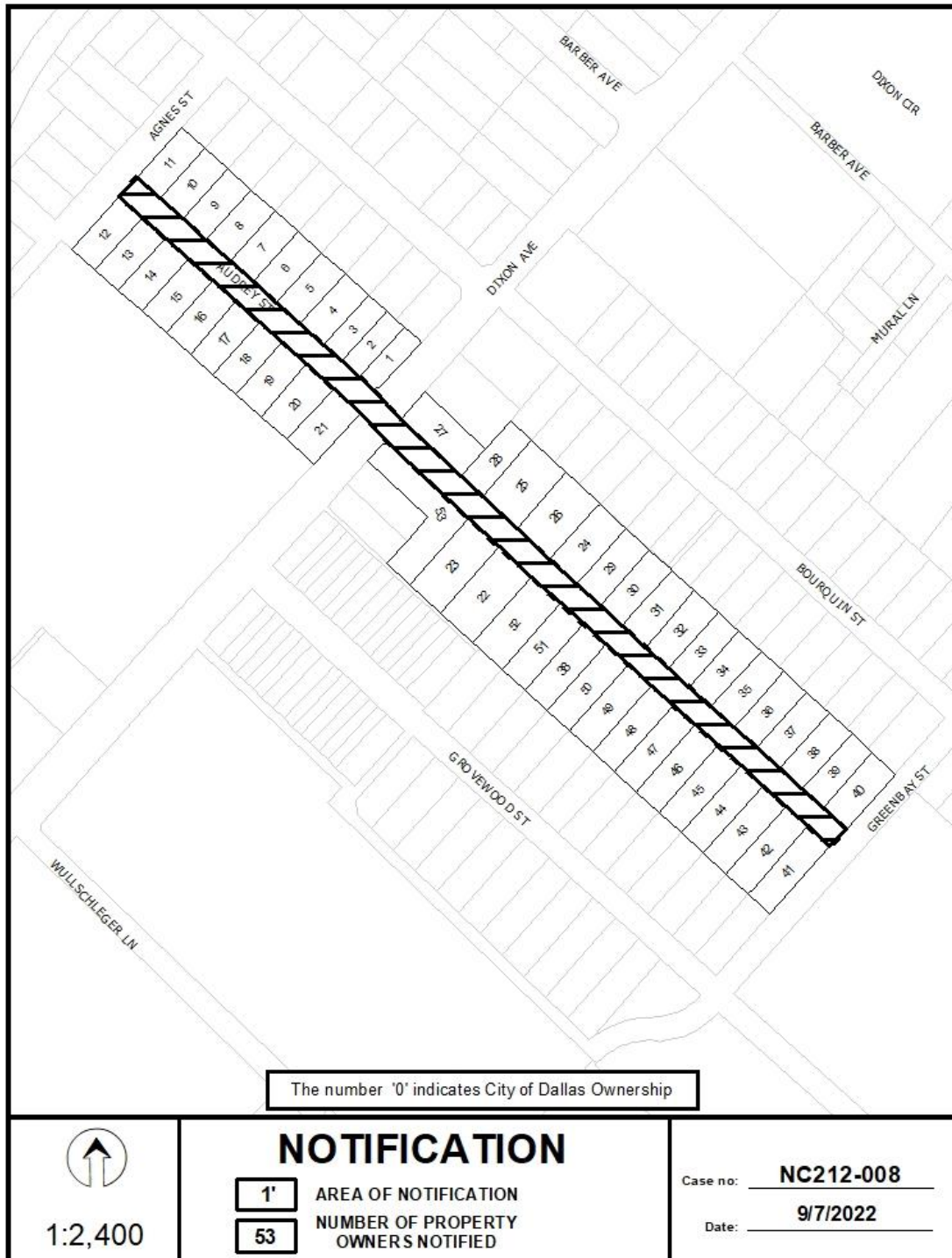


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## VICINITY MAP

Case no: **NC212-008**

Date: **12/9/2022**





10/18/2022

## ***Notification List of Property Owners***

***NC212-008***

### ***54 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5308 AUDREY ST	IBARRA ADOLFO
2	5312 AUDREY ST	SHELLRON LLC
3	5316 AUDREY ST	LISENBY ANDREW KYLE
4	5320 AUDREY ST	MORALES LUCILA
5	5324 AUDREY ST	TRINITY REAL ESTATE HOLDINGS
6	5328 AUDREY ST	PGSR REALTY LLC
7	5332 AUDREY ST	BEE TX REAL ESTATE
8	5336 AUDREY ST	PINEDA DINORA D
9	5340 AUDREY ST	RCGA LLC
10	5344 AUDREY ST	MORALES EDUARDO &
11	5348 AUDREY ST	TAYLOR DAMON
12	5144 AUDREY ST	SAUCEDA EDWIN GERARDO
LOPEZ		
13	5140 AUDREY ST	DAR S&P TEXAS LLC
14	5136 AUDREY ST	THOMAS ADRIAN
15	5132 AUDREY ST	JACKSON DIMPLE REBECCA EST OF
16	5128 AUDREY ST	SMITH SANDRA F
17	5124 AUDREY ST	PATTERSON ADRIAN
18	5120 AUDREY ST	ESTES SUSIE LEE EST OF
19	5116 AUDREY ST	SMITH B D & VIVIAN
20	5112 AUDREY ST	FLORES GUILLERMA ROJAS
21	5108 AUDREY ST	SMITH MARK D & DEBRA
MUMPHREY		
22	5104 AUDREY ST	SHERWOOD INDUSTRIES LLC
23	5105 AUDREY ST	SHEPPARD LEROY
24	5109 AUDREY ST	THOMAS ADRIAN
25	5113 AUDREY ST	GILBERT CHERYL
26	5117 AUDREY ST	LUGRAND DORIS

NC212-008

10/18/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5121 AUDREY ST	JACKSON ROBERT LEE
28	5125 AUDREY ST	GREEN RALPH THEODORE
29	5129 AUDREY ST	JACKSON ROBERT
30	5133 AUDREY ST	HUDSPETH T L
31	5137 AUDREY ST	RAMIREZ IGNACIO &
32	5141 AUDREY ST	ESTELLE TAYLOR J
33	5215 AUDREY ST	Taxpayer at
34	5211 AUDREY ST	RESTORATION REALTY OF
35	5300 AUDREY ST	MCQUIRTER ELIZABETH
36	5212 AUDREY ST	WILLIS KIM ANDREWS EST OF
37	5216 AUDREY ST	WALTERS JOHN B
38	3744 DIXON AVE	AUGUSTUS DANNY ET AL &
39	5208 AUDREY ST	SMITH JOE N
40	5304 AUDREY ST	US DEPT OF JUSTICE
41	5349 AUDREY ST	STARTS TONYA &
42	5345 AUDREY ST	MORALES MARIA SANCHEZ &
43	5341 AUDREY ST	LONG CHARLES & IRENE
44	5337 AUDREY ST	BELL GOLDESS
45	5333 AUDREY ST	COLEMAN WALTER L EST OF
46	5329 AUDREY ST	MARTINEZ JOSE CARMEN &
47	5325 AUDREY ST	LOPEZ FEDERICO & PATRICIA
SERRANO		
48	5321 AUDREY ST	PGSR REALTY LLC
49	5317 AUDREY ST	MATLOCK H K
50	5313 AUDREY ST	PEREZ DANIELA
51	5309 AUDREY ST	RCGA LLC
52	5305 AUDREY ST	WILLIAMS RHODELL
53	5301 AUDREY ST	RUDD ROBERT EST
54	3742 DIXON AVE	SUNNY ACRES COMMUNITY

## Memorandum



CITY OF DALLAS

DATE August 31, 2022

TO TC Broadnax, City Manager

SUBJECT **Street Name Change for Audrey Street to Dimple Jackson Street**

In accordance with the provisions of Section 51A-9.30(b) of the Dallas Development Code, please proceed with the process for the consideration of a Street Name Change of Audrey Street to Dimple Jackson Street.

Dimple Jackson was a longtime resident, community matriarch, and active leader in Dixon Circle. She resided on Audrey Street in Dixon Circle for over 50 years. She served as a faithful member of Faith Tabernacle C.O.G.I.C. for over 70 years. She served as a private in-home worker as her profession but was a faith filled mother and community advocate within her neighborhood. Mrs. Dimple Jackson's community contributions include serving as a staunch voting advocate, elections volunteer, and deputy registrar, Volunteering to serve at local nursing homes and chaperone school trips and conducting community blanket and coat drivers for the homeless.

Adam Bazaldua  
Council Member, District 7

Carolyn King Arnold  
Council Member, District 4

Casey Thomas, II  
Council Member, District 3

"Our Product is Service"  
Empathy | Ethics | Excellence | Equity

NC212-008

DATE August 31, 2022  
SUBJECT **Street Name Change for Audrey Street to Dimple Jackson Street**

c: Chris Caso, City Attorney  
Mark Swann, City Auditor  
Bliaerae Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Kimberly Bizer Tolbert, Deputy City Manager  
Jon Fortune, 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  
M. Elizabeth Reich, Chief Financial Officer  
Genesis D. Gavino, Chief of Staff to the City Manager  
Directors and Assistant Directors

"Our Product is Service"  
Empathy | Ethics | Excellence | Equity

NC212-008



## Agenda Information Sheet

**File #:** 23-99  
PH2.

**Item #:**

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**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** 9  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application by Mondello Apartments, LLC, an affiliate of DevCo, Inc., (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Mondello Apartments located at 2000 Highland Road, Dallas, Texas 75228; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Mondello Apartments - Financing: No cost consideration to the City

### **BACKGROUND**

Mondello Apartments, LLC (Applicant), a to be formed Texas limited partnership, submitted a Request for Resolution application to the City for a Resolution of No Objection for its application to TDHCA for 2023 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits). The 4% Housing Tax Credits will be used for the development of The Mondello, a 150-unit seniors multifamily complex located at 2000 Highland Road, Dallas, TX 75228 (Property). A purchase and sale agreement for the Property has been executed between the current owner of the Property and an affiliate of the Applicant. TDHCA requires 4% Housing Tax Credit applicants provide a Resolution of No Objection from the governing body of the jurisdiction in which the proposed development will be sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for citizens to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, it cannot be changed or withdrawn.

Applicant or its affiliate shall form Mondello Apartments, LLC, a Texas limited liability corporation, the general partner of which is anticipated to be Mondello Manager, LLC, a single asset entity solely owned by the Dallas Housing Finance Corporation (DHFC). A to-be-formed special limited partnership company will be a to-be-formed special limited partner. Mondello Member, LLC will be owner of the special limited partner. An amended and restated agreement of limited partnership will be executed to admit the tax credit equity investor as investor member once identified.

On October 13, 2022, the DHFC Board of Directors adopted a resolution declaring its intent to issue bonds for the Property and authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board.

The Applicant proposes to acquire and renovate 150 units. The 150 units are comprised of 42 1-bedroom and 108 2-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other TDHCA-required features.

The Mondello is a 2007 built, 150-unit, 55+ affordable housing property located in Dallas, TX (6.3 miles east of Dallas Central Business District). The Property sits on 7.06 acres and has a density of 21.24 units/acre. Community amenities include a business center, clubhouse, fitness center, salon, theater room, swimming pool, elevator service, gated access, on-site laundry facility, barbecue, and picnic area. Residents have public transportation access to downtown, utilizing the Ferguson at Highland stop of the Dallas Area Rapid Transit bus which is walking distance from the Property. The Property currently has 20% of units that are market-rate and unrestricted. DevCo is planning on converting them to 60% Area Median Income (AMI) units to provide additional affordability at the property for the seniors aged 55 and better.

The proposed renovation budget is \$8,932,544.00 (\$59,550.00/unit) in hard costs (exclusive of general contractor requirements, contractor's profit and overhead). Renovations will include the following:

- woods and plastic repairs (includes kitchen cabinets, countertops, etc.),
- drywall/floor/ceiling/paint,
- and plumbing/heating, ventilation, and air conditioning (HVAC).

Major items include:

- kitchen cabinet replacement,
- new kitchen countertops,
- replacement of new roof shingles and underlayment,
- installation of luxury vinyl plank flooring,
- interior and exterior paint,
- mechanical system upgrades,
- low-flow toilets/showerheads,
- Air Conditioning condenser and heat pump system replacement.

Planned rehabilitation includes light tenant-relocation during rehabilitation. During the renovations, there will be upgrades to eight units to be fully Americans with Disabilities Act (ADA) compliant. The scope of work for these units includes the reconfiguration of new kitchen cabinetry to allow for proper clearances, renovated and enlarge bathroom to allow for proper clearances, new paint and flooring and new interior doors. These units will need to be relocated for four weeks. In addition to the ADA upgrades, 142 units will have full unit renovations. The households in these units will need to be out of their apartments for one week to accommodate construction. At all units, residents, and their belongings, will need to be fully relocated while renovations are being completed in their units. Renovations may include new plumbing fixtures, light fixtures, cabinets & countertops, flooring, paint,

roofing, appliances, and site amenities. DevCo has budgeted \$900,000.00 for tenant relocations (\$6,000.00/unit).

The Applicant will also work with the Office of Integrated Public Safety Solutions for security input/upgrades, community activities, and incorporate best practices of Crime Prevention Through Environmental Design. Additionally, the Applicant will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The Applicant proposes to provide on-site resident services including:

1. Activity coordination;
2. Spiritual wellness;
3. Exercise programs;
4. Food assistance programs;
5. Benefits counseling;
6. Prescription program;
7. Health education programs;
8. Computer classes;
9. Financial assistance;
10. Meals on wheels,
11. Financial assistance.

Total development costs are estimated to be approximately \$39,610,045.00 which includes the acquisition price for the land. The construction budget is estimated to be approximately \$12,808,167.00 which is \$85,388.00 per unit.

<b>Proposed Financing</b>	<b>Sourcest</b>
<b>Permanent Loan</b>	\$16,343,000.00
<b>Housing Tax Credits Equity</b>	\$14,538,736.00
<b>Soft Funding</b>	\$ 5,000,000.00
<b>Deferred Developer Fee</b>	\$ 2,692,330.00
<b>Income from Ops</b>	\$ 1,035,979.00
<b>Total</b>	<b>\$39,610,045.00</b>

<b>Proposed Uses</b>	<b>Costs</b>
<b>Acquisition</b>	\$18,750,000.00
<b>Total Const. Costs</b>	\$12,808,167.00
<b>Financing Fees, Soft Costs</b>	\$ 2,957,727.00
<b>Reserves</b>	\$ 422,000.00
<b>Developer Fee</b>	\$ 4,672,151.00
<b>Total</b>	<b>\$39,610,045.00</b>

The current income restrictions will be maintained at the property to ensure no residents are displaced due to increased rents. The current rental restrictions are broken down as follows: 13 of the 150 units are reserved for households earning between 0%-30% of AMI, 5 of the 150 units are reserved for households earning between 31%-40% of AMI, 30 of the 150 units are reserved for households earning between 41%-50% of AMI, and 102 of the 150 units are reserved for households earning between 51%-60% of AMI.

If approved, this tax credit resyndication and bond issuance will allow the Applicant to implement much needed capital improvements and modernize the property thereby extending its useful life. Without this investment of new capital, the property will either fall into state of disrepair or be subject to a conversion to market rate units, further eroding the access to affordable housing in the city. The preservation of existing affordable housing is a priority of the City to ensure our residents are provided with safe, decent affordable housing and are not displaced due to expiring income restrictions or forced to reside in substandard living conditions. Over the next decade, the income restrictions on almost 10,000 units developed through the Low-Income Housing Tax Credit program will expire unless they are acquired, renovated, or redeveloped by affordable housing preservation developers like DevCo.

The Dallas City Council on May 9, 2018, adopted the Comprehensive Housing Policy (CHP), Resolution Nos. 18-0704 and 18-1680, as amended on November 28, 2018, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through TDHCA. On June 12, 2019, Resolution No. 19-0884 authorized an amendment to the CHP to modify the evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing development seeking Housing Tax Credits through TDHCA. The modified evaluation criteria include standard thresholds for both 4% and 9% HTC applications such as evidence of site control, TDHCA minimum site standards, affirmatively further fair housing, and other requirements.

On October 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$35,000,000.00 in private activity bonds to fund The Mondello.

For developments involving rehabilitation of existing housing, the proposed scope of work must be informed by a capital needs assessment (CNA), prepared by a qualified third-party professional that is independent from the development's architect or engineer, builder/general contractor, or other member of the development team. The City will review the CNA and conduct a site visit. The CNA must demonstrate to the City's satisfaction that the initial scope of work is sufficient to address all City code violations (whether formally cited or not). Further, the scope of work, combined with planned replacement reserve funding, must be determined sufficient to address all projected repairs or replacements of the following items through the entire term of the development's affordability period:

- All major systems including roof, foundation, electrical, HVAC, and plumbing;
- Interior and exterior windows and doors;
- The interiors of all units including the kitchen and bathroom and all major appliances;
- The exterior of the development, including balconies, walkways, railings, and stairs;



- Communal facilities such as community rooms, fitness centers, business centers, etc.;
- Security features including gates and security cameras; and
- Accessibility.

To receive a staff recommendation for a resolution of no objection, the applicant must satisfy all threshold requirements, rehabilitation requirements, and affirmatively further fair housing.

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

The Housing and Homelessness Solutions Committee was briefed regarding this matter on December 14, 2022.

**FISCAL INFORMATION**

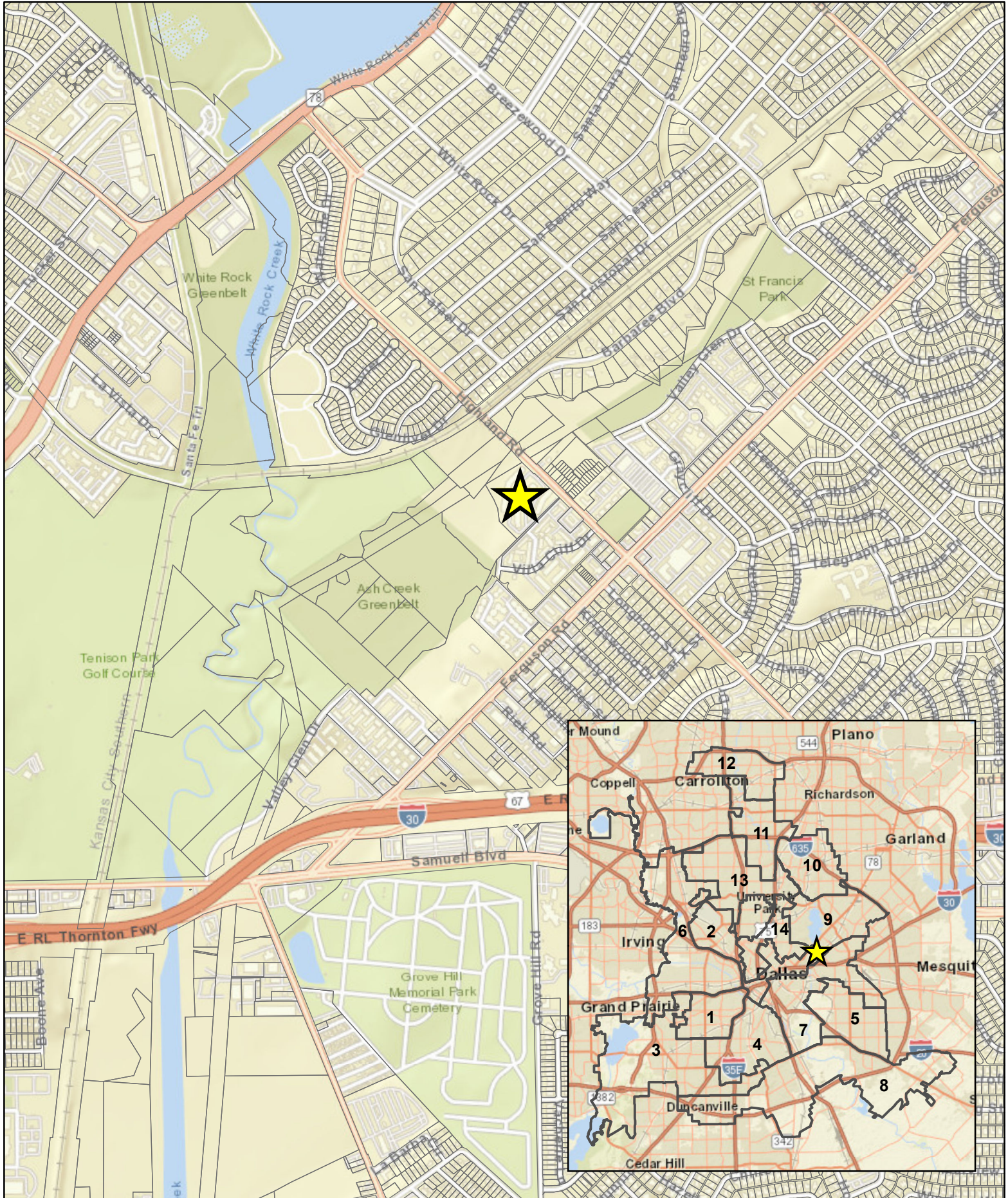
No cost consideration to the City.

**MAP**

Attached



# The Mondello - 2000 Highland Rd





January 11, 2023

**WHEREAS**, on May 9, 2018, City Council authorized the adoption of the Comprehensive Housing Policy ("CHP") by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP City Council authorized multiple amendments to the CHP by Resolution No. 18-1680 on November 28, 2018, by Resolution No. 19-0884 on June 12, 2019, by Resolution No. 19-1041 on June 26, 2019, by Resolution No. 19-1498 on September 25, 2019, by Resolution No. 19-1864 on December 11, 2019, and by Resolution No. 21-1450 on September 9, 2021, by Resolution No. 21-1656 on October 13, 2021, and by Resolution No. 22-0744 on May 11, 2022; and

**WHEREAS**, the CHP provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

**WHEREAS**, Mondello Apartments, LLC, or its affiliate (Applicant) has proposed the acquisition and renovation of a 150-unit seniors multifamily complex known as The Mondello located at 2000 Highland Road in the City of Dallas, Texas (Project); and

**WHEREAS**, the Applicant proposes to acquire and renovate 150 units, including 42 1-bedroom and 108 2-bedroom units; and will include community amenities consistent TDHCA-required features; and

**WHEREAS**, on October 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$35,000,000.00 in private activity bonds to fund The Mondello; and

**WHEREAS**, upon completion of the development, it is anticipated that 13 of the 150 units will be made available to households earning between 0%-30% of AMI, 5 of the 150 units will be made available to households earning between 31%-40% of AMI, 30 of the 150 units will be made available to households earning between 41%-50% of AMI, and 102 of the 150 units will be made available to households earning between 51%-60% of AMI; and

**WHEREAS**, pursuant to Section 11.204(4)(C) of the Qualified Allocation Plan, the Uniform Multifamily Rules and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for the 4% Non-Competitive HTC application for The Mondello, 2000 Highland Road, Dallas, Texas 75228.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

January 11, 2023

**SECTION 1.** That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to TDHCA for a 4% Non-Competitive HTC for the proposed development of The Mondello located at 2000 Highland Road, Dallas, Texas 75228 for the acquisition and renovation of a 264-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on December 14, 2022.

**SECTION 2.** That, in accordance with the requirements of the Texas Government Code §2306.67071 and the Qualified Allocation Plan §11.204(4), it is hereby found that:

- a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and
- b. The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed development of The Mondello; and
- c. The Governing Body has held a hearing at which public comment may be made on the proposed development of The Mondello in accordance with Texas Government Code §2306.67071(b); and
- d. After due consideration of the information provided by Applicant and after the public hearing on the proposed development of The Mondello, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 4% Non-Competitive HTC for the purpose of the development of The Mondello.

**SECTION 3.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify this resolution to the TDHCA.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-69  
PH3.

**Item #:**

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**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application by Positano Apartments, LLC, an affiliate of DevCo, Inc. (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Positano Apartments located at 2519 John West Road, Dallas, Texas 75228; and at the close of the public hearing adopt of a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Positano Apartments - Financing: No cost consideration to the City

### **BACKGROUND**

Positano Apartments, LLC (Applicant), a to be formed Texas limited partnership, submitted a Request for Resolution application to the City for a Resolution of No Objection for its application to TDHCA for 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits). The 4% Housing Tax Credits will be used for the development of The Positano, a 232-unit multifamily complex for seniors located at 2519 John West Road, Dallas, Texas 75228 (Property). A purchase and sale agreement for the Property has been executed between the current owner of the Property and an affiliate of the Applicant. TDHCA requires 4% Housing Tax Credit applicants provide a Resolution of No Objection from the governing body of the jurisdiction in which the proposed development will be sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for citizens to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, it cannot be changed or withdrawn.

The Applicant, a to be formed Texas limited partnership, is proposing to develop the Property. A to-be-formed single asset entity or its affiliate with the Dallas Housing Finance Corporation (DHFC) as 100% owner, will be the general partner. A to-be-formed limited liability company or its affiliate with Positano Manager, LLC, a Texas limited liability company as 100% owner, will be the special limited partner. An amended and restated agreement of limited partnership will be executed to admit the tax credit equity investor as investor member once identified.

On October 13, 2022, the DHFC Board of Directors adopted a resolution declaring its intent to issue bonds for the Property and authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board.

DevCo or its affiliate will serve as the developer and guarantor of the project. DevCo has successfully built or acquired over 10,000 multifamily units including market rate, mixed-use, and affordable. DevCo is an integrated development and investment company focused on multi-family communities. DevCo has retained the services of Avenue5 Property Management to manage the property upon closing of the re-syndication (they also currently manage the Property). Avenue5 currently manages sixty-eight affordable properties, forty of which are Low-Income Housing Tax Credit. Nationally, Avenue5 manages more than four hundred properties with over 75,000 units.

The Applicant proposes to acquire and renovate all 232 units. The 232 units are comprised of 84 1-bedroom and 148 2-bedroom units. The Property sits on 19.80 acres and has a density of 11.72 units/acre. Residents have public transportation access to downtown, utilizing the John West at Homeway Dallas Area Rapid Transit bus station, which provides direct access to Central Business District Dallas and the broader metroplex. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other TDHCA-required features. The development will provide an abundance of amenities for residents, which will include a business center, clubhouse, fitness center, theater room, swimming pool, on-site laundry facility, and a barbeque/picnic area.

The renovation budget is \$13,514,000.00 (\$53,627.00/unit) in hard costs (exclusive of general contractor requirements, contractor's profit and overhead). Renovations will include the following:

- wood and plastic repairs (includes new cabinets, etc.)
- insulation and roofing repair/replacement
- doors/hardware/glass/glaze, flooring, ceiling paint,
- plumbing and heating, ventilation, and air-conditioning (HVAC), and
- electrical repairs.

Major items include:

- replacement of concrete for Americans with Disabilities Act path of travel,
- installation of countertops,
- roof shingle replacements,
- installation of luxury vinyl plank flooring,
- painting unit interiors and painting building exteriors,
- bathtub refinishing and repairs,
- energy star refrigerator installation,
- vinyl window coverings,
- mechanical system upgrades,
- stainless steel kitchen sink and supply lines,
- bathroom sinks and faucets,
- installation of angle stops,
- low-flow energy efficient toilets and shower heads,

- replacement of water heaters,
- ceiling mounted air handlers.

The Applicant will also work with the Office of Integrated Public Safety Solutions for security input/upgrades, community activities, and incorporate best practices of Crime Prevention Through Environmental Design. Additionally, the Applicant will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The Applicant proposes to provide on-site resident services including:

1. Activity coordination;
2. Spiritual wellness;
3. Exercise programs;
4. Food assistance programs;
5. Benefits counseling;
6. Prescription program;
7. Health education programs;
8. Computer classes;
9. Financial assistance;
10. Meals on wheels, and;
11. Financial assistance.

Total development costs are estimated to be approximately \$56,016,293.00 which includes the acquisition price for the land. The construction budget is estimated to be approximately \$16,694,000.00 which is \$71,956.00 per unit.

Proposed Sources	Amount
Permanent Loan #1	\$24,084,000.00
Tax Credit Equity	\$20,168,046.00
Soft Loan	\$ 5,500,000.00
Deferred Developer Fee	\$ 4,581,634.00
Income from Operations	\$ 1,682,613.00
<b>Total</b>	<b>\$56,016,293.00</b>

Proposed Uses	Costs
<b>Acquisition</b>	\$28,000,000.00
<b>Total Const. Costs</b>	\$16,694,000.00
<b>Financing Fees, Soft Costs</b>	\$ 4,150,563.00
<b>Reserves</b>	\$ 635,000.00
<b>Developer Fee</b>	\$ 6,536,730.00
<b>Total</b>	<b>\$56,016,293.00</b>

The current income restrictions will be maintained at the property to ensure no residents are displaced due to increased rents. The current rental restrictions are broken down as follows: 5 of the 232 units are reserved for households earning between 0%-30% of Area Median Income (AMI), 114 of the 232 units are reserved for households earning between 31%-50% of AMI, and 113 of the 232 units are reserved for households earning between 51%-60% of AMI.

If approved, this tax credit resyndication and bond issuance will allow the Applicant to implement much needed capital improvements and modernize the property thereby extending its useful life. Without this investment of new capital, the property will either fall into state of disrepair or be subject to a conversion to market rate units, further eroding the access to affordable housing in the city. The preservation of existing affordable housing is a priority of the City to ensure our residents are provided with safe, decent affordable housing and are not displaced due to expiring income restrictions or forced to reside in substandard living conditions. Over the next decade, the income restrictions on almost 10,000 units developed through the LIHTC program will expire unless they are acquired, renovated, or redeveloped by affordable housing preservation developers like DevCo.

The Dallas City Council on May 9, 2018, adopted the Comprehensive Housing Policy (CHP), Resolution Nos. 18-0704 and 18-1680, as amended on November 28, 2018, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through TDHCA. On June 12, 2019, Resolution No. 19-0884 authorized an amendment to the CHP to modify the evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing development seeking Housing Tax Credits through TDHCA. The modified evaluation criteria include standard thresholds for both 4% and 9% HTC applications such as evidence of site control, TDHCA minimum site standards, affirmatively further fair housing, and other requirements.

On October 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$35,000,000.00 in private activity bonds to fund The Positano.

For developments involving rehabilitation of existing housing, the proposed scope of work must be informed by a capital needs assessment (CNA), prepared by a qualified third-party professional that is independent from the development's architect or engineer, builder/general contractor, or other member of the development team. The City will review the CNA and conduct a site visit. The CNA must demonstrate to the City's satisfaction that the initial scope of work is sufficient to address all City code violations (whether formally cited or not). Further, the scope of work, combined with planned replacement reserve funding, must be determined sufficient to address all projected repairs or replacements of the following items through the entire term of the development's affordability period:

- All major systems including roof, foundation, electrical, HVAC, and plumbing;
- Interior and exterior windows and doors;
- The interiors of all units including the kitchen and bathroom and all major appliances;
- The exterior of the development, including balconies, walkways, railings, and stairs;
- Communal facilities such as community rooms, fitness centers, business centers, etc.;
- Security features including gates and security cameras; and
- Accessibility.



To receive a staff recommendation for a resolution of no objection, the applicant must satisfy all threshold requirements, rehabilitation requirements, and affirmatively further fair housing.

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

The Housing and Homelessness Solutions Committee was briefed regarding this matter on November 15, 2022.

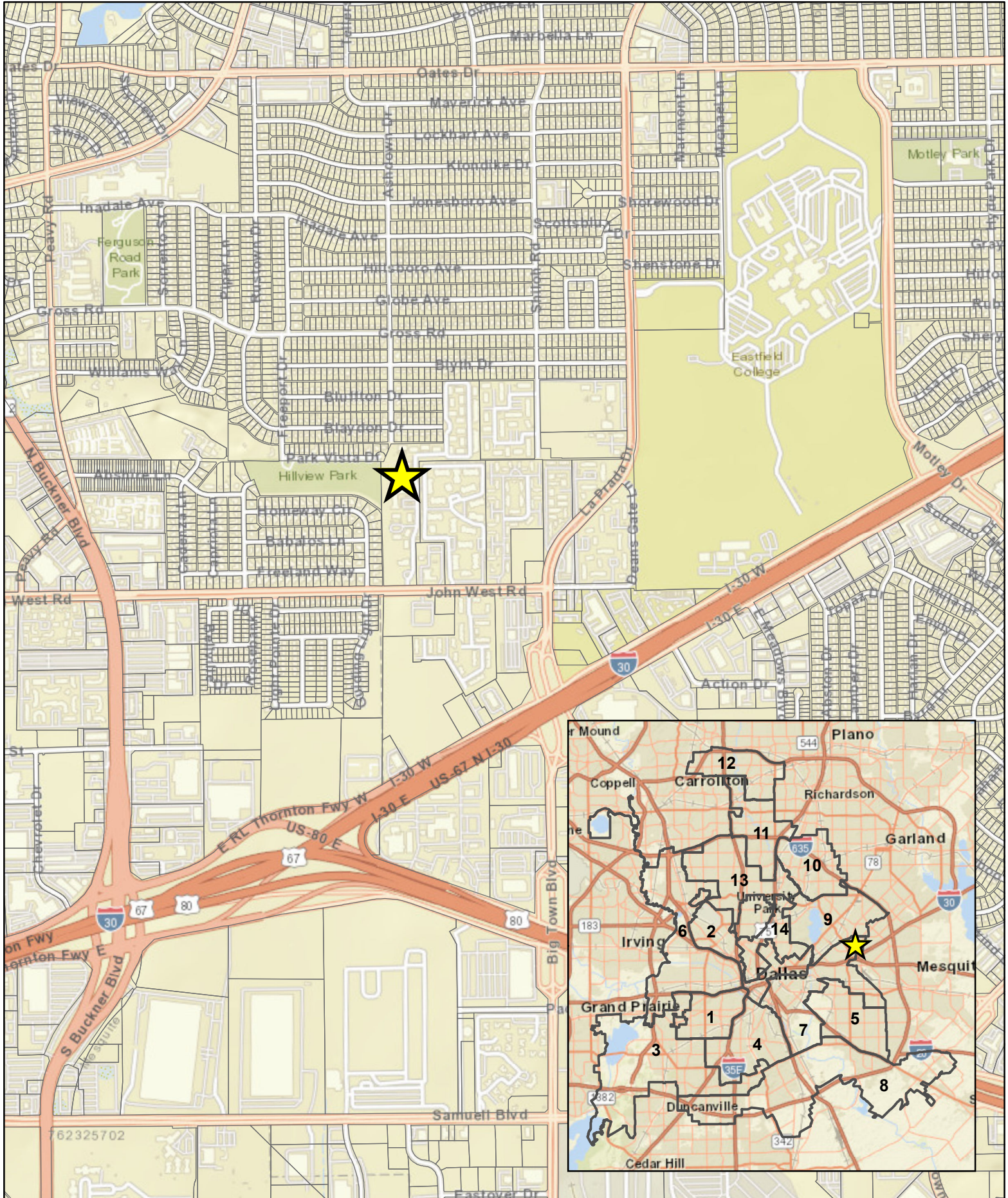
**FISCAL INFORMATION**

No cost consideration to the City.

**MAP**

Attached

# The Positano - 2519 John West Rd





January 11, 2023

**WHEREAS**, on May 9, 2018, City Council authorized the adoption of the Comprehensive Housing Policy (CHP) by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP City Council authorized multiple amendments to the CHP by Resolution No. 18-1680 on November 28, 2018, by Resolution No. 19-0884 on June 12, 2019, by Resolution No. 19-1041 on June 26, 2019, by Resolution No. 19-1498 on September 25, 2019, by Resolution No. 19-1864 on December 11, 2019, and by Resolution No. 21-1450 on September 9, 2021, by Resolution No. 21-1656 on October 13, 2021, and by Resolution No. 22-0744 on May 11, 2022; and

**WHEREAS**, the CHP provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

**WHEREAS**, Positano Apartments, LLC, or its affiliate (Applicant) has proposed the acquisition and renovation of a 232-unit seniors multifamily complex known as the Positano located at 2519 John West Road in the City of Dallas, Texas (Project or Positano); and

**WHEREAS**, the Applicant proposes to acquire and renovate 232 units, including 84 1-bedroom and 148 2-bedroom units; and will include community amenities consistent with other TDHCA required features; and

**WHEREAS**, on October 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$35,000,000.00 in private activity bonds to fund the Positano; and

**WHEREAS**, upon completion of the development, it is anticipated that 5 of the 232 units will be made available to households earning between 0%-30% of Area Median Income (AMI), 114 of the 232 units will be made available to senior households earning between 31%-50% of AMI, and 113 of the 232 units will be made available to households earning between 51%-60% of AMI; and

**WHEREAS**, pursuant to Section 11.204(4)(C) of the Qualified Allocation Plan, the Uniform Multifamily Rules and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for the 2023 4% Non-Competitive HTC application for The Positano, 2519 John West Road, Dallas, Texas 75228;

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

January 11, 2023

**SECTION 1.** That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to TDHCA for a 4% Non-Competitive HTC for the proposed development of The Positano located at 2519 John West Road, Dallas, Texas 75228 for the acquisition and renovation of a 232-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on January 11, 2023.

**SECTION 2.** That per the requirements of TDHCA's Qualified Action Plan and 10 TAC § 11.3(d), City Council must vote to specifically approve the construction of a new tax credit development within one linear mile of a tax credit development authorized within the past three years. The Development is within one linear mile of Shiloh Village Apartments, a recently awarded 4% housing tax credit project located at 8702 Shiloh Road.

**SECTION 3.** That, in accordance with the requirements of the Texas Government Code §2306.67071 and the Qualified Allocation Plan §11.204(4), it is hereby found that:

- a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and
- b. The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed development of Rock Island Riverfront; and
- c. The Governing Body has held a hearing at which public comment may be made on the proposed development of The Positano in accordance with Texas Government Code §2306.67071(b); and
- d. After due consideration of the information provided by Applicant and after the public hearing on the proposed development of Positano Apartments, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 4% Non-Competitive HTC for the purpose of the development of The Positano.

**SECTION 3.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify this resolution to the TDHCA.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-70  
PH4.

**Item #:**

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**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application by Rosemont Meadow Lane Apartments, LLC, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Rosemont at Meadow Lane located at 4722 Meadow Street, Dallas, Texas 75215; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Rosemont at Meadow Lane - Financing: No cost consideration to the City

### **BACKGROUND**

Rosemont Meadow Lane Apartments, LLC, an affiliate of DevCo, Inc. (Applicant), submitted a Request for a Resolution of No Objection for its application to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits). The 4% Housing Tax Credits will be used for the development of Rosemont at Meadow Lane, a 264-unit multifamily complex located at 4722 Meadow Street, Dallas, Texas 75215 (Property). A purchase and sale agreement for the Property has been executed between the current owner of the Property and an affiliate of the Applicant. TDHCA requires 4% Housing Tax Credit applicants provide a Resolution of No Objection from the governing body of the jurisdiction in which the proposed development will be sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for citizens to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, it cannot be changed or withdrawn.

Applicant or its affiliate shall form Rosemont Meadow Lane Apartments, LLC, a Texas limited liability corporation, the general partner of which is anticipated to be a to-be-formed single asset entity solely owned by the Dallas Housing Finance Corporation (DHFC). Meadow Lane Preservation Manager, LLC will be owner of the special limited partner. An amended and restated agreement of limited partnership will be executed to admit the tax credit equity investor as investor member once identified.

On October 13, 2022, the DHFC Board of Directors adopted a resolution declaring its intent to issue bonds for the Property and authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board.

DevCo or its affiliate will serve as the developer and guarantor of the project. DevCo has successfully built or acquired over 10,000 multifamily units including market rate, mixed-use, and affordable. DevCo is an integrated development and investment company focused on multi-family communities. DevCo has retained the services of Avenue5 Property Management to manage the property upon closing of the re-syndication (they also currently manage the Property). Avenue5 currently manages sixty-eight affordable properties, forty of which are Low-Income Housing Tax Credit (LIHTC). Nationally, Avenue5 manages more than four hundred properties with over 75,000 units.

Built in 2004, Rosemont at Meadow Lane consists of thirty-nine residential buildings and a community building. The 19.63-acre site is located less than a mile away from the Hatcher Dallas Area Rapid Transit rail station and a mile and a half from grocery stores. The Applicant proposes to acquire and substantially renovate all 264 units comprised of 96 2-bedroom, and 168 3-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other TDHCA-required features.

The renovation budget is \$13,200,000.00 (\$50,000.00/unit) in hard costs (exclusive of general contractor requirements, contractor's profit and overhead). Renovations will include the following: wood and plastic repairs (includes new cabinets, etc.), insulation and roofing repair/replacement, doors/hardware/glass/glaze, flooring, ceiling, and paint, plumbing and heating, ventilation, and air conditioning (HVAC), and electrical repairs. More specifically, improvements will include installation of erosion control drainage systems at downspout locations, termite treatment, parking lot restripe and curb painting, installation of new drive gates and operators, landscaping and irrigation upgrades, stone façade repairs, retaining wall repairs, repairs to site fencing, new countertops in the laundry room, wood replacement at gable ends, fascia and batten board trim, stucco repair work, installation of new underlayment, architectural shingles and flashings, hard siding repairs at breezeways and patios, repair and replacement of gutters and downspouts, new unit entry doors and hardware, new window screens, installation of new low e vinyl windows, general drywall repairs, new luxury vinyl plank (LVP) flooring throughout units with MDF baseboard, painting of unit interiors, refinishing of existing tubs and surrounds, new unit ID signage, new community and common area signage, new wall-mounted mailboxes and parcel boxes, install new bathroom accessories (towel bars, medicine cabinets, shower rods), new appliances, new vinyl window coverings, laundry room finish upgrades, repair of carports, and swimming pool repairs.

The Applicant will also work with the Office of Integrated Public Safety Solutions for security input/upgrades, community activities, and incorporate best practices of Crime Prevention Through Environmental Design. Additionally, the Applicant will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The Applicant proposes to provide on-site resident services including:

1. After school programs,
2. Adult education programs,
3. Health screening and mobile immunizations,
4. Family counseling/family crisis intervention,
5. Coordination with local social services agencies,
6. Computer lab/computer training,
7. Emergency assistance and relief,
8. Community outreach programs,
9. Vocational guidance,
10. Social/recreational activities,
11. State workforce development and Welfare program assistance, and
12. An Individual Development Account program.

DevCo has retained the services of Avenue5 Property Management to manage the property upon closing of the re-syndication (they also currently manage the Property). Avenue5 currently manages sixty-eight affordable properties, forty of which are LIHTC. Nationally, Avenue5 manages more than four hundred properties with over 75,000 units.

Total development costs are estimated to be approximately \$52,285,406.00 which includes the acquisition price for the land. The construction budget is estimated to be approximately \$17,900,800.00 which is \$67,806.00 per unit.

Proposed Sources	Amount
Private Activity Bonds	\$25,614,000.00
Housing Tax Credits Equity	\$19,167,135.00
Soft Funding	\$ 2,000,000.00
Deferred Developer Fee	\$ 3,752,105.00
Income from Operations	\$ 1,752,165.00
<b>Total</b>	<b>\$52,285,406.00</b>

Proposed Uses	Costs
Acquisition	\$23,500,000.00
Total Const. Costs	\$17,900,800.00
Financing Fees, Soft Costs	\$ 4,030,937.00
Reserves	\$ 740,000.00
Developer Fee	\$ 6,113,669.00
<b>Total</b>	<b>\$52,285,406.00</b>

The current income restrictions will be maintained at the property to ensure no residents are displaced due to increased rents. The current rental restrictions are broken down as follows: 6 of the 264 units are reserved for households earning between 0%-30% of Area Median Income (AMI), 129 of the 264 units are reserved for households earning between 31%-50% of AMI, and 129 of the 264 are reserved for households earning between 51%-60% of AMI.

If approved, this tax credit re-syndication and bond issuance will allow the Applicant to implement much needed capital improvements and modernize the property thereby extending its useful life. Without this investment of new capital, the property will either fall into state of disrepair or be subject to a conversion to market rate units, further eroding the access to affordable housing in the city. The preservation of existing affordable housing is a priority of the City to ensure our residents are provided with safe, decent affordable housing and are not displaced due to expiring income restrictions or forced to reside in substandard living conditions. Over the next decade, the income restrictions on almost 10,000 units originally developed through the LIHTC program will expire unless they are acquired, renovated, or redeveloped by affordable housing preservation developers like DevCo.

The Dallas City Council on May 9, 2018, adopted the Comprehensive Housing Policy (CHP), Resolution Nos. 18-0704 and 18-1680, as amended on November 28, 2018, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through TDHCA. On June 12, 2019, Council Resolution No. 19-0884 authorized an amendment to the CHP to modify the evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing development seeking Housing Tax Credits through TDHCA. The modified evaluation criteria include standard thresholds for both 4% and 9% HTC applications such as evidence of site control, TDHCA minimum site standards, affirmatively further fair housing, and other requirements.

On October 13, 2022, the DHFC Board of Directors authorized a preliminary inducement resolution declaring intent to issue \$45,000,000.00 in private activity bonds to fund the Rosemont at Meadow Lane.

For developments involving rehabilitation of existing housing, the proposed scope of work must be informed by a capital needs assessment (CNA), prepared by a qualified third-party professional that is independent from the development's architect or engineer, builder/general contractor, or other member of the development team. The City will review the CNA and conduct a site visit. The CNA must demonstrate to the City's satisfaction that the initial scope of work is sufficient to address all City code violations (whether formally cited or not). Further, the scope of work, combined with planned replacement reserve funding, must be determined sufficient to address all projected repairs or replacements of the following items through the entire term of the development's affordability period:

- All major systems including roof, foundation, electrical, HVAC, and plumbing;
- Interior and exterior windows and doors;
- The interiors of all units including the kitchen and bathroom and all major appliances;
- The exterior of the development, including balconies, walkways, railings, and stairs;
- Communal facilities such as community rooms, fitness centers, business centers, etc.;
- Security features including gates and security cameras; and
- Accessibility.

To receive a staff recommendation for a resolution of no objection, the applicant must satisfy all threshold requirements, rehabilitation requirements, and affirmatively further fair housing. After review, the Applicant has satisfied all application requirements and staff recommends a Resolution of No Objection.



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

The Housing and Homelessness Solutions Committee was briefed regarding this matter on December 14, 2022.

**FISCAL INFORMATION**

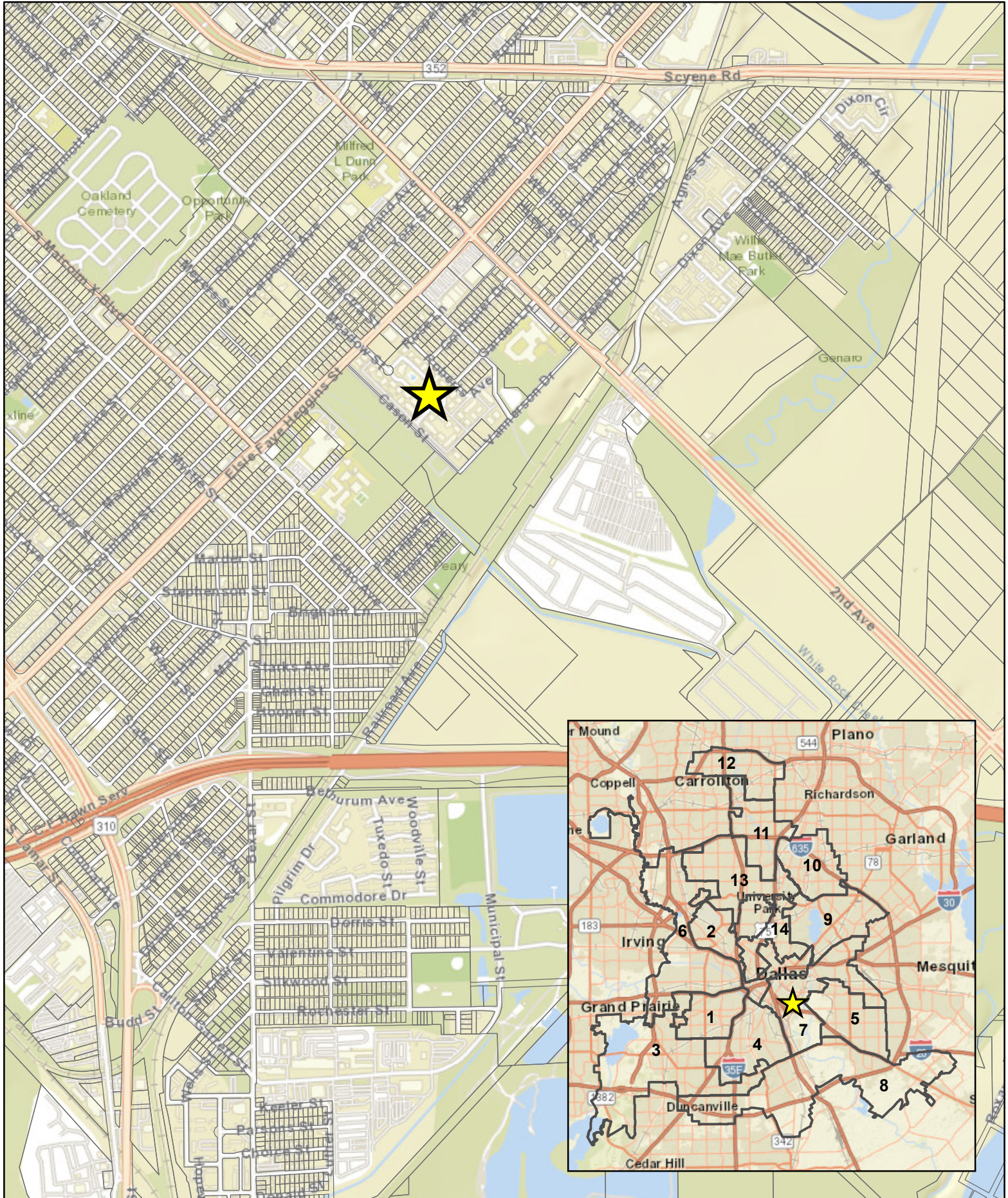
No cost consideration to the City.

**MAP**

Attached



# Rosemont at Meadow Ln - 4722 Meadow St





January 11, 2023

**WHEREAS**, on May 9, 2018, City Council authorized the adoption of the Comprehensive Housing Policy (CHP) by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP City Council authorized multiple amendments to the CHP by Resolution No. 18-1680 on November 28, 2018, by Resolution No. 19-0884 on June 12, 2019, by Resolution No. 19-1041 on June 26, 2019, by Resolution No. 19-1498 on September 25, 2019, by Resolution No. 19-1864 on December 11, 2019, and by Resolution No. 21-1450 on September 9, 2021, by Resolution No. 21-1656 on October 13, 2021, and by Resolution No. 22-0744 on May 11, 2022; and

**WHEREAS**, the CHP provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

**WHEREAS**, Rosemont Meadow Lane Apartments, LLC, or its affiliate (Applicant) has proposed the development of a 264-unit multifamily complex known as Rosemont at Meadow Lane located at 4722 Meadow Street in the City of Dallas, Texas (Project); and

**WHEREAS**, the Applicant proposes to acquire and renovate 264 units, including 96 2-bedroom and 168 3-bedroom units; and will include community amenities consistent with TDHCA-required features; and

**WHEREAS**, on October 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$45,000,000.00 in private activity bonds to fund the Rosemont at Meadow Lane; and

**WHEREAS**, upon completion of the development, it is anticipated that 6 of the 264 units will be made available to households earning between 0%-30% of AMI, 129 of the 264 units will be made available to households earning between 31%-50% of AMI, and 129 of the 264 units will be made available to households earning between 51%-60% of AMI; and

**WHEREAS**, pursuant to Section 11.204(4)(C) of the Qualified Allocation Plan, the Uniform Multifamily Rules and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for the 2021 4% Non-Competitive HTC application for Rosemont at Meadow Lane, 4722 Meadow Street, Dallas, Texas 75215.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

January 11, 2023

**SECTION 1.** That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to TDHCA for a 4% Non-Competitive HTC for the proposed development of Rosemont at Meadow Lane located at 4722 Meadow Street, Dallas, Texas 75215 for the acquisition and renovation of a 264-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on December 14, 2022.

**SECTION 2.** That, in accordance with the requirements of the Texas Government Code §2306.67071 and the Qualified Allocation Plan §11.204(4), it is hereby found that:

- a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and
- b. The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed development of Rosemont at Meadow Lane; and
- c. The Governing Body has held a hearing at which public comment may be made on the proposed development of Rosemont at Meadow Lane in accordance with Texas Government Code §2306.67071(b); and
- d. After due consideration of the information provided by Applicant and after the public hearing on the proposed development of Rosemont at Meadow Lane, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 4% Non-Competitive HTC for the purpose of the development of Rosemont at Meadow Lane.

**SECTION 3.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify this resolution to the TDHCA.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



## Agenda Information Sheet

**File #:** 23-132  
PH5.

**Item #:**

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** January 11, 2023  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding the fourth extension of the Public/Private Partnership Program Guidelines and Criteria (PPP Guidelines), for the period January 1, 2023 through June 30, 2023 and upon closure of the public hearing authorize approval of the PPP Guidelines (**Exhibit A**) for the period January 1, 2023 through June 30, 2023 – Financing: No cost consideration to the City

### **BACKGROUND**

The Property Redevelopment and Tax Abatement Act (Texas Tax Code, Chapter 312) requires that any city desiring to adopt, amend, repeal, or reauthorize guidelines and criteria governing tax abatement agreements must hold a public hearing regarding such proposed adoption, amendment, repeal or reauthorization at which members of the public are given the opportunity to be heard.

The Dallas City Council approved the Public/Private Partnership Program Guidelines and Criteria ("Guidelines") on December 11, 2019, by Resolution No. 19-1959. The Guidelines were re-adopted through City Council Resolution Nos. 20-1972, 21-0696, and 22-0904 on December 9, 2020, April 28, 2021 and June 8, 2022 respectively. The Guidelines were effective through December 31, 2022.

On December 14, 2022, City Council deferred consideration of the new Economic Development policy until January 25, 2023. This item retains the previously adopted PPP Guidelines until June 30, 2023 or the approval of the proposed Economic Development policy by the City Council, whichever occurs earlier. City staff recommends extending the effective date of the PPP Guidelines to permit staff to continue negotiating and offering economic development incentives to promote economic development, stimulate private sector investment, encourage job creation, and grow the tax base in the City of Dallas pending City Council consideration of the proposed Economic Development policy.

Prior to approval of the Guidelines, the City desires to provide a reasonable opportunity for any interested person to be heard regarding the fourth extension of the current Public/Private Partnership Program Guidelines and Criteria for the period of January 1, 2023 through June 30, 2023 via a public hearing.

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

On December 11, 2019, City Council authorized the adoption of the existing PPP Guidelines and Criteria for the Public/Private Partnership Program governing the provision of tax abatement and other economic incentives by Resolution No. 19-1959.

On December 9, 2020, City Council authorized the re-adoption of the PPP Guidelines for the period December 31, 2020 through June 30, 2021, by Resolution No. 20-1972.

On April 28, 2021, City Council authorized the re-adoption of the PPP Guidelines for the period July 1, 2021 through June 30, 2022, by Resolution No. 21-0696.

On June 8, 2022, City Council authorized the re-adoption of the PPP Guidelines for the period of July 1, 2022 through December 31, 2022, by Resolution No. 22-0901.

Information about this item will be provided to the Economic Development Committee on January 9, 2023.

**FISCAL INFORMATION**

No cost consideration to the City.

January 11, 2023

~~**WHEREAS**, the City recognizes the importance of its continued role in local economic development; and~~

~~**WHEREAS**, the Texas Tax Code, Chapter 312, as amended (the Act), requires any taxing jurisdiction wishing to enter into tax abatement agreements to establish guidelines and criteria governing tax abatement agreements; and~~

~~**WHEREAS**, the Act also requires any taxing jurisdiction that seeks to adopt, amend, repeal, or reauthorize guidelines and criteria governing tax abatement agreements to hold a public hearing at which members of the public are provided an opportunity to be heard; and~~

~~**WHEREAS**, Chapter 380 of the Local Government Code provides that the governing body of a municipality may create programs for loans and grants to promote state or local economic development and to stimulate business and commercial activity in the municipality; and~~

~~**WHEREAS**, it is in the best interest of the City of Dallas to adopt Guidelines in order to make use of available economic development incentives for the promotion of new businesses, the retention and expansion of existing businesses, enhancement of the tax base, and the creation and retention of job opportunities for Dallas citizens; and~~

~~**WHEREAS**, the Guidelines shall not be construed as implying or suggesting that the City of Dallas is under obligation to provide tax abatement or other incentive to any applicant, and all applicants shall be considered on a case-by-case basis; and~~

~~**WHEREAS**, on June 8, 2022, City Council authorized the re-adoption of the City of Dallas' Public/Private Partnership Program Guidelines and Criteria ("Guidelines") for the period July 1, 2022 through December 31, 2022, by Resolution No. 22-0901; and~~

~~**WHEREAS**, the City Council must hold a public hearing to provide a reasonable opportunity for any interested person to speak for or against the extension of the current Public/Private Partnership Program Guidelines and Criteria for the period January 1, 2023 through June 30, 2023 to permit the City to continue offering economic development incentives to promote economic development, stimulate private sector investment, encourage job creation, and grow the tax base in the City of Dallas pending City Council consideration of the proposed Economic Development policy.~~

~~**Now, Therefore,**~~

~~**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**~~

~~**SECTION 1.** That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.~~

January 11, 2023

**SECTION 2.** That a public hearing shall be held no earlier than 1:00 p.m. on January 11, 2023, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak on the proposed extension of the current Public/Private Partnership Program Guidelines and Criteria for the period January 1, 2023 through June 30, 2023.

**SECTION 3.** That after the public hearing, the documents attached hereto and made a part of this Resolution entitled "Public/Private Partnership Program Guidelines and Criteria" (**Exhibit A**) are hereby adopted as Guidelines and Criteria for governing abatement agreements, as specified in the Property Redevelopment and Tax Abatement Act, as well as for other City of Dallas economic development programs for the period of January 1, 2023 through June 30, 2023.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



### **City of Dallas Public/Private Partnership Programs**

It is the purpose of the following programs to provide assistance only for projects where such assistance is necessary to stimulate private investment and job creation. Accordingly, these programs are available when agreements between the City and private parties that are not tax-exempt are approved by City Council prior to private investment occurring. Projects seeking economic incentives must provide written assurance that 'but for' the incentives sought, the proposed project will not occur, or would otherwise be substantially altered so that the economic returns or other associated public purpose secured by the City's incentives would be reduced. Projects occurring in Target Areas are provided special consideration.

The information contained herein shall not be construed as implying or suggesting that the City of Dallas is offering or is under any obligation to provide tax abatement or other incentives to any applicant, and all applicants shall be considered on a case-by-case basis. The source of City funding for a particular incentive may require or impose certain limitations on the types of projects for which those funds may be used, which are not described herein. Pawnshops, sexually oriented businesses, bars, truck stops, and truck dealerships are excluded from consideration for incentives provided under this program.

### **Eligibility Requirements**

The City has established targeted project areas which set minimum project requirements in order to be considered for incentives:

- **Target Areas:** Projects must create/retain 25 jobs or provide \$1 million of investment;
- **Non-target Areas:** Projects must create/retain 100 jobs or provide \$5 million of investment; and
- **Non-Conforming Projects:** Projects not meeting these requirements that nevertheless significantly advance the public purpose of economic development will be considered on a case-by-case basis.

### **Tax Abatement**

Temporary abatement of either real estate or personal property taxes. Recipient firms must meet primary considerations of capital improvements and job creation/retention. City staff may consider secondary considerations such as Dallas resident employment, efforts to exceed minimum environmental regulations, wage rates, community activities, target industry projects, and M/WBE participation when negotiating this incentive. A firm's tax abatement percentage will be reduced by 25 percent for any single year of the tax abatement term in which secondary considerations included in the agreement are not met unless an alternative method is prescribed by City Council in a project specific resolution. Real property tax abatement is not available in TIF Districts. In limited cases, projects may be considered for a combination of both real and personal property tax abatement when the combined amount does not exceed 90 percent of the City taxes on total new improvement value. All tax abatements must begin by January 1 of the second calendar year following City Council authorization unless otherwise specified.

#### **Abatement Benefits:**

- **Target Areas:** Real property tax abatement up to 90 percent for 10 years and/or a business personal property tax abatement of up to 50 percent for five years;
- **Non-Target Areas:** Real property tax abatement up to 50 percent for 10 years and/or a business personal property tax abatement of up to 50 percent for five years;
- **Non-Conforming Projects:** Projects not meeting these requirements that nevertheless significantly advance the public purpose of economic development will be considered on a case-by-case basis.

### **Economic Development Chapter 380 Grant Program**

Companies considering a relocation/expansion or new commercial development may be eligible for an

economic development grant. Grants will be considered on a case-by-case basis based on specifics such as project type, location, design, and fiscal impact to the City. Companies will be required to meet eligibility requirements of the Public/Private Partnership Program. Pursuant to this program the City may administer and accept resources from other political subdivision of the state to support this program and may administer and accept resources from the Federal government to support developments. Bond funding utilized through the program may be subject to certain limitations in use.

### **Economic Development GO Bond Program**

General Obligation Bond funding may be used as described in this paragraph for private commercial, industrial, retail, residential, and mixed-use development that promotes economic development. Funding may be provided as a catalyst to promote private economic development and may be used for planning, designing, extending, constructing and acquiring land for public streets, utilities and other related infrastructure facilities or uses consistent with this purpose and the bond proposition approved by the voters.

Private developments may be eligible for economic development grants and loans pursuant to Chapter 380 of the Texas Local Government Code. Grants and loans will be considered for infrastructure improvements and/or land acquisition consistent with the scope of funding and other uses described above. Grants or loans will be considered on a case-by-case basis subject to funding limitations and development agreements approved by City Council, which agreements will contain appropriate conditions, safeguards and benchmarks to ensure that the public purpose of economic development will be carried out.

Funding in support of mixed-use or residential development, including the acquisition of improved and unimproved properties and for the cost of demolition of existing structures for such projects are also subject to the City of Dallas Housing Policy, which requires a portion of residential units to be affordable.

### **Target Industry Projects**

Target Industry projects are provided special consideration for economic incentives and are generally defined as follows: Brownfields or recycling, information technology, building materials and furnishings, company headquarters, logistics, telecommunications, transportation manufacturing and assembly, film/television/media, advanced instruments and food processing/distribution. The City is also targeting high quality grocery store projects in underserved areas of the City. Due to the temporary nature of film/television production, projects in this industry are not required to meet minimum job or investment eligibility established for the Public/Private Partnership Program. Rather, these projects are considered on a case-by-case basis with consideration given to the positive economic returns projects bring to the City. Target Industry projects must be confirmed in advance by the City in order to receive consideration under this designation.

### **Non-Conforming Projects**

Non-Conforming projects are considered on a case-by-case basis for high impact projects, unique developments, and competitive situations where projects may receive competing offers of incentives. These projects require a simple majority vote of City Council in Target Areas and a 3/4 vote of City Council in Non-Target Areas. High Impact Project - Projects creating/retaining a minimum of 500 jobs with substantial capital investment. In addition, this status may be granted to major projects by Fortune 500, Manufacturers 400, or Global 500 listed firms. A mixed-use or residential development considered for support as a non-conforming project requires special circumstances and must ensure that a minimum of 20% of the residential units in the development meet affordable housing or mixed-income housing requirements for the location. Commercial aspects of predominately residential mixed-use projects providing affordable housing in "areas of opportunity" in collaboration with the Housing Department will be considered.

### **Competitive and Retention Projects**

In special cases, companies receiving competing offers of incentives or those currently located in the city of Dallas considering a relocation/expansion are eligible to apply for financial incentives with negotiable terms. Existing firms must expand job base by 25 percent to be eligible for consideration. Incentives may be offered in specific cases to 'match other offers.' Companies may be required to demonstrate competing cities, offers, land/lease costs, taxes at current rates, utility rates, relocation costs, other significant costs and 'gap' to be filled, etc.

### **Other Sources of Financial Assistance**

Public/Private Partnership Program grants and abatements may be used in combination with other sources of federal, state, or City funds where necessary to achieve the public purpose advanced by a project. The City is willing to partner with special entities, such as Local Government Corporations, and special districts to provide an advantageous structure for projects that advance economic development. Such entities and districts may issue revenue bonds as allowed by state law to finance projects.

### **Tax Increment Finance Districts**

Special districts funding public improvements (not services) with increased tax revenues resulting from new private development. Tax rates are the same as elsewhere in the City and no added cost to private parties is incurred.

### **Public Improvement Districts**

Special districts created by petition to privately fund public improvements or special supplemental services over and above those provided by City, when such services are supportive of related City investments in capital improvements.

### **Neighborhood Commercial/Retail Redevelopment Grant Program**

This Program is intended to provide financial assistance to existing retail shopping centers and other retail/commercial facilities within Target Areas that are at least 15 years old for improvements and/or redevelopment which will positively impact surrounding neighborhoods and residents. Contemplated improvements must improve the aesthetics, design, or architectural appeal of the property and may include enhanced landscaping, lighting, pedestrian and/or parking improvements, new signage and facades, and major renovations to the facility among other items. Each project is considered on a case by case basis. City financial participation is on a matching and reimbursement basis. Phasing is permitted. Minimum total project investment is \$250,000 and potential grants are subject to funding availability. An agreement must be in place with the City prior to work commencing.

### **Small Business & Adaptive Reuse Incentives**

The City of Dallas is committed to supporting growth of small businesses and fostering adaptive reuse of commercial buildings. Additional programs can be flexibly developed and linked to this policy as approved by the City Council.

### **City of Dallas Regional Center - EB 5**

The City of Dallas Regional Center (CDRC) is dedicated to assisting individuals and their families through the EB-5 immigration process via investment into businesses and development projects located within the Dallas city limits. The CDRC offers a variety of investments to foreign investors that meet or exceed requirements and offer investors features unique to the EB-5 community. Minimum foreign investment is \$500,000 in Targeted Employment Areas or \$1M in other areas. All opportunities supported by the CDRC must provide 10 full-time jobs (directly or indirectly) per investor.

### **New Market Tax Credits**

The City of Dallas participates in the New Market Tax Credit Program (NMTC), a federal program operated

by the Department of Treasury, that provides opportunities for new development in traditionally underserved areas. The program provides NMTC investors with a 39% federal tax credit payable over seven years. These investments are partnered with additional funds for businesses and real estate development in Low Income Neighborhoods.

### **Foreign Trade Zone**

Allows duty-free importing of foreign-made components into the Zone, where they may be assembled, manufactured, processed or packaged. Duties are charged only when products are subsequently distributed into the U.S. market - if they are shipped to international markets, no duty is levied.

### **State Incentives**

The City of Dallas will facilitate applications for assistance from State programs including Enterprise Zone Projects, Texas Enterprise Fund, and the Texas Emerging Technology Fund.

To obtain more detail on these programs, or to inquire regarding other assistance, contact: Office of Economic Development, Dallas City Hall, Room 6DN, Dallas, Texas 75201, Phone: (214) 670-1685, Fax: (214) 670-0158.

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