

Memorandum



CITY OF DALLAS

DATE September 9, 2022

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

SUBJECT **City Coordination with Texas Alcoholic Beverage Commission (TABC)**

In his July 5, 2022, memorandum, Mayor Eric Johnson asked the City Attorney's Office and the Dallas Police Department to prioritize challenging alcoholic beverage licenses of businesses that have acted irresponsibly and created public safety issues in our city's vibrant and thriving nightlife districts.

This memorandum provides an update to Public Safety committee members on city efforts to address neighborhood safety concerns caused by violent incidents in these districts.

City staff, including the City Attorney's Office and the Dallas Police Department, have been working together to ensure a strategic plan is in place to protest applications for new applications or renewals of permits to sell alcohol from the Texas Alcohol and Beverage Commission (TABC). The three main strategic plan elements are:

- Shared Data and Communication: Representatives from both TABC and city departments will meet every other month to collaboratively review crime data; track active permits; and establish specific public safety goals and objectives for businesses that fall within DPD's strategic priorities.
- Strategic Inspection and Referral: For properties which fall within the strategic priorities, city departments will coordinate inspections to ensure compliance with both the city code and the Texas Alcoholic Beverage Code and to verify implementation of crime prevention measures. Members of the Dallas Police Department, Code Compliance, and the City Attorney's Office have, and will continue to, participate in cross-training opportunities with the TABC.
- Escalated Enforcement: Businesses that fail to address code violations or implement necessary crime prevention measures will be referred to Community Prosecution for escalated enforcement. Escalated enforcement will include: (1) challenges to any renewals of TABC permits/licenses to sell alcohol; (2) habitual criminal/nuisance property designation; or (3) litigation.

Addressing public safety issues at alcoholic beverage establishments requires a holistic and collaborative plan. In addition to the City Attorney's Office and DPD, the Office of Special Events, Dallas Fire Rescue, Code Compliance Services, Planning and Urban

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Design, external stakeholders, Texas Alcoholic Beverage Commission, Public Improvement Districts, and 24Hour Dallas have been working collaboratively to address these public safety issues.

- Commercial Promoter Ordinance: On June 22, 2022, Council approved the Commercial Promoter Ordinance (Chapter 38A) requiring all commercial promoters to register with the Office of Special Events and provide safety plans for all commercially promoted events. Failure to comply with Chapter 38A of the Dallas City Code may result in criminal citation not to exceed \$500, a designation of the property as a Habitual Nuisance Property, and/or financial liability for any emergency response.
- Amended Land Use Definitions: Potential future amendments to Chapter 51/51A of the Dallas Development Code include reexamining the definitions and regulations for the restaurant and commercial amusement (inside) land uses, as well as adding regulations for a new music entertainment establishment land use. Amendments to the Dallas Development Code must go to the Zoning Ordinance Advisory Committee and the City Plan Commission before final action by city council.
- Collaboration & Education with Industry: City staff continues to collaborate with organizations and industry groups to identify issues, develop solutions, and implement strategies. For example, city staff has been meeting regularly with 24HourDallas's Good Neighbor Initiative to host the Clubs, Pubs & Bars (CPB) Kick-Off Meeting on July 19, 2022. Additionally, city staff is hosting quarterly meetings with the representatives of the City's public improvement districts to support their efforts in address public safety issues.

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



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Deputy City Manager

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Chris Caso, City Attorney
Mark Swann, City Auditor
Biliera Johnson, City Secretary
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Robert Perez, Interim Assistant City Manager
Carl Simpson, Interim Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Genesis D. Gavino, Chief of Staff to the City Manager
Directors and Assistant Directors