

ORDINANCE NO. _____

An ordinance amending Sections 2-26.2 and 2-168 of Chapter 2, “Administration”; amending Section 5A-8 of Chapter 5A, “Air Pollution”; amending Section 17-10.2 of Chapter 17, “Food Establishments”; amending Sections 18-3, 18-4, 18-9, and 18-11 of Chapter 18, “Municipal Solid Wastes”; amending Section 20A-34 of Chapter 20A, “Fair Housing and Mixed Income Housing”; amending Section 27-53 of Chapter 27, “Minimum Property Standards”; amending Sections 49-18.1, 49-18.2, 49-18.4, 49-18.5, and 49-18.9 of Chapter 49, “Water and Wastewater”; amending the fee for abandonments of public right-of-way and easements; amending the stormwater fee structure; amending the registration fees for facilities that are a source of air contaminants; adjusting permit application fees and inspection fees for mobile food units, catering services, and fixed facilities; amending fees for sanitation collection services; amending program participation fees for fair housing and mixed income housing projects; amending the fees for habitual criminal and nuisance properties; adjusting rates and charges for treated water service, wastewater service, wholesale water, and wastewater service to governmental entities, additional water meters, untreated water service, service connections, fire hydrant usage, and industrial surcharge rate formula for excessive concentrations; 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 Subsection (a), “Application by Property Owner,” of Section 2-26.2, “Abandonment of Public Rights-of-Way,” of Division 1, “Generally,” of Article III, “Management and Sale of City-Owned Real Property,” of Chapter 2, “Administration,” of the Dallas City Code is amended to read as follows:

“(a) Application by property owner. A property owner whose property abuts a public right-of-way may apply to the city manager for abandonment, in whole or in part, of the abutting right-of-way. An application must be accompanied by:

- (1) a nonrefundable application fee of \$4,595 [4,250], plus recording fees;
- (2) the written concurrence of all persons who own property abutting the area proposed to be abandoned; and
- (3) copies of recorded deeds showing current ownership of all property abutting the area proposed to be abandoned.”

SECTION 2. That Subsection (f), “Fees for Abandonment,” of Section 2-26.2, “Abandonment of Public Rights-of-Way,” of Division 1, “Generally,” of Article III, “Management and Sale of City-Owned Real Property,” of Chapter 2, “Administration,” of the Dallas City Code is amended to read as follows:

“(f) Fees for abandonment. Before the city council authorizes the abandonment of all or part of a public right-of-way, the applicant shall pay an abandonment fee calculated in accordance with one of the following methods:

(1) Fee for a street, alley, or storm water management area abandonment: an amount equal to the square footage of the area abandoned x the market value of the area per square foot, or a \$7,800 [5,400] processing fee, whichever is greater. If property rights are retained by the city, the appraiser may, if warranted, discount the market value up to, but not exceeding:

- (A) 15% for a full abandonment with any encumbrance or easement retained;
- (B) 30% for an air rights abandonment;
- (C) 70% for a subsurface rights abandonment; and
- (D) 85% for an air rights abandonment deed restricted against use.

(2) Fee for an abandonment of a utility or drainage easement originally dedicated to the city at no cost: \$7,800 [~~5,400~~] processing fee, plus \$1,000 for each easement in excess of five being abandoned.

(3) Fee for an abandonment of a utility or drainage easement originally purchased by the city: an amount equal to the greatest of:

(A) the square footage of the area abandoned x the market value of the area per square foot x 50%;

(B) the square footage of the area abandoned x the per-square-foot purchase price of the easement when originally purchased by the city; or

(C) a \$7,800 [~~5,400~~] processing fee.

(4) Fee for an abandonment of a street, alley, or storm water management area originally dedicated at no cost to the city when the original dedicator applies for abandonment before the sale of abutting property has been made: \$7,800 [~~5,400~~] processing fee.”

SECTION 3. That Subsection (b), “Stormwater Drainage Utility Rates,” of Section 2-168, “Definitions; Stormwater Drainage Utility Rates; Exemptions; Incentives for Residential-Benefitted Properties; Billing and Collection Procedures,” of Article XXVIII, “Stormwater Drainage Utility,” of Chapter 2, “Administration,” of the Dallas City Code is amended to read as follows:

“(b) Stormwater drainage utility rates.

(1) The stormwater drainage charge for residential-benefitted property per month is as follows:

IMPERVIOUS AREA (in square feet)	MONTHLY RATE
up to 2,000	<u>\$4.64</u> [4.44]
2,001 - 3,500	<u>\$7.38</u> [7.06]
3,501 - 5,500	<u>\$11.05</u> [10.57]
more than 5,500	<u>\$18.06</u> [17.28]

(2) The stormwater drainage charge for all other benefitted properties not defined as residential-benefitted property is an amount equal to \$2.50 [~~2.39~~] per month for each

1,000 square feet, or parts thereof, of impervious area of the benefitted property, with a minimum charge of \$7.13 [6.82] per month for non-residential-benefitted property.

(3) If information regarding the impervious area square footage of a particular lot or tract of benefitted property is unavailable or inadequate, the director may make a reasonable estimate of impervious area square footage and levy the drainage charge on that basis.”

SECTION 4. That Subsection (b) of Section 5A-8, “Registration Fees,” of Chapter 5A, “Air Pollution,” of the Dallas City Code is amended to read as follows:

“(b) The fee for each class facility is as follows:

Class “1” facility	\$1,442 [1,465]
Class “2” facility	\$1,093 [1,200]
Class “3” facility	\$988 [940]
Class “4” facility	\$988 [960]
Class “5” facility	\$86 [110]”

SECTION 5. That Subsection (d), “Permit Application Fee,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(d) Permit application fee.

(1) An applicant for a permit for a food establishment shall pay the city an application fee for each separate and distinct fixed facility and for each mobile food unit inside the city from which the establishment is to be operated.

(2) ~~Effective until September 30, 2022, t~~he applicant shall pay a nonrefundable fee according to the following schedule:

	Fixed Facility	Class I and Class II Mobile Food Unit	Class III and Class IV Mobile Food Unit
Application Fee	\$197	\$121	\$481
Reinstatement fee after lapse of permit for failure to pay annual inspection fee by due date: existing facility or vehicle under same ownership	\$199		

(3) [Effective October 1, 2022, the applicant shall pay a nonrefundable fee according to the following schedule:

	Fixed Facility	Class I and Class II Mobile Food Unit	Class III and Class IV Mobile Food Unit
Application Fee	\$197	\$159 [197]	\$481
Reinstatement fee after lapse of permit for failure to pay annual inspection fee by due date: existing facility or vehicle under same ownership	\$199		

(4)] Section 17-10.2(d) does not apply to:

(A) a temporary food service establishment permitted under this chapter;
or

(B) a wholesale produce dealer permitted under Chapter 29 of this code.

(4[5]) The permit application and reinstatement fees required to be paid under this section are in addition to the annual inspection fees required to be paid under Section 17-10.2(g) or (h), whichever applies.”

SECTION 6. That Paragraph (1) of Subsection (e), “Plans and Specifications,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(1) A person shall not begin constructing a fixed facility or constructing a mobile food preparation vehicle (whether by manufacturing, retrofitting, or converting), or extensively remodeling a fixed facility, intended for use in the operation of a food establishment (other than a temporary food service establishment) before a copy of plans and specifications of the construction or remodeling are approved, in writing, by the director.

(A) In general. Except as provided in this paragraph, a request for approval of plans and specifications must be accompanied by a nonrefundable plans review fee of \$562 for a mobile food unit.

(B) Class II mobile food unit limited to a coffee cart. A for approval of plans and specifications for a Class II mobile food unit limited to a [mobile kiosk/]coffee cart must be accompanied by a nonrefundable plan review fee of \$205. [This subparagraph is effective until September 30, 2022.]”

SECTION 7. That Subsection (g), “Annual Inspection Fees: Catering Services and Mobile Food Units,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(g) Annual inspection fees: catering services and mobile food units.

(1) Catering service.

A [(A) Effective until September 30, 2022, a] catering service shall pay the city a nonrefundable annual inspection fee of \$125 for each vehicle used to operate the service inside the city.

~~[(B) Effective October 1, 2022, a catering service shall pay the city a nonrefundable annual inspection fee of \$311 for each vehicle used to operate the service inside the city.]~~

(2) Mobile food unit.

A [(A) Effective until September 30, 2022, a] food establishment that operates a mobile food unit inside the city shall pay the city a nonrefundable annual inspection fee in accordance with the following schedule:

Type of Operation	Each Vehicle
Class I mobile food unit (produce trucks, ice cream carts, grocery trucks)	\$300
Class II mobile food unit	\$240
Class III and IV mobile food unit	\$185

~~[(B) Effective October 1, 2022, a food establishment that operates a mobile food unit inside the city shall pay the city a nonrefundable annual inspection fee in accordance with the following schedule:~~

Type of Operation	Each Vehicle
Class I mobile food unit (produce trucks, ice cream carts, grocery trucks)	\$300
Class II mobile food unit	\$408
Class III and IV mobile food unit	\$330]

SECTION 8. That Subparagraph (F) of Paragraph (3) of Subsection (a), “Containers for Residences and Duplexes,” of Section 18-3, “Regulating Containers for Municipal Solid Waste Materials,” of Article I, “Collection and Disposal,” of Chapter 18, “Municipal Solid Wastes,” of the Dallas City Code is amended to read as follows:

“(F) Additional rollcarts for garbage and recyclable materials may be obtained from the director of sanitation for an additional fee set forth in Section 18-9(c)(1) of this article. ~~[Additional rollcarts for recyclable materials may be obtained from the director of sanitation for no additional fee.]~~”

SECTION 9. That Paragraph (4), “Fee,” of Subsection (g), “Oversized Brush and Bulky Trash Collection,” of Section 18-4, “Regulating the Collection of Solid Waste Materials From Residences and Duplexes,” of Article I, “Collection and Disposal,” of Chapter 18, “Municipal Solid Wastes,” of the Dallas City Code is amended to read as follows:

“(4) Fee. Where the quantity of the oversized brush and bulky trash set out for collection exceeds 20 cubic yards, the set out may be collected and a fee will be assessed on the dwelling unit's water bill pursuant to a fee set forth in Section 18-4(h) ~~[schedule that will be adopted in the 2019-2020 fee ordinance]~~.”

SECTION 10. That Subparagraph (D) of Paragraph (7) of Subsection (b), “General Regulations,” of Section 18-9, “Specifying Charges for Sanitation Service,” of Article I, “Collection and Disposal,” of Chapter 18, “Municipal Solid Wastes,” of the Dallas City Code is amended to read as follows:

“(D) A recycling rollcart must be placed on the curb in accordance with Section 18-3(a)~~[(4)]~~ and Section 18-4(c). A recycling rollcart that is not kept clean or that causes a nuisance may be removed from the premises at the direction of the director of sanitation.”

SECTION 11. That Subsection (c), “Schedule of Service Charges,” of Section 18-9, “Specifying Charges for Sanitation Service,” of Article I, “Collection and Disposal,” of Chapter 18, “Municipal Solid Wastes,” of the Dallas City Code is amended to read as follows:

“(c) Schedule of service charges.

(1) The collection service charge for a residence or duplex is as follows:

(A) Alley or curb collection service for municipal solid waste - \$35.81 ~~[34.30]~~ per dwelling unit per month for one roll-cart, plus \$13.85 ~~[13.27]~~ per month for each additional garbage roll-cart requested by the owner or occupant of the premises.

(B) Packout or drive-in collection service for municipal solid waste - \$124.73 ~~[119.47]~~ per dwelling unit per month for one roll-cart, plus \$13.85 ~~[13.27]~~ for each additional garbage roll-cart requested by the owner or occupant of the premises.

(C) Effective October 1, 2022, the owner or occupant of a dwelling unit with one rollcart for recyclable materials may request one additional rollcart for recyclable materials from the director of sanitation for no additional fee. Dwelling units with two or more rollcarts for recyclable materials may request additional rollcarts for recyclable materials for a one-time processing and handling fee for \$50.00 per rollcart, which will be applied to the dwelling unit’s water account.

(2) The collection service charge for an apartment or a mobile home park that receives manual collection service from the sanitation services of the city is as follows:

(A) Alley, curb, or drive-in collection service for municipal solid waste - \$35.81 ~~[34.30]~~ per apartment unit or mobile home space per month.

(B) Packout collection service for municipal solid waste - \$124.73 ~~[119.47]~~ per apartment unit or mobile home space per month.

(3) A monthly collection service charge will be made for all commercial establishments for collection service provided by the sanitation services of the city as follows:

TABLE OF MONTHLY CHARGES

(Garbage & Recycling, per Section 18-9(b)(6), more than once a week)

A multiplier will be used for multiple carts.

NUMBER OF COLLECTIONS PER WEEK							
	1	2	3	4	5	6	7
96-gallon RollCarts	\$37.44 [35.66]	\$74.89 [71.32]	\$112.33 [106.98]	\$149.77 [142.64]	\$187.22 [178.30]	\$224.66 [213.96]	\$262.10 [249.62]

(4) A monthly recycling-only collection service charge will be made for all commercial properties for weekly collection service provided by the sanitation services of the city as follows:

TABLE OF MONTHLY CHARGES

(Recycling-Only Service, Outside of the Central Business District)

A multiplier will be used for multiple carts.

NUMBER OF COLLECTIONS PER WEEK							
	1	2	3	4	5	6	7
96-gallon RollCarts	\$24.34 [23.18]	\$48.68 [46.36]	\$73.02 [69.54]	\$97.36 [92.72]	\$121.70 [115.90]	\$146.02 [139.07]	\$170.36 [162.25]

(5) Extraordinary collection and removal service is as follows:

(A) A cost plus rate of \$60 [50] per five cubic yards, billed in five cubic yard increments for materials set out for collection in advance or after the period designed by the director of sanitation, as described in Section 18-4(e), as amended, and for materials not included in the regular collection service as described in Section 18-8, as amended.

(B) The director of sanitation may provide an out-of-cycle collection of garbage and recyclable materials from rollcarts owned and provided by the city, upon a customer's request through the city's 311 system, for a fee of \$25 for garbage and \$25 for recyclable materials. In the event a customer submits a service request through the city's 311 system claiming regular collection services were missed, and the director of sanitation later determines through vehicle on-board camera systems that the rollcart(s) in question were not set out at the prescribed time of collection, or did not comply with the requirements of Sections 18-3 or 18-4 of this article, the director of sanitation may assess a collection fee of \$25 for garbage and \$25 for recyclable materials to the dwelling unit's water account.

(6) Miscellaneous collection service charges will be as follows:

(A) Public housing may be charged as apartments.

(B) Churches, clinics, hospitals, public buildings, and schools will be charged as commercial locations.

(7) The service charge for the collection and removal of grass cuttings from any premises is:

(A) \$1.50 per bag, if the service is performed by city sanitation services;
and

(B) an amount specified by city contract, if the service is performed by a contractor selected by the city under Section 18-8(b)(3), as amended.

(8) Packout or drive-in service for certain handicapped persons meeting uniform requirements specified by the director of sanitation will be provided at the rate for alley or curb collection service. Any applicant for a reduced rate under this subparagraph who intentionally makes any misrepresentation in any written statement required by such uniform requirements is guilty of an offense and, upon conviction, is punishable by a fine not to exceed \$500.

(9) The fee for replacement of a rollcart that is lost or damaged due to a customer's negligence is \$67.90 [~~49.59~~] for a garbage rollcart or \$70.81 [~~52.94~~] for a recycling rollcart.

(10) Large dead animals, including but not limited to horses, cattle, and other animals of similar size, will be picked up by the city for a fee of \$125 per animal.

(11) Construction debris may be collected for a fee as part of a non-compliant brush and bulky trash collection as outlined in Section 18-4(h)(2) or as a cost plus rate as outlined in Section 18-9(c)(5). Loose or small construction debris such as roofing materials, shingles, brick, concrete, stone, drywall, insulation, glass, masonry materials, and other materials designated in writing by the director of sanitation will not be collected by the department of sanitation services."

SECTION 12. That Paragraph (5) of Subsection (a) of Section 18-11, "Specifying Charges for Disposal of Solid Waste Materials," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code is amended to read as follows:

"(5) Except as provided in Subsection (a)(6), the charge for all materials accepted at the transfer station is \$61.58 [~~58.65~~] per ton based on the transfer station weighing system, with a minimum charge of \$61.58 [~~58.65~~] for any load that is less than one ton."

SECTION 13. That Paragraph (6) of Subsection (a) of Section 18-11, "Specifying Charges for Disposal of Solid Waste Materials," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code is amended to read as follows:

"(6) Whenever the transfer station weighing system is inoperable, the following fees will be charged for materials accepted at the transfer station:

(A) Passenger cars, station wagons, and pickups that are used by persons other than Dallas city residents to haul their own waste from their residences to the station - \$64.09 [~~59.34~~] per load.

(B) Commercial pickups - \$64.09 [~~59.34~~] per load.

(C) Trucks or trailers with a cargo bed length of less than 15 feet - \$252.13 [~~233.45~~] per load.

(D) Trucks or trailers with a cargo bed length of not less than 15 feet but less than 25 feet - \$315.47 [~~292.10~~] per load.”

SECTION 14. That Subsection (b) of Section 18-11, “Specifying Charges for Disposal of Solid Waste Materials,” of Article I, “Collection and Disposal,” of Chapter 18, “Municipal Solid Wastes,” of the Dallas City Code is amended to read as follows:

“(b) The following disposal service charges are established for disposing of municipal solid waste at city landfill sites:

(1) Passenger cars, station wagons, pickups, and trailers less than 15 feet long that are used by Dallas city residents to haul their own waste from their residences to a city landfill site - no charge. (A current, valid Texas driver’s license showing a Dallas address or a current Dallas water utilities bill is required as proof of residency.)

(2) Except as provided in Subsection (b)(3), the charge for all materials accepted at a city landfill site is \$37.67 [~~34.88~~] per ton based on the landfill weighing system, with a minimum charge of \$37.67 [~~34.88~~] for any load that is less than one ton. Each ton shall be assessed an additional \$2.00 per ton customer processing fee for each individual load paid and processed by a cashier upon entering the landfill.

(3) Whenever the landfill weighing system is inoperable, the following fees will be charged for materials accepted at a city landfill:

(A) Passenger cars, station wagons, and pickups that are used by persons other than Dallas city residents to haul their own waste from their residences to a city landfill site - \$56.84 [~~52.63~~] per load.

(B) Commercial pickups - \$56.84 [~~52.63~~] per load.

(C) Trucks or trailers with a cargo bed length of less than 15 feet - \$132.19 [~~122.40~~] per load.

(D) Trucks or trailers with a cargo bed length of 15 feet or greater - \$283.55 [~~262.55~~] per load.

(E) Roll-off containers, whether open top or compactor - \$302.72 [280.30] per load.

(F) Compactor trucks - \$378.06 [350.06] per load.

(4) A fee of \$52.70 [48.80] per load will be charged for the use of city equipment, when available, to off-load bundled waste by pulling it with cables, chains, or other devices. City equipment will be used at the customer's own risk, with the city assuming no liability for any resulting damage. Non-city vehicles are prohibited from pulling loads off of other vehicles at a city landfill site.

(5) The fee for use of the city's mechanical tipper to off-load tractor trailer loads is \$98.82 [91.50] per use.

(6) Collection vehicles not constructed with an enclosed transport body must use nets, tarpaulins, or other devices to prevent accidental spillage. A cover fee of \$40 [10] will be charged for any collection vehicle (other than a pickup truck) that enters the landfill without being so equipped.

(7) Tires exceeding 25 inches in diameter will not be accepted at a city landfill site.

(8) Effective January 1, 2023, an environmental fee will be applied to all commercial disposal customers at \$2.00 per ton with a minimum charge of \$2.00 for any load that is less than one ton.

SECTION 15. That Section 20A-34, "Fees," of Article II, "Mixed-Income Housing," of Chapter 20A, "Fair Housing and Mixed Income Housing," of the Dallas City Code is amended to read as follows:

"SEC. 20A-34. FEES.

Program Participation Fees	Fee
Pre-application meeting	<u>\$1,390</u> [92.00]
Initial first year activities (including receiving a development bonus, filing the mixed-income restrictive covenant, and initial leasing.)	<u>\$485</u> [625.00]
Compliance monitoring during affordability period	<u>\$11,082</u> [3,736.00]

Fees in Lieu of On-Site Provision of Units Fee to be multiplied by the square footage of floor area as specified in Section 20A-23.1	Fee MVA Categories A-F	Fee MVA Categories G-I
Under six stories	\$3.07	\$2.15
Between six and eight stories	\$4.91	\$3.44
Between nine and 12 stories	\$6.14	\$4.30
Over 12 stories	\$7.98	\$5.59

Consumer Price Index adjustment. The fees in lieu will be increased yearly by a percentage equal to the percentage change in the consumer price index statistics published by the United States Bureau of Labor. Comparisons will be made using the index entitled, "Housing in Dallas-Fort Worth-Arlington, TX, all urban consumers, not seasonally adjusted," series ID CUURS37ASAH (1982-1984 = 100)," or similar comparable United States Bureau of Labor data on changes in the cost of living, if the initial index is no longer published. Beginning January 2023, the change will be determined by comparison of the figure for the previous January with that of January of the current year. This calculation may not reduce the fee in lieu below the listed amount for the preceding year."

SECTION 16. That Section 27-53, "Fees," of Article VIII, "Habitual Criminal and Nuisance Properties," of Chapter 27, "Minimum Property Standards," of the Dallas City Code is amended to read as follows:

"SEC. 27-53. FEES.

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

RESIDENTIAL (by number of dwelling units)	ANNUAL FEE
0-2	<u>\$3,211</u> [1,629]
3-20	<u>\$5,387</u> [2,009]
21-59	<u>\$6,679</u> [2,752]
60-250	<u>\$8,606</u> [3,564]
251-500	<u>\$11,315</u> [4,321]
501-1,000	<u>\$11,229</u> [5,317]
1,001 or more	<u>\$12,643</u> [6,313]

NONRESIDENTIAL (by square footage of largest improvement)	ANNUAL FEE
0-4,999	\$ <u>5,449</u> [2,802]
5,000-9,999	\$ <u>6,623</u> [3,447]
10,000-59,999	\$ <u>8,180</u> [4,926]
60,000-99,999	\$ <u>10,680</u> [7,653]
100,000 or more	\$ <u>11,384</u> [9,825]

SECTION 17. That Subsection (c), “Rate Tables,” of Section 49-18.1, “Rates for Treated Water Service,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(c) Rate tables. The director shall charge customers for treated water service in accordance with the following tables:

(1) Water Service Customer Charges.

METER SIZE	RATE PER METER
5/8-inch meter	\$ <u>5.65</u> [5.46]
3/4-inch meter	\$ <u>7.96</u> [7.58]
1-inch meter	\$ <u>11.60</u> [11.05]
1-1/2-inch meter	\$ <u>21.53</u> [20.50]
2-inch meter	\$ <u>35.03</u> [33.36]
3-inch meter	\$ <u>82.88</u> [78.93]
4-inch meter	\$ <u>136.28</u> [129.79]
[5-inch meter]	[\$257.74]
6-inch meter	\$ <u>270.63</u> [429.01]
<u>8-inch meter</u>	<u>\$450.46</u>
<u>10 [7]-inch meter or larger</u>	<u>\$691.68</u> [658.74]

(2) Usage Charge – Rate Per 1,000 Gallons.

TYPE OF USAGE			
(A)	Residential:		
	(i)	Up to 4,000 gallons	\$ <u>1.99</u> [1.90]
	(ii)	4,001 to 10,000 gallons	\$ <u>4.33</u> [4.11]
	(iii)	10,001 to 20,000 gallons	\$ <u>7.07</u> [6.70]
	(iv)	20,001 to 30,000 gallons	\$ <u>10.08</u> [9.55]
	(v)	Above 30,000 gallons	\$ <u>11.72</u> [11.10]

(B)	General service:		
	(i)	Up to 10,000 gallons	<u>\$4.70</u> [4.43]
	(ii)	Above 10,000 gallons	<u>\$5.16</u> [4.83]
	(iii)	Above 10,000 gallons and 1.4 times annual average monthly usage	<u>\$7.85</u> [7.38]"

SECTION 18. That Paragraph (1) of Subsection (f), "Election for Certain General Water Service Customers," of Section 49-18.1, "Rates for Treated Water Service," of Article II, "Rates, Charges and Collections," of Chapter 49, "Water and Wastewater," of the Dallas City Code is amended to read as follows:

"(1) The customer must agree to pay each year:

(A) the monthly customer charge as provided in Subsection (c);

(B) \$2,866.70 [2,684.47] per month as a usage charge on the first 1,000,000 gallons used in a billing period; and

(C) \$4.51 [4.00] per 1,000 gallons used in excess of 1,000,000 gallons per month."

SECTION 19. That Subsection (g), "Adjusted Rates for Hidden Water Leaks," of Section 49-18.1, "Rates for Treated Water Service," Article II, "Rates, Charges and Collections," of Chapter 49, "Water and Wastewater," of the Dallas City Code is amended to read as follows:

"(g) Adjusted rates for hidden water leaks. When a customer experiences a substantial increase in water or wastewater usage from a hidden water leak and the customer meets the requirements of Section 49-9(e), the director will adjust the account and bill the customer.

(1) an estimated amount of normal water usage for the period at the regular rate;

(2) the excess water usage caused by the hidden leak at the following applicable rate:

TYPE OF USAGE		RATE PER 1,000 GALLONS
(A)	Residential	<u>\$1.99</u> [1.90]
(B)	General Service	<u>\$4.70</u> [4.43]
(C)	Optional general service	<u>\$4.51</u> [4.00]
(D)	Municipal service	<u>\$3.10</u> [2.88]

and

(3) the applicable wastewater rate prescribed in Section 49-18.2(c), based on an adjustment of wastewater volume to estimated normal volume, where adjustment is appropriate.”

SECTION 20. That Subsection (i), “Rates for Municipal Purpose Water Service,” of Section 49-18.1, “Rates for Treated Water Service,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(i) Rates for municipal purpose water service. Water service to property owned by the city of Dallas that is used solely for municipal purposes may be charged \$3.10 [~~2.88~~] per 1,000 gallons of water used.”

SECTION 21. That Subsection (c), “Rate Tables,” of Section 49-18.2, “Rates for Wastewater Service,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(c) Rate tables. The director shall charge a customer for wastewater service in accordance with the following tables:

Wastewater Service Charges.

(1) Monthly customer charges.

METER SIZE	RATE PER METER
5/8-inch meter	<u>\$5.07</u> [4.83]
3/4-inch meter	<u>\$6.74</u> [6.63]
1-inch meter	<u>\$10.00</u> [9.55]
1-1/2-inch meter	<u>\$19.25</u> [18.48]
2-inch meter	<u>\$31.75</u> [28.79]
3-inch meter	<u>\$74.00</u> [70.20]
4-inch meter	<u>\$117.00</u> [112.53]
6-inch meter	<u>\$232.45</u> [221.50]
8-inch meter	<u>\$387.10</u> [369.75]
10-inch meter <u>or larger</u>	<u>\$609.00</u> [580.96]

(2) Monthly residential use charge: \$5.67 [~~5.41~~] per 1,000 gallons of the average water consumption billed in the months of December, January, February, and March or the actual month's water consumption, whichever is less, up to a maximum charge of 40,000 gallons per month.

(3) Monthly general service usage charge: \$4.81 [~~4.56~~] per 1,000 gallons of water used.

(4) Monthly usage charge for Section 49-18.1(f) customer: \$4.44 [~~4.21~~] per 1,000 gallons of water used.

(5) Monthly general service usage charge for wastewater separately metered: \$4.49 [~~4.26~~] per 1,000 gallons of wastewater discharged.

(6) Monthly surcharge for excessive concentrations of waste: an amount calculated in accordance with Sections 49-18.12, 49-48 and 49-49 of this chapter.

(7) Monthly surcharges for excessive concentrations of waste for wastewater separately metered: An amount calculated in accordance with Sections 49-18.12, 49-48 and 49-49 of this chapter.”

SECTION 22. That Subsection (f), “Rates for Municipal Purpose Wastewater Service,” of Section 49-18.2, “Rates for Wastewater Service,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(f) Rates for municipal purpose wastewater service. Wastewater service to property owned by the city of Dallas that is used solely for municipal purposes may be charged \$3.15 [~~2.92~~] per 1,000 gallons of water used.”

SECTION 23. That Subsection (b), “Rate Table,” of Section 49-18.4, “Rates for Wholesale Water and Wastewater Service to Governmental Entities,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(b) Rate table. The director shall charge a governmental entity for wholesale water service in accordance with the following:

(1) The volume charge for treated water is \$0.4520 [~~0.4480~~] per 1,000 gallons of water used, and the annual water year demand charge is \$320,826 [~~312,607~~] per each mgd, as established by the highest rate of flow controller setting.

(2) If a flat rate charge for treated water is provided by contract, or in the absence of a rate flow controller, the charge is \$2.4572 [~~2.4121~~] per 1,000 gallons of treated water used.

(3) A monthly readiness-to-serve charge will be assessed for any standby service point. The monthly fee, based on size of connection, is as follows:

Size of Connection	Monthly Standby Fee
3-inch	<u>\$82.88</u> [78.93]
4-inch	<u>\$136.28</u> [129.79]
6-inch	<u>\$270.63</u> [257.74]
8-inch	<u>\$450.46</u> [429.01]
10-inch or larger	<u>\$691.68</u> [658.74]

(4) The rate for regular untreated water service to a governmental entity is \$1.0598 [~~1.0323~~] per 1,000 gallons of untreated water used. The rate for interruptible untreated water service to a governmental entity is \$0.4381 [~~0.4272~~] per 1,000 gallons of untreated water used.”

SECTION 24. That Subsection (e), “Wholesale Wastewater Rates,” of Section 49-18.4, “Rates for Wholesale Water and Wastewater Service to Governmental Entities,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(e) Wholesale wastewater rates. The director may provide wholesale wastewater service to other governmental entities by contract, in accordance with the following rules:

(1) The monthly rate for wholesale wastewater service is \$2.9685 [~~3.4133~~] per 1,000 gallons of wastewater discharged. The director is authorized to compensate those governmental entities located within the boundaries of the city for the city’s use of integrated facilities owned by those governmental entities.

(2) An infiltration and inflow adjustment factor of 20.3 [~~15.0~~] percent will be added to the average water consumption for the months of December, January, February, and March to determine billable volume for a governmental entity with unmetered wholesale wastewater service.

(3) If the BOD or suspended solids concentration of waste discharged exceeds 250 mg/L, the governmental entity must pay a surcharge calculated in accordance with Section 49-18.12(1)(A) or (B), whichever applies.”

SECTION 25. That Subsection (f), “Treatment of Water Owned by Another Governmental Entity,” of Section 49-18.4, “Rates for Wholesale Water and Wastewater Service to Governmental Entities,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(f) Treatment of water owned by another governmental entity. The director may provide treatment services at the Elm Fork water treatment plant to water owned by another governmental entity in accordance with a written contract. The volume charge for treating water owned by another governmental entity is \$0.3495 [~~0.3169~~] per 1,000 gallons of water treated, and the annual water year demand charge is \$50,397 [~~46,388~~] per each mgd, as established by the maximum demand capacity set forth in the contract.”

SECTION 26. That Subsection (a), “Regular Rate,” of Section 49-18.5, “Rate for Untreated Water,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(a) Regular rate. The charge for untreated water is \$1.0598 [~~1.0323~~] per 1,000 gallons of water used.”

SECTION 27. That Subsection (b), “Interruptible Rate,” of Section 49-18.5, “Rate for Untreated Water,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“(b) Interruptible rate. The charge for interruptible service is \$0.4381 [~~0.4272~~] per 1,000 gallons of water used.”

SECTION 28. That Section 49-18.9, “Charges for Use of Fire Hydrants,” of Article II, “Rates, Charges and Collections,” of Chapter 49, “Water and Wastewater,” of the Dallas City Code is amended to read as follows:

“SEC. 49-18.9. CHARGES FOR USE OF FIRE HYDRANTS.

A person requesting the use of water from a fire hydrant pursuant to Section 49-27 shall pay the following application charges:

(1) a deposit of \$2,150 to be refunded when the service is discontinued and the meter is returned to the city by the person or the person's authorized representative, less any unpaid fees for services and any costs to repair damage in excess of normal wear;

(2) a monthly fire hydrant service charge of \$82.88 [~~78.93~~]; and

(3) a usage charge for water that will be billed at the general service rate prescribed in Section 49-18.1(c)(2)(B)."

SECTION 29. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance governing fire safety, zoning, or public health and sanitation, is, upon conviction, is punishable by a fine not to exceed \$2,000 and that a person violating any other provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 30. That Chapters 2, 5A, 17, 18, 20A, 27, and 49 of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 31. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 32. 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 33. That this ordinance shall take effect on October 1, 2022, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By _____
Assistant City Attorney

Passed _____

DRAFT