

Right-of-Way and Lane Closure Permit Fees

City Council Briefing
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City of Dallas



Presentation Overview

- Purpose
- Lane and Sidewalk Closure Permits and Right-of-Way Citations
 - Background/History
 - Operational Impacts
 - Staff Recommendations
 - Next Steps



Purpose

- Provide background and history of Lane and Sidewalk Closure Permits and Right-of-Way (ROW) Citations
- Discuss operational impacts and staff recommendations of Lane/Sidewalk Closure Permit Fees and ROW Citations
- Discuss future Council action on the timing of implementation



Lane and Sidewalk Closure Permits



Background/History

- Lane and Sidewalk Closure Permits issued by Public Works (PBW) for traffic lane or sidewalk closures needed for construction
- Established October 1, 2014 (Ord. No. 26029)
- Lane and Sidewalk Closures Fee Structure
 - \$0.006 per square foot per day of street or sidewalk closed (or a minimum of \$145 for the permit)



Background/History

- Comparative Analysis

ROW & Lane Closure Permit Fees			
City	Application Fee	Sidewalk Cost	Traffic Lane/Alley Cost
Dallas	None	\$0.006 sq. ft./day	\$0.006 sq. ft./day
Austin	\$45 short term projects \$145 long term projects	\$0.01-\$0.14 sq. ft./day	\$0.10-\$0.42 sq. ft./day
Fort Worth	\$100	\$0.015 sq. ft./day	\$0.03 sq. ft./day
Houston	Administration Fee*	\$71/week partial obstruction \$112/week full obstruction	Outside CBD: \$59/week local street; \$106-\$130/week Arterial/Collector Inside CBD: \$124-\$160/week
San Antonio	\$50.00	\$0.0629 sf. ft./day	\$0.0629 sq. ft./day

* The fees may be subject to an administrative fee per Code Section 1-14



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Operational Impacts

- Lowest lane/sidewalk closures fees of major cities in Texas
- Streets and sidewalks stay closed longer than needed for construction
- Minimal permittee consideration of impacts of closures on traveling public



Staff Recommendation

- Public Works recommends:
 - Creation of a \$50 Application Fee for each Lane and Sidewalk Closure Permit
 - A revised, tiered-fee structure based on duration of closure and number of traffic lanes closed
 - Should incentivize contractors to remove barricades as early as possible



Staff Recommendation

- Proposed Lane and Sidewalk Closure Fee Structure

Closure Fees	Number of Days Closed	Fees Per Square Foot Per Day
<u>Sidewalk & up to one lane closure</u>	0-60	\$0.012/sq. ft./day
	61-120	\$0.024/sq. ft./day
	121-180	\$0.048/sq. ft./day
	180 or more	\$0.096/sq. ft./day
<u>Two or more lane closures</u>	0-60	\$0.036/sq. ft./day
	61-120	\$0.072/sq. ft./day
	121-180	\$0.144/sq. ft./day
	180 or more	\$0.288/sq. ft./day



Staff Recommendation

- Proposed Lane and Sidewalk Closure Fee Structure Example



Staff Recommendation

- Proposed Lane and Sidewalk Closure Fee Structure
Example of Current vs. Proposed Fees and comparison with other municipalities (1,000 sq. ft.)

Municipality	Fee Structure	Number of Days Closed	Closure Fee	Closure Cost
Dallas	Current	61	\$0.006/sq. ft./day	\$366
	Proposed	61	\$0.024/sq. ft./day	\$1,464 + \$50 Application Fee = \$1,514
Austin	Current	61	\$0.10/sf. ft./day	\$6,100+ \$45 Application Fee = \$6,145
Fort Worth	Current	61	Sidewalk \$0.015/sq. ft./day Traffic Lane \$0.03/sq. ft./day	\$366 + \$1,098 + \$100 Application Fee = \$1,564
Houston	Current	61	Sidewalk \$112 week CBD Traffic Lane - \$124 week	\$976 + \$1,081 = \$2,057
San Antonio	Current	61	\$0.0629/sq. ft./day	\$3,837 + \$50 Application Fee = \$3,887



Staff Recommendation

- Briefed the Transportation and Infrastructure Committee on February 18, 2020
- As part of the communication plan, we briefed:
 - Individual Council Members
 - The Development Advisory Committee
 - Individual members of the Development Advisory Committee



Staff Recommendation

- Mayor and City Council consideration on June 24, 2020 for October 1, 2020 implementation
- The proposed fee structure would result in \$1M to \$3M in additional revenues in FY 2021
- Closures permitted before October 1, 2020 would stay under current fee schedule



ROW Citations



Background/History

- ROW Citations are issued for non-adherence to the City codes and ordinances governing work in the City's ROW
- ROW Citations carry a fine of \$500 per violation, per day
- Since August 2018, PBW has issued approximately 600 citations



Operational Impacts

- A total of 11 PBW staff issue ROW Citations primarily for:
 - Working without a permit
 - Failed to comply with restrictions or requirements of a permit issued
 - No permit on site



Staff Recommendation

- During the February 18th Transportation and Infrastructure briefing, staff recommended an increase of ROW citations from \$500 per violation, per day to \$700 per violation, per day
- Further analysis by the City Attorney's Office found that the Local Government Code limits citations to \$500



Next Steps

- Recommend moving forward with Mayor and City Council consideration of proposed ROW Lane and Sidewalk Closure Fee revisions during June 24, 2020 City Council meeting
- Discuss and finalize implementation date



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